

ILLINOIS POLLUTION CONTROL BOARD
November 16, 2023

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 24-33
) (Enforcement - Water)
CITY OF LASALLE, an Illinois municipal)
corporation,)
)
Respondent.)

ORDER OF THE BOARD (by B.F. Currie):

On November 13, 2023, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against the City of LaSalle. The complaint concerns the City of LaSalle’s wastewater treatment plant located at 400 River Street, in LaSalle, LaSalle County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2022)), the Attorney General and the State’s Attorneys may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2022); 35 Ill. Adm. Code 103. In this case, the People allege that the City of LaSalle violated the Act and regulations as follows:

- Count I: By discharging effluent from its facility that exceeded its National Pollutant Discharge Elimination System (NPDES) Permit concentration limits, the People allege the City of LaSalle violated 415 ILCS 5/12(f) (2022) and 35 Ill. Adm. Code 304.141(a) and 309.102(a).
- Count II: By causing and/or allowing contaminants to be discharged into waters of the State in concentrations that exceeded its NPDES permit limits, the People allege the City of LaSalle violated 415 ILCS 12(a) (2022).
- Count III: By failing to timely comply with the reporting requirements set forth in special conditions 15, 17, and 21 of the NPDES permit, the People allege the City of LaSalle violated 35 Ill. Adm. Code 309.102(a) and 305.102(b).


The Board finds that the complaint meets the applicable content requirements of the Board’s procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On November 13, 2023, simultaneously with the People's complaint, the People and the City of LaSalle filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2022)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2022)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the City of LaSalle does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$5,740.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written comment or demand for hearing within 30 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. *See* 415 ILCS 5/31(c)(2) (2022); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 16, 2023, by a vote of 3-0.

A handwritten signature in cursive script that reads "Don A. Brown".

Don A. Brown, Clerk
Illinois Pollution Control Board