

ILLINOIS POLLUTION CONTROL BOARD  
October 1, 1998

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 97-214  
) (Enforcement - Water)  
VILLAGE OF CARPENTERSVILLE, )  
)  
Respondent. )

ORDER OF THE BOARD (by M. McFawn):

On August 20, 1998, the Board entered an order accepting a stipulation and proposal for settlement filed by the parties, which resolved this enforcement case. On September 14, 1998, the parties filed a "Joint Motion to Amend Order," requesting that the Board vacate paragraph 5 of its August 20 order.

Paragraph 5 of the Board's order provides that "Respondent shall cease and desist from the alleged violations." The parties state that paragraph 7 of Section XI of their stipulation, incorporated by reference into the Board's order, was negotiated language included instead of the standard "cease and desist" language. Paragraph 7 of Section XI of the stipulation provides:

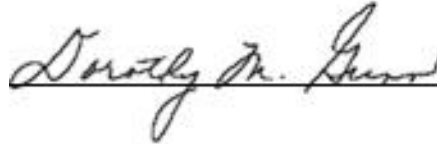
The Village shall commit no further violations of the Act, the regulations promulgated thereunder, and the terms and conditions of its NPDES permit. The Village shall at all times properly operate and maintain its treatment plant so as to produce effluent which meets the Standards of the Act, the regulations, and the permit. Stip. at 14-15.

The Board finds that paragraph 7 of Section XI of the stipulation sufficiently conveys the concept embodied in paragraph 5 of the Board's order. Inasmuch as the parties would prefer the language of paragraph 7, the Board grants their joint motion. The Board's order of August 20, 1998, is hereby amended to delete the language in paragraph 5 and replace it with the stipulated language quoted above.

IT IS SO ORDERED.

Board Member K.M. Hennessey abstained.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 1st day of October 1998, by a vote of 6-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board