

ILLINOIS POLLUTION CONTROL BOARD  
September 21, 2006

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 06-3
	)	(Enforcement – Public Water Supply)
LAKE EGYPT WATER AND	)	
WASTEWATER DISTRICT,	)	
	)	
Respondent.	)	

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

On July 6, 2005, complainant, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against respondent, Lake Egypt Water and Wastewater District (District). The complaint concerns the District's water filtering and purification plant at 11484 Lake of Egypt Road in Marion, Williamson County. The parties now seek to settle without a public hearing. For the reasons below, the Board directs the Clerk to provide public notice of the parties' stipulation, proposed settlement, and request for relief from the hearing requirement.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2004)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2004); 35 Ill. Adm. Code 103. In this case, the People allege that the District violated the Act (415 ILCS 5/18 (2004)) and the Board's regulations on primary drinking water standards (35 Ill. Adm. Code 611.383(d), 611.385) by failing to demonstrate that total organic carbon (TOC) removal ratio levels either complied with Step 1 TOC percent removal requirements or met alternative compliance criteria.

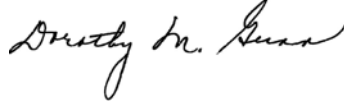
On September 11, 2006, the People and the District filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the District does not admit the alleged violations and agrees to pay a civil penalty of \$6,400.

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. *See* 415 ILCS 5/31(c)(2) (2004); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk 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 September 21, 2006, by a vote of 4-0.

A handwritten signature in cursive script, appearing to read "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board