ILLINOIS POLLUTION CONTROL BOARD August 23, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
Complainant,)
V.) PCB 02-18
WILLIAMSBURG PLACE OF CRETE, INC) (Enforcement – Water)
Respondent.)))

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

On August 9, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Williamsburg Place of Crete, Inc. (Williamsburg). See 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that Williamsburg violated Sections 12(a) and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a) and (f) (2000)) as well as 35 Ill. Adm. Code 302.302, 304.105, 304.106, and 309.146(a). The People further allege that Williamsburg violated these provisions by allowing, *inter alia*, the discharge of soil sediment, refuse, and contaminants into waters of the State of Illinois. In addition, the People allege that Williamsburg failed to establish and maintain a storm water pollution prevention plan as required by its permit. The complaint concerns Williamsburg's subdivision development located in the Village of Crete, Will County, Illinois.

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 Williamsburg 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 Williamsburg 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 the 23rd day of August 2001 by a vote of 7-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board