

ILLINOIS POLLUTION CONTROL BOARD

April 4, 2002

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 01-144  
) (Enforcement – Public Water Supply)  
CITY OF PANA, HOUSING AUTHORITY )  
OF CHRISTIAN COUNTY, PRAIRIELAND )  
CONSTRUCTION, INC., and RICH )  
WILLIAMS d/b/a C.R. WILLIAMS & )  
ASSOCIATES ARCHITECTS, )  
)  
Respondents. )

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PRAIRIELAND CONSTRUCTION, INC., )  
)  
Cross-Complainant, )  
)  
v. ) PCB 01-144  
) (Enforcement – Public Water Supply)  
CITY OF PANA, HOUSING AUTHORITY ) (Cross-Complaint)  
OF CHRISTIAN COUNTY, and RICH )  
WILLIAMS d/b/a C.R. WILLIAMS & )  
ASSOCIATES ARCHITECTS, )  
)  
Cross-Respondents )

ORDER OF THE BOARD (by N.J. Melas):

On April 20, 2001, the Office of the Attorney General, on behalf of the People of the State of Illinois (People) filed a two-count complaint against the City of Pana, the Housing Authority of Christian County, PrairieLand Construction, Inc. (PrairieLand), and Rich Williams d/b/a C.R. Williams & Associates Architects. *See* 415 ILCS 5/31(c)(1) (2000); 35 Ill. Adm. Code 103.204. The People allege that PrairieLand violated Sections 12, 15, 18(a)(1), 18(a)(2), and 18(a)(3) of the Environmental Protection Act (Act) (415 ILCS 5/12, 15, 18(a)(1), 18(a)(2), and 18(a)(3) (2000)); Sections 602.101(b), 602.102, and 607.104(b) of the Board's regulations (35 Ill. Adm. Code 602.101(b), 602.102, and 607.104(b)), and Sections 652.201, 652.203, and 653.119 of the Environmental Protection Agency's (Agency) regulations (35 Ill. Adm. Code 652.201, 652.203, and 653.119). The People further allege that PrairieLand violated these provisions by constructing water and sewer mains less than 10 feet apart, by placing the water mains into service without an operating permit, by failing to perform disinfection, and by failing to submit bacteriological samples. The People also allege similar violations of the Act, the

Board's regulations, and the Agency's regulations against the other respondents. The complaint concerns the construction of a water and sewer main project at the Washington Court Housing Project in Pana, Christian County.

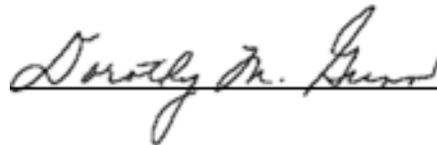
On August 23, 2001, PrairieLand filed a cross-complaint against the other respondents for contribution.

On March 28, 2002, the People and PrairieLand 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) (2000)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, PrairieLand does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$5,000. The proposed stipulation and settlement between the People and PrairieLand has no affect on the People's allegations against the other respondents in this matter.

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. 415 ILCS 5/31(c)(2) (2000); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 4, 2002, by a vote of 6-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board