ILLINOIS POLLUTION CONTROL BOARD
August 22, 2002

PEOPLE OF THE STATE OF ILLINOIS,   )
)
     Complainant,   )
)
     v.   )   PCB 03-14
)   (RCRA Enforcement)
RIBA-FAIRFIELD, INC.,   )
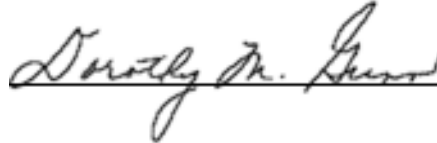   )
     Respondent.   )

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

On August 12, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Riba-Fairfield, Inc. (Riba-Fairfield). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Riba-Fairfield violated Section 21(p) of the Environmental Protection Act (415 ILCS 5/21(p) (2000), *as amended by* P.A. 92-0574, eff. June 26, 2002) and numerous provisions of the Board's hazardous waste regulations by storing hazardous waste without a permit granted by the Illinois Environmental Protection Agency. The People further allege that Riba-Fairfield stored hazardous waste without a written waste analysis plan, and that Riba-Fairfield failed to conduct inspections, keep a written operating record, submit an annual report, have a written closure plan, and establish financial assurance for closure of the facility. The complaint concerns Riba-Fairfield's facility at 3210 Parkway Drive, Decatur, Macon 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 Riba-Fairfield 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 Riba-Fairfield 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 August 22, 2002, by a vote of 7-0.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board