

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
by KWAME RAOUL, Attorney General)	
of the State of Illinois,)	
)	
Complainant,)	
)	PCB No. 22 –
v.)	(Enforcement – Water/Land)
)	
CATERPILLAR INC., a Delaware corporation,)	
)	
Respondent.)	

NOTICE OF FILING

To: See attached service list.

PLEASE TAKE NOTICE that I have filed today with the Office of the Clerk of the Pollution Control Board by electronic filing the following Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement and Notice of Electronic Service, copies of which are attached and hereby served upon you. **You may be required to answer the charges of the Complaint at a hearing before the Board, at a date set by the Board.**

Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the clerk’s office, or an attorney.

NOTIFICATION – YOU ARE HEREBY NOTIFIED that financing may be available through the Illinois Environmental Facilities Financing Act [20 ILCS 3515/1 *et seq.*] to correct the alleged violations.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by KWAME RAOUL, Attorney General
of the State of Illinois

BY: /s/ Kevin D. Bonin
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Service List

For the Respondent:

Caterpillar Inc.
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COMPLAINT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, complains of Respondent, CATERPILLAR INC., a Delaware corporation, as follows:

COUNT I
WATER POLLUTION

1. This Complaint is brought on behalf of the People of the State of Illinois, by Kwame Raoul, Attorney General of the State of Illinois, on his own motion and at the request of the Illinois Environmental Protection Agency (“Illinois EPA”), pursuant to the terms and provisions of Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2020).

2. Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2020), and is charged, *inter alia*, with the duty of enforcing the Act.

3. The Illinois Pollution Control Board (“Board”) is an independent board created by the Illinois General Assembly in Section 5 of the Act, 415 ILCS 5/5 (2020), and charged, *inter alia*, with the duty of promulgating standards and regulations under the Act.

4. Respondent, Caterpillar Inc., was and is a Delaware corporation registered and authorized to do business in the State of Illinois.

5. At all times relevant to the Complaint, Respondent owned and operated a manufacturing facility located at 1300 4H Park Road, Pontiac, Livingston County, Illinois 61764 (the "Facility").

6. Respondent manufactures fuel injection components at the Facility.

7. Respondent uses Viscor, a highly refined petroleum-based calibration fluid, in the testing of fuel injection systems at the Facility.

8. Respondent uses Perlube AW-46-S ("Perlube"), a hydraulic and circulating oil, in machining operations at the Facility.

9. The Facility includes an area consisting of storage tanks, associated piping, and buildings on the southern portion of the Facility property ("Tank Farm").

10. Viscor is stored in storage tanks at the Tank Farm and is transported to the main Facility building through pipelines.

11. Perlube is stored in storage tanks at the Tank Farm and is transported to the main Facility building through pipelines.

12. Oils and/or fluids have been stored at the Tank Farm in underground storage tanks and transported on-site through underground pipelines.

13. The Facility includes a stormwater drainage system that collects on-site stormwater that is then discharged into North Creek through two outfalls: East Outfall and West Outfall. North Creek is tributary to the Vermilion River.

14. On or before August 5, 2018, a release of Viscor occurred at the Facility.

15. The release of Viscor contaminated subsurface soils and shallow groundwater, entered the stormwater drainage system, and discharged into North Creek.

16. On or before August 5, 2018, a release of Perlube occurred at the Facility.

17. The release of Perlube contaminated subsurface soils and shallow groundwater, entered the stormwater drainage system, and discharged into North Creek.

18. On or before August 5, 2018, a release of unidentified fluids or oils occurred at the Facility.

19. The release of unidentified fluids or oils contaminated subsurface soils and shallow groundwater, entered the stormwater drainage system, and discharged into North Creek.

20. On or about August 5, 2018, employees of Respondent observed a sheen in North Creek at the East Outfall of the storm drainage system.

21. On or about September 3, 2018, employees of Respondent observed a petroleum stain on the ground beneath a fluid transfer pipe.

22. On or about October 4, 2018, employees of Respondent observed that the sheen in North Creek at the East Outfall had intensified.

23. On October 4, 2018, Respondent reported a release to the Illinois Emergency Management Agency. The release was assigned Incident No. H-2018-0931.

24. On October 5, 2018, Illinois EPA's Office of Emergency Response ("OER") inspected the Facility.

25. At the time of the October 5, 2018 OER inspection, the on-site Illinois EPA inspector observed a light petroleum sheen at the East Outfall.

26. At the time of the October 5, 2018 OER inspection, the on-site Illinois EPA inspector observed contaminated soil surrounding abandoned piping discovered by Respondent in an excavation trench.

27. At the time of the October 5, 2018 OER inspection, the on-site Illinois EPA inspector observed a light petroleum sheen at the West Outfall.

28. At the time of the October 5, 2018 OER inspection, Respondent informed the on-site Illinois EPA inspector that a release of Perlube had occurred from aboveground piping.

29. At the time of the October 5, 2018 OER inspection, the on-site Illinois EPA inspector observed remedial and investigative activities at the Facility, including but not limited to the installation of booms and interceptor trenches, the use of a vacuum truck, and soil boring and sampling.

30. On October 15, 2018, OER inspected the Facility.

31. At the time of the October 15, 2018 OER inspection, the on-site Illinois EPA inspector observed Viscor contamination in an interceptor trench.

32. On October 25, 2018, OER inspected the Facility.

33. At the time of the October 25, 2018 OER inspection, the on-site Illinois EPA inspector observed several areas of contaminated soil in the vicinity of two abandoned pipelines.

34. Between October 29, 2018 and November 6, 2018, Respondent removed and disposed of approximately 3,182 tons of excavated soil from the Facility.

35. On November 14, 2018, Illinois EPA conducted an inspection of the Facility.

36. At the time of the November 14, 2018 Illinois EPA inspection, the on-site Illinois EPA inspectors observed remedial and investigative activities at the Facility, including but not

limited to excavation and removal of pipelines and storage tanks, soil sampling, soil backfilling, and maintenance of booms.

37. Section 12(a) of the Act, 415 ILCS 5/12(a) (2020), provides as follows:

No person shall:

(a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

38. Section 3.315 of the Act, 415 ILCS 5/3.315 (2020), provides as follows:

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

39. Respondent is a “person,” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2020).

40. Section 3.165 of the Act, 415 ILCS 5/3.165 (2020), provides as follows:

“Contaminant” is any solid, liquid, or gaseous matter, any odor, or any form of energy, from whatever source.

41. Viscor, Perlube, and other unidentified fluids or oils that leaked from on-site storage tanks or pipelines (“Leaked Industrial Fluids”) are “contaminants,” as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165 (2020).

42. Section 3.545 of the Act, 415 ILCS 5/3.545 (2020), provides as follows:

“Water pollution” is such alteration of the physical, thermal, chemical, biological or radioactive properties of any waters of the State, or such discharge of any contaminant into any waters of the State, as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to livestock, wild animals, birds, fish, or other aquatic life.

43. Section 3.550 of the Act, 415 ILCS 5/3.550 (2020), provides as follows:

“Waters” means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this State.

44. The Vermilion River, North Creek, and adjacent groundwater are “waters,” as that term is defined in Section 3.550 of the Act, 415 ILCS 5/3.550 (2020).

45. The discharge of Leaked Industrial Fluids alters the physical, chemical, and/or biological properties of waters in such manner likely to create a nuisance or to render waters harmful or detrimental to public health, safety, or welfare, or to other legitimate uses or users of waters, and therefore constitutes “water pollution,” as that term is defined in Section 3.545 of the Act, 415 ILCS 5/3.545 (2020).

