

ILLINOIS POLLUTION CONTROL BOARD
December 19, 2002

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 03-74
)	(Enforcement – Public Water Supply)
CITY OF GEORGETOWN, an Illinois)	
Municipal corporation, and T.K. FLEMING)	
CONSTRUCTION, Inc., an Illinois)	
corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M.E. Tristano):

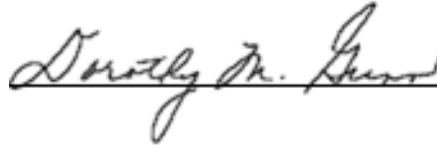
On November 20, 2002, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against the City of Georgetown and T.K. Fleming Construction, Inc (respondents). *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that respondents violated Sections 12(b), 15, and 18(a) of the Environmental Protection Act (Act). The People further allege that respondents violated these provisions by failing to submit construction permit applications for a water main extension and a sewer main; failing to submit a permit application for operating the water main; constructing the water and sewer mains on a vertical plane less than 18 inches apart; failing to implement the cross-connection ordinance by conducting a survey; and failing to maintain data on inspections, repairs, and tests. The complaint concerns City of Georgetown’s annexation of the Woodland Estates Subdivision, located in Georgetown, Vermillion County.

On December 10, 2002, the People and the City of Georgetown 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 City of Georgetown admits the alleged violations and agrees to pay a civil penalty of \$500.

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 anyone 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 December 19, 2002, by a vote of 6-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board