

ILLINOIS POLLUTION CONTROL BOARD
April 5, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 01-133
) (Enforcement – Public Water Supply)
CITY OF GIBSON CITY,)
)
Respondent.)

ORDER OF THE BOARD (by C.A. Manning):

On March 29, 2001, the People of the State of Illinois filed a one-count complaint against the City of Gibson City (Gibson City). The complaint alleges Gibson City caused or allowed the construction of a water main without a construction permit in Gibson City, Ford County, Illinois. This activity was in alleged violation of Sections 15(a) and 18(a) of the Environmental Protection Act (Act) (415 ILCS 5/15(a), 18(a) (1998)), and the Board's public water supply regulations at 35 Ill. Adm. Code 602.101(a).

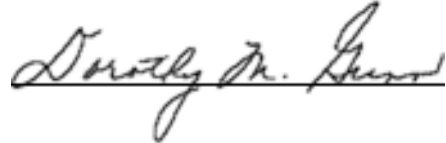
Also on March 29, 2001, the parties filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). Gibson City admits the violations contained in the complaint and proposes to pay a \$2,000 penalty.

Pursuant to Section 31(c)(2) of the Act, the complainant may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the hearing requirement. 415 ILCS 5/31(c)(2) (1998). Unless the Board determines that a hearing is needed, the Board is required to publish notice of the stipulation and proposal for settlement and request for relief from the hearing requirement.

Accordingly, the Board directs the Clerk of the Board to cause publication of the required newspaper notice. Any person may file a written demand for hearing within 21 days of the published notice. If a hearing is requested, the Board will deny the parties' request for relief and schedule a hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 5th day of April 2001 by a vote of 7-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board