



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217-782-9871

June 1, 2012

CERTIFIED MAIL #7010 2780 0002 1163 3003
RETURN RECEIPT REQUESTED

Deer Ridge Property Owners Association
Attn. Mr. Schuyler Schupbach
9125 Deer Ridge Drive
Bloomington, Illinois 61705

**Re: Proposed Compliance Commitment Agreement
Violation Notice: W-2012-50019
Bloomington, Illinois 61705**

Dear Mr. Schupbach:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the proposed Compliance Commitment Agreement ("CCA") terms submitted by **Deer Ridge Property Owners Association in a letter dated May 2, 2012, in response to the Violation Notice dated February 9, 2012.** Pursuant to the authority vested in the Illinois EPA under Section 31(a)(7)(i) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(7)(i), attached to this letter is a proposed CCA, which contains terms and conditions that the Illinois EPA has determined are necessary in order for **Deer Ridge Property Owners Association** to attain compliance with the Act and Illinois Pollution Control Board Regulations.

Pursuant to Section 31(a)(7.5) of the Act, 415, ILCS 5/31(a)(7.5), within 30 days of your receipt of this proposed CCA, **Deer Ridge Property Owners Association**, or its duly authorized representative must either (1) agree to and sign the proposed CCA, and submit the signed CCA by certified mail to Illinois EPA Division of Water Pollution Control, Attn: Greg Spencer/CAS #19, P.O. Box 19276, Springfield, IL 62794-9276; or (2) notify the Illinois EPA by certified mail that **Deer Ridge Property Owners Association** rejects the proposed CCA.

The proposed CCA shall only become effective upon your timely submittal of the signed CCA as discussed above, and upon final execution by the Illinois EPA. Failure of **Deer Ridge Property Owners Association** to execute and submit the proposed CCA within 30 days of receipt shall be deemed a rejection of the CCA by operation of law. Upon timely receipt of the signed CCA, the Illinois EPA will send you a fully executed copy of the CCA for your records.

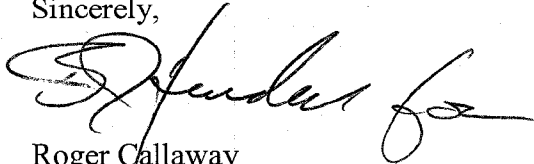
Deer Ridge Property Owners Association
VN W-2012-50019

In addition, the proposed CCA is not subject to amendment or modification prior to execution by **Deer Ridge Property Owners Association** and the Illinois EPA. Any amendment or modification to the proposed CCA by Respondent prior to execution by **Deer Ridge Property Owners Association** and the Illinois EPA shall be deemed a rejection of the proposed CCA by operation of law. The proposed CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and **Deer Ridge Property Owners Association**.

Questions regarding this matter should be directed to Greg Spencer at 217/782-9871. Written communications should be directed to:

Illinois EPA – Division of Water Pollution Control
Attn: Greg Spencer/CAS #19
P.O. Box 19276
Springfield, IL 62794-9276

Sincerely,



Roger Callaway
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

Attachment

III. Compliance Activities

4. On May 2, 2012, the Illinois EPA received Respondent's response to VN W-2012-50019, which included proposed terms for a CCA. The Illinois EPA has reviewed Respondent's proposed CCA terms, as well as considered whether any additional terms and conditions are necessary to attain compliance with the alleged violations cited in the VN.
5. Respondent agrees to undertake, complete and continue to maintain the following actions, which the Illinois EPA has determined are necessary to attain compliance with the allegations contained in VN W-2012-50019.
 - a) The following actions will be completed by Deer Ridge Property Owners Association.
 - Enter in to a CCA with the Agency.
 - The wastewater of the combined effluent of the existing septic tanks and sand filters is a recirculating sand filter (RSF).
 - Acquire land to accommodate the RSF.
 - Have a collection system to aggregate the 9 outfalls and 3 additional outfalls into a single outfall.
 - Chlorination and dechlorination treatment process installed in the treatment following the RSF.
 - The chlorination at the individual homes in the subdivision will be terminated after the new common wastewater treatment facility is in operation.

