ILLINOIS POLLUTION CONTROL BOARD
March 6, 2003

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 03-128
	)	(Enforcement - Water)
ROBERT HAMM d/b/a THREE R'S PIER BUILDERS,	)	
	)	
	)	
Respondent.	)	

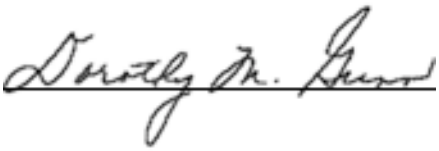
ORDER OF THE BOARD (by T.E. Johnson):

On February 26, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Robert Hamm, doing business as Three R's Pier Builders (Hamm). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that Hamm violated Section 12(a), (c), and (d) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (c), (d) (2002)) and Sections 302.203 and 306.304 of the Board's regulations 35 Ill. Adm. Code 302.203, 306.304. The People further allege that Hamm violated these provisions by severing and blocking a sanitary sewer line, which caused the discharge of 10,000 gallons of sewage into Fox Lake. The complaint concerns Hamm's boat dock and pier construction firm located at 34678 N. Michael Road in Ingleside, Lake 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 Hamm 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 Hamm 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 March 6, 2003, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board