

ILLINOIS POLLUTION CONTROL BOARD  
May 18, 2023

PAUL CHRISTIAN PRATAPAS, )  
 )  
 Complainant, )  
 )  
 v. ) PCB 23-85  
 ) (Citizen's Enforcement - Water)  
 LEXINGTON HOMES AND ILLINOIS )  
 ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Respondent. )

ORDER OF THE BOARD (by M. Gibson):

On January 5, 2023, Paul Christian Pratapas filed a citizen's complaint (Comp.) against Lexington Homes (Lexington) and Illinois Environmental Protection Agency (IEPA). The complaint concerns Lexington's residential construction at Lexington's residential construction project located on Barkley Avenue, Warrenville, DuPage County.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2020)), any person may bring an action before the Board to enforce Illinois' environmental requirements. *See* 415 ILCS 5/3.315, 31(d)(1) (2020); 35 Ill. Adm. Code 103. Under the Board's rules, an enforcement proceeding begins by serving a notice and the complaint on a respondent. *See* 35 Ill. Adm. Code 103.204(a), (b). If service is not timely initiated or completed, then the "proceeding is subject to dismissal, and the filing party is subject to sanctions." 35 Ill. Adm. Code 101.304(b)(4). In this case, Mr. Pratapas has not filed proof of service on either respondent. Therefore, the Board directs Mr. Pratapas to file proof of service by June 19, 2023, or this proceeding will be dismissed.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 18, 2023, by a vote of 3-0.



Don A. Brown, Clerk  
Illinois Pollution Control Board