**Section 103.212 Hearing on Complaint**

a) *Any person may file with the Board a complaint against any person allegedly violating the Act, any rule or regulation adopted under the Act, any permit or term or condition of a permit, or any Board order*. When the Board receives a citizen's complaint, *unless the Board determines that such complaint is duplicative or frivolous, it shall schedule a hearing*. [415 ILCS 5/31(d)(1)] The definitions for duplicative and frivolous can be found at 35 Ill. Adm. Code 101.Subpart B.

b) Motions made by respondents alleging that a citizen's complaint is duplicative or frivolous must be filed no later than 30 days following the date of service of the complaint upon the respondent. Motions under this subsection may be made only with respect to citizen's enforcement proceedings. Timely filing the motion will, under Section 103.204(e), stay the 60 day period for filing an answer to the complaint.

c) The Board will automatically set for hearing all complaints filed by the Attorney General or a State's Attorney on behalf of the People of the State of Illinois.

d) The Board in its discretion may hold a hearing on the violation and a separate hearing on the remedy.

(Source: Amended at 41 Ill. Reg. 10032, effective July 5, 2017)