

ILLINOIS POLLUTION CONTROL BOARD
January 10, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 02-84
) (Enforcement – Water)
BILL PALMER, an individual d/b/a)
COMMERCIAL GROUP, FRANK GLOSKY,)
an individual d/b/a GLOSKY REALTY, and)
R.A.S. DEVELOPMENT, INC., an Illinois)
corporation,)
)
Respondents.)

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

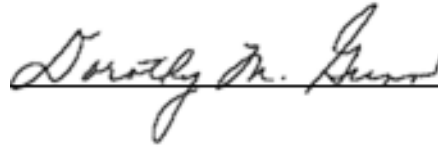
On December 20, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a four-count complaint against Bill Palmer d/b/a Commercial Group, Frank Glosky d/b/a Glosky Realty, and R.A.S. Development, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that respondents violated Section 12(a) of the Environmental Protection Act (415 ILCS 5/12(a) (2000)), violated various provisions of the Board's water pollution regulations, and violated respondents' National Pollutant Discharge Elimination System (NPDES) permit. The People further allege that respondents violated these provisions by constructing storm water sewers in a manner that caused silt, sediment, and other solid material to discharge into Morgan Creek. The complaint concerns respondents' residential housing development near the intersection of Collins and Grove Roads, Oswego, Kendall County.

The Board accepts the complaint for hearing. *See* 35 Ill. Adm. Code 103.212(c). Respondents' failure to file an answer to a complaint within 60 days after receiving the complaint may have severe consequences. Generally, if respondents fail 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 respondents to have admitted the allegation. 35 Ill. Adm. Code 103.204(d). The Board directs the hearing officer to proceed expeditiously to hearing.

In the complaint the People indicated that they attached a copy of respondents' NPDES permit as exhibit A. The Board did not receive a copy of the NPDES permit. As the NPDES permit is a key component of Count IV of the complaint, the Board orders that the People file a copy of the NPDES permit with the Board no later than February 10, 2002.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 10, 2002, by a vote of 5-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board