

ILLINOIS POLLUTION CONTROL BOARD
August 5, 1976

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
)
)
 v.) PCB 75-469
)
)
 ARLINGTON HEIGHTS UTILITIES, INC.,)
)
 Respondent.)

INTERIM ORDER OF THE BOARD (by Mr. Dumelle):

This matter comes before the Board on a Complaint filed by the Environmental Protection Agency (Agency) against Arlington Heights Utilities, Inc. (Utility) on December 15, 1975. A hearing was held on February 5, 1976.

The Utility owns and operates a sewage facility which serves between 300 and 500 people in Nameoki Township, Madison County, Illinois (R. 9). The facility consists, in part, of three extended aeration plants with a combined capacity of 58,000 GPD, two polishing ponds, and a 750 gallon chlorine contact tank (Exhibit No. 1). The Complaint alleges that the third of these package treatment plants was constructed and operated without the required permits and that the entire facility was operated without a certified operator in violation of Rule 951(a), 952(a), and 1201 of the Board's Water Pollution Regulations and Section 12(b) of the Act. At the hearing the Utility stipulated to the truth of these allegations. At several points in the hearing the parties refer to agreed actions to be taken (R. 4, 5, 8, 9).

The Board cannot incorporate an agreement or settlement into an order where as in this case the agreement is indiscernible from the record. Further, there is insufficient assessment of any environmental damage which may be caused by the Utilities operations. This cause is hereby remanded to the Hearing Officer for further action consistent with this Order.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Interim Order was adopted on the 5th day of August, 1976 by a vote of 5-0.


Christan L. Moffett, Clerk
Illinois Pollution Control Board