



For Immediate Release

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MADIGAN: DEVELOPER CORRECTS RUNOFF ISSUES DISCOVERED DURING CONSTRUCTION

Chicago - Attorney General Lisa Madigan today said a proposed settlement with a Springfield hotel developer will resolve allegations of failure to comply with its storm water permit and to properly control erosion during construction.

Madigan filed a complaint and the proposed agreement simultaneously with the Illinois Pollution Control Board (IPCB). The proposed settlement agreement resolves the claims in the complaint against Tres Amigos Properties, LLC, developers of the Hilton Garden Inn at 3100 S. Dirksen Parkway in Springfield's east side hotel and convention area. If accepted by the IPCB, the developer will pay a civil penalty of \$5,000 to resolve the matter.

In October 2004, the Illinois Environmental Protection Agency (IEPA) inspected the construction site to evaluate compliance with the developer's National Pollutant Discharge Elimination System (NPDES) permit. According to Madigan's complaint, inspectors found minimal erosion controls that were allegedly inadequate to prevent silt-laden runoff from flowing through a chain-link fence toward the nearby Interstate, onto Dirksen Parkway and into several storm sewers. The runoff was eventually carried by storm water to a tributary of nearby Sugar Creek. The facility also had connected to the Springfield sewer system by way of an existing line, approved by the City of Springfield, but not by the IEPA. According to Madigan's complaint, an NPDES storm water permit does not contain authorization to construct a sanitary sewer without first obtaining a permit from the IEPA.

Since the IEPA and the Attorney General's office began discussing the matter with the company, Tres Amigos obtained the required permit for a sewer connection in April 2005 and implemented appropriate erosion measures. Construction is complete and the facility opened for business last year.

Assistant Attorney General Jennifer Bonkowski is handling the case for Madigan's Environmental Bureau.

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