

ILLINOIS POLLUTION CONTROL BOARD
July 7, 1977

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 77-63
)
 VILLAGE OF FARMERSVILLE,)
)
 Respondent.)

Mr. Steven Watts, Assistant Attorney General, appeared on behalf of Complainant.
Mr. Ralph Bawden appeared on behalf of Respondent.

OPINION AND ORDER OF THE BOARD (by Dr. Satchell):

This case was filed with the Board on February 25, 1977. The complaint alleges that the Village of Farmersville owns and operates a public water supply system which includes, but is not limited to, two drilled drift wells, 5,600 gallon reaction basin, a 150,000 gallon elevated storage tank and a distribution system. The complaint further alleges that the water from the well is aerated, chlorinated, filtered and fluoridated before being discharged in the distribution system, and that since at least August 1, 1975 Respondent has operated its public water supply system without having in its employ a properly certified Class B or Class A water supply operator, in violation of Section 1 of an Act to Regulate the Operating of a Public Water Supply.

A hearing was held April 26, 1977. A stipulated statement of facts and a proposed settlement was presented for Board approval. No testimony was given.

The stipulated facts provide that Respondent, Village of Farmersville, located in Montgomery County, Illinois, owns and operates a public water supply. The system is as described in the complaint. Respondent admits it operated its public water supply from August 1, 1975 to April 8, 1977 without a certified public water supply operator.

On April 26, 1977, the Agency received a "Notification of Certified Operator in Responsible Charge" from Farmersville. John Lewis, a properly certified Class A operator, had assumed the duties of certified water operator for the Village.

In settlement Respondent agrees to continue to employ a properly certified public water supply operator and to pay a penalty of \$225.

The Board finds this settlement to be acceptable under Procedural Rule 331. The Board finds the Village of Farmersville did violate Section 1 of an Act to Regulate the Operating of a Public Water Supply. Under the law the Board must penalize a violator not less than \$100 nor more than \$1,000 for each offense. A penalty of \$225 is acceptable for enforcement purposes.

This opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

It is the order of the Pollution Control Board that:

1. The Village of Farmersville is found to have violated Section 1 of An Act to Regulate the Operating of a Public Water Supply.
2. Respondent shall pay a penalty of \$225 within 35 days of this order. Payment shall be be certified check or money order payable to:

State of Illinois
Fiscal Services Division
Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 21st day of July, 1977 by a vote of 5-0.

Christan L. Moffett pk
Christan L. Moffett, Clerk
Illinois Pollution Control Board