## ILLINOIS POLLUTION CONTROL BOARD March 15, 2007

PEOPLE OF THE STATE OF ILLINOIS,	)	
Complainant,	)	
V.	)	PCB 07-37
VILLAGE OF DORCHESTER, an Illinois municipal corporation,	)	(Enforcement - Water)
Respondent.	) )	

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

On November 16, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against the Village of Dorchester (Dorchester), which is located in Macoupin County. *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns Dorchester's public water distribution system in the area of Rock Road.

The People allege that by constructing and operating a one and a half inch service line for use as a water main, without permits from the Illinois Environmental Protection Agency and without complying with 35 Ill. Adm. Code 653.117, Dorchester violated Section 18(a) of the Environmental Protection Act (Act) (415 ILCS 5/18(a) (2004)).

On February 28, 2007, the People and Dorchester 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, Dorchester does not admit the alleged violations and agrees to pay a civil penalty of \$300.

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

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board