

ILLINOIS POLLUTION CONTROL BOARD  
October 5, 2000

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 00-32  
) (Enforcement – Public Water Supply)  
VILLAGE OF MARYVILLE, an Illinois municipal )  
corporation, and OSBORN HOMES, INC., an Illinois )  
corporation, )  
)  
Respondents. )

ORDER OF THE BOARD (by N. J. Melas):

On August 19, 1999, the People of the State of Illinois filed a four-count complaint against respondents Village of Maryville (Village) and Osborn Homes, Inc. (Osborn Homes) regarding construction of sanitary sewers along Stonebridge Golf Drive in the Village of Maryville, Madison County, Illinois.

The complaint alleges that the Village violated Sections 12(c), 15, and 18 of the Environmental Protection Act (Act) (415 ILCS 5/12(c), 15, 18 (1998)); Section 309.202(a) of the Board's Construction Permit Rules (35 Ill. Adm. Code 309.202(a)); and Sections 601.101 and 602.101 of the Board's Public Water Supply Rules (35 Ill. Adm. Code 601.101, 602.101) by constructing sanitary sewers and water main extensions without permits. Additional violations were alleged against Osborn Homes.

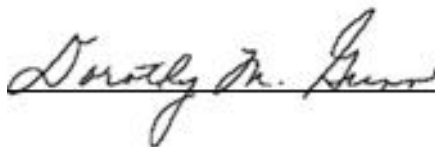
On September 28, 2000, the Illinois Environmental Protection Agency (Agency), along with the Village, filed a stipulation and proposal for settlement, accompanied by a motion requesting relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (1998)). In the proposed stipulation the Village neither admits nor denies the allegations contained in the complaint. The Village proposes to pay a \$6,000 penalty. Osborn Homes is not a party to this proposal settlement.

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 October 2000 by a vote of 7-0.



Dorothy M. Gunn, Clerk

