

ILLINOIS POLLUTION CONTROL BOARD
February 15, 2007

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 06-79
)	(Enforcement - Water)
CITY OF GILLESPIE, a municipal)	
corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by A.S. Moore):

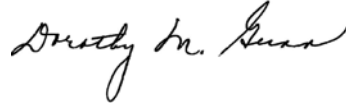
On November 18, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against the City of Gillespie (the City). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that the City violated Section 12(f) of the Environmental Protection Act (Act) (415 ILCS 5/12(f) (2004)) and Section 305.102(b) of the Board’s water pollution regulations (35 Ill. Adm. Code 305.102(b)). The People further allege that the City violated these provisions from December 2003 through December 2004, by failing to submit timely monthly Discharge Monitoring Reports to the Illinois Environmental Protection Agency as required by the City’s National Pollutant Discharge Elimination System permit. The complaint concerns a municipal wastewater treatment plant owned and operated by the City.

On February 7, 2007, the People and the City 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 City admits the alleged violations and agrees to pay a civil penalty of \$2,000. The City also agrees to perform a Supplemental Environmental Project by making a \$5,000 grant to the Gillespie Soccer Association to fund a project intended to reduce or eliminate erosion and leaching at the Little Dog Coal Mine site now owned and operated by the soccer association.

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 15, 2007, by a vote of 4-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board