46. On or before August 5, 2018, and on dates better known to Respondent, Respondent caused, threatened, or allowed the discharge of contaminants into waters of the State so as to cause or tend to cause water pollution in Illinois, and thereby violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2020).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of the Complainant and against Respondent, CATERPILLAR INC., on Count I:

A. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;

B. Finding that Respondent violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2020);

C. Ordering Respondent to cease and desist from any further violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2020);

D. Assessing against Respondent a civil penalty of \$50,000.00 for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2020), and an additional civil penalty of \$10,000.00 for each day such violations continued, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2020);

E. Awarding the Complainant its costs, including expert witness, consultant and attorney fees, expended in pursuit of this action, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2020); and

F. Ordering such other and further relief as the Board deems appropriate and just.

COUNT II
WATER POLLUTION HAZARD

1-44. Complainant realleges and incorporates by reference herein paragraphs 1 through 36 and 38 through 45 of Count I as paragraphs 1 through 44 of this Count II.

45. Section 12(d) of the Act, 415 ILCS 5/12(d) (2020), provides as follows:

No person shall:

* * *

(d) Deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

46. The deposition of Leaked Industrial Fluids on the land adjacent to the Vermilion River, North Creek, and adjacent groundwater created a water pollution hazard.

47. On or before August 5, 2018, and on dates better known to Respondent, Respondent deposited contaminants upon the land in such place and manner so as to create a water pollution hazard, and thereby violated Section 12(d) of the Act, 415 ILCS 5/12(d) (2020).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of the Complainant and against Respondent, CATERPILLAR INC., on Count II:

A. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;

B. Finding that Respondent violated Section 12(d) of the Act, 415 ILCS 5/12(d) (2020);

C. Ordering Respondent to cease and desist from any further violations of Section 12(d) of the Act, 415 ILCS 5/12(d) (2020);

D. Assessing against Respondent a civil penalty of \$50,000.00 for each violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2020), and an additional civil penalty of \$10,000.00 for each day such violations continued, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2020);

E. Awarding the Complainant its costs, including expert witness, consultant and attorney fees, expended in pursuit of this action, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2020); and

F. Ordering such other and further relief as the Board deems appropriate and just.

COUNT III
OPEN DUMPING

1-38. Complainant realleges and incorporates by reference herein paragraphs 1 through 36, 38, and 39 of Count I as paragraphs 1 through 38 of this Count III.

39. Section 21(a) of the Act, 415 ILCS 5/21(a) (2020), provides as follows:

No person shall:

(a) Cause or allow the open dumping of any waste.

40. Section 3.305 of the Act, 415 ILCS 5/3.305 (2020), provides as follows:

“Open dumping” means the consolidation of refuse from one or more sources at a disposal site that does not fulfill the requirements of a sanitary landfill.

41. Section 3.535 of the Act, 415 ILCS 5/3.535 (2020), provides, in pertinent part, as follows:

“Waste” means any garbage . . . other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, . . .

42. Section 3.385 of the Act, 415 ILCS 5/3.385 (2020), provides as follows:

“Refuse” means waste.

43. Section 3.470 of the Act, 415 ILCS 5/3.470 (2020), provides as follows:

“Solid waste” means waste.

44. Leaked Industrial Fluids are “discarded material,” are therefore “waste,” as that term is defined in Section 3.535 of the Act, 415 ILCS 5/3.535 (2020), and are therefore also “refuse” and “solid waste,” as those terms are defined in Sections 3.385 and 3.470 of the Act, 415 ILCS 5/3.385 & 3.470 (2020), respectively.

45. Section 3.185 of the Act, 415 ILCS 5/3.185 (2020), provides as follows:

“Disposal” means the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water or into any well so that such waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

46. Leaked Industrial Fluids were discharged, deposited, dumped, spilled, leaked, and/or placed on the land at the Facility in such a manner that wastes, or constituents of such waste, entered the environment, were emitted into the air, or were discharged into waters or groundwater,

and therefore “disposal” of Leaked Industrial Fluids occurred at the Facility, as that term is defined in Section 3.185 of the Act, 415 ILCS 5/3.185 (2020).

47. Section 3.460 of the Act, 415 ILCS 5/3.460 (2020), provides as follows:

“Site” means any location, place, tract of land, and facilities, including but not limited to buildings, and improvements used for purposes subject to regulation or control by this Act or regulations thereunder.

48. Section 3.540 of the Act, 415 ILCS 5/3.540 (2020), provides as follows:

“Waste disposal site” is a site on which solid waste is disposed.

49. The Facility is a “site” and a “waste disposal site,” as those terms are defined in Sections 3.460 and 3.540 of the Act, 415 ILCS 5/3.460 & 3.540 (2020), respectively.

50. Section 3.445 of the Act, 415 ILCS 5/3.445 (2020), provides, in pertinent part, as follows:

“Sanitary landfill” means a facility permitted by the Agency for the disposal of waste on land meeting the requirements of the Resource Conservation and Recovery Act, P.L. 94-580[, 42 U.S.C.A. § 6901 *et seq.*] and regulations thereunder, and without creating nuisances or hazards to public health or safety, by confining the refuse to the smallest practical volume and covering it with a layer of earth at the conclusion of each day's operation, or by such other methods and intervals as the Board may provide by regulation.

51. Section 3.105 of the Act, 415 ILCS 5/3.105 (2020), provides as follows:

“Agency” is the Environmental Protection Agency established by this Act.

52. At all times relevant to the Complaint, the Facility was and is not permitted by Illinois EPA for the disposal of wastes on land, and therefore was and is not a “sanitary landfill,” as that term is defined in Section 3.445 of the Act, 415 ILCS 5/3.445 (2020).

53. The consolidation of refuse from one or more sources at the Facility constitutes “open dumping,” as that term is defined in Section 3.305 of the Act, 415 ILCS 5/3.305 (2020).

54. On or before August 5, 2018, and on dates better known to Respondent, Respondent caused or allowed open dumping of waste at the Facility, and thereby violated Section 21(a) of the Act, 415 ILCS 5/21(a) (2020).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of the Complainant and against Respondent, CATERPILLAR INC., on Count III:

A. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;

B. Finding that Respondent violated Section 21(a) of the Act, 415 ILCS 5/21(a) (2020);

C. Ordering Respondent to cease and desist from any further violations of Section 21(a) of the Act, 415 ILCS 5/21(a) (2020);

D. Assessing against Respondent a civil penalty of \$50,000.00 for each violation of Section 21(a) of the Act, 415 ILCS 5/21(a) (2020), and an additional civil penalty of \$10,000.00 for each day such violations continued, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2020);

E. Awarding the Complainant its costs, including expert witness, consultant and attorney fees, expended in pursuit of this action, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2020); and

F. Ordering such other and further relief as the Board deems appropriate and just.

COUNT IV
WASTE DISPOSAL AT IMPROPER SITE

1-50. Complainant realleges and incorporates by reference herein paragraphs 1 through 36, 38, and 39 of Count I and paragraphs 41 through 52 of Count III as paragraphs 1 through 50 of this Count IV.

51. Section 21(e) of the Act, 415 ILCS 5/21(e) (2020), provides as follows:

No person shall:

* * *

(e) Dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

52. The Facility is not a waste disposal site or facility that meets the requirements of the Act and of the regulations and standards promulgated thereunder.

