

ILLINOIS POLLUTION CONTROL BOARD
January 22, 2015

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 15-135
)	(Enforcement – Public Water Supply)
VILLAGE OF CHESTERFIELD an Illinois)	
municipal corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by D. Glosser):

On January 9, 2015, 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 Chesterfield (respondent). The complaint concerns respondent’s public water supply system located in Macoupin County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2012)), the Attorney General and the State’s Attorneys may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2012); 35 Ill. Adm. Code 103. In this case, the People allege that respondent violated Sections 18(a)(1), 18(a)(2) and 19 of the Act, 415ILCS 5/18(a)(1), 18(a)(2), 19 (2012) and Sections 611.831 and 653.605 of the Board’s Public Water Supplies Regulations (35 Ill. Adm. Code 611.831 and 653.605). The complaint alleges respondent violated these provisions by failing to timely submit monthly operating reports. The Board finds that the complaint meets the applicable content requirements of the Board’s procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).


On January 9, 2015, simultaneously with the People’s complaint, the People and respondent 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) (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). Under the proposed stipulation, the respondent admits the alleged violations and agrees to pay a civil penalty of \$2,000.

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) (2012); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 22, 2015, 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