ILLINOIS POLLUTION CONTROL BOARD November 2, 2006

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
V.)	PCB 07-26 (Enforcement -Water)
PALOS TOWNSHIP, a political subdivision of Cook County, Illinois,)))	(=
Respondent.	,	

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

On October 23, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one -count complaint against Palos Township, a political subdivision of Cook County. *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns municipal separate storm sewers (MS4s) operated by Palos Township to serve the township's residents, includes those in Palos Hills, Hickory Hills, Palos Heights, and Palos Park, Cook County.

The People allege that Palos Township violated Section 21(f) of the Environmental Protection Act (Act) (415 ILCS 5/12 (f) and the Board's water regulations at 35 Ill. Adm. Code 309.102(a). The People further allege that the City violated these provisions from March 10, 2003 through at least June 2006 by causing or allowing the operation of the MS4s without applying for and obtaining a permit under the National Pollutant Discharge and Elimination System (NPDES), or demonstrating that NPDES coverage is waived. The People ask the Board to order Palos Township to cease and desist from further violation and to pay a civil penalty in accordance with statute.

Along with the complaint, on October 23, 2006, the People and respondent also 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 III. Adm. Code 103.300(a). Under the proposed stipulation, Palos Township admits the alleged violations and agrees to pay a civil penalty of \$3,800.

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) (2000); 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 November 2, 2006, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board