

ILLINOIS POLLUTION CONTROL BOARD
June 22, 1978

ENVIRONMENTAL PROTECTION AGENCY,)
)
Complainant,)
)
v.) PCB 77-210
)
VILLAGE OF CAMP POINT,)
)
Respondent.)

Mr. John Van Vranken, Assistant Attorney General, Attorney
for Complainant.
Mr. Edward Tucker, Attorney for Respondent.

OPINION AND ORDER OF THE BOARD (by Mr. Young):

This matter comes before the Board on a Complaint filed August 11, 1977, by the Illinois Environmental Protection Agency charging the Respondent, Village of Camp Point, with violation of Section 12(a) of the Environmental Protection Act, of Rules 203(a), 404(f), 405, 602(b) and 1201 of Chapter 3: Water Pollution of the Board's Rules and Regulations. Hearing was held in this matter on April 25, 1978, at the Camp Point Village Town Hall. During the hearing, the parties introduced a Stipulation and Proposal for Settlement into the record. There was no public testimony offered at the hearing.

The Village of Camp Point is located in Adams County having a 1970 census population of 1,143. The Village owns and operates a wastewater treatment facility consisting of an Imhoff tank, two sludge dumping beds and a 5.3 acre lagoon. The effluent is discharged, unchlorinated, into Figley Branch Creek, tributary of McKee Creek; the facility has no capability for disinfection (Stip. p2). The Stipulation indicates that the wastewater treatment facility was inspected on at least five occasions during 1974, 1975 and 1976 and that the Village was notified of deficiencies and that at least four citizen complaints concerning the facility were received by the Agency from 1971 to 1977 (Stip. p3). The parties also stipulate that the Village applied for grant assistance in April, 1973, and that final approval is still pending (Stip. p4). The parties further stipulate that Respondent caused or allowed the violations alleged in each of the six counts of the Complaint on specific dates (Stip. p4-5).

The terms of the Settlement include the initiation, by the Village, of a number of measures to upgrade, improve, maintain and properly operate the existing treatment facilities, and the collection system and to place the plant under the direct and active supervision of a properly certified operator (Stip. p5-9). The Village agrees to pay a penalty of \$1,000.00 (Stip. p10).

The Board has examined the facts and circumstances presented by the parties in the Stipulation and Proposal for Settlement according to the requirements of Section 33(c) of the Act and finds the Village in violation of Section 12(a) of the Act and of Rules 203(a), 404(f), 405, 602(b) and 1201 on the dates set forth in the Order herein. The Board further finds the Stipulation and Proposed Settlement offered by the parties acceptable under Procedural Rule 331 and will assess a penalty of \$1,000.00 for the violations found herein which the Board finds necessary in this case to aid in the enforcement of the Act. The Board will also order the Village to comply with all of the terms of settlement set forth in the Stipulation and Proposal for Settlement, pages 5 through 10.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

ORDER

1. Respondent, Village of Camp Point, is found to have caused or allowed violation of the Environmental Protection Act or of Chapter 3 of the Board's Rules and Regulations as follows:

- a) As charged in Count I of the Complaint, violation of Section 12(d) of the Act on September 2, 1971, October 22, 1972, June 28, 1975, and January 21, 1977.
- b) As charged in Count II of the Complaint, violation of Rule 203(a) of Chapter 3 and Section 12(d) of the Act on May 6, 1974, September 26, 1974, January 27, 1975, August 11, 1975, July 1, 1976, and November 15, 1976.
- c) As charged in Count III of the Complaint, violation of Rule 404(f) of Chapter 3 on August 3, 1976, September 16, 1976, October 7, 1976, and December 29, 1976.
- d) As charged in Count IV of the Complaint, violation of Rule 405 of Chapter 3 and Section 12(a) of the Act on August 3, 1976, September 16, 1976, October 7, 1976, and November 15, 1976.

- e) As charged in Count V of the Complaint, violation of Rule 1201 of Chapter 3 on May 6, 1974, January 27, 1975, and July 1, 1976, and
- f) As charged in Count VI of the Complaint, violation of Rule 602(b) of Chapter 3 on May 6, 1974, January 27, 1975, July 1, 1976, and November 15, 1976.

2. Respondent, Village of Camp Point, shall pay a penalty of \$1,000.00 for the violations found in paragraph 1 of this Order. Penalty payment by certified check or money order payable to the State of Illinois shall be made within 35 days of the date of this Order to: Fiscal Services Division, Illinois Environmental Protection Agency, 2200 Churchill Road, Springfield, Illinois, 62706.

3. Respondent, Village of Camp Point, shall comply with all of the terms of settlement contained in the Stipulation and Proposal for Settlement herein dated March 2, 1978, which is hereby incorporated by reference as if fully set forth herein.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 22ND day of June, 1978 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board