

ILLINOIS POLLUTION CONTROL BOARD

May 3, 2001

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 01-146
)	(Enforcement – Public Water Supply)
NORMAN SARVER,)	
)	
Respondent.)	

ORDER OF THE BOARD (by C.A. Manning):

On April 30, 2001, the People of the State of Illinois (People) filed a one-count complaint against respondent Norman Sarver (Sarver). The complaint alleges that Sarver caused or allowed the construction of a water main without a construction permit in Long Creek Township, Macon County, Illinois. This activity was in alleged violation of Sections 15(a) and 18(a) of the Environmental Protection Act (Act) (415 ILCS 5/15(a), 18(a) (1998)), and the Board's public water supply regulations at 35 Ill. Adm. Code 602.101(a).

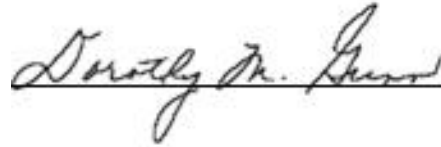
Also on April 30, 2001, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). Sarver admits the violation alleged in the complaint and proposes to pay a \$2,000 civil 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 3rd day of May 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