

ILLINOIS POLLUTION CONTROL BOARD
October 16, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 04-50
)	(Enforcement - Air)
MacMURRAY COLLEGE, an Illinois)	
corporation,)	
)	
Respondent.)	

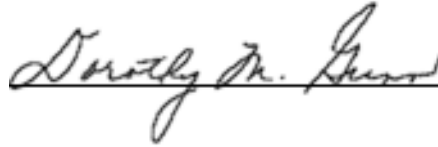
ORDER OF THE BOARD (by T.E. Johnson):

On October 9, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against MacMurray College. *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. At issue is the People's allegation that MacMurray College violated Sections 9.1(d) and 21(a), (e), and (p)(1) of the Environmental Protection Act (Act) (415 ILCS 5/9.1(d) and 21(a), (d)(1), (d)(2) and 21(a), (e), and (p)(1) (2002)) and 40 C.F.R. 61.145(a), (b)(1), (c)(2), and (c)(8) and 61.150(a)(1) and (b). The People further allege that MacMurray College violated these provisions by removing asbestos-containing materials (ACMs) without prior inspection for ACM, without providing the Illinois Environmental Protection Agency (Agency) with notification of demolition and renovation, without properly wetting and maintaining ACM as wet, and without having a person on-site at all times that was trained in asbestos removal requirements; by failing to transport asbestos-containing waste to disposal as soon as practical; by open dumping of waste; by conducting waste storage operations without a permit; by causing storage of waste at a site not permitted to accept waste for storage, treatment, or disposal; by open dumping of waste resulting in litter; and by open dumping that resulted in accumulation of construction debris. The complaint concerns MacMurray College's old field house on its campus at 460 Hardin Street, Jacksonville, Morgan 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 MacMurray College 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 MacMurray College 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 October 16, 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