

ILLINOIS POLLUTION CONTROL BOARD  
May 18, 2006

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	
	)	
v.	)	AC 06-35
	)	(IEPA No. 70-06-AC)
JERRY L. WATSON,	)	(Administrative Citation)
	)	
Respondent.	)	

ORDER OF THE BOARD (by A.S. Moore):

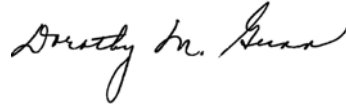
On April 3, 2006, the Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Jerry L. Watson. *See* 415 ILCS 5/31.1(c) (2004); 35 Ill. Adm. Code 108.202(c). The Agency alleges that, on March 2, 2006, Jerry L. Watson violated Sections 21(p)(1) and (p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1) and (p)(7) (2004)). The Agency further alleges that Jerry L. Watson violated these provisions by causing or allowing the open dumping of waste in a manner that resulted in (1) litter and (2) deposition of general construction or demolition debris or clean construction or demolition debris. The alleged violations occurred at a site located at 8980 Crenshaw Road in rural Energy, Williamson County.

As required, the Agency served the administrative citation on Jerry L. Watson within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2004); *see also* 35 Ill. Adm. Code 108.202(b). On May 8, 2006, the respondent sent a letter to Special Assistant Attorney General Michelle M. Ryan. In that letter, the respondent alleges that he has performed some cleanup work at the site, that he was unaware that further work was required, and that some of the pictured items are not waste but stored usable materials and items. Also in that letter, the respondent requested additional time, until March 2007, to remove the remaining materials at the site. *See* 35 Ill. Adm. Code 108.206.

The Board accepts the respondent’s letter as a timely-filed petition, but the Board cannot now accept this filing as a complete petition to contest the administrative citation and authorize a hearing pursuant to 35 Ill. Adm. Code 108.300. The petition is deficient in that it does not clearly specify the grounds for appeal, as required by 35 Ill. Adm. Code 108.206. The Board directs the respondent to amend his petition for review to include this information within 30 days from the date of this order, on or before June 19, 2006, or the Board will dismiss the petition and enter a default in this matter pursuant to 35 Ill. Adm. Code 108.406. The Board also wishes to remind the respondents that, by contesting the administrative citation, the respondent may have to pay the hearing costs of the Board and the Agency. *See* 415 ILCS 5/42(b)(4-5) (2004); 35 Ill. Adm. Code 108.500, 108.502, 108.504. A schedule of the Board’s hearing costs is available at the Board’s offices and on the Board’s Web site at [www.ipcb.state.il.us](http://www.ipcb.state.il.us). 35 Ill. Adm. Code 108.504.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 18, 2006, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board