## ILLINOIS POLLUTION CONTROL BOARD November 15, 2001

PEOPLE OF THE STATE OF ILLINOIS,	)	
Complainant,	)	
<b>.</b>	)	PCB 01-3
V.	)	(Enforcement – Public Water Supply)
R&G CONSTRUCTION, an Illinois	)	
corporation,	)	
Daggardagt	)	
Respondent.	)	

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

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. 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 (2000)); 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. The Board accepted stipulations and proposals for settlements between the People and respondents, the City of Winchester and Benton & Associates, in its June 21, 2001 and July 12, 2001 Board opinions and orders.

On October 31, 2001, the complainant and respondent, R&G Construction, 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) (2000)). R&G Construction denies the alleged violations in the complaint as listed above, but proposes to pay a \$5,000 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) (2000). 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.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 15, 2001, by a vote of 7-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board