

ILLINOIS POLLUTION CONTROL BOARD

June 6, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 02-213
) (Enforcement - Air)
ACTION ATHLETIC EQUIPMENT, INC.,)
an Illinois corporation,)
)
Respondent.

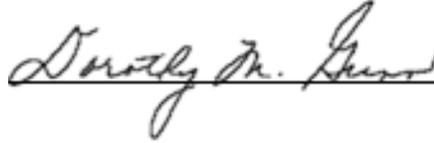
ORDER OF THE BOARD (by C.A. Manning):

On May 31, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a five-count complaint against Action Athletic Equipment, Inc. (Action). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Action violated Sections 9, 9.8 and 39.5 of the Environmental Protection Act (Act) (415 ILCS 5/9, 9.8, 39.5 (2000)) and the Board's air pollution regulations. The People further allege that Action violated these provisions by discharging or emitting volatile organic material without a permit pursuant to the Clean Air Act Permit Program (CAAPP), failing to timely submit applications under the CAAPP and the Emission Reduction Market System program, and failing to timely submit seasonal emission reports. The complaint concerns the painting process of Action's wrestling pad manufacturing facility at 3144 21st Street, Zion, Lake County.

The Board accepts the complaint for hearing. *See* 35 Ill. Adm. Code 103.212(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 Action 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 Action 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 June 6, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board