





4. Respondent GDB International, Inc. ("GDB" or "Respondent"), is a New Jersey corporation. The registered agent for GDB is Illinois Corporation Service Company, 801 Adlai Stevenson Drive, Springfield, Illinois 62703.

5. GDB is a paint recycling business that receives post-consumer paint from household hazardous waste collections, paint manufacturers, and states participating in the "PaintCare" program. GDB additionally receives unsold, unopened paint from large box stores and various paint manufacturers. The paint is recycled and/or relabeled and sold by GDB.

6. GDB operates a warehouse located at 5466 State Route 154, Pinckneyville, Illinois 62274 ("Warehouse").

7. In October of 2016, the Illinois EPA received a complaint regarding GDB's operations.

8. On March 30, 2017, Illinois EPA conducted an inspection of the Warehouse.

9. On March 30, 2017, Illinois EPA observed over 3,000 sixteen-square-foot boxes full of paint. The boxes were not labelled or marked. The Warehouse roof was leaking, causing many of the boxes to become wet and moldy. Most of the boxes were in poor condition and some had collapsed under the weight of being stacked four high. A substantial number of boxes had spilled their contents on the floor.

10. On March 30, 2017, Illinois EPA further observed liquid paint on the floor and leaking from the boxes.

11. Section 3.315 of the Act, 415 ILCS 5/3.315 (2018), 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.

12. Respondent is a corporation and therefore a "person" as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2018).

13. Section 3.535 of the Act, 415 ILCS 5/3.535 (2018), provides, in pertinent part, as follows:

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

14. The unlabeled boxes of paint found in poor condition and the liquid paint observed leaking out of the boxes and onto the floor of the Warehouse on March 30, 2017 constitute "waste" as that term is defined in Section 3.535 of the Act, 415 ILCS 5/3.535 (2018).

15. Section 3.480 of the Act, 415 ILCS 5/3.480 (2018), provides as follows:

"Storage" means the containment of waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal.

16. Waste was contained at the Warehouse on a temporary basis in such a manner as not to constitute disposal. Therefore, "storage" occurred at the Warehouse as that term is defined in Section 3.480 of the Act, 415 ILCS 5/3.480 (2018).

17. Section 3.105 of the Act, 314 ILCS 5/3.105 (2018), provides as follows:

"Agency" is the Environmental Protection Agency established by this Act.

18. Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2018), provides, in pertinent part, as follows:

No person shall:

\* \* \*

(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

- (1) without a permit granted by the Agency or in violation of any conditions imposed by such permit, . . .

19. Respondent has never been granted a permit from Illinois EPA to conduct a waste-storage operation at the Site.

20. Beginning on or before March 30, 2017, and on dates better known to Respondent, Respondent conducted a waste-storage operation at the Site without a permit granted by Illinois EPA.

21. By conducting a waste-storage operation at the Warehouse without a permit granted by Illinois EPA, Respondent violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2018).

#### **PRAYER FOR RELIEF**

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, GDB INTERNATIONAL, INC., a New Jersey corporation:

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

B. Finding that Respondent has violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2018);

C. Ordering Respondent to cease and desist from any further violations of the Act;

D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018), imposing upon Respondent a civil penalty of up to \$50,000.00 for each violation of the Act, and an additional civil penalty of \$10,000.00 for each day such violations continued;

E. Ordering Respondent to pay all costs, including expert witness, consultant and

attorney fees, expended by the State in pursuit of this action; and

F. Granting such other relief as the Board may deem appropriate.

**COUNT II**  
**DEVELOPING A SOLID WASTE MANAGEMENT SITE WITHOUT A PERMIT**

1-17. Complainant realleges and incorporates by reference herein paragraphs 1 through 17 of Count I as paragraphs 1 through 17 of this Count II.

18. Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018), provides, in pertinent part, as follows:

No person shall:

\* \* \*

(d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:

\* \* \*

(2) in violation of any regulations or standards adopted by the Board under this Act ...

