

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|----------------------------------|---|---------------------|
| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| by KWAME RAOUL, Attorney General |) | |
| of the State of Illinois, |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | PCB No. 2023-122 |
| |) | (Enforcement-Water) |
| LEE TRUCKING, INC., an Illinois |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

TO: See attached service list:

PLEASE TAKE NOTICE that I did on October 26, 2023, file with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following Notice of Filing and Motion to Deem Facts Admitted and for Summary Judgment, copies of which are hereby served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. KWAME RAOUL,
Attorney General of the State of Illinois

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

By: /s/Kevin D. Barnai
Kevin D. Barnai, #6329422
Assistant Attorney General
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706
Office: (217) 782-9035
Cell: (217) 685-4247
Kevin.Barnai@ilag.gov

Date: October 26, 2023

Service List

For the Respondents

Lee Trucking, Inc.
c/o Sherilyn Rabideau, Registered Agent
740 E. Walnut Street
Watseka, IL 60970

Lee Trucking, Inc.
c/o Mary I. Lee, President
303 E. Main Street
P.O. Box 178
Thawville, IL 60968

Lee Trucking, Inc.
c/o Mary I. Lee, President
303 E. Main Street
Thawville, IL 60968

Lee Trucking, Inc.
c/o Steven Lee
303 E. Main Street
P.O. Box 178
Thawville, IL 60968
leetrucking1989@gmail.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794
Carol.Webb@illinois.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| PEOPLE OF THE STATE OF ILLINOIS, |) | |
| by KWAME RAOUL, Attorney General |) | |
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| v. |) | PCB No. 2023-122 |
| |) | |
| LEE TRUCKING, INC., an Illinois |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

MOTION TO DEEM FACTS ADMITTED AND FOR SUMMARY JUDGMENT

Now comes the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, pursuant to Sections 103.204 and 101.516 of the Illinois Pollution Control Board’s (“Board”) Regulations, 35 Ill. Adm. Code 103.204 and 101.516, and hereby moves for the entry of an order deeming all material facts in Complainant’s Complaint as admitted against Respondent, LEE TRUCKING, INC., an Illinois corporation. Further, Complainant moves this Illinois Pollution Control Board (“Board”) for summary judgment on the Complaint against Respondent, LEE TRUCKING, INC. In support thereof, Complainant states as follows:

1. On May 31, 2023, the Complainant filed its Complaint against Respondent LEE TRUCKING, INC., an Illinois corporation, (“LEE” or “RESPONDENT”) for alleged violations that occurred at 303 East Main Street, Thawville, Iroquois County, Illinois (“Facility”). Complainant alleged that the Respondent was required to have coverage under the General National Pollutant Discharge Elimination System (“NPDES”) Permit for Industrial Activities for discharge of stormwater to waters of the State of Illinois (“General NPDES Stormwater Permit”) including a Storm Water Pollution Prevention Plan (“SWPPP”).

2. On August 10, 2023, Complainant filed its Proof of Service of the Complaint on Respondent LEE's Registered Agent, Sherilyn Rabideau, with the Board.

3. The Proof of Service indicated that Respondent LEE's Registered Agent, Sherilyn Rabideau, had been served with the Complaint on August 8, 2023. A true and correct copy of the Proof of Service is attached hereto as Exhibit 1.

4. As of the date of the filing of this Motion, Respondent LEE has not filed an Answer, or otherwise pled, to the Complaint.

5. Section 103.204(d) and (e) of the Board Regulations, 35 Ill. Adm. Code 103.204(d) and (e), provides as follows:

(d) Except as provided in subsection (e), the respondent must file an answer within 60 days after receipt of the complaint if respondent wants to deny any allegations in the complaint. All material allegations of the complaint will be taken as admitted if no answer is filed or if not specifically denied by the answer, unless respondent asserts a lack of knowledge sufficient to form a belief. Any facts constituting an affirmative defense must be plainly set forth before hearing in the answer or in a supplemental answer, unless the affirmative defense could not have been known before hearing.

(e) If the respondent timely files a motion under Section 103.212(b) or 35 Ill. Adm. Code 101.506, the 60-day period to file an answer described in subsection (d) will be stayed. The stay will begin when the motion is filed and end when the Board disposes of the motion.

6. By failing to answer the Complaint on or before October 9, 2023, and by failing to file a motion staying the 60-day period in which to file an Answer as required by Section 103.204(d) and (e) of the Board Regulations, 35 Ill. Adm. Code 103.204(d) and (e), Respondent LEE has admitted the material allegations asserted in the Complaint.

