ILLINOIS POLLUTION CONTROL BOARD March 28, 2019

PEOPLE OF THE STATE OF ILLINOIS,)	
Complainant,)	
v.)	PCB 19-91
VILLAGE OF LEONORE, a municipal corporation,)))	(Enforcement - Public Water Supply)
Respondent.)	

ORDER OF THE BOARD (by U. Choe):

On March 25, 2019, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against the Village of Leonore (Village). The complaint concerns the Village's two groundwater supply wells located at the corner of Gary and Walnut Streets in Leonore, LaSalle County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2016)), the Attorney General and the State's Attorneys may bring actions before the Board to enforce Illinois' environmental requirements on behalf of the People. See 415 ILCS 5/31 (2016); 35 Ill. Adm. Code 103. In this case, the People allege that the Village violated Section 18(a)(2) of the Act and Sections 611.382(b)(1)(A)(v), 611.840(d), and 611.901(b) of the Board's primary drinking water standards by failing to comply with public water supply monitoring requirements and public notice requirements. The Board finds that the complaint meets the applicable content requirements of the Board's procedural rules and accepts the complaint. See 35 Ill. Adm. Code 103.204(c).

On March 25, 2019, simultaneously with the People's complaint, the People and the Village filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2016)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2016)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Village does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$500.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person

may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. See 415 ILCS 5/31(c)(2) (2016); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 28, 2019, by a vote of 5-0.

Don A. Brown, Clerk

Illinois Pollution Control Board

Don a. Brown