

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant	)	AC 2019-
	)	
v.	)	(IEPA No. 113-18-AC)
	)	
PERRY E. MAYER,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

To: Perry E. Mayer  
9564 Ridgewood Court  
Bloomington, IL 61705

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an APPEARANCE, ADMINISTRATIVE CITATION, AFFIDAVIT and RECORDS REVIEW MEMORANDUM, a copy of which is herewith served upon you.

Respectfully submitted,



Michael S. Roubitchek  
Assistant Counsel

DATED: August 22, 2018

Michael S. Roubitchek  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant	)	AC 2019-
	)	
v.	)	(IEPA No. 113-18-AC)
	)	
PERRY E. MAYER,	)	
	)	
Respondent.	)	

**APPEARANCE**

The undersigned, as one of its attorneys, hereby enters an APPEARANCE on behalf of Complainant, Illinois Environmental Protection Agency.

Respectfully submitted,



\_\_\_\_\_  
Michael S. Roubitchek  
Assistant Counsel

DATED: August 22, 2018

Michael S. Roubitchek  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276  
(217)782-5544

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2019-
	)	
v.	)	(IEPA No. 113-18-AC)
	)	
PERRY E. MAYER,	)	
	)	
	)	
Respondent.	)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency (“Illinois EPA”) by Section 23.1 of the Public Water Supply Operations Act (“PWSO Act”), 415 ILCS 45/23.1 (2014).

FACTS

1. Pursuant to Section 1 of the PWSO Act, 415 ILCS 45/1, every public water supply in Illinois must employ on its operational staff at least one individual certified as a Responsible Operator in Charge (“ROINC”), and all portions of the public water supply system must be under the direct supervision of the ROINC.
2. Pursuant to Section 1.1(a) of the PWSO Act, 415 ILCS 45/1.1(a), the ROINC is jointly accountable with the owner of the public water supply for the proper operation of all portions of the public water supply.
3. Pursuant to Section 1.1(b)(3) of the PWSO Act, 415 ILCS 45/1.1(b)(3), the ROINC is

responsible for submitting consumer confidence reports, monthly operating reports, and drinking water compliance monitoring results, such as corrosion control reports and monitoring results.

4. That Perry E. Mayer (“Respondent”) is currently the ROINC for the following public water supplies:

- North Meadow Village MHP (IL1130060)

5. That said facility in Paragraph #4 is a public water supply that is responsible for the continuous operation of its facility in order to provide drinking water that is safe in quality, clean, adequate in quantity and satisfactory for domestic consumption.

6. That on July 25, 2018, Mary Reed of the Illinois EPA’s Bureau of Water/Division of Public Water Supplies conducted a records review of North Meadow Village MHP. A copy of the Illinois EPA records review memorandum setting forth the results of said records review is attached hereto and made a part hereof.

7. That on August 22, 2018, Illinois EPA sent this Administrative Citation via certified mail through the United States Postal Service No. 7017 2680 0001 0214 7231.

#### VIOLATIONS

Based upon the records review conducted by Mary Reed on July 25, 2018, of North Meadow Village MHP, the Illinois EPA has determined that Respondent has violated the PWSO Act, and the Illinois Pollution Control Board’s (“Illinois PCB”) regulations as follows:

- (1) That Respondent failed to submit, in accordance with Illinois PCB rules, the Consumer Confidence Report for calendar year 2017, on behalf of North Meadow Village MHP, due by July 1, 2018, in violation of Section 1.1(b)(3) of the PWSO

Act, 415 ILCS 45/1.1(b)(3) (2014), and Sections 611.882 and 611.885 of Title 35 of the Illinois PCB's regulations, 35 Ill. Adm. Code 611.882 and 611.885.

CIVIL PENALTY

Pursuant to Section 23(f) of the PWSO Act, 415 ILCS 45/23(f) (2014), Respondent is subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of Five Hundred Dollars (\$500). If Respondent elects not to petition the Illinois Pollution Control Board for review, the statutory civil penalty specified above shall be due within thirty (30) days after issuance of a final order by the Illinois Pollution Control Board.

Pursuant to Section 23(d) of the PWSO Act, 415 ILCS 45/23(d) (2014), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondent shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 23(d) of the PWSO Act, 415 ILCS 45/23(d) (2014), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein,

after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the Five Hundred Dollar (\$500.00) statutory civil penalty for each of the violations.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondent from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 23(d) of the PWSO Act, 415 ILCS 45/23(d) (2014). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601 (or electronically at <http://www.ipcb.state.il.us>). A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 23(d) of the PWSO Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.

