

ILLINOIS POLLUTION CONTROL BOARD

March 7, 2002

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCBO2-115
)	(Enforcement - Air)
BLUE RIDGE CONSTRUCTION)	
CORPORATION,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M.E. Tristano):

On February 21, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Blue Ridge Construction Corporation (BRCC). See 415 ILCS 5131(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that BRCC violated Section 9(a); 9.1; 21(a), (e), (p)(1); and 12(d) of the Environmental Protection Act (415 ILCS 5/9(a), 9.1(d), 21(a), (e), (p)(7), 12(d) (2000)) and Section 201.141 of the Board's air pollution regulations. 35 Ill. Adm. Code 201.141. The People further allege that BRCC violated these provisions by not complying with the applicable asbestos emission control methods, caused or allowed the open dumping of demolition debris, and caused or allowed the open dumping of demolition debris so as to create a water pollution hazard. The complaint concerns BRCC's demolition of the former dining hall at the old Bartonville Mental Health Facility in Peoria County.

The Board accepts the complaint for hearing. See 35 Ill. Adm. Code 103.2 12(c). A respondent's failure to file an answer to a complaint within 60 days after receiving the complaint may have severe consequences. Generally, if BRCC fails within that timeframe to file an answer specifically denying, or asserting insufficient knowledge to form a belief of, a material allegation in the complaint, the Board will consider BRCC to have admitted the allegation. 35 Ill. Adm. Code 103.204(d). The Board directs the hearing officer to proceed expeditiously to hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 7, 2002, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board