53. On or before August 5, 2018, and on dates better known to Respondent, Respondent disposed of, treated, stored, and/or abandoned wastes at the Facility, and thereby violated Section 21(e) of the Act, 415 ILCS 5/21(e) (2020).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of the Complainant and against Respondent, CATERPILLAR INC., on Count IV:

A. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;

B. Finding that Respondent violated Section 21(e) of the Act, 415 ILCS 5/21(e) (2020);

C. Ordering Respondent to cease and desist from any further violations of Section 21(e) of the Act, 415 ILCS 5/21(e) (2020);

D. Assessing against Respondent a civil penalty of \$50,000.00 for each violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2020), and an additional civil penalty of \$10,000.00 for each day such violations continued, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2020);

E. Awarding the Complainant its costs, including expert witness, consultant and attorney fees, expended in pursuit of this action, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2020); and

F. Ordering such other and further relief as the Board deems appropriate and just.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by KWAME RAOUL, Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: /s/ Andrew Armstrong
ANDREW B. ARMSTRONG, Chief, #6282447
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STIPULATION AND PROPOSAL FOR SETTLEMENT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”), and CATERPILLAR INC. (“Respondent”), (collectively “Parties to the Stipulation”), have agreed to the making of this Stipulation and Proposal for Settlement (“Stipulation”) and submit it to the Illinois Pollution Control Board (“Board”) for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board’s approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1 *et seq.* (2020), and the Board’s regulations alleged in the Complaint except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

I. STATEMENT OF FACTS

A. Parties

1. Contemporaneously with the filing of this Stipulation, a Complaint was filed on behalf of the People of the State of Illinois by Kwame Raoul, Attorney General of the State of Illinois, on his own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the

Act, 415 ILCS 5/31 (2020), against Respondent.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2020).

3. At all times relevant to the Complaint, Respondent was and is a Delaware corporation that is authorized to transact business in the State of Illinois.

4. At all times relevant to the Complaint, Respondent owned and operated a fuel systems products manufacturing facility located at 1300 4H Park Road, Pontiac, Livingston County, Illinois ("Facility").

5. Respondent uses Viscor and Perlube AW-46-S ("Perlube") in its operations at the Facility and stores Viscor and Perlube in above ground storage tanks located at the Facility.

6. The Facility includes a stormwater drainage system that collects on-site stormwater and discharges into North Creek through two outfalls: East Outfall and West Outfall. North Creek is tributary to the Vermilion River.

7. On August 5, 2018, Respondent observed a sheen in North Creek at the East Outfall of the stormwater drainage system.

8. On September 3, 2018, Respondent discovered a pinhole leak in above ground piping for the transport of Viscor and Perlube from the storage tanks to Facility operations resulting in a release of product to subsurface soils.

9. Respondent subsequently retained a contractor to conduct an investigation and remediation of potential impacts present in soils in the vicinity of the storage tanks.

10. On October 4, 2018, Respondent observed a sheen in North Creek at the East Outfall and reported the release to the Illinois Emergency Management Agency and mobilized its emergency response contractor to remediate the sheen at the East Outfall.

11. On October 5, 2018, Illinois EPA's Office of Emergency Response ("OER")

inspected the Facility and observed a light petroleum sheen in North Creek and contaminated soils in areas excavated during remedial work performed by Respondent in response to the identified pipe leak.

12. On October 15, 2018 and October 25, 2018, OER inspected the Facility and observed no sheen in North Creek and contaminated soils in areas excavated during remedial work performed by Respondent at the storage tanks.

13. On November 14, 2018, Illinois EPA inspected the Facility and observed Respondent performing remedial and investigative activities. At the time of the November 14, 2018 inspection, Illinois EPA observed no sheen in North Creek.

B. Allegations of Non-Compliance

Complainant contends that Respondent has violated the following provisions of the Act and Board regulations:

Count I: Water Pollution
Section 12(a) of the Act, 415 ILCS 5/12(a) (2020).

Count II: Water Pollution Hazard
Section 12(d) of the Act, 415 ILCS 5/12(d) (2020).

Count III: Open Dumping
Section 21(a) of the Act, 415 ILCS 5/21(a) (2020).

Count IV: Waste Disposal at Improper Site
Section 21(e) of the Act, 415 ILCS 5/21(e) (2020).

C. Non-Admission of Violations

Respondent neither admits nor denies the violations alleged in the Complaint filed in this matter and referenced herein.

D. Compliance Activities

1. In October, November, and December of 2018, Respondent performed investigative actions at the Facility, including but not limited to, the following:

- a. Mapping and testing of buried and aboveground pipelines which transported oils at the Facility. Such pipelines included both in use and abandoned pipelines;
- b. Mapping, testing, and video surveys of stormwater sewers at the Facility;
- c. Advancement of 138 soil borings and soil sample collection;
- d. Drilling and installation of 4 groundwater monitoring wells; and
- e. Surface water, soil, and groundwater sampling for chemicals of concern.

2. In October, November, and December of 2018, Respondent performed remedial actions at the Facility, including but not limited to, the following:

- a. Placement of oil absorbent booms in North Creek downstream from stormwater sewer outfalls;
- b. Plugging, hydrojetting, and vacuuming of stormwater sewer pipelines;
- c. Removal of suspected leaking aboveground pipelines at the Facility;
- d. Excavation and removal of abandoned underground pipelines at the Facility;
- e. Excavation and disposal of approximately 3,182 tons of contaminated soils;
- f. Installation of collection trenches and sumps;
- g. Collection of and disposal of contaminated waters pooled within collection trenches and stormwater sewers; and
- h. Backfilling of excavations with clean clay and soil fill.

3. In March of 2020, Respondent removed sewer plugs following the replacement of portions of the stormwater sewer pipelines.

II. APPLICABILITY

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against Respondent in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and

42 (2020).

III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE

Section 33(c) of the Act, 415 ILCS 5/33(c) (2020), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;
3. the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. Human health and the environment were threatened by Respondent's violations.
2. There is social and economic benefit to the Facility.
3. Operation of the Facility was and is suitable for the area in which it is located, so long as it is operated in compliance with the Act.
4. Reducing or eliminating emissions, discharges, or deposits resulting from the Facility is both technically practicable and economically reasonable.
5. Respondent has subsequently complied with the Act and the Board regulations.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2020), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection (i) of this Section, the non-compliance to the Agency;
7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

1. The non-compliance was initially discovered on August 5, 2018, and the violations were resolved upon completion of on-site remedial activities in December 2018.
2. Respondent was diligent in attempting to come back into compliance with the Act,

Board regulations and applicable federal regulations upon discovery of the non-compliance.

3. The civil penalty takes into account any economic benefit realized by Respondent as a result of avoided or delayed compliance.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Thirty-Three Thousand Dollars (\$33,000.00) plus performance of the supplemental environmental project described in Section V.E of this Stipulation will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. In the past ten years, Respondent has been adjudicated in violation of the Act, for purposes of Section 42(h) of the Act, in the following enforcement actions:

In *People v. Caterpillar Inc.*, 2016-CH-87 (Tazewell County), Respondent settled an enforcement action regarding the discharge of water containing petroleum from Respondent's facility in East Peoria, Illinois. Respondent paid a civil penalty of \$25,000.

