

August 16, 2019

**ATTORNEY GENERAL RAOUL AND WILL COUNTY STATE'S ATTORNEY JAMES GLASGOW FILE
LAWSUIT AGAINST AQUA ILLINOIS**

Raoul & Glasgow Allege Lead Water Contamination of University Park Public Water Supply

Chicago — Attorney General Kwame Raoul and Will County State's Attorney James Glasgow today filed a lawsuit against Aqua Illinois (Aqua), alleging the supplier failed to provide a safe public water supply to the residents of University Park. Aqua owns and operates the public water system that provides drinking water to the village of University Park.

Raoul and Glasgow filed the complaint in Will County Circuit Court against Aqua alleging that changes the company made to the public water supply caused lead to be released from some piping and plumbing in homes and businesses, which contaminated drinking water. Additionally, the complaint alleges Aqua violated state construction and operating permit requirements, failed to comply with the monitoring and sampling requirements for customers and created a public nuisance.

University Park is located in an area that has been designated by the Illinois Environmental Protection Agency (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. The case is being prosecuted by the Attorney General's office in cooperation with the Will County State's Attorney's office, based on a referral from the IEPA.

"We have seen the damage that has been done in environmental justice communities in other states when contaminated drinking water is not addressed immediately," Raoul said. "My office, along with the Will County State's Attorney's office and the Illinois EPA, are filing this lawsuit to ensure the residents of University Park have access to safe drinking water as soon as possible and that they are provided alternative drinking water until the problem is permanently fixed. All Illinois residents, regardless of their ZIP code, deserve clean, safe drinking water."

"Vulnerable communities often bear a disproportionate burden of environmental impacts like the lead-contaminated drinking water at issue here," Glasgow said. "In addition to the burdensome inconvenience caused by the interruption in the water supply, there is a pallor of uncertainty that hangs over these consumers as to the extent of the harm this lead contamination has already caused and what might lie ahead. This lawsuit seeks to make sure that the residents of University Park immediately receive the safe drinking water to which they are entitled and to hold Aqua responsible as a supplier of drinking water to people here in Will County."

"Illinois EPA is committed to ensuring safe drinking water for the residents of University Park," Illinois EPA Director John J. Kim said. "We appreciate the work of the Attorney General's Office and Will County State's Attorney in seeking an injunction to protect the residents and bring resolution to this ordeal."

In 2017, Aqua switched the source of the village's water from groundwater wells to the Kankakee River. Because of the switch, 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. In the most recent sampling done in August, 27 out of 60 samples collected from customers contained lead levels above the regulatory action level. The company is currently providing bottled water, pitchers with filters, and faucet filters to the impacted residents.

In response to residents' complaints about the water's taste following the switch to water from the Kankakee River, Aqua began adding a blended phosphate mix to the public water system. Raoul's and Glasgow's complaint alleges the change of the water chemistry combined with the phosphate blend 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.

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.

Raoul and Glasgow also allege Aqua proceeded with construction and operations without having secured the required permits from the IEPA. Aqua began providing Kankakee River water to University Park's approximately 7,000 residents before it had secured an operating permit to do so. The complaint also alleges that Aqua introduced a blended phosphate into the public water system before it had received the requisite permit from the IEPA.

In the lawsuit, Raoul and Glasgow are seeking a preliminary injunction that requires Aqua to act immediately to correct the situation. The lawsuit also seeks to ensure Aqua provides residents with permanent, safe drinking water, as well as civil penalties, the maximums of which are defined in state statute.

Since receipt of the May 2019 drinking water sample results, Aqua has been cooperating and working closely with the regulatory agencies to address the problem. In particular, Aqua is communicating with the public through various media in order to provide information on alternative water supplies and safe use of the tap water, providing bottled water and/or filters, and working diligently to identify and fix the problem. Aqua has also held public meetings and is in regular communication with the regulators. Aqua is expected to continue to put all resources necessary on this issue until all the people of University Park again have safe drinking water.

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