19. Section 807.201 of the Board Regulations, 35 Ill. Adm. Code 807.201, provides, in pertinent part, as follows:

Subject to such exemption as expressly provided in Section 21(e) (Ill. Rev. Stat. 1981, ch. 111 ½, par. 1021(e)) of the Act as to the requirement of obtaining a permit, no person shall cause or allow the development of any new solid waste management site or cause or allow the modification of an existing solid waste management site without a Development Permit issued by the Agency.

20. Section 807.104 of the Board Regulations, 35 Ill. Adm. Code 807.104, provides, in pertinent part, as follows:

“Solid waste” means waste.

\* \* \*

“Solid waste management” means “waste management”

\* \* \*

“Waste management” means the process of storage, treatment or disposal of waste, not including hauling or transport.

21. The unlabeled boxes of paint found in poor condition and the liquid paint observed leaking out of the boxes and onto the floor of the Warehouse on March 30, 2017 constitute “solid waste,” as that term is defined in Section 807.104 of the Board’s regulations, 35 Ill. Adm. Code 807.104.

22. As of March 30, 2017, Respondent had never applied for a permit to develop a solid waste management site at the Warehouse.

23. Beginning on or before March 30, 2017, and on dates better known to Respondent, Respondent developed the Warehouse and/or portions thereof as a solid waste management site without applying for a permit from Illinois EPA to develop a solid waste management site.

24. By developing a solid waste management site at the Warehouse without applying for a permit from Illinois EPA, Respondent violated Section 807.201 of the Board Regulations, 35 Ill. Adm. Code 807.201.

25. By violating Section 807.201 of the Board Regulations, 35 Ill. Adm. Code 807.201, Respondent conducted a waste-storage operation in violation of a regulation adopted by the Board, and thereby violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018).

**PRAYER FOR RELIEF**

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, GDB INTERNATIONAL, INC., a New Jersey corporation:

- A. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
- B. Finding that Respondent has violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018) and Section 807.201 of the Board Regulations, 35 Ill. Adm. Code 807.201;
- C. Ordering Respondent to cease and desist from any further violations of the Act and associated regulations;
- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018), imposing upon Respondent a civil penalty of up to \$50,000.00 for each violation of the Act and associated regulations, and an additional civil penalty of \$10,000.00 for each day such violations continued;
- E. Ordering Respondent to pay all costs, including expert witness, consultant and attorney fees, expended by the State in pursuit of this action; and
- F. Granting such other relief as the Board may deem appropriate.

**COUNT III**  
**OPERATING A SOLID WASTE MANAGEMENT SITE WITHOUT A PERMIT**

1-20. Complainant realleges and incorporates by reference herein paragraphs 1 through 17 of Count I, paragraphs 18, 20, and 21 of Count II as paragraphs 1 through 20 of this Count III.

21. Section 807.202(a) of the Board Regulations, 35 Ill. Adm. Code 807.202(a), provides:

Subject to such exemption as expressly provided in Section 21(e) of the Act (Ill. Rev. Stat. 1982, ch. 111 ½, par. 1021(e)) as to the requirement of obtaining a permit, no person shall cause or allow the use or operation of any solid waste management site for which a Development Permit is required under Section 807.201 without an Operating Permit issued by the Agency, except for such testing operations as may be authorized by the Development Permit.

22. As of March 30, 2017, Respondent had never applied for a permit to operate a solid waste management site at the Warehouse.



23. Beginning on or before March 30, 2017, and on dates better known to the Respondent, Respondent operated the Warehouse and/or portions thereof as a solid waste management site without applying for a permit from Illinois EPA to operate a solid waste management site.

24. By operating a solid waste management site at the Warehouse without applying for a permit from Illinois EPA, Respondent violated Section 807.202(a) of the Board Regulations, 35 Ill. Adm. Code 807.202(a).

25. By violating Section 807.202(a) of the Board Regulations, 35 Ill. Adm. Code 807.202(a), Respondent conducted a waste-storage operation in violation of a regulation adopted by the Board, and thereby violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018).

