

ILLINOIS POLLUTION CONTROL BOARD

October 3, 1996

EDWARD M. PEARL,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 96-265
	)	(Enforcement - Land)
BICOASTAL CORPORATION, SINGER	)	
CORPORATION, CONTROLS	)	
CORPORATION OF AMERICA	)	
EMPLOYEE PROFIT SHARING AND	)	
RETIREMENT TRUST, and EATON	)	
CORPORATION,	)	
	)	
Respondents.	)	

ORDER OF THE BOARD (by J. Yi):

This matter is before the Board on a complaint filed June 28, 1996, by Edward M. Pearl, against Bicoastal Corporation, Singer Corporation, Controls Corporation of America Profit Sharing and Retirement Trust, and Eaton Corporation. The complaint alleges that the respondents individually or collectively violated Sections 21(a), 21(d)(2), 21(e), and 21(f)(1) of the Environmental Protection Act (Act). (415 ILCS 5/21(a), 5/21(d)(2), 5/21(e) and 5/21(f)(1).) On August 15, 1996 the Board issued an order directing the complainant to file proof of service or an appropriate motion on or before September 1, 1996. On September 5, 1995 the granted an extension of time to file complainant's proof of service until September 27, 1996.

On September 26, 1996, complainant filed a motion for an extension of time to file proof of service until October 21, 1996 on respondents. The complainant explains in its motion that it has initiated service by certified mail on all respondents but has only obtained service on one of the respondents, Eaton Corporation. Therefore complainant requests an additional extension to allow for service to be obtained on all respondents. On October 1, 1996 complainant filed proof of service of respondents Bicoastal Corporation and Singer Corporation. There has been no response filed by the Eaton Corporation or any other named respondent as of the date of this order.

The Board grants complainant's motion for an extension of time until October 21, 1996. If proof of service is not filed with the Board on or before October 21, 1996 this matter will be dismissed. If proof of service is timely filed for some but not all of the respondents, this matter will proceed against only those respondents which have been served.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the _____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board