

ILLINOIS POLLUTION CONTROL BOARD
May 3, 2001

ILLINOIS ENVIRONMNETAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.) AC 01-29
) (Administrative Citation)
LESLIE YOCUM, SANDRA YOCUM,) (IEPA No. 063-01-AC)
RICK L. YOCUM, and SHAWNA B.)
YOCUM (BIRMINGHAM YOCUM #1),)
)
Respondents.)

ILLINOIS ENVIRONMNETAL)
PROTECTION AGENCY,)
)
Complainant,)
) AC 01-30
v.) (Administrative Citation)
) (IEPA No. 062-01-AC)
LESLIE YOCUM and SANDRA YOCUM) (Consolidated)
(BIRMINGHAM/YOCUM #2))
)
Respondents.)

ORDER OF THE BOARD (by N.J. Melas):

On March 6, 2001, the Illinois Environmental Protection Agency (Agency) filed an administrative citation against Leslie Yocum, Sandra Yocum, Rick L. Yocum, and Shawna B. Yocum.¹ The Agency alleged that the aforementioned respondents were operating an unpermitted open dump in unincorporated Birmingham, Schuyler County, Illinois (Birmingham/Yocum #1) in violation of Sections 21(p)(1) and 21(p)(7) of the Environmental Protection Act (Act). 415 ILCS 5/21(p)(1) and 21(p)(7) (1998). On the same date, the Agency filed an administrative citation against Leslie Yocum and Sandra Yocum alleging that they were operating an unpermitted open dump northeast of unincorporated Birmingham,

¹ The administrative citation also listed Laura L. Yocum and Kandy S. Yocum as respondents, but complainant subsequently filed a motion to dismiss these respondents which the Board granted on April 5, 2001.

Schuyler County, Illinois (Birmingham/Yocum #2). The Agency made the same allegations against the respondents in Birmingham/Yocum #1 as it did in Birmingham/Yocum #2.

On April 5, 2001, respondents submitted a petition for review in each matter. Respondents stated that they did not cause or allow the alleged violations in each matter. In each petition for review, respondents requested that the Board dismiss both administrative citations. Complainant did not respond to the petitions for review.

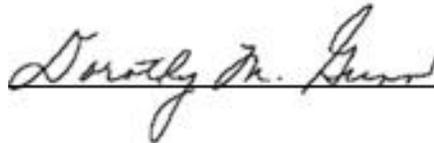
In the interest of convenience and economy, the Board, on its own motion, hereby consolidates, for purposes of hearing, AC 01-29 and AC-01-30. See 35 Ill. Adm. Code 101.406.

In their petitions for review, respondents present no facts to support their contention that they did not cause or allow the alleged violations. The Board denies respondents' requests to dismiss. Respondents are free to present evidence at hearing to support their claims.

The hearing officer is directed to expeditiously proceed to hearing in these consolidated matters.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 3rd day of May 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board