**PRAYER FOR RELIEF**

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, GDB INTERNATIONAL, INC., a New Jersey corporation:

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

B. Finding that Respondent has violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018), and Section 807.202(a) of the Board Regulations, 35 Ill. Adm. Code 807.202(a);

C. Ordering Respondent to cease and desist from any further violations of the Act and associated regulations;

D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018), imposing upon Respondent a civil penalty of up to \$50,000.00 for each violation of the Act and associated

regulations, and an additional civil penalty of \$10,000.00 for each day such violations continued;

E. Ordering Respondent to pay all costs, including expert witness, consultant and attorney fees, expended by the State in pursuit of this action; and

F. Granting such other relief as the Board may deem appropriate.

**COUNT IV**  
**WASTE DETERMINATION VIOLATIONS**

1-13. Complainant realleges and incorporates by reference herein paragraphs 1 through 12 of Count I, and paragraph 18 of Count II, as paragraphs 1 through 13 of this Count IV.

14. Section 722.111 of the Board Regulations, 315 Ill. Adm. Code 722.111, provides:

A person that generates a solid waste, as defined in 35 Ill. Adm. Code 102, must determine if that waste is a hazardous waste using the following method:

- a) The person should first determine if the waste is excluded from regulation under 35 Ill. Adm. Code 721.104.
- b) The person should then determine if the waste is listed as a hazardous waste in Subpart D of 35 Ill. Adm. Code 721.

BOARD NOTE: Even if a waste is listed as a hazardous waste, the generator still has an opportunity under 35 Ill. Adm. Code 720.122 to demonstrate that the waste from the generator's particular facility or operation is not a hazardous waste.

- c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in Subpart D of 35 Ill. Adm. Code 721, the generator must then determine whether the waste is identified in Subpart C of 35 Ill. Adm. Code 721 by either of the following methods:
  - 1) Testing the waste according to the methods set forth in Subpart C of 35 Ill. Adm. Code 721, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or
  - 2) Applying knowledge of the hazard characteristic of the waste in light of the materials or processes used.

- d) If the generator determines that the waste is hazardous, the generator must refer to 35 Ill. Adm. Code 721, 724 through 728 and 733 for possible exclusions or restrictions pertaining to the management of the specific waste.

15. Section 721.102 of the Board Regulations, 35 Ill. Adm. Code 721.102, provides, in pertinent part, as follows:

- 1) A solid waste is any discarded material that is not excluded pursuant to Section 721.104(a) or that is not excluded pursuant to 35 Ill. Adm. Code 720.130 and 720.131 or 35 Ill. Adm. Code 720.130 and 720.134.

16. Section 808.121(a) of the Board Regulations, 35 Ill. Adm. Code 808.121(a), provides:

- a) Each person who generates waste shall determine whether the waste is a special waste.

BOARD NOTE: 35 Ill. Adm. Code 722 requires the person to also determine if the waste is a hazardous waste.

17. Respondent is a person that generates solid waste, as that term is defined in Section 721.102 of the Board Regulations, 35 Ill. Adm. Code 721.102, in the form of liquid paint on the floor and leaking from boxes.

18. Respondent had failed to make a waste determination for any of the waste observed at the Warehouse on March 30, 2017.

19. By failing to determine whether the waste generated at the Warehouse was a hazardous waste, Respondent violated Section 722.111 of the Board Regulations, 35 Ill. Adm. Code 722.111, and thereby violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018), by conducting a waste-storage operation in violation of regulations adopted by the Board.

20. By failing to determine whether the waste generated at the Warehouse was a special waste, Respondent violated Section 808.121(a) of the Board Regulations, 35 Ill. Adm.

Code 808.121(a), and thereby violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018), by conducting a waste-storage operation in violation of regulations adopted by the Board.

**PRAYER FOR RELIEF**

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, GDB INTERNATIONAL, INC., a New Jersey corporation:

- A. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
- B. Finding that Respondent has violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2018), and Sections 722.111 and 808.121(a) of the Board Regulations, 35 Ill. Adm. Code 722.111 and 808.121(a);
- C. Ordering Respondent to cease and desist from any further violations of the Act and associated regulations;
- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018), imposing upon Respondent a civil penalty of up to \$50,000.00 for each violation of the Act and associated regulations, and an additional civil penalty of \$10,000.00 for each day such violations continued;
- E. Ordering Respondent to pay all costs, including expert witness, consultant and attorney fees, expended by the State in pursuit of this action; and
- F. Granting such other relief as the Board may deem appropriate.