6. Self-disclosure is not at issue in this matter.

7. The settlement of this matter includes a supplemental environmental project. Respondent will purchase two oil and water separators, which will be installed at the East Outfall and West Outfall of the stormwater drainage system.

8. A Compliance Commitment Agreement was not at issue in this matter.

V. TERMS OF SETTLEMENT

A. **Penalty Payment**

Respondent shall pay a civil penalty in the sum of Thirty-Three Thousand Dollars (\$33,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. **Interest and Default**

1. If Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, Respondent shall be in default and the remaining unpaid

balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, the Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by Respondent not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

C. Payment Procedures

1. All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency
Fiscal Services #2
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order.

3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Kevin D. Bonin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62701

D. Future Compliance

1. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, shall have the right of entry into and upon Respondent's Facility which is the subject of this Stipulation, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

2. This Stipulation in no way affects the responsibilities of Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board Regulations.

3. Respondent shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint.

E. Supplemental Environmental Project

1. In order to promote the goals of the Act to restore, protect and enhance the quality of the environment, Respondent shall perform the following supplemental environmental project ("SEP"). The settlement value of the SEP is Fifty Thousand Dollars (\$50,000.00) and will offset penalties sought by the Complainant and the Illinois EPA in this matter. The Parties to the Stipulation agree that this SEP shall consist of the following:

- a. Installation of oil and water separators at the East Outfall and West Outfall of the Facility's stormwater sewer system. Respondent shall install oil and water separators as described in plans Respondent submitted to Illinois EPA, attached hereto as Attachment A.
- b. Respondent shall maintain and use the oil and water separators as designed.

2. Respondent shall complete the SEP no later than December 31, 2022 and, within

30 days thereafter, shall submit a project completion report, including a summary of all expenditures, to the contact persons identified in Section V.G for review and confirmation that the SEP was performed pursuant to this Stipulation. The project completion report shall include the following certification by a responsible corporate official of Respondent:

I certify under penalty of law that this document was prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted based on my inquiry of those persons directly responsible for gathering the information, and that the information submitted in or accompanying this notification of final compliance is to the best of my knowledge true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and or imprisonment for knowing violations.

In the event that the SEP cannot be completed, Respondent shall pay the settlement value of the SEP (\$50,000.00) as an additional penalty pursuant to the procedures of Section V.C no later than the date by which the SEP should have been completed.

3. By signature on this Stipulation, Respondent certifies that, as of the date of entry of this Stipulation, it is not required to perform or develop the foregoing SEP by any federal, state or local law or regulation, nor is it required to perform or develop the SEP by agreement or injunctive relief in any other case. Respondent further certifies that it has not received, and is not presently negotiating to receive credit for, the SEP in any other enforcement action.

4. Any public statement, oral or written, in print, film or other media, made by Respondent making reference to any SEP shall include the following language:

"This project was undertaken in connection with the settlement of an enforcement action taken by the Illinois Attorney General and the Illinois EPA for alleged violations of the Illinois Environmental Protection Act and regulations promulgated thereunder."

F. Release from Liability

In consideration of Respondent's payment of the \$33,000.00 penalty, its commitment to cease and desist as contained in Section V.D.3. above, its performance of the SEP as contained in

Section V.E above, completion of all activities required hereunder, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges Respondent from any further liability or penalties for the violations of the Act and Board regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's Complaint filed contemporaneously with this Stipulation. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or regulations;
- c. liability for natural resource damages arising out of the alleged violations; and
- d. liability or claims based on Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315 (2020), or entity other than Respondent.

G. Correspondence, Reports and Other Documents

Any and all correspondence, reports and any other documents required under this Stipulation, except for penalty payments, shall be submitted as follows:

As to the Complainant

Kevin D. Bonin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office

500 South Second Street
Springfield, Illinois 62701

Michelle Ryan
Assistant Counsel, Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

As to the Respondent

Roberto Durango
Corporate Counsel, Regulatory Compliance
Caterpillar Inc.
100 NE Adams Street
Peoria, Illinois 61629-3350

H. Enforcement and Modification of Stipulation

Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

I. Execution of Stipulation

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

AGREED:

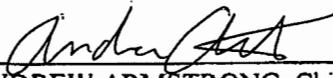
FOR THE COMPLAINANT:

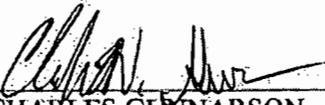
PEOPLE OF THE STATE OF ILLINOIS
by KWAME RAOUL
Attorney General of the
State of Illinois

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

JOHN J. KIM, Director
Illinois Environmental Protection Agency

BY: 
ANDREW ARMSTRONG, Chief
Assistant Attorney General
Environmental Bureau

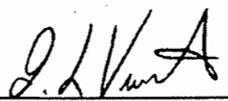
BY: 
CHARLES GUNNARSON
Chief Legal Counsel

DATE: 04/01/2022

DATE: 3/25/22

FOR THE RESPONDENT:

CATERPILLAR INC.

BY: 

Its: FACILITY MANAGER
[title of signatory]

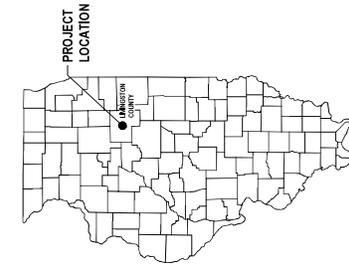
DATE: 3/10/2022

ATTACHMENT A



CATERPILLAR INC. PONTIAC, ILLINOIS OIL WATER SEPARATOR DESIGN FOR STORM SEWER OUTFALLS

APRIL 2020
111-96347



AREA MAP



LOCATION MAP

DRAWING LIST	
SHEET NUMBER	Sheet Title
G001	COVER PAGE AND DRAWING LIST
G002	LEGEND & GENERAL NOTES
C001	OVERALL SITE PLAN AND WORK AREAS
C002	WEST OUTFALL - OWS INSTALLATION PLAN
C003	EAST OUTFALL - OWS INSTALLATION PLAN
C004	OWS SECTIONS
C005	OWS DETAILS
C006	OWS DETAILS

I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Illinois.

