ILLINOIS POLLUTION CONTROL BOARD
August 5, 2004

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 05-8
	)	(Enforcement – Water)
VILLAGE OF CAPRON,	)	
	)	
Respondent.	)	

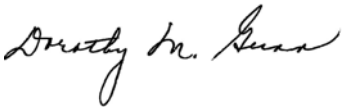
ORDER OF THE BOARD (by G.T. Girard):

On July 20, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Village of Capron (Capron). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that Capron violated Section 18(a)(2) of the Environmental Protection Act (Act) (415 ILCS 4/18(a)(2) (2002) and 35 Ill. Adm. Code 611.882 and 611.885. The People further allege that Capron violated these provisions by failing, in 2002, to provide consumer confidence reports (CCR) to the public water supply users and failing to certify to the Illinois Environmental Protection Agency that the CCRs were provided. The complaint concerns Capron's public water supply facility in Capron, Boone County.

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 Capron 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 Capron 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 August 5, 2004, by a vote of 4-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board