## ILLINOIS POLLUTION CONTROL BOARD February 1, 2007

PEOPLE OF THE STATE OF ILLINOIS,	)	
Complainant,	)	
v.	)	PCB 07-3 (Enforcement - Water)
EAST LYNN COMMUNITY WATER	)	(Emoreoment water)
SYSTEM, INC., an Illinois corporation,	)	
Respondent.	)	

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

On July 6, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against East Lynn Community Water System, Inc. (East Lynn). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that East Lynn violated Section 18(a)(2) of the Environmental Protection Act (Act), Section 1 of the Public Water Supply Operations Act, and Sections 603.102, 603.103, and 603.105(b) of the Board's Public Water Supply regulations. *See* 415 ILCS 5/18(a)(2) (2004); 415 ILCS 45/1 (2004); 35 Ill. Adm. Code 603.102, 603.103, 603.105(b). The People further allege that East Lynn violated these provisions by failing to have a responsible person (*i.e.*, a Class B or A certified operator) in charge of its public water supply and failing to notify the Illinois Environmental Protection Agency of a certified operator designation. The complaint concerns East Lynn's iron removal plant located north of Walnut Street and west of Main Street in the town of East Lynn, Vermilion County.

On January 25, 2007, the People and East Lynn 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, East Lynn does not admit the alleged violations and agrees to pay a civil penalty of \$200.

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 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 1, 2007, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board