

ILLINOIS POLLUTION CONTROL BOARD

September 4, 2008

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB 08-55
)	(Enforcement – Public Water Supply)
VILLAGE OF MERRIONETTE PARK, an)	
Illinois municipal corporation,)	
)	
Respondent.)	

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

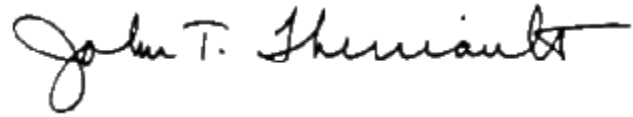
On March 24, 2008, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a one-count complaint against the Village of Merrionette Park (Village). *See* 415 ILCS 5/31(c)(1) (2006); 35 Ill. Adm. Code 103.204. The People allege that the Village violated Sections 18(a) and 19 of the Environmental Protection Act (Act) (415 ILCS 5/18(a), 19 (2006)) and Section 611.356(d)(4)(C)(i) of the Board’s public water supply regulations (35 Ill. Adm. Code 611.356(d)(4)(C)(i)). The People allege that the Village violated these provisions by failing to submit sample results for lead and copper as required, threatening the distribution of water from a public water supply of such quality or quantity as to be injurious to human health. The complaint concerns the Village’s public water supply system, including the Village’s pump station located at 113th and Whipple Streets in Merrionette Park, Cook County.

On August 25, 2008, the People and the Village 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) (2006)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2006)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Village neither admits nor denies the alleged violations and 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) (2000); 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 September 4, 2008, 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 extending to the right.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board