

ILLINOIS POLLUTION CONTROL BOARD
January 6, 1994

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB 93-186
) (Enforcement)
 EMCO CHEMICAL DISTRIBUTORS, INC.,)
)
 Respondent.)

ORDER OF THE BOARD (by R.C. Flemal):

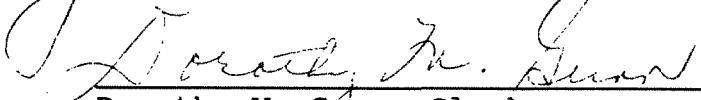
On October 7, 1993 a complaint was filed by the People of the State of Illinois alleging that respondent violated certain provisions of the Act, Board regulations, and permit requirements pertaining to air emissions at the subject facility. This matter comes before the Board today on respondent's December 20, 1993 motion for leave to file an amended answer to certain counts of the complaint. No response to this motion was filed by complainant.

Specifically, respondent states that on November 8, 1993, it filed an answer to the complaint. Respondent did not include answers to counts XIV and XVI through XX in its previous answer to the complaint because these counts were the subject of respondent's motion to strike which was then pending before the Board. On December 2, 1993 the Board entered an order that *inter alia* denied respondent's motion to strike certain allegations contained in counts XIV and XVI through XX of the complaint. As a result of the Board's denial of respondent's motion to strike, the respondent now wishes to answer those allegations contained in counts XIV and XVI through XX (relating to tank truck loading operations).

The Respondent's motion for leave to file its amended answer to counts XIV and XVI through XX of the complaint is hereby granted.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 6th day of January, 1994, by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board