

ILLINOIS POLLUTION CONTROL BOARD
January 8, 2004

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 98-148
)	(Enforcement - Land)
DOREN POLAND, LLOYD YOHO, and)	
BRIGGS INDUSTRIES, INC. a/k/a BRIGGS)	
PLUMBING PRODUCTS, INC.,)	
)	
Respondents.)	
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BRIGGS INDUSTRIES, INC.,)	
)	
Third-Party Complainant,)	
)	
v.)	PCB 98-148
)	(Citizens Enforcement – Land)
LOREN WEST and ABINGDON SALVAGE)	(Third-Party Complaint)
COMPANY, INC.,)	
)	
Respondents.)	

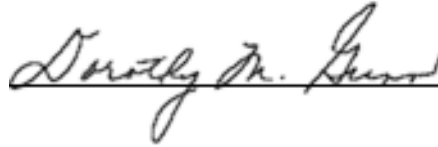
ORDER OF THE BOARD (by T.E. Johnson):

This matter is before the Board on a motion to dismiss third party complaints filed by third party complainant Briggs Industries, Inc. (Briggs) on December 10, 2003. On August 7, 2003, the Board issued an order directing the respondents to perform remediation, and imposing civil penalties on each respondent. The Board remanded the third-party complaint to the hearing officer for hearing. *See People v. Poland, Yoho and Briggs*, PCB 98-148 (Aug. 7, 2003). In the motion, Briggs requests that the Board dismiss third party complaints against Abingdon Salvage, Inc. and Loren West. Mot. at 1. To date, no response has been filed to the motion.

If a party files no response to a motion within 14 days the party will be deemed to have waived objection to the granting of the motion. *See* 35 Ill. Adm. Code 101.500(d). The Board grants Briggs' motion to voluntarily dismiss the third party complaints. With the dismissal of the third party complaints, no remaining issues are before the Board in this matter and the docket is closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 8, 2004, by a vote of 5-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board