

ILLINOIS POLLUTION CONTROL BOARD
May 3, 2007

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 07-49
)	(Enforcement - Water)
CITY OF WOODSTOCK, an Illinois)	
municipal corporation,)	
)	
Respondent.)	

ORDER OF THE BOARD (by A.S. Moore):

On December 21, 2006, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against the City of Woodstock (Woodstock). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Woodstock violated Section 12(b) of the Environmental Protection Act (Act) (415 ILCS 5/12(b) (2004)) and Section 309.202(a) of the Board's water pollution regulations (35 Ill. Adm. Code 309.202(a)) by constructing a wastewater spray irrigation system without a construction permit from the Illinois Environmental Protection Agency. The People also allege that Woodstock violated Section 12(f) of the Act (415 ILCS 5/12(f) (2004)) by constructing a wastewater spray irrigation system without authorization and thus allowing effluent to be discharged in violation of Woodstock's National Pollutant Discharge Elimination System (NPDES) permit. The complaint concerns the Woodstock South Wastewater Treatment Plant located at 800 Diekman Street in Woodstock, McHenry County.

On April 17, 2007, the People and Woodstock 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, Woodstock does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$2,300.

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, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on May 3, 2007, by a vote of 4-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish at the end.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board