7. Complainant therefore requests that the Board enter an order finding that pursuant to Section 103.204(d) and (e) of the Board Regulations, 35 Ill. Adm. Code 103.204(d) and (e), Respondent LEE has admitted all material allegations asserted in the Complaint.

8. Complainant's Complaint sufficiently states facts establishing the following violations of the Act and Board Regulations against Respondent LEE TRUCKING, INC.:

Count I: NPDES Permit Violations

Section 12(f) of the Act, 415 ILCS 5/12(f) (2022), and Section 309.102(a) of the Board Regulations, 35 Ill. Adm. Code 309.102(a)

Count II: Water Pollution

Section 12(a) of the Act, 415 ILCS 5/12(a) (2022)

9. Section 101.516(b) of the Board Regulations, 35 Ill. Adm. Code 101.516(b), provides as follows:

- (b) If the record, including pleadings, depositions and admission on file, together with any affidavits, shows that there is no genuine issue of material fact, and that the moving party is entitled to judgment as a matter of law, the Board will enter summary judgment.

10. If the Board finds that Respondent LEE has admitted all material allegations in Complainant's Complaint, then the record shows that there is no issue of material fact remaining for review. Therefore, pursuant to Section 101.516(b) of the Board's Procedural Regulations, 35 Ill. Adm. Code 101.516(b), Complainant is entitled to summary judgment in its favor as a matter of law.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, respectfully request that the Board issue an order in favor of Complainant and against Respondent, LEE TRUCKING, INC., as follows:

A. Ordering all material allegations in the Complaint admitted against Respondent, LEE TRUCKING, INC.;

B. Finding that Respondent, LEE TRUCKING, INC. violated Sections 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2022), and Section 309.102(a) of the Board Regulations, 35

Ill. Adm. Code 309.102(a);

C. Granting summary judgment in favor of Complainant and against Respondent, LEE TRUCKING, INC. on Counts I through II of the Complaint; and

REMEDY

The June 15, 2023 Board Order in this cause provides, in pertinent part:

Accordingly, the Board further directs the hearing officer to advise the parties that in summary judgment motions and responses, at hearing, and in briefs, each party should consider: (1) proposing a remedy for a violation, if any (including whether to impose a civil penalty), and supporting its position with facts and arguments that address any or all of the Section 33(c) factors; and (2) proposing a civil penalty, if any (including a specific total dollar amount and the portion of that amount attributable to the respondent's economic benefit, if any, from delayed compliance), and supporting its position with facts and arguments that address any or all of the Section 42(h) factors...

Pursuant to the June 15, 2023 Board Order, Complainant is proposing that Respondent, LEE TRUCKING, INC. be ordered to cease and desist from further violations of the Act and Board Regulations. In addition, Complainant requests that the Respondent, LEE TRUCKING, INC. be ordered to pay a civil penalty.

Impact on the Public Resulting from Respondent's Alleged Non-Compliance

In determining whether a civil penalty is warranted, the Board must consider the factors set forth in Section 33(c) of the Act, 415 ILCS 5/33(c) (2022). *Toyal Am., Inc. v. Illinois Pollution Control Board*, 2012 IL App (3d) 100585, ¶ 28 (3d Dist. 2012). The factors provided in Section 33(c) bear on the reasonableness of the circumstances surrounding the violation. *People v. John Prior d/b/a Prior Oil Co. and James Mexo d/b/a Mezo Oil Co.*, (PCB 02-177), slip op. at 29 (May 6, 2004). Section 33(c) of the Act, 415 ILCS 5/33(c) (2022), 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 Complainant states the following:

1. Human health and the environment were threatened by the Respondent's unpermitted discharge of stormwater from its Facility.

2. There is social and economic benefit to the Facility, if conducted in a manner compliant with the Act and Board Regulations.

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 and Board Regulations.

4. Obtaining coverage under the General NPDES Permit for the Facility and complying with its terms are both technically practicable and economically reasonable.

5. Respondent has subsequently complied with the Act and the Board Regulations.

In consideration of these factors, the Board should enter an order requiring Respondent to pay a civil penalty of at least Fifteen Thousand Dollars (\$15,000.00) for its violations of the Act.

Explanation of Civil Penalty Requested

Section 2(b) of the Act, 415 ILCS 5/2(b) (2022), provides:

It is the purpose of this Act, as more specifically described in later sections, to establish a unified, state-wide program supplemented by private remedies, to

restore, protect and enhance the quality of the environment, and to ensure that adverse effects upon the environment are fully considered and borne by those who cause them.

