ILLINOIS POLLUTION CONTROL BOARD September 5, 2002

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
V.)	PCB 03-22
)	(Enforcement - Air)
SAINT-GOBAIN CONTAINERS, INC.,)	
a Delaware corporation,)	
-)	
Respondent.		

ORDER OF THE BOARD (by M.E. Tristano):

On August 26, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Saint-Gobain Containers, Inc. *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Saint-Gobain Containers violated Section 9.1(d)(1) and (2), Section 9(b) of the Environmental Protection Act, 415 ILCS 5/9(d)(1) and (2) (2000), Section 165 of the Federal Clean Air Act, 42 USCS 7475(a) (2000) and 40 C.F.R. 52.21J. The People further allege that Saint Gobain Containers violated these provisions by causing a change in its glass manufacturing operations resulting in an increase of nitrogen oxides emissions in excess of threshold amounts specified within federal prevention of significant deterioration rules without first applying for and obtaining from the Agency the required prevention of significant deterioration rules and permit limits. The complaint concerns Saint-Gobain Containers' facility located at 1200 North Logan, Lincoln, Logan 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 Saint-Gobain Containers 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 Saint-Gobain Containers 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 September 5, 2002, by a vote of 7-0.

Dorothy Th. Juni

Dorothy M. Gunn, Clerk Illinois Pollution Control Board