

6. Failing to obtain construction and operating permits; and
7. Failing to properly prepare consumer confidence reports.

On August 12, 2014, the People and Waterworks filed a stipulation and proposed settlement (Stip.), accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2012)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2012)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). The proposed stipulation addresses only four counts of the seven alleged in the complaint. Further the stipulation states:

Complainant contends that the Respondent has violated the following provisions of the Act and Board Regulations. The violations listed herein include violations alleged in Complaint as well as additional violations which occurred after the filing of the Complaint.

- Count I: Sections 611.521(a), 611.522(a) and 611.731 of the Board's Public Water Supplies Regulations, 35 Ill. Adm. Code 611.521(a), 611.522(a) and 611.731 and Sections 18(a)(2) and 19 of the Act, 415 ILCS 5/18(a)(2) and 19 (2004);
- Count II: Sections 611.831 and 653.605 of the Board's Public Water Supplies Regulations, 35 Ill. Adm. Code 611.831 and 653.605, and Section 18(a)(2) of the Act, 415 ILCS 5/18(a)(2) (2004);
- Count III: Sections 603.102, 603.103 and 603.105(b) of the Board's Public Water Supply Regulations, 35 Ill. Adm. Code 603.102, 603.103 and 603.105(b), Section 18(a)(2) of the Act, 415 ILCS 5/18(a)(2) (2004), and Section 1 of the [Public] Water Supply Operations Act, 415 ILCS 45/1 (2004);
- Count IV: Sections 601.101, 607.104, 611.330, 611.883 and 611.884 of the Board's Public Water Supplies Regulations, 35 Ill. Adm. Code 601.101, 607.104, 611.330, 611.883 and 611.884, and Section 18 of the Act, 415 ILCS 5/18 (2004). Stip. at 3.

By its terms the stipulation includes violations not originally alleged in the complaint. The stipulation however does not address Counts V, VI and VII of the initial complaint. Therefore, the Board directs the parties to provide additional information regarding the parties' intent on the remaining counts of the complaint.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on August 21, 2014, by a vote of 4-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal stroke at the end.

John T. Therriault, Clerk
Illinois Pollution Control Board