

ILLINOIS POLLUTION CONTROL BOARD
January 18, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 00-171
) (Enforcement - Water)
CITY OF CHARLESTON,)
)
Respondent.)

ORDER OF THE BOARD (by N.J. Melas):

On April 6, 2000, the People of the State of Illinois (People) filed a five-count complaint against respondent the City of Charleston (Charleston). The complaint alleges Charleston caused water pollution, created a water pollution hazard, discharged without a permit, created offensive conditions, and caused a pH violation at its water treatment plant located at 2600 McKinley Avenue, Charleston, Coles County, Illinois. These activities were in alleged violation of Sections 12(a), (d), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (d), (f) (1998)), and the Board's water pollution regulations at 35 Ill. Adm. Code 302.203, 302.204, 304.141(b), and 309.121(a).

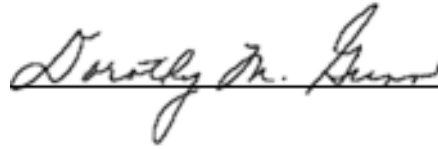
On January 11, 2001, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). Charleston proposes to pay a \$25,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. (415 ILCS 5/31(c)(2) (1998)). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of January 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board