The primary purpose of civil penalties is to aid in the enforcement of the Act. *See People v. McHenry Shores Water Co.*, 295 Ill. App. 3d 628 (2d Dist. 1998). Civil penalties should reflect the severity of the violation(s) of the Act. *Southern Illinois Asphalt Company, Inc. v. Pollution Control Board*, 60 Ill. 2d 204, 208 (5th Dist. 1975). However, the Act authorizes civil penalties regardless of whether violations resulted in actual pollution. *ESG Watts, Inc. v. Illinois Pollution Control Board*, 282 Ill. App. 3d 43, 52 (4th Dist. 1996). Moreover, the award of a civil penalty “serves the legislative purpose of aiding enforcement of the Act, for through penalties upon those who blatantly disregard applicable rules and regulations, others, who might consider cutting corners at the expense of the environment, are deterred.” *Wasteland, Inc. v. Illinois Pollution Control Board*, 118 Ill. App. 3d 1041, 1055 (3d Dist. 1983) (cited in *Standard Scrap Metal Co. v. Pollution Control Board*, 142 Ill. App. 3d 655, 665 (1st Dist. 1986)).

Section 42 of the Act provides guidance for calculating civil penalties for violations of the Act. In particular, Section 42(a) of the Act, 415 ILCS 5/42(a) (2022), provides, in pertinent part, as follows:

- a) Except as provided in this Section, any person that violates any provision of this Act or any regulation adopted by the Board, or any permit or term or condition thereof, or that violates any order of the Board pursuant to this Act, shall be liable for a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues

Consideration of Section 42(h) Factors

Section 42(h) of the Act, 415 ILCS 5/42(h) (2022), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . , 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 the 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 Complainant states as follows:

1. On October 16, 2018, Illinois EPA informed Respondent of its failure to renew its General NPDES Stormwater Permit. On October 28, 2022, the Respondent submitted to Illinois EPA a Notice of Intent ("NOI") to renew coverage under the General NPDES Permit and a SWPPP.
2. Respondent did not show due diligence in resolving the violations.

3. The civil penalty requested by Complainant in the amount of Fifteen Thousand Dollars (\$15,000.00) includes any economic benefit that Respondent may have accrued as a result of its noncompliance.

4. A civil penalty in the amount of at least Fifteen Thousand Dollars (\$15,000.00) will serve to deter further violations by Respondent and to otherwise aid in enhancing voluntary compliance with the Act and Board Regulations by Respondent and other persons similarly subject to the Act and Board Regulations.

5. To Complainant's knowledge, Respondent has had no previously adjudicated violations.

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

7. Respondent did not perform a supplemental environmental project.

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

In furtherance of the purposes of the Act "to assure that adverse effects upon the environment are fully considered and borne by those who cause them," 415 ILCS 5/2(b) (2022), and based on the gravity of the violations and Respondent's lack of diligence to comply with the Act and Board's Regulations, the Board should assess against Respondent a civil penalty of no less than Fifteen Thousand Dollars (\$15,000.00).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, respectfully requests that the Board grant its Motion to Deem Facts Admitted and for Summary Judgment against Respondent, LEE TRUCKING INC., and award the relief requested herein, and take such other action as the Board believes to be 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/ Kevin D. Barnai
Kevin D. Barnai (ARDC #6329422)
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706
Ph: (217) 782-9035
Kevin.Barnai@ilag.gov

DATED: October 26, 2023

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| PEOPLE OF THE STATE OF ILLINOIS, |) | |
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| v. |) | PCB No. 2023-122 |
| |) | (Enforcement-Water) |
| LEE TRUCKING, INC., an Illinois |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

TO: See attached service list:

PLEASE TAKE NOTICE that I did on August 10, 2023, file with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following Notice of Filing, Affidavit of Service and certified mail cards showing service of Complaint, copies of which are hereby served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. KWAME RAOUL,
Attorney General of the State of Illinois

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

By: /s/Kevin D. Barnai
Kevin D. Barnai, #6329422
Assistant Attorney General
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706
Office: (217) 782-9035
Cell: (217) 685-4247
Kevin.Barnai@ilag.gov

Date: August 10, 2023

Service List

For the Respondents

Lee Trucking, Inc.
c/o Sherilyn Rabideau, Registered Agent
740 E. Walnut Street
Watseka, IL 60970

Lee Trucking, Inc.
c/o Mary I. Lee, President
303 E. Main Street
P.O. Box 178
Thawville, IL 60968

