ILLINOIS POLLUTION CONTROL BOARD
September 17, 2026

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

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

For the reasons below, the Board accepts the proposed settlement and dismissal of this administrative citation enforcement action. The Illinois Environmental Protection Agency (Agency) timely filed an administrative citation on April 6, 2026, against Hensley Township. The Agency alleged that on March 4, 2026, Hensley Township violated Sections 21(p)(1), 21(p)(3), and 55(k)(1) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), 21(p)(3), 55(k)(1) (2024)) by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and causing or allowing water to accumulate in used or waste tires. The violations allegedly took place at Hensley Township's parcel of land located at 3001 W. Hensley Road in 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.

Hensley Township timely filed a petition to contest the administrative citation, which the Board accepted on June 4, 2026. On September 3, 2026, the parties filed a "stipulation of settlement and dismissal of respondent's petition for administrative review" (Stipulation). Under its terms, Hensley Township admits that it violated Section 55(k)(1) of the Act (415 ILCS 5/55(k)(1) (2024)) by causing or allowing water to accumulate in used or waste tires, and agrees to pay the statutory civil penalty of $1,500.00 for this violation. Stipulation at 2. In addition, the Agency agrees not to refer the violations that are the subject of the administrative citation to the Office of the Illinois Attorney General or any other prosecuting authority to initiate a civil enforcement action. *Id*. at 3.

The Board accepts the stipulation and proposal for settlement. Under Section 31.1(d) of the Act (415 ILCS 5/31.1(d) (2026)), the Board therefore finds that Hensley Township violated Section 55(k)(1) of the Act (415 ILCS 5/55(k)(1) (2024)). Section 42(b)(4-5) of the Act (415 ILCS 5/42(b)(4-5) (2024)) establishes a civil penalty of $1,500.00 for these violations. The Board accordingly assesses a civil penalty of $1,500.00. To effectuate the parties' intent that Hensley Township pay a total civil penalty of $1,500.00, the Board dismisses the alleged violation of Sections 21(p)(1) and 21(p)(3) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), 21(p)(3) (2024).

This opinion constitutes the Board's findings of fact and conclusions of law.

## ORDER

1. The Board accepts and incorporates by reference the stipulation and proposed settlement.

2. The Board finds that Hensley Township violated Section 55(k)(1) of the Environmental Protection Act (415 ILCS 5/55(k)(1) (2024)).

3. Hensley Township must pay a civil penalty of $1,500.00 no later than Monday, October 19, 2026, which is the first business day following the 30th day after the date of this order. Hensley Township must pay the civil penalty by certified check or money order, made payable to the Illinois Environmental Protection Trust Fund. The case name and case number must appear on the certified check or money order.

4. Hensley Township must send the certified check or money order to:

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

5. Penalties unpaid within the time prescribed will accrue interest under Section 42(g) of the Environmental Protection Act (415 ILCS 5/42(g) (2024)) at the rate set forth in Section 1003(a) of the Illinois Income Tax Act (35 ILCS 5/1003(a) (2024)).

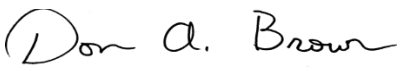
6. The Board dismisses the alleged violations of Sections 21(p)(1), 21(p)(3) of the Environmental Protection Act (415 ILCS 5/21(p)(1), 21(p)(3) (2024)) and Hensley Township's petition to contest the administrative citation.

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) (2024); *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.

| Names and Addresses for Receiving Service of Any Petition for Review Filed with the Appellate Court | |
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| **Parties** | **Board** |
| Illinois Environmental Protection Agency<br>Attn: Michelle Ryan<br>2025 West Iles Avenue<br>P.O. Box 19276<br>Springfield, Illinois 62794-9276<br>Michelle.ryan@illinois.gov | Illinois Pollution Control Board<br>Don A. Brown, Clerk<br>60 E. Van Buren, Suite 630<br>Chicago, Illinois 60605<br>Don.Brown@illinois.gov |
| Hensley Township c/o Meyer Capel<br>Attn: Bryce A. Davis<br>201 E. Grove Street, Ste. 100<br>Bloomington, IL 61701<br>bdavis@meyercapel.com | |

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above opinion and order on September 17, 2026, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board