ILLINOIS POLLUTION CONTROL BOARD December 20, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
v.)	PCB 02-73
BERNIE C. MORRIS,)	(Enforcement – Water)
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

On December 11, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Bernie C. Morris (Morris). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Morris violated Sections 12(a), (b), (c), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (b), (c), and (f) (2000)), and 35 Ill. Adm. Code Sections 309.102(a) and 309.202(a) of the Board's water pollution regulations. The People further allege that Morris violated these provisions by constructing a sewer extension without the required construction permit, and engaging in construction activities that threatened or allowed offsite discharge of contaminants without a permit. The complaint concerns Morris's development of Wood Ridge Subdivision, north of the City of Chrisman, Illinois Highway 1, Edgar 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 Morris 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 Morris 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 December 20, 2001, by a vote of 7-0.

Dorothy M. Gunn, Clerk Illinois Pollution Control Board