## ILLINOIS POLLUTION CONTROL BOARD March 20, 2003

| PEOPLE OF THE STATE OF ILLINOIS,                      | ) |                       |
|---|---|-----------------------|
| Complainant,  | ) |                       |
| v.  | ) | PCB 03-147            |
| WESTFIELD HOMES OF ILLINOIS, an Illinois corporation, | ) | (Enforcement - Water) |
| Respondent.   | ) |                       |
| respondent.   | , |                       |

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

On March 13, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Westfield Homes of Illinois (Westfield Homes). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that Westfield Homes violated Section 12(a), (d), and (f) of the Environmental Protection Act (415 ILCS 5.12(a), (d), (f) (2002)). The People further allege that Westfield Homes violated these provisions by allowing dirt-laden stockpiles to remain on a site without erosion controls, causing or allowing silt-laden storm water to flow into a wetland, failing to implement storm water pollution controls as required under the general National Pollution Discharge Elimination System permit for construction activities, and failing to submit various required Incidence or Noncompliance Reports to the Illinois Environmental Protection Agency. The complaint concerns Westfield Homes' residential community development activity in Antioch, 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 Westfield Homes 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 Westfield Homes 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 20, 2003, by a vote of 7-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board