

ILLINOIS POLLUTION CONTROL BOARD
January 18, 2001

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 01-104
) (Enforcement – Water)
CITY OF WAUKEGAN,)
)
Respondent.)

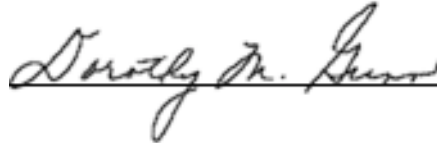
ORDER OF THE BOARD (by N.J. Melas):

On January 5, 2001, the People of the State of Illinois filed a four-count complaint against the City of Waukegan (Waukegan). The complaint alleges Waukegan caused or allowed water pollution, operated without a malfunction contingency measure, caused a sanitary sewer overflow and bypass, and discharged water pollution without a permit at its facility located at 4200 West McGaw Road, Waukegan, Lake County, Illinois. These activities were in alleged violation of Sections 12(a), 12(c), and 12(f) of the Environmental Protection Act (Act) (415 ILCS 5/12(a), 12(c), 12(f) (1998)) and the Board's water pollution regulations at 35 Ill. Adm. Code 304.141(b), 306.102(a), 306.304, 306.305(c), and 309.102(a). The Board accepts this matter for hearing.

The Board directs that this matter proceed to hearing as expeditiously as practicable. The assigned hearing officer must set the matter for hearing in accordance with the requirements of the Act and the Board's procedural rules. Accordingly, this matter must be set for hearing within 90 days after the filing of the complaint unless the hearing officer, after appropriate consultation with the parties, determines that a later date is appropriate and that no undue delay or material prejudice in the resolution of this matter would result. See 35 Ill. Adm. Code 103.212(c) (effective January 1, 2001). In any event, it is the responsibility of the hearing officer to guide the parties toward prompt resolution or adjudication of this matter, through whatever status calls and hearing officer orders he determines are necessary and appropriate.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of January 2001 by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", is written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board