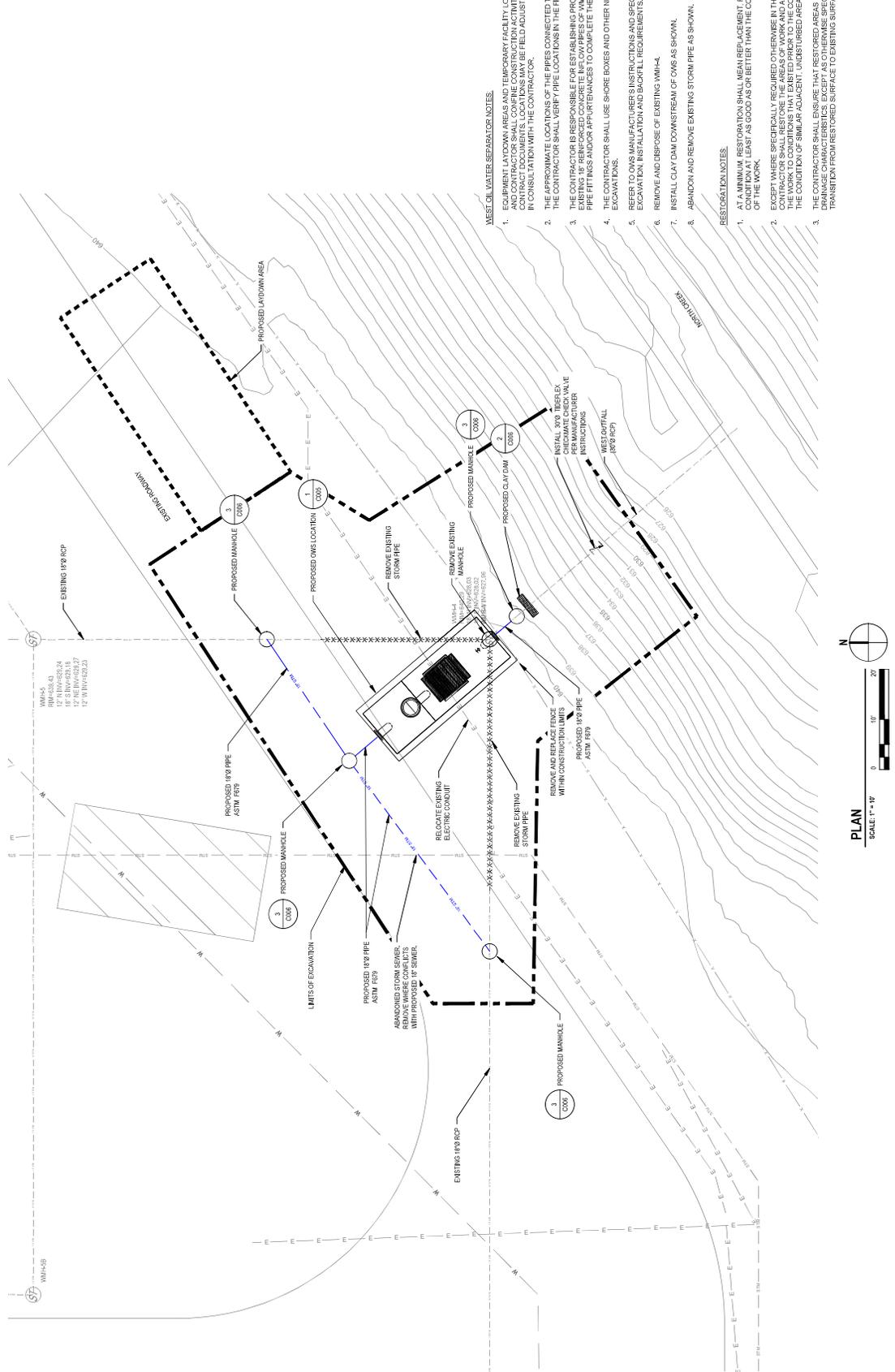
Robert Jamuska, P.E. License Number: _____ Date: _____

My license renewal date is: _____

Pages or sheets covered by this seal: _____ of _____ sheets.

Electronic files are not controlled documents. All information contained herein cannot be guaranteed to be accurate or complete without reference to the original drawings and specifications. The information supplied, including dimensions, levels, or any other data, is for informational purposes only and is not to be used for legal or contractual purposes. The electronic files are the property of GHD and shall be used only for the project and shall not be used for any other project without the written consent of GHD.

Client: CATERPILLAR INC. - PONTIAC, ILLINOIS		Designer: T. JLU	Project: OIL WATER SEPARATOR DESIGN FOR STORM SEWER OUTFALLS
Project: COVER PAGE AND DRAWING LIST		Design Check: J. ALPIS	Title: COVER PAGE AND DRAWING LIST
Project No.: 111-96347		Date: April 16, 2020	Scale: AS SHOWN
Drawn: R. JAMUSKA		Project Manager: R. JAMUSKA	Drawn by: R. JAMUSKA
Checked: J. FORNEY		Project Manager: R. JAMUSKA	Checked by: J. FORNEY
GHD Logo		GHD Logo	
GHD Services, Inc. 11271 West Lakeshore Drive Suite 101 St. Louis, MO 63148 USA T 314 421 1812 W www.ghd.com		GHD Services, Inc. 11271 West Lakeshore Drive Suite 101 St. Louis, MO 63148 USA T 314 421 1812 W www.ghd.com	
Scale: 0' = 1'		Scale: 0' = 1'	
Revision of Documents		Revision of Documents	
1. Issue for review and design approval		1. Issue for review and design approval	
2. Issue for construction		2. Issue for construction	
3. Issue for construction		3. Issue for construction	
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WEST OIL WATER SEPARATOR NOTES

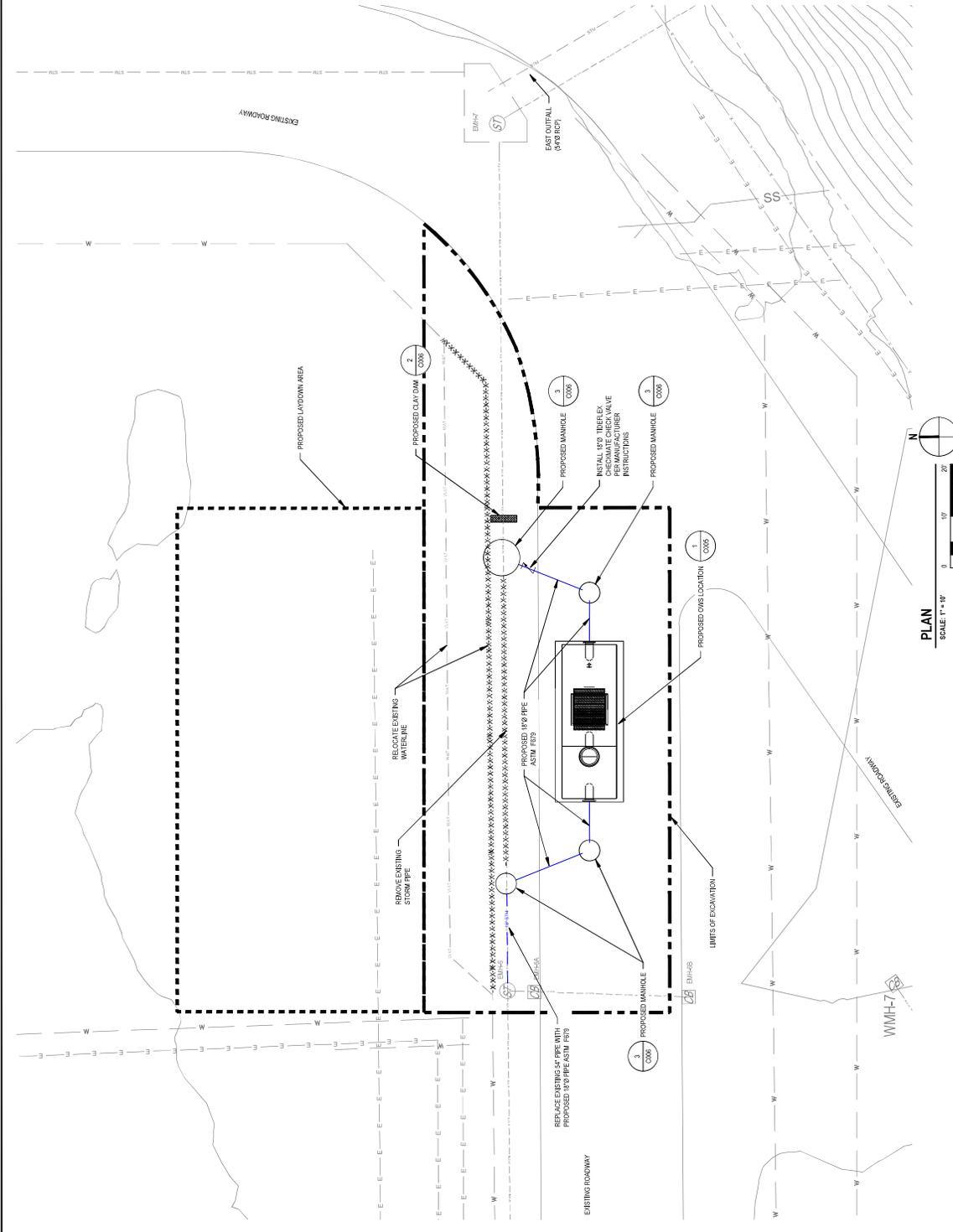
1. EQUIPMENT LAYOUT AREAS AND TEMPORARY FACILITY LOCATIONS ARE INDICATED IN THE DRAWING. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES AND RECORD THEM IN THE CONTRACT DOCUMENTS. LOCATIONS MAY BE FIELD ADJUSTED AT THE DISCRETION OF THE ENGINEER IN CONSULTATION WITH THE CONTRACTOR.
2. THE APPROXIMATE LOCATIONS OF THE PIPES CONNECTED TO WMH-4 ARE SHOWN IN THE DRAWING. THE CONTRACTOR SHALL VERIFY PIPE LOCATIONS IN THE FIELD PRIOR TO COMMENCING EXCAVATION. EXISTING 18\"/>
- 3. THE CONTRACTOR SHALL VERIFY PIPE LOCATIONS IN THE FIELD PRIOR TO COMMENCING EXCAVATION. EXISTING 18\"/>
- 4. THE CONTRACTOR SHALL USE SHORE BOXES AND OTHER NECESSARY MEANS OF PROTECTING EXISTING UTILITIES.
- 5. REFER TO WMH-4 FOR ALL INSTALLATION AND BACKFILL REQUIREMENTS.
- 6. REMOVE AND DISPOSE OF EXISTING WMH-4.
- 7. INSTALL CLAY DAM DOWNSTREAM OF OWS AS SHOWN.
- 8. ABANDON AND REMOVE EXISTING STORM PIPE AS SHOWN.

