

ILLINOIS POLLUTION CONTROL BOARD
August 23, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 02-1
) (Enforcement - Air)
STEIN STEEL MILLS SERVICES, INC., an)
Illinois corporation,)
)
 Respondent.)

ORDER OF THE BOARD (by N.J. Melas):

On July 2, 2001, the People of the State of Illinois (complainant) filed a two-count complaint against Stein Steel Mills Services, Inc. (Stein) alleging violations of Section 9 of the Environmental Protection Act (415 ILCS 5/9 (2000)), various sections of the Board's air regulations, and Stein's operating permit.

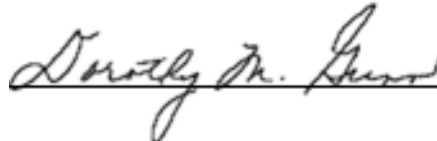
On July 30, 2001, Stein filed a motion to dismiss. Stein argued that complainant failed to plead sufficient facts to support its allegations. Stein also argued that complainant committed other errors in the complaint.

On August 15, 2001, complainant filed a response to the motion to dismiss. In the response, complainant states that it is able to plead additional facts and requested 21 days in which to file an amended complaint. In addition, complainant made other arguments in support of its complaint.

The Board will reserve ruling on the motion to dismiss until after complainant has filed an amended complaint. The amended complaint must be filed by September 5, 2001, which is 21 days after the filing of the response to the motion to dismiss.

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 23rd day of August 2001 by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board