

ILLINOIS POLLUTION CONTROL BOARD
May 17, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 01-3
) (Enforcement – Public Water Supply)
CITY OF WINCHESTER, an Illinois)
municipal corporation, BENTON &)
ASSOCIATES, INC., a Delaware)
corporation, and R&G CONSTRUCTION, an)
Illinois corporation,)

Respondents.

ORDER OF THE BOARD (by S.T. Lawton):

On July 7, 2000, the People of the State of Illinois (People) filed a complaint against respondents City of Winchester, Benton & Associates, Inc. and R&G Construction. The complaint alleges that respondents failed to supply assuredly safe water by not adequately separating water and sewer main lines during the installation of water mains in Winchester, Scott County, Illinois. This activity was alleged to be in violation of Sections 15, 17(a), and 18 of the Environmental Protection Act (Act) (415 ILCS 5/15, 5/17(a), and 5/18 (1998)); 35 Ill. Adm. Code 601.101, 602.101, 602.102, 652.201, 607.104(b), and 653.119; and Section 8.6 of the Recommended Standards for Water Works.

On May 10, 2001, the complainant and respondent, City of Winchester, filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). The City of Winchester admits the alleged violations in the complaint as listed above and proposes to pay a \$2,000 penalty.

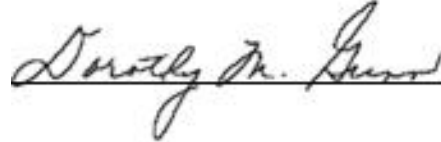
Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing. The Board notes that this stipulation and proposal for settlement

by the complainant and the City of Winchester does not include respondents, Benton & Associates, Inc. and R&G Construction.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17th day of May 2001 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