



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217) 524-6308

CERTIFIED MAIL # 7021 2720 0002 0464 3907
RETURN RECEIPT REQUESTED

September 1, 2022

City of Cahokia Heights
103 Main Street
Cahokia, IL 62206
Attn.: Curtis McCall, Sr., Mayor

Re: Violation Notice: City of Cahokia Heights
Violation Notice No.: W-2022-50154

Dear Mayor McCall:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachments A and B include explanations of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

Violation Notice: City of Cahokia Heights
Violation Notice No.: W-2022-50154

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

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

All communications must include reference to this Violation Notice number, **W-2022-50154**.

Questions regarding this Violation Notice should be directed to **Cathy Siders at 217/524-6308** or catherine.siders@illinois.gov.

Sincerely,



Cathy Siders, Manager
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

Attachments: A & B

ATTACHMENT A

Violation Notice: City of Cahokia Heights

Violation Notice No.: W-2022-50154

Questions regarding the violations identified in this attachment should be referred to **Cathy Siders** at (217) 524-6308.

On June 9, 2022, an investigation of the sewer collection system owned and operated by the City of Cahokia Heights was conducted by a representative of the Illinois EPA. During the inspection, two sanitary sewer overflows (SSOs) were observed: (1) an active SSO behind [REDACTED] along Bule Water Lane; and (2) a recent, but inactive SSO behind [REDACTED]. The active SSO was caused by a broken temporary bypass pipe behind the residence at [REDACTED] and along Blue Water Lane. The sewage was being bypassed around the collapsed sewer to another manhole. The SSO ponded in a ditch and had a strong sewage odor. Sewage contents and odor were also observed on the ground at [REDACTED], near a manhole where a portable pump is used to bypass sewage around another sewer collapse. Further noted was an area of concern at the [REDACTED] and [REDACTED] locations due to the temporary bypass piping configurations and the significant amount of sewage odor present.

A review of information available to the Illinois EPA indicates the following violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation including an estimated time period for resolution.

Overflows from Sanitary Sewers are Expressly Prohibited

Determine the cause of the overflows and investigate corrective actions to eliminate the possibility of any further raw sewage discharges. Submit a detailed response including a timetable for each corrective measure proposed. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/09/2022	Overflow of sanitary sewers

Rule/Reg.: Section 12(a) of the Act, 415 ILCS 5/12(a) (2020);
35 Ill. Adm. Code 306.304

Systems Reliability

Review the operational and maintenance procedures in order to correct the deficiencies which caused the violations. Compliance with this requirement is expected to be achieved immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/09/2022	All treatment works and associated facilities shall be so constructed and operated as to minimize violations of applicable standards during such contingencies as flooding, adverse weather, power failure, equipment failure, or maintenance, through such measures as multiple units, holding tanks, duplicate power sources, or such other measures as may be appropriate.
Rule/Reg.:	Section 12(a) of the Act, 415 ILCS 5/12(a) (2020); 35 Ill. Adm. Code 306.102(a)

Discharge of Contaminants

Cease and desist from discharging contaminants that cause or threaten to cause water pollution. Review operational and maintenance procedures and correct the deficiencies which caused the violation. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/09/2022	No person shall cause, threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.
Rule/Reg.:	Section 12(a) of the Act, 415 ILCS 5/12(a) (2020)

Deposited Contaminants

Cease and desist from depositing contaminants that cause or threaten to cause water pollution. Compliance is expected to be pursued immediately.

<u>Violation Date</u>	<u>Violation Description</u>
06/09/2022	Deposited contaminants on the ground in such a manner that caused or threatened to cause a water pollution hazard.
Rule/Reg.:	Section 12(a) and (d) of the Act, 415 ILCS 5/12(a) and (d) (2020)

ATTACHMENT B

Violation Notice: City of Cahokia Heights
Violation Notice No.: W-2022-50154

In order to assist your facility in attaining compliance with the apparent violations listed in Attachment A, the following recommendations are offered:

1. Immediately replace all temporary bypassing with permanent structures and equipment as originally permitted for the collection system along Parklane Drive, Lazarcheff Drive, and Kenneth Street. For any new permanent upgrades beyond replacement of pre-existing materials, a construction permit may need to be received from the Illinois EPA, Bureau of Water, Permit Section.
2. Immediately remove the sewage and any remaining solids associated with the SSO behind [REDACTED]. Disinfect the remaining soils appropriately while including the consideration for potential public access to the area. If necessary, appropriately disinfect the soil surrounding the sewer collapse and pumping manhole.
3. Inspect each of the temporary bypass lines daily for damage, tampering, degradation, and weak points; and immediately make any necessary repairs and preventative maintenance until permanent replacements have been completed.
4. Immediately remove the accumulated sewage solids and materials on the ground behind [REDACTED]. Appropriately disinfect the area while including the consideration for potential public access. Likewise, if necessary, also appropriately disinfect the soil surrounding the sewer collapse and receiving manhole.
5. Install secure temporary fencing around the sewer collapse at [REDACTED] to restrict access by unauthorized personnel.
6. For odor control, properly seal the sewer manhole lids at all three SSO locations and for the entirety of the temporary bypass networks that those addresses are tied into.
7. Determine the use of the white PVC pipe located behind [REDACTED] to make sure it is not connected to sewer. This PVC pipe extends from the neighbor's backyard located on [REDACTED]. It is recommended to enforce any city codes for this pipe, should they apply, for restriction of use.