

ILLINOIS POLLUTION CONTROL BOARD
March 7, 2002

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 00-33
)	(Enforcement - Water)
LIDLAW CORPORATION, an Illinois)	
corporation,)	
)	
Respondent.)	

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

This matter is before the Board on a complaint filed on August 20, 1999. The complaint alleges that Laidlaw Corporation, an Illinois corporation (Laidlaw) allowed excess emissions of volatile organic material (VOM) at its facility located in Metropolis, Massac County. On February 11, 2002, the People of the State of Illinois (People) filed a motion to file a supplemental complaint accompanied by a supplemental complaint. To date, no response to the motion has been received.

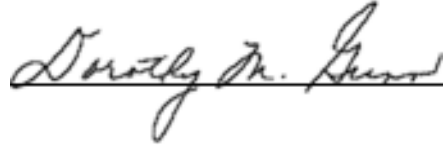
In its motion, the People request leave to file the supplemental complaint in order to address additional violations that have allegedly occurred subsequent to the filing of the original complaint. The People assert that Laidlaw has been informed of the motion and will not be prejudiced by the filing of the supplemental complaint.

Pursuant to Section 101.500 of the Board's procedural rules, if no response to a motion is filed within 14 days after service of the motion, the non-responding party will be deemed to have waived objection to the granting of the motion. 35 Ill. Adm. Code 101.500. Laidlaw is deemed to have waived any objection to the motion to file.

Accordingly, the motion to file the supplemental complaint is granted, and the supplemental complaint is accepted.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 7, 2002, by a vote of 7-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board