

State Enforcement Action Alleging Wastewater Discharge Violations Settled for \$84,570

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

(Originally published at: <http://illinoisenvironmentallaw.blogspot.com/2010/03/state-enforcement-action-alleging.html>.)

On January 7, 2010, the Illinois Pollution Control Board accepted the settlement of a state enforcement action in *People v. Kraft Foods Global, Inc., IPCB No. PCB 07-124*. The action concerned discharges in 2005 of various process wastewaters from the defendant's food processing and production facility, located at 1555 West Ogden Avenue, Naperville, DuPage County, Illinois.

The State alleged that the defendant violated the Illinois Environmental Protection Act by: (1) causing, allowing or threatening to cause water pollution, and (2) depositing process wastewater on the land in such place and manner so as to create a water pollution hazard, (3) discharging process wastewater without a permit under the National Pollutant Discharge Pollution Elimination System, (4) failing to take remedial action to repair its treatment works and associated facilities in a timely manner, (5) to avoid causing violations of applicable standards, including the (6) failing to employ entrapment dikes in sewers or to take other reasonable measures to prevent any spillage of contaminants from causing water pollution, and (7) discharging effluent at levels in excess of the standards for five-day biochemical oxygen demand and total suspended solids.

Under the settlement, the defendant does not admit the alleged violations, but it agrees to pay a civil penalty of \$84,570.00.

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