**COUNT V**  
**WASTE STORAGE AT AN IMPROPER SITE**

1-38. Complainant realleges and incorporates by reference herein paragraphs 1 through 20 of Count I, paragraphs 18 through 24 of Count II, paragraphs 21 through 24 of Count III, and paragraphs 14 through 20 of Count IV, as paragraphs 1 through 38 of this Count V.

39. Section 21(e) of the Act, 415 ILCS 5/21(e) (2018), provides, in pertinent part, as follows:

No person shall:

\* \* \*

(e) Dispose, treat, store or abandon any waste . . . except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

40. The Warehouse is not a site or facility that meets the requirements of the Act and of the regulations and standards promulgated thereunder for disposal or storage of waste.

41. Beginning on or before March 30, 2017, and on dates better known to the Respondent, Respondent disposed of, stored, and/or abandoned wastes at the Warehouse.

42. By disposing, storing, and/or abandoning wastes at the Warehouse, Respondent violated Section 21(e) of the Act, 415 ILCS 5/21(e) (2018).

**PRAYER FOR RELIEF**

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, GDB INTERNATIONAL, INC., a New Jersey corporation:

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

B. Finding that Respondent has violated Section 21(e) of the Act, 415 ILCS 5/21(e) (2018);

C. Ordering Respondent to cease and desist from any further violations of the Act;

D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018), imposing upon Respondent a civil penalty of up to \$50,000.00 for each violation of the Act, and an additional

civil penalty of \$10,000.00 for each day such violations continued;

E. Ordering Respondent to pay all costs, including expert witness, consultant and attorney fees, expended by the State in pursuit of this action; and

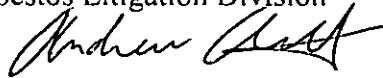
F. Granting such other relief as the Board may deem appropriate.

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:



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ANDREW B. ARMSTRONG, Chief  
Environmental Bureau  
Assistant Attorney General

Christina L. Nannini  
Assistant Attorney General  
Attorney Id No. 6327367  
Illinois Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
(217) 557-0586  
cnannini@atg.state.il.us  
ebs@atg.state.il.us



## I. STATEMENT OF FACTS

### A. Parties

1. Contemporaneous with the filing of this Stipulation, a Complaint was filed against Respondent 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 (2018), against the 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 (2018).

3. GDB International, Inc. ("Respondent") is a New Jersey corporation and paint recycling business that operates a warehouse located at 5466 State Route 154, Pinckneyville, Illinois 62274 ("site").

4. On March 30, 2017, Illinois EPA inspected the site.

5. On March 30, 2017, Illinois EPA observed over 3,000 sixteen-square-foot boxes full of paint that were not labelled or marked. The roof of the warehouse was leaking, causing many of the boxes to become wet and moldy. Most of the boxes were in poor condition and some had collapsed under the weight of being stacked four high. Some of the boxes had spilled their contents on the floor, as liquid paint was seen on the floor and leaking from the boxes.

### B. Allegations of Non-Compliance

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

Count I: Conducting a Waste-Storage Operation Without a Permit  
415 ILCS 5/21(d)(1)



- Count II: Developing a Solid Waste Management Site Without a Permit  
415 ILCS 5/21(d)(2)  
35 Ill. Adm. Code 807.201
- Count III: Operating a Solid Waste Management Site Without a Permit  
415 ILCS 5/21(d)(2)  
35 Ill. Adm. Code 807.202(a)
- Count IV: Waste Determination Violations  
415 ILCS 5/21(d)(2)  
35 Ill. Adm. Code 722.111  
35 Ill. Adm. Code 808.121(a)
- Count V: Waste Storage at an Improper Site  
415 ILCS 5/21(e)

**C. Non-Admission of Violations**

The Respondent represents that it has entered into this Stipulation and Proposal for Settlement for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Stipulation and complying with its terms, the Respondent does not affirmatively admit the allegations of violation alleged in the Complaint, and this Stipulation shall not be interpreted as including such admission.

