

ILLINOIS POLLUTION CONTROL BOARD

August 4, 2005

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 04-84
) (Enforcement - Water)
PARAMOUNT DEVELOPERS, INC., an)
Illinois corporation,)
)
Respondent.)

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

On November 24, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Paramount Developers, Inc. (Paramount Developers). See 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Paramount Developers violated Section 12(a), (d) and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (d) and (f) (2004)) and 35 Ill. Adm. Code 306.102(a) and 309.146(a)(1) and (a)(2). The People further allege that Paramount Developers violated these provisions by: (1) causing, threatening, or allowing erosion of loose dirt, and silt into storm sewers that discharge into a pond and wetland area and the DuPage River; (2) causing or allowing the deposition of contaminants on the land so as to create a water pollution hazard; (3) failing to monitor its site, failing to improve and install adequate storm water controls, and failing to submit required incident of noncompliance reports in compliance with general National Pollutant Discharge Elimination System permit for storm water discharges from construction activities; and (4) failing to construct and operate erosion control measures so as to minimize violations of applicable standards during contingencies like flooding or adverse weather. The complaint concerns Paramount Developers' residential home development in Section 15, Township 38 North, Range 10 East in Lisle, DuPage County.

On July 27, 2005, the People and Paramount Developers 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) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Paramount Developers neither admits nor denies the alleged violations and agrees to pay a civil penalty of \$12,000.

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) (2004); 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 August 4, 2005, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board