

ILLINOIS POLLUTION CONTROL BOARD
September 1, 1977

ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.) PCB 77-106
)
)
 THE HUNTLEY COMMUNITY ASSOCIATION,)
)
 Respondent.)

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

On April 13, 1977, the Environmental Protection Agency (Agency) filed a Complaint against The Huntley Community Association (Association) alleging violations of the Board's Public Water Supply Regulations (Regulations), an Act to Provide for Safeguarding the Public Health by Vesting Certain Measures of Control and Supervision in the Department of Public Health over Public Water Supplies in the State (P.W.S. Statute), and an Act to Regulate the Operating of a Public Water Supply (Certified Operator Statute). A hearing was held on August 16, 1977, in Crete, Illinois. No members of the public were present. At the hearing the parties submitted a Stipulation and Proposal for Settlement.

The Association owns and operates a public water supply serving sixteen households in the Huntley Terrace Subdivision near Crete, Will County, Illinois. The system, which includes one drilled well, a pressure storage tank and a distribution system, is supported by an annual \$50.00 fee paid by each member household.

The parties stipulate that the Association has failed to employ a properly certified public water supply operator and has failed to chlorinate and fluoridate the water distributed in its water supply system. In the Stipulation, the parties outline steps the Association has taken toward compliance subsequent to the filing of the Complaint herein.

The Board finds that the Association has violated Rules 302, 305 and 306 of the Regulations, Section 7(a) of the P.W.S. Statute,

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and Section 1 of the Certified Operator Statute. The parties stipulate that to their knowledge no injury to the public has resulted from the Association's omissions, that the public water supply is of social and economic value, and that it is technically practicable and economically reasonable to bring the system into compliance. The Association agrees to pay a penalty of \$250.00 for the violations found herein, to employ a properly certified operator and to begin chlorination and fluoridation of its system. In light of the above factors, the Board finds the \$250.00 penalty to be appropriate and finds that the Proposal for Settlement will adequately ensure compliance.

This Opinion constitutes the findings of facts and conclusions of law of the Board in this matter.

ORDER

It is the Order of the Pollution Control Board that:

- 1) The Huntley Community Association is found to have violated Rules 302, 305 and 306 of the Regulations, Section 7(a) of the P.W.S. Statute, and Section 1 of the Certified Operator Statute.
- 2) For said violations, the Association shall pay a penalty of \$250.00, payment to be made within 35 days of the date of this Order by certified check or money order to:

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

- 3) The Association shall comply with the terms of the Stipulation and Proposal for Settlement submitted by the parties, which is incorporated by reference as if fully set forth herein.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 1st day of September, 1977 by a vote of 5-0.

Christan L. Moffett (pk)
Christan L. Moffett, Clerk
Illinois Pollution Control Board

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