

ILLINOIS POLLUTION CONTROL BOARD  
March 22, 2018

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 18-64
	)	(Enforcement - Water)
VILLAGE OF MARINE,	)	
an Illinois municipal corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by G.M. Keenan):

On March 5, 2018, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a two-count complaint against Village of Marine, an Illinois municipal corporation. The complaint concerns Village of Marine’s wastewater treatment plant located at Route 4 and Loos Road in Marine, Madison County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2016)), the Attorney General and the State’s Attorneys may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2016); 35 Ill. Adm. Code 103. In this case, the People allege that Village of Marine violated sections 305.102(b) and 312.101 of the Board’s Water Pollution Regulations (35 Ill. Adm. Code 305.102(b), 312.101) and Section 12(f) of the Environmental Protection Act (415 ILCS 5/12(f) (2016)) by (1) failing to submit discharge monitoring reports; and (2) failing to have a properly certified Class 4 Operator. The Board finds that the complaint meets the applicable content requirements of the Board’s procedural rules and accepts the complaint. *See* 35 Ill. Adm. Code 103.204(c).

On March 5, 2018, simultaneously with the People’s complaint, the People and Village of Marine 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) (2016)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2016)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, the Village of Marine admits the alleged violations and agrees to pay a civil penalty of \$3,250.

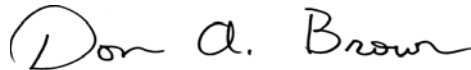
Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person

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. *See* 415 ILCS 5/31(c)(2) (2016); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

Board Members B.K. Carter and C.M. Santos abstained.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 22, 2018, by a vote of 3-0.

A handwritten signature in black ink that reads "Don A. Brown". The signature is written in a cursive, flowing style.

Don A. Brown, Clerk  
Illinois Pollution Control Board