

David Lothspeich

From: victor.filippini@hklaw.com
Sent: Tuesday, July 24, 2012 2:32 PM
To: David Lothspeich; bwitkowski@esiltd.com
Cc: Betsy.Gates@hklaw.com
Subject: NPDES Enforcement Procedures
Attachments: document2012-07-24-133903.pdf

Hi guys,

I have reviewed the resolution and enforcement procedures that are scheduled for consideration at tonight's Village Board meeting, and I have suggested a few changes that appear on the attached mark-up. The changes to the resolution are meant to give context to the enforcement procedures; obviously, without substantive regulations, there is nothing to enforce. Thus, the changes are merely stating generally that the Village has regulations in place to which the attached procedures apply.

Insofar as the procedures themselves, I wanted to relax them a bit in terms of notice and imposition of fines so that the procedures don't become an impediment to effective enforcement. The Village can always do more with respect to violation notices or deferral of fines, but the Village should not curtail its regulatory powers via the proposed enforcement procedures.

Please feel free to contact me with any questions about this. Thanks,

Vic

Victor P. Filippini, Jr. | Holland & Knight
131 S. Dearborn Street, 30th Floor | Chicago IL 60603
Direct Dial: 312.578.6560
Phone 312.263.3600 | Fax 312.578.6666
victor.filippini@hklaw.com | www.hklaw.com

NOTICE: This e-mail is from a law firm, Holland & Knight LLP ("H&K"), and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.

NOTE FURTHER: To ensure compliance with Treasury Regulations (31 CFR Part 10, §10.35), we inform you that any tax advice contained in this correspondence was not intended or written by us to be used, and cannot be used by you or anyone else, for the purpose of avoiding penalties imposed by the Internal Revenue Code.

From: Filippini, Vic (CHI - X66560)
Sent: Tuesday, July 24, 2012 12:39 PM
To: Filippini, Vic (CHI - X66560); \$U@hklaw.com
Subject:

******IRS CIRCULAR 230 DISCLOSURE: TO ENSURE COMPLIANCE WITH REQUIREMENTS IMPOSED BY THE IRS, WE INFORM YOU THAT ANY TAX ADVICE CONTAINED IN THIS COMMUNICATION (INCLUDING ANY ATTACHMENTS) IS NOT INTENDED OR WRITTEN BY HOLLAND & KNIGHT LLP TO BE USED, AND CANNOT BE USED, FOR THE PURPOSE OF (I)**

VILLAGE OF LONG GROVE
RESOLUTION NO. 2012-R-__

Formatted: Left: 0.5", Right: 0.5", Top: 0.4", Bottom: 0.4"

A RESOLUTION APPROVING SOIL EROSION & SEDIMENT CONTROL AND ILLICIT DISCHARGE ENFORCEMENT PROCEEDURES

WHEREAS, the Village has previously adopted the National Pollution Discharge Elimination System (NPDES) II; and

WHEREAS, the Village has established certain regulations and standards regarding soil erosion, sedimentation control, and discharges into water of the State of Illinois and water of the United States (the "Regulations") and;

WHEREAS, the Village Board desires to formally ratify enforcement procedures with respect to the Regulations re: (1) Soil Erosion and Sediment Control and (2) Illicit Discharge as required under Village Ordinance and various provisions of NPDES II;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Long Grove, County of Lake, State of Illinois, as follows:

SECTION ONE: Soil Erosion & Sediment Control. The Village shall follow~~ing~~ the enforcement provisions outlined under "Soil Erosion & Sediment Control Enforcement Procedures", which is attached as Exhibit A to this Resolution.

SECTION TWO: Illicit Discharge. The Village shall follow~~ing~~ the enforcement provisions outlined under "Illicit Discharge Enforcement Procedures", which is attached as Exhibit B to this Resolution.

SECTION THREE: Effective Date. This resolution shall be in full force and effect immediately upon its passage and approval in the manner provided by law.

PASSED THIS 24TH DAY OF JULY, 2012.

AYES: (4) Trustees Marshall, Schmitt, Underwood and Weber
NAYS: (0)
ABSENT: (2) Trustees Barry and Wachs.

APPROVED THIS 24TH DAY OF JULY, 2012.

Maria Rodriguez, Village President

ATTEST:

Karen Schultheis, Village Clerk

EXHIBIT A
(Soil Erosion & Sediment Control Enforcement Procedures)

EXHIBIT B
(Illicit Discharge Enforcement Procedures)