

ILLINOIS POLLUTION CONTROL BOARD  
June 6, 2013

COUNTY OF JACKSON )  
 )  
 Complainant, )  
 )  
 v. ) AC 13-31  
 ) (Administrative Citation)  
 CHRISTOPHER WILL, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by J.D. O'Leary):

Because of difficulties in serving past orders of the Board upon the respondent, Christopher Will, today's order gives Mr. Will additional time to file an amended petition to cure the deficiencies of his original petition.

On January 11, 2013, the County of Jackson (County) timely filed an administrative citation against Mr. Will. The citation concerns a property located in Pomona, Jackson County, and designated with Site Code No. 0778125014. On February 7, 2013, Mr. Will filed a *pro se* petition to contest the citation. On February 21, 2013, the Board issued an order accepting Mr. Will's petition as timely filed, but requiring him to file an amended petition by March 25, 2013, to remedy the shortcomings specified in the order.

The Clerk of the Board attempted to serve the Board's February 21, 2013 order on Mr. Will, but the order was returned as undeliverable. In turn, the Board issued an order on May 2, 2013, giving Mr. Will until June 3, 2013, to file an amended petition. On May 20, 2013, this order too was returned as undeliverable.

The Board now provides Mr. Will until July 8, 2013, to file the amended petition required by the Board's February 21, 2013 order. Based upon this record, the Board understands Mr. Will's correct address to be 6168 Hickory Ridge Road, Pomona, Illinois 62975. When serving Mr. Will with a copy of today's order at this address, the Clerk is directed to also provide Mr. Will with a copy of the Board's February 21, 2013 order. Given the prior unsuccessful attempts at perfecting service, the Board further directs the Clerk to serve Mr. Will with these two orders by certified mail, return receipt requested.

If Mr. Will fails to file an amended petition with the Board by July 8, 2013, the Board will enter a default order against him. *See* 35 Ill. Adm. Code 108.500(a)(2). The default order would dismiss Mr. Will's February 7, 2013 petition, find that Mr. Will violated Sections 21(p)(1), (p)(2), (p)(3), and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), (p)(2), (p)(3), (p)(7) (2010)) as alleged in the administrative citation, and impose on Mr. Will the statutory civil penalty of \$1,500 per violation for a total civil penalty of \$6,000 (415 ILCS 5/42(b)(4-5) (2010)).

If Mr. Will proceeds to contest the administrative citation by timely filing a compliant amended petition, but does not prevail on the merits of the case, he will have to pay not only the \$6,000 civil penalty, but also any hearing costs of the Board and the County. *See* 415 ILCS 5/24(b)(4-5) (2010); 35 Ill. Adm. Code 108.500(b)(2), (b)(3). A schedule of the Board's hearing costs is available from the Clerk of the Board and on the Board's website at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). *See* 35 Ill. Adm. Code 108.504.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 6, 2013, by a vote of 5-0.



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John T. Therriault, Assistant Clerk  
Illinois Pollution Control Board