

ILLINOIS POLLUTION CONTROL BOARD

April 18, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
) PCB 02-162
FOX VALLEY DRY WALL, INC., an) (UST Enforcement)
Illinois corporation,)
)
Respondent.)

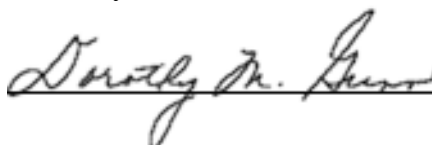
ORDER OF THE BOARD (by S.T. Lawton, Jr.):

On April 2, 2002, the People of the State of Illinois filed a complaint against Fox Valley Dry Wall, Inc. (FV Dry Wall) for failure to perform timely site classification and early action requirements at its manufacturing facility located at 707 North Highland, Aurora, Kane County. Specifically, the complainant alleges that FV Dry Wall violated Sections 57.6 and 57.7(b) of the Environmental Protection Act (Act) (415 ILCS 5/57.6, 57.7(b) (2000)), and Sections 732.300(a), 732.100(c), 732.202, and 732.307(b) of the Board regulations. (35 Ill. Adm. Code 732.300(a), 732.100(c), 732.202, 732.307(b)).

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. If FV Dry Wall 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 FV Dry Wall 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 April 18, 2002, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board