



- April 28, 1969 - SWB acknowledged receipt of the application and stated the permit would be granted only upon MSD certification that the receiving sewage treatment system could handle the flow of sewage.
- May 23, 1969 - SWB further advised Rakow and Associates that unless MSD authorization was obtained, the permit to be issued would specify "install only" and that subsequent operation of the system would depend upon "demonstration that the sewage treatment facilities have available capacity to provide adequate treatment of existing and proposed flows".
- Date Unknown - Sewer line installed prior to issuance of any permit.
- May 6, 1971 - Williamsburg Estates, Inc., without realizing that permits had not been granted, placed the sewer line into operation by connecting one of the residences in Unit 3 to the sewer line. (No further hook ons of residences were made until permits were obtained from the EPA.)
- June 22, 1971 - Agency placed Bartlett sewage treatment plant on critical review.
- September 2, 8, 1971 - Agency field investigators learn of the installation and apparently notified Respondent of apparent violation.
- November 8, 1971 - Rakow and Associates request permit to operate sewer connections to serve Lots #8, 9, 16, 18, 19 and 20.
- November 10, 1971 - Agency formally notified Respondent, Rakow and Associates and the Village of Bartlett officials that the Agency was considering an enforcement action on the apparent violation.

- November 24, 1971 - Respondent replied to the Agency "warning letter" stating that the Agency investigation was apparently correct but that Respondent, having assumed Rakow and Associates had secured all required permits, had proceeded unaware that the required permits had not been issued. Respondent pointed out that it would not have invested almost 1/3 of a million dollars if it had known the permit had not been issued.
- December 10, 1971 - Agency issued permits for operation of sewer systems for Lots 8, 9, 16, 18; 19 and 20 only in Unit #3.
- June 28, 1972 - Rakow and Associates request permit to operate sewer connections for 18 additional lots in Unit 3.
- August 18, 1972 - Agency issued supplementary permit to Village of Bartlett officials to allow service for Lots 1 to 7, 10 to 15, 17 and 21 to 24 only, in accordance with the June 28, 1972 letter submitted by Rakow and Associates.

Finally, the Stipulation provides that: "The Board may find that Williamsburg Estates, Inc...installed and operated the above described sanitary sewer line and appurtenances thereto without a permit in violation of 12(b) of the Environmental Protection Act."

The parties recommend that we impose a monetary penalty in the amount of \$1,000. The Stipulation is not to be effective unless wholly approved by us. We find the proposed Stipulation for settlement a reasonable resolution. No damage was done to the environment. It is apparent that Respondent did not intend to violate the law. We find that Respondent violated § 12(b) of the Act and we assess a monetary penalty of \$1,000.

ORDER

It is the order of the Board that Williamsburg Estates, Inc. shall pay to the State of Illinois by December 15, 1973 the sum of \$1,000 as penalty for the violations found in this proceeding. Penalty payment by certified check or money order payable to the State of Illinois shall be made to: Fiscal Services Division, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order was adopted this 15<sup>th</sup> day of November, 1973 by a vote of 5 to 0.

Christan L. Moffett