RESTORATION NOTES

1. AT A MINIMUM RESTORATION SHALL MEAN REPLACEMENT, REPAIRS OR RECONSTRUCTION TO ORIGINAL CONDITION AT LEAST AS GOOD AS OR BETTER THAN THE CONDITION PRIOR TO THE COMMENCEMENT OF THE WORK.
2. ANY RESTORATION SHALL BE IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL RESTORE THE AREAS OF WORK AND AREAS AFFECTED BY THE PRESENCE OF THE WORK TO CONDITIONS THAT EXISTED PRIOR TO THE COMMENCEMENT OF WORK AND TO THE CONDITION OF SIMILAR ADJACENT UNDISTURBED AREAS.
3. THE CONTRACTOR SHALL ENSURE THAT RESTORED AREAS MATCH EXISTING GRADE AND SURFACE FINISHES. THE CONTRACTOR SHALL RESTORE TO ORIGINAL FINISHES AND INSURE A SMOOTH TRANSITION FROM RESTORED SURFACE TO EXISTING SURFACES.



Client: CATERPILLAR INC. - PONTIAC, ILLINOIS		Designer: T. JUB	Project: OIL WATER SEPARATOR DESIGN FOR STORM SEWER OUTFALLS
Title: WEST OUTFALL - OWS INSTALLATION PLAN		Design Check: J. ALPIS	
Drawn: J. FORNEY	Project No.: 111-96347	Date: April 16, 2020	Scale: AS SHOWN
Drilling Check: S. PHE	Contract No.: ANSID	Sheet No.: 11196347-C002	
Manager: R. JANSOVA	 <p>GHD 1521 Woodloch Industrial Drive Suite 101 St. Louis, MO 63146 USA T 314.422.1813 W www.ghd.com</p>		
<p>Bar is given in on original size sheet 1"</p> <p>Revised Documents</p> <p>Issue No. and date of issue and description of revision to be shown in the project log. All revisions shall be made in accordance with the project log. All revisions shall be made in accordance with the project log.</p>	<p>SP</p> <p>TL</p> <p>DATE</p>	<p>DATE</p>	<p>DATE</p>
<p>File Name: c:\bentley\dwg\11196347\11196347-C002.dwg</p>			

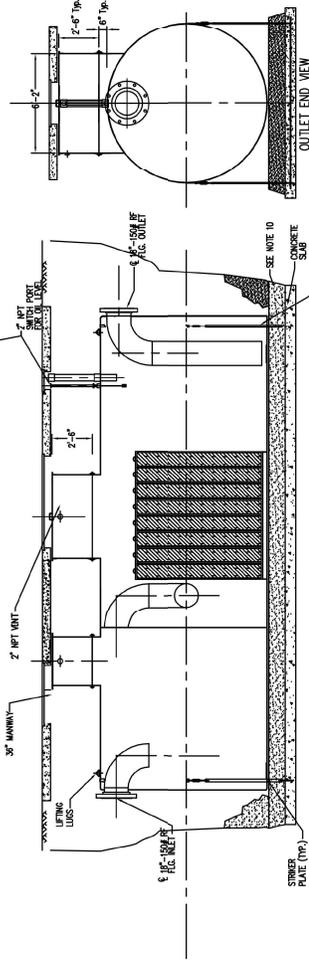
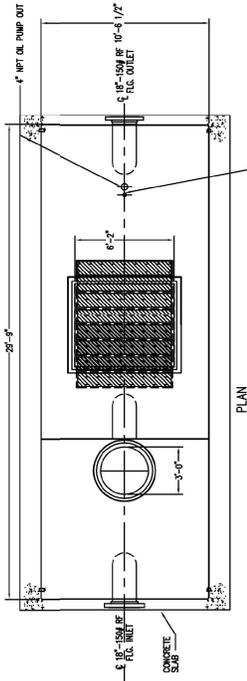


- EAST OIL WATER SEPARATOR NOTES:**
- EQUIPMENT LAYOUT AREAS AND TEMPORARY FACILITY LOCATIONS ARE INDICATED IN THE DESIGN AND CONTRACTOR SHALL CONFINE CONSTRUCTION ACTIVITIES TO AREAS DEFINED BY THE DASHED LINE. THE CONTRACTOR SHALL MAINTAIN THE EXISTING EASMENT AND EASEMENTS IN CONSULTATION WITH THE CONTRACTOR.
 - THE APPROXIMATE LOCATIONS OF THE PIPES CONNECTED TO THIS OIL WATER SEPARATOR ARE INDICATED IN THE DRAWING. THE CONTRACTOR SHALL VERIFY PIPE LOCATIONS IN THE FIELD PRIOR TO COMMENCING EXCAVATION.
 - THE CONTRACTOR SHALL USE SHIELD BOXES AND OTHER NECESSARY MEANS OF PROTECTING EXCAVATIONS.
 - REFER TO OWS MANUFACTURER'S INSTRUCTIONS AND SPECIFICATION NOTES FOR EXCAVATION, INSTALLATION AND BACKFILL REQUIREMENTS.
 - INSTALL CLAY DAM DOWNSTREAM OF OWS AS SHOWN.
- RESTORATION NOTES:**
- AT A MINIMUM RESTORATION SHALL MEAN REPLACEMENT, REPAIRS OR RECONSTRUCTION TO ORIGINAL OR BETTER CONDITION. RESTORATION SHALL BE TO THE SAME OR BETTER CONDITION AS THE ORIGINAL CONDITION PRIOR TO THE COMMENCEMENT OF THE WORK.
 - EXCEPT WHERE SPECIFICALLY REQUIRED OTHERWISE IN THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL RESTORE THE AREAS OF WORK AND AREAS AFFECTED BY THE PERFORMANCE OF THE WORK TO THE ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL MAINTAIN THE ORIGINAL OR BETTER CONDITION OF SIMILAR ADJACENT UNDISTURBED AREAS.
 - THE CONTRACTOR SHALL ENSURE THAT RESTORATION WORK IS COMPLETED BEFORE ANY SITE DRAINAGE CHARACTERISTICS EXCEPT AS OTHERWISE SPECIFIED, AND ENSURE A SMOOTH TRANSITION FROM RESTORED SURFACE TO EXISTING SURFACES.

