

ILLINOIS POLLUTION CONTROL BOARD
April 22, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 76-13
)
 VILLAGE OF KAMPSVILLE,)
)
 Respondent.)

Mr. Steven Watts, Assistant Attorney General, appeared for Complainant.
Mr. Ralph J. Moses appeared for Respondent.

OPINION AND ORDER OF THE BOARD (by Dr. Satchell):

This matter comes before the Board upon a complaint filed January 12, 1976 by the Environmental Protection Agency (Agency) alleging that the Village of Kampsville owns and operates a public water supply serving approximately 440 people in Calhoun County, Illinois. The complaint further alleges that Kampsville has since September 12, 1973 operated its public water supply without a certified Class C, Class B, or Class A water supply operator in violation of Section 501 of an Act to Regulate the Operating of a Public Water Supply System, Rule 302 of the Board's Chapter 6: Public Water Supply and Section 18 of the Environmental Protection Act (Act).

A hearing was held February 27, 1976 in Hardin, Illinois. A Stipulation and Proposed Settlement was introduced at the hearing. No testimony was given.

The proposed settlement is as follows. The Village admits it did not have a properly certified water supply operator from April 1, 1974 until March, 1975 and from September 1, 1975 to January, 1976. Respondent agrees to pay within thirty-five days of the rendering of an order by the Board a penalty of \$100 for the admitted violations. The Agency has been made aware of actions taken by the Village to correct the aforesaid violation. Respondent has furnished evidence that Jack Grissom, a village employee, is as of January 16, 1976 a properly certified Class "C" public water supply operator.

The Board finds the settlement proposal acceptable under the Procedural Rule 333. The Board does find the

village in violation of Section 501 of an Act to Regulate the Operating of Public Water Supply, Rule 302, Chapter 6: Public Water Supply, and Section 18 of the Act. The penalty is the minimum penalty allowable under Section 23 of an Act to Regulate the Operating of a Public Water Supply. Considering the small size of the Village of Kampsville the Board finds the penalty to be adequate.

This constitutes the Board's findings of fact and conclusions of law.

ORDER

It is the order of the Pollution Control Board that:

1. The Village of Kampsville was in violation of Section 501 of an Act to Regulate the Operating of Public Water Supply, Rule 302 of the Board's Chapter 6: Public Water Supply and Section 18 of the Act.

2. The Respondent will pay a penalty of one hundred (100) dollars for said violations. Payment shall be by certified check or money order made payable to:

State of Illinois
Fiscal Services Division
Environmental Protection Agency
2200 Churchill Road
Springfield, Illinois 62706

Payment will be tendered within thirty-five (35) days of this order.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted the 22nd NA day of April, 1976 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board