  
\_\_\_\_\_  
W. David McMillan, Division Manager  
Illinois Environmental Protection Agency

Date: 8/22/18

Prepared by: Michael S. Roubitchek, Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2019-
	)	
v.	)	(IEPA No. 113-18-AC)
	)	
Perry E. Mayer,	)	
	)	
	)	
Respondent.	)	

FACILITY: North Meadow Village MHP (IL1130060)

CIVIL PENALTY: \$500.00

DATE OF RECORDS REVIEW: July 25, 2018

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attn.: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

BRUCE RAUNER, GOVERNOR

ALEC MESSINA, DIRECTOR

## MEMORANDUM

**Date:** July 25, 2018

**To:** Dave McMillan

**From:** Mary Reed

**Subject:** Records review for Perry E. Mayer

**Violation Description:** Perry E. Mayer, Responsible Operator in Charge (ROINC) for North Meadow Village MHP has failed to submit the 2018 Consumer Confidence Report (CCR). The report was due to be submitted to the Agency by July 1, 2018.

**Violation Citations:** Failure to submit the 2018 Consumer Confidence Report (calendar year 2017) by July 1, 2018. Section 1.1 of the Public Water Supply Operations Act and Section 18 of the Environmental Protection Act, 415 ILCS 5/18, 35 Ill. Adm. Code 611.882 and 611.885.

**Violation Documentation:** The above referenced violations were discovered pursuant to a records review conducted by Mary Reed on July 25, 2018.

### **Operator Contact Information:**

Perry E. Mayer  
9564 Ridge Wood Court  
Bloomington, IL 61705



regulation relating to compliance with applicable regulations; and issue violation notices to those that fail to meet the guidelines. With respect to the timely submittal of Consumer Confidence Reports, I administer all aspects of the Federal Consumer Confidence Report Regulation, including the preparation of correspondence to the water supplies and answering questions and inquiries from water systems and the public.

3. Perry E. Mayer is currently the Responsible Operator in Charge ("ROINC") for the following public water supply:

- North Meadow Village MHP (IL1130060)

4. Pursuant to Section 1.1(b)(3) of the PWSO Act, 415 ILCS 45/1.1(b)(3), the ROINC is responsible for submitting consumer confidence reports, monthly operating reports, and drinking water compliance monitoring results, such as corrosion control reports and monitoring results.

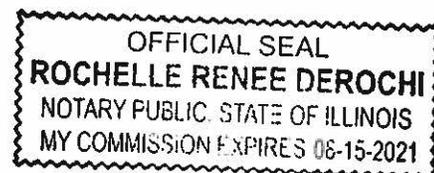
5. Accordingly, as the ROINC, Perry E. Mayer is responsible for submittal of the Consumer Confidence Report on behalf of North Meadow Village MHP, among other duties.

6. On July 25, 2018, I conducted a records review of Illinois EPA files with respect to North Meadow Village MHP. This records review indicates that, as of the date of this Affidavit, Perry E. Mayer has failed to submit the Consumer Confidence Report for calendar year 2017, on behalf of North Meadow Village MHP, which was due by July 1, 2018.

  
\_\_\_\_\_  
Mary Reed

Signed and sworn to before me  
this 16<sup>th</sup> day of August, 2018.

  
\_\_\_\_\_  
Notary Public



**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that I have initiated service on the date of August 22, 2018, the attached APPEARANCE, ADMINISTRATIVE CITATION, AFFIDAVIT and RECORDS REVIEW MEMORANDUM, upon the following person by causing to be mailed a true copy thereof in an envelope duly addressed, bearing proper first class postage, and deposited in the United States mail, via certified mail, at Springfield, Illinois:

Perry E. Mayer  
9564 Ridgewood Court  
Bloomington, IL 61705



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Michael S. Roubitchek  
Assistant Counsel

DATED: August 22, 2018

Michael S. Roubitchek  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**

**INFORMATIONAL NOTICE !!!**

**IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.**

**NOTE:** This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative Citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above, or filed electronically at <http://www.ipcb.state.il.us>. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL**.

Any person other than individuals **MUST** appear through an attorney-at-law licensed and registered to practice law. Individuals may appear on their own behalf, or through an attorney. 35 Ill. Adm. Code 101.400(a).