## ILLINOIS POLLUTION CONTROL BOARD January 26, 2007

PEOPLE OF THE STATE OF ILLINOIS,	)	
Complainant,	)	
Compunian,	)	
v.	)	PCB 06-132
	)	(Enforcement - Water)
LAKE POINT ESTATES, LLC,	)	
	)	
Respondent.	)	

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

On January 18, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against Lake Pointe Estates L.L.C. (Lake Pointe Estates). See 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The complaint concerns water pollution causes during construction activities at Lake Pointe Estates' residential development in Springfield, Sangamon County.

On January 8, 2007, the People and Lake Pointe Estates filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (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 III. Adm. Code 103.300(a). Under the proposed stipulation, Lake Pointe Estates neither admits nor denies the alleged violations, but agrees to pay a civil penalty of \$7,500.

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 January 26, 2007, by a vote of 4-0.

Dorothy M. Gunn, Clerk

Illinois Pollution Control Board