

Defendants Settle State Enforcement Actions Alleging Water Pollution Violations

By: Dave Scriven-Young, Attorney at Peckar & Abramson, P.C.

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On December 3, 2009, the Illinois Pollution Control Board accepted settlements of two State enforcement actions alleging water pollution violations.

The case of *People v. City of Pekin, No. PCB 07-47*, concerned the City of Pekin's waste water treatment plant ("WWTP") at 606 South Front Street, in Pekin, Tazewell County. The State alleged that the City (1) caused or allowed the discharge of contaminants into waters of the State in violation of the terms or conditions of its National Pollutant Discharge Elimination System ("NPDES") permit, (2) discharged said contaminants in violation of the regulations or standards adopted by the Pollution Control Board, (3) discharged the contaminants so as to cause water pollution, (4) failed to ensure that all treatment works and associated facilities were constructed and operated as to minimize violations of applicable standards during such contingencies as flooding, etc., (5) failed to comply with the monitoring, sampling, recording and reporting requirements set forth in the NPDES permit, (6) allowed bypasses and overflows of untreated wastewater to occur, and (7) failed to have a certified Class I operator to supervise the operation of the WWTP.

Under the settlement, the City will pay a civil penalty of \$14,483.00.

The case of *People v. J.B. Timmermann Farms, Ltd., PCB 07-70*, concerned a dairy operation that houses approximately 675 milking cows, located on the north side of Highline Road, in Section 28 of Breese Township, Clinton County. The State alleged that the defendant allowed a livestock waste lagoon to overflow into Shoal Creek without a NPDES permit for the site and deposited contaminants on land in a manner that created a water pollution hazard.

Under the settlement, the defendant will pay a civil penalty of \$15,000.

Stay tuned to the Illinois Environmental Law Blog for more news and developments.