

ILLINOIS POLLUTION CONTROL BOARD

February 2, 2006

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 06-134
	)	(Enforcement - Public Water Supply)
VILLAGE OF HAINESVILLE, an Illinois	)	
municipal corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by G.T. Girard):

On January 20, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against the Village of Hainesville. *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. Accompanying the complaint was a stipulation and proposal for settlement. The complaint concerns the Village of Hainesville's public water supply facility at Hainesville, Lake County.

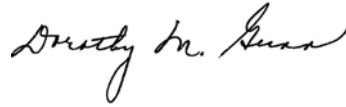
The People allege that the Village of Hainesville violated Sections 15(a) and 18(a) of the Environmental Protection Act (Act) (415 ILCS 5/15(a) and 18(a) (2004)) and 35 Ill. Adm. Code 602.101(a) and 652.101(a). The People further allege that the Village of Hainesville violated these provisions by (1) constructing and completing a well and constructing a fluoride feed system without submitting plans and specifications to the Environmental Protection Agency and first obtaining a construction permit; and (2) failing to provide a distance of between 12 and 24 inches between the overflow pipe of its finished water tank and the ground, thereby threatening a cross-connection.

The January 18, 2006 stipulation and proposed settlement was accompanied by 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 Village of Hainesville neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$3,000.

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 February 2, 2006, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board