

ILLINOIS POLLUTION CONTROL BOARD
November 18, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 04-81
) (Enforcement - Water)
EMMETT UTILITIES UTILITIES, INC. an)
Illinois corporation, and RUSSELL D.)
THORELL, individually and as president of)
EMMETT UTILITIES UTILITIES, INC.,)
)
Respondents.)

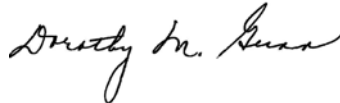
ORDER OF THE BOARD (by T.E. Johnson):

This matter is before the Board on a complaint filed by the Office of the Attorney General, on behalf of the People of the State of Illinois (People), against Emmett Utilities, Inc. and Russell D. Thorell (respondents). The complaint concerns allegations that respondents violated provisions of the Environmental Protection Act and Board regulations by (1) failing to protect the safety of a public water supply; (2) failing to provide continuous operation and maintenance of a public water supply; (3) allowing discharges of untreated effluent, raw sewage, and overflows into an unnamed tributary to the LaMoine River; (4) causing offensive conditions, including unnatural color, odor, sludge, and turbidity in the receiving stream; and (5) violating the conditions of National Pollutant Discharge Elimination System permit number IL0071030. The complaint involves the respondents' public water supply and wastewater treatment facilities at Stratford West townhouse subdivision near Macomb, McDonough County.

On November 12, 2004, the People filed a motion for voluntary dismissal. In the motion, the People assert that Russell Thorell is deceased, and that the executor of the Thorell estate intends to convey ownership of Emmett Utilities, Inc. to another party that will be responsible for providing sewer and water services to the users at Stratford West. Mot. at 1. The motion is granted. The Board hereby dismisses the complaint, and closes the docket.

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 18, 2004, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board