

ILLINOIS POLLUTION CONTROL BOARD  
February 19, 2026

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 ) AC 26-3  
RANDY W. JOHNSON, ) (IEPA No. 154-25-AC)  
 ) (Administrative Citation)  
Respondent. )  
 )

OPINION AND ORDER OF THE BOARD (by A. Tin):

On October 14, 2025, Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Randy W. Johnson (Johnson). *See* 415 ILCS 5/31.1(c) (2024); 35 Ill. Adm. Code 101.300(b), 108.200(b)(3). The administrative citation concerns Johnson’s residential property located at 1406 North 10th Street in Mt. Vernon, Jefferson County. The property is commonly known to the Agency as the “Mt. Vernon/Johnson, Randy W.” site and is designated with Site Code No. 0818105020. For the reasons below, the Board finds that Johnson violated the Environmental Protection Act (Act) (415 ILCS 5 (2024)) and orders Johnson to pay \$4,500 in civil penalties.

Under the Act, an administrative citation is an expedited enforcement action brought before the Board seeking civil penalties that are fixed by statute. Administrative citations may be filed only by the Agency or, if the Agency has delegated the authority, by a unit of local government, and only for limited types of alleged violations. *See* 415 ILCS 5/21(o), 21(p), 22.51, 22.51a, 31.1(c), 42(b)(4), 42(b)(4-5), 55(k) (2024); 35 Ill. Adm. Code 108.

In this case, the Agency alleges that on September 8, 2025, Johnson violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(7) (2024)) by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the Jefferson County site. The Agency asks the Board to impose the statutory \$1,500 civil penalty per violation on Johnson, for a total civil penalty of \$4,500. As required, the Agency served Johnson with the administrative citation on October 20, 2025, which is within “60 days after the date of the observed violation.” 415 ILCS 5/31.1(b) (2024); *see also* 35 Ill. Adm. Code 101.300(c), 108.200(b)(1).

To contest an administrative citation, a respondent must file a petition for review with the Board and comply with the Board’s procedural requirements. *See* 415 ILCS 5/31.1(d)(1) (2024); 35 Ill. Adm. Code 101.300(b), 108.204, 108.406. The Board accepted a timely petition for review filed by Johnson. However, in an order dated October 14, 2025, the Board found

Johnson's petition deficient and ordered him to file an amended petition for review by January 20, 2026, setting forth recognized grounds for why the Agency improperly issued the administrative citation. The Board expressly warned that failure to file an amended petition would result in dismissal of the petition and entry of a default order imposing the statutory civil penalty.

Johnson mailed, via US Postal Service, postmarked January 14, 2026, a letter which the Board construes as an amended petition for review. The amended petition fails to set forth any recognized grounds for contesting the administrative citation, such as lack of property ownership, non-causation of the alleged violations, improper service, or circumstances beyond Johnson's control. Instead, the amended petition consists primarily of denials and general reservations of rights, which do not satisfy the Board's procedural and substantive requirements under 35 Ill. Adm. Code 108.206. Consequently, the petition remains deficient.

Because Johnson's amended petition does not cure the deficiencies previously identified, the Board dismisses the petition for review, finds that Johnson committed the violations alleged in the administrative citation, and enters a default order imposing the statutory civil penalty pursuant to Section 31.1(d)(1) of the Act (415 ILCS 5/31.1(d)(1) (2024)) and 35 Ill. Adm. Code 108.204 and 108.406.

The civil penalty for violating any provision of Section 21(p) of the Act is \$1,500 for each violation, except that the penalty amount is \$3,000 for each violation that is the person's second or subsequent adjudicated violation of that provision. *See* 415 ILCS 5/42(b)(4-5) (2024); 35 Ill. Adm. Code 108.500(a). Because there are three violations of Section 21(p), and there is no indication in the record that any of these violations is a second or subsequent adjudicated violation, the total civil penalty is \$4,500. Under Section 31.1(d)(1) of the Act, the Board attaches the administrative citation and makes it part of this order.

This opinion constitutes the Board's finding of facts and conclusions of law.

### **ORDER**

1. The Board finds that Randy W. Johnson violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(7) (2024)).
2. Randy W. Johnson must pay a civil penalty of \$4,500 no later than Monday, March 23, 2026, which is the first business day following the 30th day after the date of this order. Randy W. Johnson must pay the civil penalty by certified check or money order, made payable to the Illinois Environmental Protection Trust Fund. The case number and case name must appear on the certified check or money order.
3. Randy W. Johnson must send the certified check or money order to:

Illinois Environmental Protection Agency  
 Fiscal Services Division  
 2520 West Iles Avenue  
 P.O. Box 19276  
 Springfield, Illinois 62794-9276

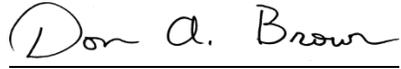
4. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2010)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2024)).
5. Payment of this penalty does not prevent future prosecution if the violations continue.

IT IS SO ORDERED.

Section 41(a) of the Environmental Protection Act provides that final Board orders may be appealed directly to the Illinois Appellate Court within 35 days after the Board serves the order. 415 ILCS 5/41(a) (2010); *see also* 35 Ill. Adm. Code 101.300(d)(2), 101.906, 102.706. Illinois Supreme Court Rule 335 establishes filing requirements that apply when the Illinois Appellate Court, by statute, directly reviews administrative orders. 172 Ill. 2d R. 335. The Board's procedural rules provide that motions for the Board to reconsider or modify its final orders may be filed with the Board within 35 days after the order is received. 35 Ill. Adm. Code 101.520; *see also* 35 Ill. Adm. Code 101.902, 102.700, 102.702. Filing a motion asking that the Board reconsider this final order is not a prerequisite to appealing the order. 35 Ill. Adm. Code 101.902.

<b>Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court</b>	
<b>Parties</b>	<b>Board</b>
Illinois Environmental Protection Agency Attn: Michelle M. Ryan 2520 W Iles Ave P.O. Box 19276 Springfield, Illinois 62794 <a href="mailto:michelle.ryan@illinois.gov">michelle.ryan@illinois.gov</a>	Illinois Pollution Control Board Attn: Don A. Brown, Clerk 60 E. Van Buren St., Ste. 630 Chicago, Illinois 60605
Randy W Johnson 1406 N. 10th Street Mt. Vernon, Illinois 62864	

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 19, 2026, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk  
Illinois Pollution Control Board