

ILLINOIS POLLUTION CONTROL BOARD
May 2, 2002

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 02-177
) (RCRA Enforcement – Water)
JOHN PRIOR d/b/a , PRIOR OIL)
COMPANY, and JAMES MEZO)
d/b/a MEZO OIL COMPANY,)
)
Respondents.

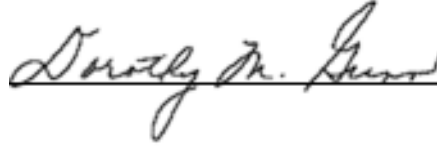
ORDER OF THE BOARD (by M.E. Tristano):

On April 19, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against John Prior d/b/a Prior Oil Company, and James Mezo d/b/a Mezo Oil Company (respondents). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that respondents violated Sections 21(a), 21(p)(6), 21(d), 21(e), 21(d)(2), 12(a), 12(d) of the Illinois Environmental Protection Act and Sections 812.101; 722.111; 739.122; 302.203 of the Board’s Waste Disposal Regulations (415 ILCS 5/21(a), (p)(1),(p)(6), (d), (e), (d)(2), 12(a) (2000)) and 35 Ill Adm. Code 812.101, 722.111, 739.122, 302.203 (1994)). The People further allege that respondents violated these provisions by open dumping violations, permit and labeling violations, failure to make hazardous waste determinations, failure to perform clean-ups, discharges of crude oil into a city park and waterways, and the creation of water pollution hazards and offensive conditions. The complaint concerns respondents’ facilities at 140 Gompers Street, Wamac, Washington County; Wamac City Park, Wamac, Washington County; 224 Wabash, Wamac, Washington 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 respondents 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 respondents 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 May 2, 2002, by a vote of 7-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board