

ILLINOIS POLLUTION CONTROL BOARD
May 7, 2009

LORETTA THIGPEN,)
)
Complainant,)
)
v.) PCB 08-12
) (Citizens Enforcement – PWS)
MORTON MOBILE HOME PARK, LLC,)
d/b/a EDGEWOOD TERRACE MOBILE)
HOME PARK,)
)
Respondent.)

ORDER OF THE BOARD (by S.D. Lin):

On July 30, 2007, Loretta Thigpen filed a 3-count complaint (Comp.) against Morton Mobile Home Park, LLC, an Illinois limited liability company (respondent), d/b/a Edgewood Terrace Mobile Home Park. See 415 ILCS 5/31(d) (2006); 35 Ill. Adm. Code 103.204. Loretta Thigpen alleges that she resides in Edgewood Terrace Mobile Home Park operated by respondent, and receives her drinking water from the public water supply also operated there by respondent. Complainant Thigpen alleges that, in 2006-2007, respondent delivered drinking water containing arsenic in excess of the maximum contaminant level, and failed to make required notification of the exceedences in violation of Section 18 of the Environmental Protection Act (Act) (415 ILCS 5/18 (2006)) and Sections 611.121(a), 611.301(b) and 611.903 of the Board's public water supply regulations. 35 Ill. Adm. Code 611.121(a), 611.301(b) and 611.903. Edgewood Terrace Mobile Home Park is located in the Village of Morton, Tazewell County.

On April 30, 2009, complainant Thigpen filed a motion for voluntary dismissal of this action without prejudice (Mot.). In support of her motion, complainant reports that

Respondent has replaced the well water supply to the Edgewood Terrace Mobile Home Park with 'city' water supplied by the Village of Morton, said project having been completed in late February or early March 2009.

On information and belief, the [Environmental Protection] Agency, through the Attorney General's Office, has informed the Complainant that the Respondent sufficiently complied with a Compliance Commitment Agreement between the Agency and the Respondent such that no penalties will be sought by the Agency.

Respondent's installation of the new water supply lines to the Edgewood Terrace Mobile Home Park has resolved Complainant's primary concerns, and on information and belief, has corrected the arsenic levels in the water supplied by Respondent to her mobile home. Mot. at 1-2.

The motion states that complainant advised respondent that this objection would be filed, and has heard no objection. *Id.* at 2.

The Board grants complainant's motion for voluntary withdrawal of this enforcement action without prejudice, noting no hearing has been held. This case is dismissed and the docket is closed.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 7, 2009, by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish extending to the right.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board