ILLINOIS POLLUTION CONTROL BOARD April 19, 2007

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
v.)	PCB 07-41
)	(Enforcement - Water)
VILLAGE OF NEBO, an Illinois municipal)	
corporation,)	
)	
Respondent.)	

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

On November 20, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against the Village of Nebo (the Village). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that the Village violated Sections 15(a), 18(a)(1), 18(a)(2), and 18(a)(3) of the Environmental Protection Act (Act) (415 ILCS 5/15(a), 18(a)(1), 18(a)(2), 18(a)(3) (2004)); Sections 370.1021, 601.101, 611.240(g), 611.521(a), 611.831, 653.605 of the Board's regulations (35 Ill. Adm. Code 370.1021, 601.101, 611.240(g), 611.521(a), 611.831, 653.601, 653.605); and a condition of its operating permit No. 0994-FY1984.

The People further allege that the Village violated these provisions by failing to submit results of coliform sampling, failing to submit required operating reports, failing to maintain minimum chlorination, failing to meet disinfection requirements, preventing access to the Village's water plant by the Illinois Environmental Protection Agency, allowing the Village's water plant to exceed its permitted flow rate without obtaining approval, improper equipment location, and improper chemical storage. The complaint concerns the Village's public water supply facility located in Pike County.

On March 19, 2007, the People and the Village 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 Village admits the violations alleged in counts I, II, V, and VI of the complaint and does not affirmatively admit the violations alleged in counts III and IV of the complaint. The Village agrees to pay a civil penalty of \$1,500.

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 April 19, 2007, by a vote of 3-0

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board