PLAN
SCALE: 1" = 40'

<p>Client: CATERILLAR INC. - PONTIAC, ILLINOIS Project: OIL WATER SEPARATOR DESIGN FOR STORM SEWER OUTFALL Title: EAST OUTFALL - OWS INSTALLATION PLAN</p>	
<p>Designer: T. J. J. J. Design Check: J. J. J. Date: April 11, 2020</p>	<p>Project Manager: R. J. J. Date: April 11, 2020 Scale: AS SHOWN</p>
<p>Project No.: 111-96347 Drawing No.: ANSID Sheet No.: 11196347-C003</p>	
<p>Drawn: J. J. J. Checked: R. J. J. Project Manager: R. J. J.</p>	
<p>Scale: AS SHOWN</p>	
<p>Bar is given in on original size sheet 1"</p>	
<p>Release of Documents: NO This drawing shall not be used for any other project without the written consent of the engineer. The engineer shall not be held responsible for any errors or omissions in this drawing.</p>	
<p>Company: GHD 11271 Shiloh Road, Suite 101 St. Louis, MO 63141 USA T: 314.421.1812 W: www.ghd.com</p>	
<p>Revised For: 111-96347</p>	<p>SP TL</p>
<p>Drawn: J. J. J.</p>	<p>Approved: J. J. J.</p>
<p>Date: 04/11/20</p>	<p>Date: 04/11/20</p>
<p>File Name: c:\b\projects\111-96347\111-96347-C003.dwg</p>	<p>Printed By: J. J. J.</p>

SPECIFICATIONS SUMMARY:
 CAPACITY: 19,000 GALLONS
 TYPE: SINGLE WALL
 FLOW RATE: 0 - 4000 GPM
 MATERIAL: CARBON STEEL
 THICKNESS:
 SHELL: 5/16"
 HEADS: 5/16"
 SURFACES TREATMENT:
 INNER - NONE
 OUTER - SSPC NO. 6 BLAST
 COATINGS:
 INNER - NONE
 OUTER - URETHANE
 CONSTRUCTION:
 OPERATING PRESSURE: ATMOSPHERIC



- NOTES:**
1. SINGLE WALL IN ACCORDANCE WITH UL 58 STANDARDS.
 2. EXTERIOR: 70 MILS URETHANE
 3. INTERIOR: NOT COATED.
 4. VENT SIZING PER UL 58. ALL VENT PIPING IS BY OTHERS.
 5. ALL EXTERIOR PIPING IS BY OTHERS. HYDROQUIP RECOMMENDS A MINIMUM SLOPE OF 1/16" PER FOOT FOR ALL GRAVITY PIPING
 6. PRODUCT STORAGE CAPACITY IS 30% OF THE TOTAL TANK VOLUME.
 7. INSTALL OIL/WATER SEPARATOR PER FURNISHED INSTRUCTIONS.
 8. THIRTY (30) YEAR WARRANTY PROVIDED ON EXTERIOR CORROSION PROTECTION.
 9. 1/8" THICK NEOPRENE 50 DMS GASKETS AT ALL CONNECTIONS
 10. CLEAN INERT SAND, PEA GRAVEL OR CRUSHED STONE

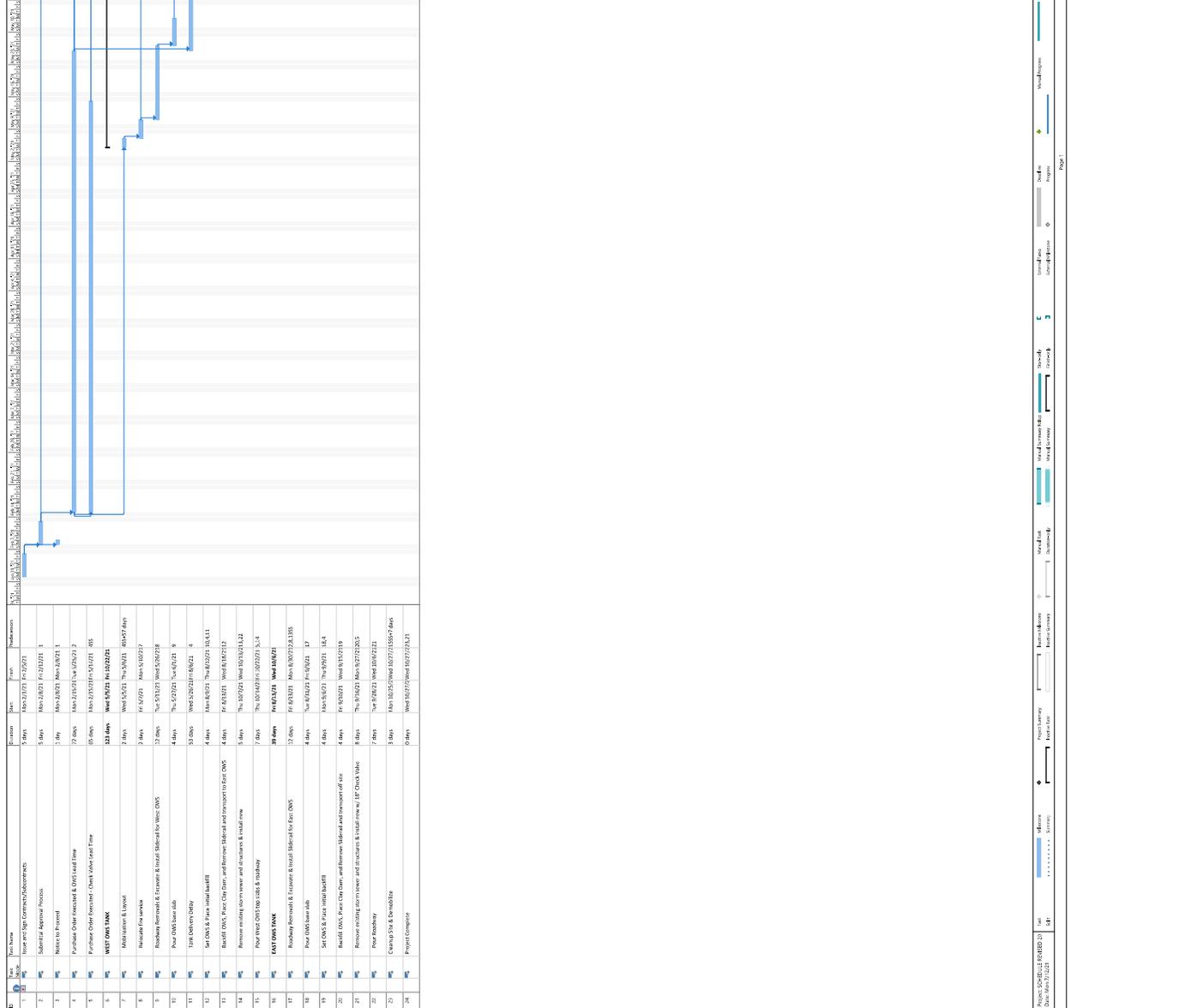
REV.	DESCRIPTION	DATE	INT.
	HYDRO QUIP, INC. Water Treatment Systems MODEL HOB4000SW OIL/WATER SEPARATOR		
PROJECT:		DATE: 6/9/2010	SCALE: 1/8" = 1'
REF:		FILE: HOB2064.rwg	REV: A

