

ILLINOIS POLLUTION CONTROL BOARD  
February 7, 2002

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 00-189
	)	(Enforcement - Water)
FOX RIVER WATER RECLAMATION	)	
DISTRICT, a body corporate,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by N.J. Melas):

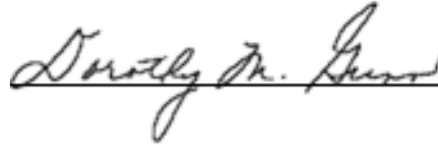
On May 8, 2000, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against the Fox River Water Reclamation District (FRWRD). See 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that FRWRD violated Sections 12(a) and 12(f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a) and 12(f) (2000)) and Section 302.212(d)(2) of the Board's water pollution regulations (35 Ill. Adm. Code 302.212(d)(2)). The People further allege that the FRWRD violated these provisions by discharging ammonia-nitrogen to Norton Creek in excess of the Board's water quality standards and in excess of the FRWRD's National Pollutant Discharge Elimination System permit. The complaint concerns the FRWRD's Skyline Wastewater Treatment Plant at 106 Ramona Lane in unincorporated Valley View (near St. Charles), Kane County.

On January 29, 2002, the People and the FRWRD 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) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the FRWRD denies the alleged violations but agrees to pay a civil penalty of \$20,000. FRWRD will also commence a compliance program and abide by a system to address delays in the compliance schedule. In the event of a disagreement arising under the stipulation, the parties agree to engage in informal dispute resolution before bringing any such matter to the Board's attention.

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 demand for hearing within 21 days after receiving the notice. If any person timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. 415 ILCS 5/31(c)(2) (2000); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 7, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board