

ILLINOIS POLLUTION CONTROL BOARD
June 4, 2026

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	
)	
v.)	AC 26-5
)	(IEPA No. 43-26-AC)
HENSLEY TOWNSHIP,)	(Administrative Citation)
)	
Respondent.)	

ORDER OF THE BOARD (by M.D. Mankowski):

On April 6, 2026, the Illinois Environmental Protection Agency (Agency) timely filed an administrative citation against Hensley Township. *See* 415 ILCS 5/31.1(c) (2024); 35 Ill. Adm. Code 101.300(b), 108.202(c). The administrative citation concerns Hensley Township’s property located at 3001 W. Hensley Road, Champaign, Champaign County. The property is commonly known to the Agency as the “Champaign/Hensley Township” site and is designated with Site Code No. 0190105218. For the reasons below, the Board accepts Hensley Township’s petition to contest the administrative citation.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2024)), an administrative citation is an expedited enforcement action brought before the Board to seek 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 March 4, 2026, Hensley Township violated Sections 21(p)(1), 21(p)(3), and 55(k)(1) of the Act by causing or allowing the open dumping of waste in a manner resulting in litter; causing or allowing the open dumping of waste in a manner resulting in open burning; and causing or allowing water to accumulate in used or waste tires. 415 ILCS 5/21(p)(1), 21(p)(3), 55(k)(1) (2024). The Agency asks the Board to impose the statutory \$1,500 civil penalty per violation on Hensley Township, for a total civil penalty of \$4,500.

As required, the Agency served the administrative citation on Hensley Township 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), 108.202(b). Any petition to contest the administrative citation was due by May 22, 2026. On April 6, 2026, Hensley Township timely filed a petition (Pet.). *See* 415 ILCS 5/31.1(d) (2024); 35 Ill. Adm. Code 101.300(b), 108.204(b). Hensley Township denies the violations and alleges that “the circumstances resulted from uncontrollable circumstances.” Pet. at 3-4; *see also* 35 Ill. Adm. Code 108.206.

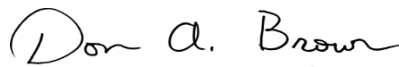
The Board accepts the petition and directs the hearing officer to proceed expeditiously to hearing. The hearing officer will give the parties at least 21 days written notice of the hearing. *See* 35 Ill. Adm. Code 108.300; 415 ILCS 5/31.1(d)(2) (2024). Upon its own motion or the motion of any party, the Board or the hearing officer may order that the hearing be held by videoconference. In deciding whether to hold the hearing by videoconference, factors that the Board or the hearing officer will consider include cost-effectiveness, efficiency, facility accommodations, witness availability, public interest, the parties' preferences, and the proceeding's complexity and contentiousness. *See* 35 Ill. Adm. Code 101.600(b), 108.300(d).

By contesting the administrative citation, Hensley Township may have to pay the hearing costs of the Board and the Agency. *See* 415 ILCS 5/42(b)(4-5) (2024); 35 Ill. Adm. Code 108.500. A schedule of the Board's hearing costs is available from the Clerk of the Board and on the Board's Web site at pcb.illinois.gov. *See* 35 Ill. Adm. Code 108.504. Hensley Township may withdraw its petition to contest the administrative citation at any time before the Board enters its final decision. If Hensley Township chooses to withdraw its petition, it must do so in writing, unless it does so orally at hearing. *See* 35 Ill. Adm. Code 108.208. If Hensley Township withdraws its petition after the hearing starts, the Board will require Hensley Township to pay the hearing costs of the Board and the Agency. *See* 35 Ill. Adm. Code 108.500(c).

The Agency has the burden of proof at hearing. *See* 415 ILCS 5/31.1(d)(2) (2024); 35 Ill. Adm. Code 108.400. If the Board finds that Hensley Township violated Sections 21(p)(1), 21(p)(3), and 55(k)(1) of the Act (415 ILCS 5/21(p)(1), 21(p)(3), 55(k)(1) (2024)), the Board will impose civil penalties on Hensley Township. The civil penalty for violating any provision of Section 21(p) and 55(k) 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). However, if the Board finds that Hensley Township "has shown that the violation resulted from uncontrollable circumstances, the Board shall adopt a final order which makes no finding of violation and which imposes no penalty." 415 ILCS 5/31.1(d)(2) (2024); *see also* 35 Ill. Adm. Code 108.500(b).

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 4, 2026, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board