- NOTES:**
1. VENT SIZING PER UL58. ALL PIPING BY OTHERS
 2. ALL EXTERIOR PIPING IS BY OTHERS
 3. HYDRO-QUIP RECOMMENDS A MINIMUM SLOPE OF 1/16" PER FOOT FOR ALL GRAVITY PIPING
 4. OIL STORAGE CAPACITY IS 30% OF TOTAL TANK VOLUME
 5. INSTALL PER FURNISHED INSTRUCTIONS
 6. THIRTY (30) YEAR WARRANTY PROVIDED ON EXTERIOR CORROSION PROTECTION
 7. 1/8" THICK NEOPRENE 50 DMS GASKETS AT ALL CONNECTIONS

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2021
OIL WATER SEPARATOR DETAIL
SCALE AS SHOWN

Client	CATERILLAR INC. - PONTIAC, ILLINOIS
Project	OIL WATER SEPARATOR DESIGN FOR STORM SEWER OUTFALLS
Title	OWS DETAILS
Designer	T.J.U
Design Check	J.H.L/PS
Project Manager	R.A.M/MSA
Date	April 16, 2020
Scale	N/S
Drawn	S.PHE
Drafting Check	
Project	R.A.M/MSA
Manager	R.A.M/MSA
Date	April 16, 2020
Scale	N/S
Drawn	S.PHE
Drafting Check	
Project	R.A.M/MSA
Manager	R.A.M/MSA
Date	April 16, 2020
Scale	N/S
Drawn	S.PHE
Drafting Check	
Project	R.A.M/MSA
Manager	R.A.M/MSA
Date	April 16, 2020
Scale	N/S
Drawn	S.PHE
Drafting Check	
Project	R.A.M/MSA
Manager	R.A.M/MSA
Date	April 16, 2020
Scale	N/S
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Project	R.A.M/MSA
Manager	R.A.M/MSA
Date	April 16, 2020
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ID	Task Name	Start	End	Predecessors
1	Issue and Set Connectors/Accessories	Mon 2/2/21	Fri 2/2/21	
2	Subtotal Assembly Process	5 days	Mon 2/2/21	Fri 2/2/21, 1
3	Material Prep	1 day	Mon 2/2/21	Mon 2/2/21
4	Perform Order Received & OMS Lead Time	72 days	Mon 3/1/21	Mon 2/2/21, 3
5	Perform Order Received - Check Order Lead Time	10 days	Mon 2/15/21	Mon 2/2/21, 4
6	WST OMS WARE	123 days	Wed 5/2/21	Fri 10/2/21
7	Manufacture & Load	2 days	Wed 5/2/21	Thu 5/2/21, 6
8	Materialize for vehicle	2 days	Fri 5/7/21	Mon 5/10/21
9	Remove Received & Extract & Install Material for WMS OMS	12 days	Thu 5/13/21	Wed 5/10/21, 8
10	Print OMS base slab	4 days	Thu 5/27/21	Thu 6/2/21, 9
11	2500 Carkey's delay	13 days	Wed 5/27/21	Fri 6/4/21, 10
12	Set OMS R Page initial build	4 days	Mon 6/7/21	Thu 6/10/21, 10, 11
13	Build OMS Page (Up Date) and Review (Build and Transport to Site, OMS)	4 days	Fri 6/18/21	Wed 6/18/21, 12
14	Remove existing system review and accurate & install new	7 days	Thu 10/14/21	Wed 10/27/21, 13, 14
15	Print WMS OMS 100-1000 & 1000day	10 days	Fri 10/22/21	Wed 10/27/21, 14
16	WST OMS WARE	123 days	Wed 10/27/21	Wed 10/27/21
17	Remove existing system review and accurate & install new at 100-1000day	12 days	Fri 11/5/21	Mon 10/27/21, 15, 16
18	Print OMS base slab	4 days	Mon 11/8/21	Fri 11/5/21, 17
19	Set OMS R Page initial build	4 days	Mon 11/8/21	Thu 11/11/21, 18, 19
20	Build OMS Page (Up Date) and Review (Build and Transport of site)	4 days	Fri 11/19/21	Wed 11/19/21, 19
21	Remove existing system review and accurate & install new at 100-1000day	8 days	Thu 11/25/21	Mon 12/2/21, 20, 21
22	Print Assembly	7 days	Thu 12/2/21	Wed 12/2/21, 21
23	Change SW & Download	8 days	Mon 12/27/21	Wed 12/27/21, 22, 23
24	Project Complete	0 days	Wed 12/27/21	Wed 12/27/21, 23



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
by KWAME RAOUL, Attorney General)	
of the State of Illinois,)	
)	
Complainant,)	
)	PCB No. 22 –
v.)	(Enforcement – Water/Land)
)	
CATERPILLAR INC., a Delaware corporation,)	
)	
Respondent.)	

MOTION FOR RELIEF FROM HEARING REQUIREMENT
AND NOTICE OF ELECTRONIC SERVICE

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(c)(2) (2020), moves that the Illinois Pollution Control Board (“Board”) grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2020). In support of this motion, Complainant states as follows:

1. The Complaint in this matter alleges violations of Section 12(a) and (d) of the Act, 415 ILCS 5/12(a) and (d) (2020), and Section 21(a) and (e) of the Act, 415 ILCS 5/21(a) and (e) (2020).
2. Filed contemporaneously with the Complaint and this Motion is a Stipulation and Proposal for Settlement (“Stipulation”) executed between Complainant and Respondent, CATERPILLAR INC.
3. Respondent agrees to accept service of the Complaint via electronic mail.
4. The parties have reached agreement on all outstanding issues in this matter.

5. The parties agree that a hearing on the Stipulation is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2020).

6. No hearing is scheduled in this matter.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests relief from the requirement of a hearing pursuant to Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2020).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by KWAME RAOUL, Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: /s/ Kevin D. Bonin
KEVIN D. BONIN, #6294877
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South 2nd Street
Springfield, Illinois 62701
Ph: (217) 782-5055
Fax: (217) 524-7740
kevin.bonin@ilag.gov

CERTIFICATE OF SERVICE

I, Kevin Bonin, Assistant Attorney General, certify that on the 6th day of April, 2022, I caused to be served by Electronic Mail the foregoing Notice of Filing, Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement and Notice of Electronic Service to the party listed below:

Caterpillar Inc.
c/o Robert Durango, Counsel for Respondent
Durango_Roberto_M@cat.com

/s/ Kevin D. Bonin
KEVIN D. BONIN
Assistant Attorney General
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kevin.bonin@ilag.gov