

ILLINOIS POLLUTION CONTROL BOARD

April 17, 2003

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 03-190
)	(Enforcement - Public Water Supply)
VILLAGE OF CHERRY VALLEY,)	
)	
Respondent.)	

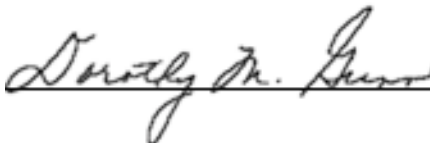
ORDER OF THE BOARD (by T.E. Johnson):

On April 15, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against the Village of Cherry Valley. See 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that the Village of Cherry Valley violated section 18 of the Environmental Protection Act (415 ILCS 5/18 (2002)) and sections 602.101 and 602.102 of the Board's public water supply regulations (35 Ill. Adm. Code 602.101 and 602.102). The People further allege that the Village of Cherry Valley violated these provisions by completing modifications to and operating its public water supply system before receiving a construction permit and operating permit issued by the Illinois Environmental Protection Agency. The complaint concerns the Village of Cherry Valley's public water supply facility in Cherry Valley, Winnebago 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 the Village of Cherry Valley 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 the Village of Cherry Valley 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 April 17, 2003, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board