

ILLINOIS POLLUTION CONTROL BOARD

March 15, 2007

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 05-191
)	(Enforcement - Water)
CASTLE RIDGE ESTATES)	
INCORPORATED, an Illinois corporation,)	
)	
Respondent.)	

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

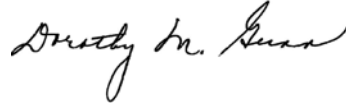
On April 28, 2005, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Castle Ridge Estates Incorporated (Castle Ridge). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Castle Ridge violated Section 12(a), (c), and (f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), (c), and (f) (2004)) and 35 Ill. Adm. Code 309.202(a). The People further allege that Castle Ridge violated these provisions by: (1) undergoing construction at the site without first obtaining coverage under a National Pollutant Discharge Elimination System general stormwater discharge permit; (2) threatening or allowing the discharge of silt and other contaminants into waters of the State so as to cause or tend to cause water pollution; and (3) building a sewer collection system without a construction permit. The People ask the Board to order Castle Ridge to cease and desist from further violation and pay a civil penalty in accordance with the Act. The complaint concerns Castle Ridge's 140-acre residential development located two and a half miles south of Troy, in Madison County.

On March 7, 2007, the People and Castle Ridge 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 Castle Ridge neither admits nor denies the alleged violations but agrees to pay a civil penalty of \$5,000.

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 March 15, 2007, by a vote of 4-0.

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

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board