

ILLINOIS POLLUTION CONTROL BOARD
June 15, 2023

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 23-124
)	(Enforcement - Water)
VILLAGE OF BLUE MOUND, an Illinois)	
municipal corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by M. Gibson):

On June 7, 2023, 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 Blue Mount (Village). The complaint concerns the Village’s sewage treatment plant located at 1078 North Railroad Avenue in Blue Mound, Macon 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 (2020)), 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 (2020); 35 Ill. Adm. Code 103. In this case, the People allege that the Village violated the following sections of the Act and Board regulations:

Count I: Section 12(f) of the Act, 415 ILCS 5/12(f) (2020), Section 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), and Standard Condition 2 of its NPDES Permit by causing or allowing the discharge of wastewater into the tributary and Mosquito Creek from its sewage treatment plant without timely reapplying for reissuance of its NPDES Permit.

Count II: Section 12(a) of the Act, 415 ILCS 5/12(a) (2020), and Section 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), by causing or allowing the discharge of contaminants.

On June 7, 2023, 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) (2020)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2020)), 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 admits the alleged violations and agrees to pay a civil penalty of \$7,000.

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 30 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) (2020); 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 June 15, 2023, by a vote of 3-0.

A handwritten signature in cursive script that reads "Don A. Brown".

Don A. Brown, Clerk
Illinois Pollution Control Board