

ILLINOIS POLLUTION CONTROL BOARD
September 16, 2004

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 04-164
) (Enforcement - Public Water Supply)
THE FIELDS OF LONG GROVE HOME)
OWNER'S ASSOCIATION, an Illinois)
corporation,)
)
Respondent.)

ORDER OF THE BOARD (by J.P. Novak):

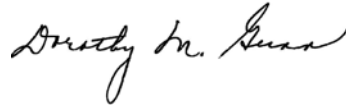
On March 18, 2004, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against The Fields of Long Grove Home Owner's Association (The Fields of Long Grove). See 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. In this case, the People allege that The Fields of Long Grove violated Section 15(a) and 18(a) of the Environmental Protection Act (Act) (415 ILCS 5/15(a) and 18(a) (2002)) and 35 Ill. Adm. Code 602.101(a) and 602.102 by installing and operating a phosphate feed system and a chlorine chemical solution tank without a permit. The complaint concerns The Fields of Long Grove's public water supply facility in south-central Lake County, north of Lake Zurich, at Long Grove, Lake County.

On September 10, 2004, the People and the Fields of Long Grove 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) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). See 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Fields of Long Grove neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$3,000.

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 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) (2002); 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 September 16, 2004, by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board