In addition to the above mentioned items, the following schedule will be followed:

Commitment	Scheduled Date
Issuance of CCA by IEPA	06/15/2012
Deer Ridge Signs	07/01/2012
Preliminary Design and Cost Estimate of Facilities	08/01/2012
Complete Plans and IEPA Permit Application	11/01/2012
Obtain IEPA Construction Permit	02/01/2013
IFB of Construction	02/15/2013
Secure Land	03/01/2013
Award Construction and Contract	04/01/2013
Complete Construction	10/01/2013

IV. Terms and Conditions

6. Respondent shall comply with all provisions of this CCA, including, but not limited to, any appendices to this CCA and all documents incorporated by reference into this CCA. Pursuant to Section 31(a)(10) of the Act, 415 ILCS 5/31(a)(10), if Respondent complies with the terms of this CCA, the Illinois EPA shall not refer the alleged violations that are the subject of this CCA, as described in Section II above, to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violations occurred. Successful completion of this CCA or an amended CCA shall be a factor to be weighed, in favor of the Respondent, by the Office of the Illinois Attorney General in determining whether to file a complaint on its own motion for the violations cited in VN W-2012-50019.
7. This CCA is solely intended to address the violations alleged in Illinois EPA VN W-2012-50019. The Illinois EPA reserves, and this CCA is without prejudice to, all rights of the Illinois EPA against Respondent with respect to noncompliance with any term of this CCA, as well as to all other matters. Nothing in this CCA is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the Illinois EPA may have against Respondent, or any other person as defined by Section 3.315 of the Act, 415 ILCS 5/3.315. This CCA in no way affects the responsibilities of Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act, and the Board Regulations.
8. Pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k), in addition to any other remedy or penalty that may apply, whether civil or criminal, Respondent shall be liable for an additional civil penalty of \$2,000 for violation of any of the terms or conditions of this CCA.
9. This CCA shall apply to and be binding upon the Illinois EPA, and on Respondent and Respondent's officers, directors, employees, agents, successors, assigns, heirs, trustees, receivers, and upon all persons, including but not limited to contractors and consultants, acting on behalf of Respondent, as well as upon subsequent purchasers of Respondent's sanitary sewer.
10. In any action by the Illinois EPA to enforce the terms of this CCA, Respondent consents to and agrees not to contest the authority or jurisdiction of the Illinois EPA to enter into or enforce this CCA, and agrees not to contest the validity of this CCA or its terms and conditions.

11. This CCA shall only become effective:
- a) If, within 30 days of receipt, Respondent executes this CCA and submits it, via certified mail, to Illinois EPA Division of Water Pollution Control, Attn: Greg Spencer/CAS #19, P.O. Box 19276, Springfield, IL 62794-9276. If Respondent fails to execute and submit this CCA within 30 days of receipt, via certified mail, this CCA shall be deemed rejected by operation of law; and
 - b) Upon execution by all Parties.
12. Pursuant to Section 31(a)(7.5) of the Act, 415 ILCS 5/31(a)(7.5), this CCA shall not be amended or modified prior to execution by the Parties. Any amendment or modification to this CCA by Respondent prior to execution by all Parties shall be considered a rejection of the CCA by operation of law. This CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and Respondent's signatory to this CCA, Respondent's legal representative, or Respondent's agent.

AGREED:

FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

BY: _____
Roger Callaway, Manager
Wastewater Compliance Section
Bureau of Water

DATE: _____

FOR RESPONDENT:

BY: _____
Mr. Schuyler Schupbach
Deer Ridge Property Owners Association
Bloomington, Illinois

DATE: _____



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, ILLINOIS 60601 - (312) 814-6026

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

Illinois EPA Compliance Statement

You are required to state that you have returned to compliance with the Act and the regulations that were the subject of the violation notice (VN) (415 ILCS 5/31). The owner of the facility must acknowledge compliance and/or that all compliance commitment agreement (CCA) interim measures/events have been successfully completed and compliance has been achieved.

Please complete, sign, and return.

I _____ (*print name*), hereby certify that all violations addressed in
Violation Notice (VN) number _____ have been addressed and that compliance
was achieved on _____ (*date*).

Signature

Title

Telephone Number

Date

Be sure to retain copies of this document for your files. Should you need additional notification forms, please contact this office at (217)785-0561. Return this completed form to:

Illinois Environmental Protection Agency
Compliance Assurance Section #19
Bureau of Water
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

"Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Agency,.....related to or required by this Act, a regulation adopted under this Act, any federal law or regulation for which the Agency has responsibility, or any permit, term, or condition thereof, commits a Class 4 felony..." (415 ILCS 5/44(h) (8))

ROCKFORD - 4302 N. MAIN ST., ROCKFORD, IL 61103 - (815) 987-7760

ELGIN - 595 SOUTH STATE, ELGIN, IL 60123 - (847) 608-3131

CHAMPAIGN - 2125 S. FIRST ST., CHAMPAIGN, IL 61820 - (217) 278-5800

DES PLAINES - 9511 HARRISON ST., DES PLAINES, IL 60016 - (847) 294-4000

PEORIA - 5407 N. UNIVERSITY, ARBOR HALL #113, PEORIA, IL 61614 - (309) 693-5463

MARION - 2309 W. MAIN ST., SUITE 116, MARION, IL 62959 - (618) 993-7200

COLLINSVILLE - 2009 MALL STREET, COLLINSVILLE, IL 62234 - (618) 346-5120

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