

ILLINOIS POLLUTION CONTROL BOARD

February 2, 2006

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 05-204
	)	(Enforcement - Water)
LAKE STREET DEVELOPMENT LLC,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by G.T. Girard):

On June 6, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Lake Street Development L.L.C. (Lake Street Development). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns Lake Street Development's construction project located on the corner of Lake Street and Central Street in Grayslake, Lake County.

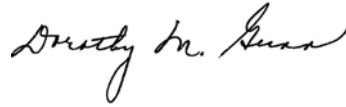
The People allege that Lake Street Development violated Sections 12(a), (b), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (b), and (f) (2004)) and 35 Ill. Adm. Code 309.102(a) and 309.202(a). The People further allege that Lake Street Development violated these provisions by (1) modifying a sanitary sewer without a construction permit; and (2) engaging in construction activities without a National Pollutant Discharge Elimination System stormwater discharge permit.

On January 27, 2006, the People and Lake Street Development 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) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Lake Street Development admits the alleged violations and agrees to pay a civil penalty of \$25,000.

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) (2004); 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 February 2, 2006, by a vote of 4-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board