

ILLINOIS POLLUTION CONTROL BOARD
July 10, 2003

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|----------------------------------------------|---|---------------------|
| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB 04-4 |
| |) | (Enforcement - Air) |
| BEST-WAY CONSTRUCTION & |) | |
| REMEDICATION, INC., an Illinois corporation, |) | |
| and CLINTON 6 L.L.C., an Illinois limited |) | |
| liability company, |) | |
| |) | |
| Respondents. |) | |

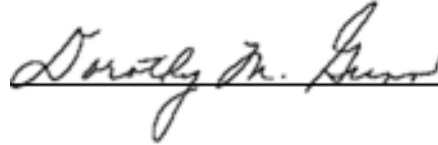
ORDER OF THE BOARD (by T.E. Johnson):

On July 7, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Best-Way Construction & Remediation, Inc. and Clinton 6 L.L.C. (respondents). See 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that respondents violated Section 9(a) of the Environmental Protection Act (415 ILCS 5/9(a) (2002)) and 35 Ill. Adm. Code 201.141. The People further allege that respondents violated these provisions by causing, threatening, or allowing the mishandling of dry, friable asbestos fibers so as to allow it to enter the environment and by causing, threatening, or allowing air pollution by removal of dry, friable floor tiles containing asbestos without wetting and without containment. The complaint concerns Best-Way Construction's removal of asbestos-containing material at Clinton 6's building at 612 South Clinton Street, Chicago, Cook 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 respondents fail 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 respondents 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 July 10, 2003, 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