**D. Compliance Activities to Date**

On September 17, 2017, the Respondent submitted a Request for Beneficial Use Determination application to Illinois EPA, to authorize recycling of non-waste paint, which Illinois EPA granted. Respondent completed waste determinations on all materials and properly disposed of all hazardous and non-hazardous waste. Respondent has returned to compliance with respect to the violations alleged in the Complaint filed in this matter.

## II. APPLICABILITY

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. The 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 the 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 (2018).

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

Section 33(c) of the Act, 415 ILCS 5/33(c) (2018), 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 in the operation of Respondent's business.
3. Respondent's business is suitable for the area in which it is operated, so long as it is operated in compliance with the Act and Board Regulations.
4. Compliance with the Act and Board regulations is both technically practicable and economically reasonable.
5. Respondent has subsequently complied with the Act and Board Regulations.

#### **IV. CONSIDERATION OF SECTION 42(h) FACTORS**

Section 42(h) of the Act, 415 ILCS 5/42(h) (2018), 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. Respondent improperly stored waste and did not conduct a proper waste determination for potentially hazardous waste. The violations were first observed by the State at Illinois EPA's inspection on March 30, 2017 and all violations were resolved by March 15, 2018.

2. Respondent was relatively diligent in attempting to come back into compliance with the Act, Board regulations and applicable federal regulations, once the Illinois EPA notified it of its noncompliance.

3. The civil penalty takes into account any economic benefit realized by the 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 Twenty-Two Thousand Dollars (\$22,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. To Complainant's knowledge, Respondent has no previously adjudicated violations of the Act.

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

7. The settlement of this matter does not include a supplemental environmental project.

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

## V. TERMS OF SETTLEMENT

### A. Penalty Payment

1. The Respondent shall pay a civil penalty in the sum of Twenty-Two Thousand Dollars (\$22,000.00) within thirty (30) calendar days from the date the Board adopts and accepts this Stipulation.

### B. Interest and Default

1. If the Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, the 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 the 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

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, IL 62794-9276

The name and case number shall appear on the face of the certified check or money order. A copy of the certified check or money order and any transmittal letter shall be sent to:

Christina L. Nannini  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
500 South Second Street  
Springfield, Illinois 62706

**D. Future Compliance**

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

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

**E. Release from Liability**

In consideration of the Respondent's payment of the \$22,000.00 penalty and its commitment to cease and desist as contained in Section V.D.2 above, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges the 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 the 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 resources damage arising out of the alleged violations; and

d. liability or claims based on the 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, or entity other than the Respondent.

**F. Enforcement**

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.

**G. 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.

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PEOPLE OF THE STATE OF ILLINOIS,

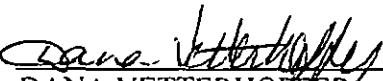
KWAME RAOUL  
Attorney General  
State of Illinois

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

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY:   
ANDREW ARMSTRONG, Chief  
Environmental Bureau  
Assistant Attorney General

BY:   
DANA VETTERHOPFER  
Acting Chief Legal Counsel

DATE: 11/25/2019

DATE: 11-18-19

GDB International, Inc.

BY:   
SANJEEV BAGARIA, CEO

DATE: 10/25/2019





3. No hearing is scheduled in this matter.
4. Complainant hereby requests relief from the requirement of a hearing pursuant to Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2018).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,

KWAME RAOUL  
ATTORNEY GENERAL

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

BY: /s/ Christina L. Nannini  
CHRISTINA L. NANNINI  
Assistant Attorney General  
500 South Second Street  
Springfield, Illinois 62706  
(217) 782-9031  
cnannini@atg.state.il.us  
ebs@atg.state.il.us

Dated: December 4, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that I have served on December 4, 2019, the foregoing Notice of Filing, Complaint, Stipulation and Proposal for Settlement, Motion for Relief from Hearing Requirement, by Certified Mail, Return Receipt Request, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois by the time of 5:00 PM upon the following:

GDB International Inc.  
c/o Illinois Corporation Service C, Registered Agent  
801 Adlai Stevenson Drive  
Springfield, IL 62703

s/Christina L. Nannini  
CHRISTINA L. NANNINI, #6327367  
Assistant Attorney General  
Environmental Bureau  
500 South Second Street  
Springfield, Illinois 62701  
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