

ILLINOIS POLLUTION CONTROL BOARD  
October 3, 2002

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 03-32  
) (Enforcement – Public Water Supply)  
CITY OF CHICAGO HEIGHTS, an Illinois )  
municipal corporation, and ROBINSON )  
ENGINEERING, LTD., an Illinois )  
corporation, )  
)  
Respondents. )

ORDER OF THE BOARD (by C.A. Manning):

On September 23, 2002, 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 Chicago Heights and Robinson Engineering, Ltd. (respondents). *See* 415 ILCS 5/31(c)(1) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002; 35 Ill. Adm. Code 103.204. The People allege that respondents violated Sections 15(a), and 18(a) of the Environmental Protection Act (Act) (415 ILCS 5/15(a), 18(a) (2000)) and numerous provisions of the Board's public water supply regulations. The People further allege that respondents violated these provisions by failing to obtain a construction permit; failing to submit plans and specifications prior to construction of a public water supply; and by causing, threatening or allowing the distribution of water from the public water supply of such quality as to be injurious to human health. The complaint concerns the construction of a pump station and water main in Chicago Heights, Cook County. The location of the water main was not specified, although the complaint alleges that the water main is located approximately five to fifteen feet from a petroleum pipeline.

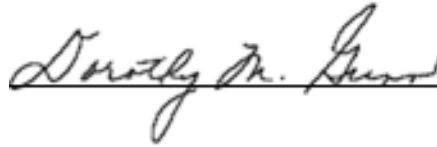
Additionally on September 23, 2002, the People and respondents filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2000) *as amended by* P.A. 92-0574, eff. June 26, 2002). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, respondents deny the alleged violations but agree to pay a civil penalty. Respondent City of Chicago Heights agrees to pay a civil penalty of \$20,000. Respondent Robinson Engineering agrees to pay a civil penalty of \$38,000.

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) *as amended by* P.A. 92-0574, eff. June 26, 2002; 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 October 3, 2002, by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn". The signature is written in black ink and is positioned above a solid horizontal line.

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board