

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2026-005
)	(IEPA No. 43-26-AC)
v.)	
)	
HENSLEY TOWNSHIP)	
)	
Respondent.)	

NOTICE OF FILING

TO:

Don Brown, Clerk
 Illinois Pollution Control Board
 60 E. Van Buren Street, Suite 630
 Chicago, IL 60605
don.brown@illinois.gov


Illinois Environmental Protection Agency
 Attn: Division of Legal Counsel
 2520 W. Iles Avenue
 P.O. Box 19276
 Springfield, IL 62794
michelle.ryan@illinois.gov
epa.dlc@illinois.gov

Please take notice that on May 21, 2026, I have filed with the Clerk of the Illinois Pollution Control Board the following documents: **PETITION FOR REVIEW, NOTICE OF FILING, NOTICE OF APPEARANCE, and CERTIFICATE OF SERVICE**

Via pcb.illinois.gov/ClerksOffice (COOL) eFile

Respectfully submitted,

HENSLEY TOWNSHIP, Respondent

By:  _____
 Bryce A. Davis (ARDC# 6345357)
 Meyer Capel, A Professional Corporation
 201 E. Grove St., Ste. 100
 Bloomington, IL 61701
 309-829-9486
bdavis@meyercapel.com

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NOTICE OF APPEARANCE

NOW COMES Bryce A. Davis of Meyer Capel, *A Professional Corporation*, to enter his appearance on behalf of the firm in the above-captioned case as counsel for Hensley Township and to request that copies of all pleadings, orders and other documents in this case be served upon the undersigned.

Respectfully submitted,

HENSLEY TOWNSHIP, Respondent

By:  _____
Bryce A. Davis (ARDC# 6345357)
Meyer Capel, *A Professional Corporation*
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PETITION FOR REVIEW

NOW COMES the Respondent Hensley Township, by and through its attorneys, Meyer Capel, *A Professional Corporation*, by Bryce A. Davis, and for its Petition for Review, states as follows:

1. Administrative Citation number IEPA 43-26-AC was served upon Respondent on or around April 17, 2026.
2. As a service to its residents, the Township manages yard waste through controlled burning of landscape materials, including tree branches collected along roadways.
3. The Township conducts controlled burning of landscape materials at the site where the Hensley Town Building is located, 3001 W. Hensley Road, Champaign, Illinois.
4. Any non-landscape waste collected is separated and disposed of appropriately in a designated dumpster.
5. The Township routinely collects discarded tires from roadways and participates in an annual Champaign County recycling program to ensure proper disposal of the tires.

6. Upon learning of the requirement that tires stored on site be covered, Hensley Township immediately took corrective action to ensure proper storage of any tires being stored on site.

7. At the site where landscape waste is stored and burnt, the Township has a sign posted in a conspicuous location that prominently states “NO DUMPING TRESPASSERS WILL BE PROSECUTED.”

8. The Township has at least three signs posted that state “NOTICE – THIS PROPERTY IS PROTECTED BY VIDEO SURVEILLANCE.”

9. Despite these signs, the Township has been the victim of unauthorized dumping of waste.

10. On or around February 25, 2026, individuals not affiliated with Hensley Township entered on Township property and illegally dumped waste and debris without the permission or knowledge of any Hensley Township official.

11. Those individuals proceeded to set fire to the waste and debris.

12. At the time that the individuals dumped materials at the Hensley Township site, no Township personnel were present.

13. A local resident named Ms. Susan Jones witnessed the unauthorized dumping.

14. Specifically, Ms. Jones witnessed two men unloading refuse from a black Ford F-250 truck and trailer, including mattresses, box springs, couches, chairs, and plastic tubs.

15. Ms. Jones approached and spoke to the two men who told her that they had permission to dump the materials at the Township’s site.

16. Ms. Jones left the site and reported the dumping to Hensley Township Road Commissioner Robert Sherman.

17. After running a nearby errand, Ms. Jones drove by the Township site again and saw a black cloud of smoke coming from the site, observed that the truck and trailer were no longer present, and that the refuse had been set on fire.

18. The local fire department responded to the scene and extinguished the fire.

19. Rain and/or snow between the dates of February 24, 2026 and March 4, 2026 prevented the Township from being able to immediately remove all non-landscape materials from the site.

20. The Township has since removed all non-landscape materials from the site and properly disposed of them.

21. The Administrative Citation asserts three violations against Hensley Township, and its response to each alleged violation is as follows:

- 1) That Respondent caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1)

RESPONSE: Hensley Township denies this violation and asserts that the circumstances resulted from uncontrollable circumstances.

- 2) That Respondent caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3)

RESPONSE: Hensley Township denies this violation and asserts that the circumstances resulted from uncontrollable circumstances.

- 3) That Respondent caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1).

RESPONSE: Hensley township admits this violation.

REQUEST FOR REVIEW

Respondent Hensley Township requests that its Petition for Review be granted with respect to the Administrative Citation in this case and that an adjudicatory hearing be conducted before the Illinois Pollution Control Board at which Respondent will request that the Board adopt a final order which makes no finding of violation and imposes no penalty for violations 1 and 2 identified above.

Respectfully submitted,

HENSLEY TOWNSHIP, Respondent

By:



Bryce A. Davis (ARDC# 6345357)
Meyer Capel, A Professional Corporation
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CERTIFICATE OF SERVICE

The undersigned attorney, under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, certifies that the statements set forth in this instrument are true and correct and that the attached documents, namely: **PETITION FOR REVIEW, NOTICE OF FILING, NOTICE OF APPEARANCE, and CERTIFICATE OF SERVICE**, were served


via Clerk's Office On-Line (COOL) and via electronic mail upon:

Don Brown, Clerk
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

and via First-Class Mail and via electronic mail upon:

Illinois Environmental Protection Agency
Attn: Division of Legal Counsel
2520 W. Iles Avenue
P.O. Box 19276
Springfield, IL 62794
michelle.ryan@illinois.gov
epa.dlc@illinois.gov

Date: May 21, 2026

By: 
Bryce A. Davis, Attorney for Respondent

Bryce A. Davis (ARDC# 6345357)
Meyer Capel, A Professional Corporation
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