

November 1, 2019

ATTORNEY GENERAL RAOUL, WILL COUNTY STATE'S ATTORNEY GLASGOW ANNOUNCE INTERIM ORDER IN AQUA ILLINOIS LAWSUIT

Order Ensures University Park Residents Continue Receiving Safe Water and Water Testing

Chicago — Attorney General Kwame Raoul and Will County State's Attorney James Glasgow today announced that a Will County judge entered an agreed interim order with Aqua Illinois (Aqua) that ensures University Park residents will continue to receive safe water while litigation filed by Raoul and Glasgow is pending. Aqua owns and operates the public water system that provides drinking water to the village of University Park.

Under the order entered today by Will County Circuit Court Judge John C. Anderson, Aqua is required to continue providing impacted residents with free bottled water, faucet filters or pitcher filters, and replacement cartridges. The order also requires Aqua to continue to provide free blood lead level testing until Dec. 31, to provide tap water sampling at residents' request and to submit recommendations for corrosion control to the Illinois Environmental Protection Agency (IEPA) by Nov. 30. Additionally, Aqua must receive written authorization from the IEPA before removing any residential or business customer from its lead advisory.

"As a result of this order, residents of University Park can be assured that they will continue to have access to safe water and testing while my office continues to fight for a resolution to this lawsuit," Raoul said. "I am committed to continuing to work with the Will County State's Attorney to ensure that families and businesses in University Park receive safe water that is free of lead."

"I am committed to devoting whatever resources are necessary, along with Attorney General Raoul, to guarantee that the citizens in University Park will have a safe public water system," Glasgow said. "In this day and age, there is no excuse for our residents to be exposed to contaminated drinking water! This is completely unacceptable and will not be tolerated. Safeguarding the health, safety, and welfare of those affected by the lead tainted water is our number one priority. We will not rest until Aqua Illinois has permanently fixed this problem!"

"Illinois EPA is pleased the interim order will not only ensure a continued barrier of protection from lead in the drinking water, but also established guidelines moving forward as efforts are made to ensure a safe source of drinking water for University Park customers," said Illinois EPA Director John J. Kim. "The Agency is committed to finding a long-term resolution for this community and will continue to work with the water system, federal officials and national experts to address this issue."

Raoul and Glasgow sued Aqua in August alleging changes Aqua made to the public water supply caused lead to be released from some piping and plumbing in homes and businesses and resulted in contaminated drinking water. The lawsuit also alleges Aqua proceeded with construction and operations without having secured the required permits from the IEPA.

In 2017, Aqua switched the village's water source from groundwater wells to the Kankakee River. In response to residents' complaints about the taste of the river water, Aqua began adding a blended phosphate mix to the public water system. The lawsuit alleges the phosphate blend combined with the river water's chemistry caused a chemical reaction that removed a protective layer in residential plumbing. As a result, lead leached out of plumbing materials and into the water flowing into some homes and businesses.

Because of the switch to river water, Aqua is required to conduct testing every six months. In May, Aqua reported elevated lead levels to the IEPA and later issued a notice to residents warning them not to drink the water. Additional testing in July continued to show elevated lead levels, and sampling done in August showed that 29 out of 66 samples collected from customers contained lead levels above the regulatory action level. The most recent sampling from October showed that 15 out of 60 samples collected from customers contained lead levels above the regulatory action level.

According to the Centers for Disease Control and Prevention, there is no safe level of lead in drinking water. Children are particularly vulnerable to lead exposure, which can lead to irreversible brain damage and lifelong intellectual, emotional and behavioral consequences.

University Park is located in an area that has been designated by the IEPA as an area of environmental justice concern because it is a community with a percentage of low income and/or minority residents that is greater than twice the statewide average. Since receiving the May sampling results, Aqua has been working with the regulatory agencies to address the problem. Today's order requires Aqua to continue providing alternative sources of water to residents, communicating with the public through various media, and working to permanently fix the problem, as well as to submit plans and monthly reports on its progress.

Senior Assistant Attorneys General Evan McGinley and Kathryn Pamerter are handling the case for Raoul's Environmental Enforcement Division. Assistant State's Attorneys Mary Tatroe and Phil Mock are handling the case for the Will County State's Attorney's office.