

ILLINOIS POLLUTION CONTROL BOARD

March 2, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-48
)	(Enforcement - Public Water Supply)
STS CONSULTANTS, LTD.,)	
)	
Respondent.)	

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

On October 5, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against STS Consultants, Ltd. (STS Consultants). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns STS Consultants' Summer 2003 installation of water main to serve a new Home Depot store at 143rd Street and Bell Road, Homer Township, Will County.¹

The People allege that STS Consultants violated Section 15(a) of the Environmental Protection Act (Act) (415 ILCS 5/15(a) (2004)) and 35 Ill. Adm. Code 602.101(a). The People further allege that STS Consultants violated these provisions by construction of a public water supply without a construction permit.

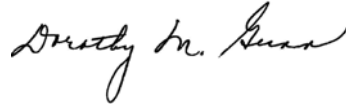
On February 14, 2006, the People and STS Consultants filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the STS Consultants neither admits nor denies the alleged violation but agrees to pay a civil penalty of \$5,000.

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.

¹ This same installation is or was the subject of other pending or settled enforcement actions: People v. Home Depot, PCB 05-168 (settlement talks in progress); People v. Illinois-American Water Company, PCB 06-15 (proposed settlement filed January 26, 2006); and People v. Weis Builders, Inc., PCB 06-44 (settlement accepted by an order dated January 5, 2006).

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 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