Lee Trucking, Inc.
c/o Mary I. Lee, President
303 E. Main Street
Thawville, IL 60968

Lee Trucking, Inc.
c/o Steven Lee
303 E. Main Street
P.O. Box 178
Thawville, IL 60968
leetrucking1989@gmail.com

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794
Carol.Webb@illinois.gov

COUNTY OF IROQUOIS)
)

CASE NUMBER: PCB 2023-122

AFFIDAVIT OF SERVICE

I, Eric B. Cooper, being first duly sworn, depose and state as follows:

I am an Investigator in the Office of the Attorney General, State of Illinois. Pursuant to 15 ILCS 205/4c investigators employed by the Attorney General have all the powers possessed by sheriffs.

I am over 21 years of age and not a party in this case.

I served the within NOTICE OF FILING and a copy of the attached COMPLAINT upon LEE TRUCKING, INC, on the 8TH day of AUGUST 2023 at approximately 11:40 AM by:

PERSONAL service was made by giving a copy of the aforementioned to personally at in County, Illinois.

SUBSTITUTE service on was made by handing the aforementioned to, a member of the same household, (who is 13 years of age or older) Race Age Sex

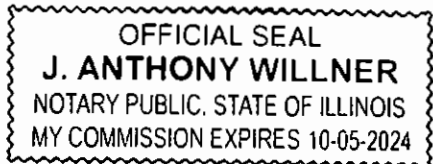
informing that person of the contents of the above cited document(s) on the day of 2022 at the hour of, at, in County of, his/her usual place of residence and by placing the document(s) in the United States Mail on, with postage fully prepaid and addressed to the Respondent's last known address.

CORPORATION OR PARTNERSHIP service on LEE TRUNCKING, INC by leaving a copy of the NOTICE OF FILING and of the cited document(s) with SHERILYN K. RABIDEAU, Registered Agent / Officer or Agent.

Eric B. Cooper Investigator Office of the Attorney General Badge # 128

Subscribed and sworn to before me this 9TH day of AUGUST, 20 23 at

Notary Public



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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| PEOPLE OF THE STATE OF ILLINOIS, |) | |
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| v. |) | PCB No. 2023- |
| |) | (Enforcement-Water) |
| LEE TRUCKING, INC., an Illinois |) | |
| corporation, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

TO: See attached service list (VIA ELECTRONIC FILING)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following Complaint, copy which is 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,
KWAME RAOUL, Attorney General
of the State of Illinois

By: /s/Kevin D. Barnai
Kevin D. Barnai, #6329422
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706
Office: (217) 782-9035
Cell: (217) 685-4247
Kevin.Barnai@ilag.gov

Date: May 31, 2023

SERVED 8/8/23 @ 11:40AM
INV. Erin B. Cooper Badge #128

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mary Lee
 Lee Trucking, Inc.
 303 E. Main St.
 Shawville, IL 60968



9590 9402 6480 0346 1527 62

2. Article Number (Transfer from service label)

7020 3160 0001 5204 9747

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Down Hester*

- Agent
- Addressee

B. Received by (Printed Name)

Down Hester

C. Date of Delivery

10/2/23

- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



9590 9402 6480 0346 1527 62



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

United States Postal Service

RECEIVED
ATTORNEY GENERAL


JUN 06 2023

ENVIRONMENTAL

* Sender: Please print your name, address, and ZIP+4® in this box*

Kevin Barnai
Assistant Attorney general
Environmental Bureau
500 South Second St.
Springfield, IL 62701


Lee Trucking

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY | | | | | | | | | | | | | |
|--|---|--|--|---|--|---|--|--|---|---|--|---|--|--|
| <ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input checked="" type="checkbox"/> <i>Dawn Hertzko</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Dawn Hertzko</i></p> <p>C. Date of Delivery <i>6/2/23</i></p> | | | | | | | | | | | | | |
| <p>1. Article Addressed to:</p> <p><i>Mary Lee Lee Trucking, Inc 303 E. Main St. P.O. Box 178 Chawville, IL 60968</i></p>  <p>9590 9402 6480 0346 1527 55</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td></td> </tr> </table> | | <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® | <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ | <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery | <input type="checkbox"/> Certified Mail Restricted Delivery | <input checked="" type="checkbox"/> Signature Confirmation™ | <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery | <input type="checkbox"/> Collect on Delivery Restricted Delivery | |
| <input type="checkbox"/> Adult Signature | <input type="checkbox"/> Priority Mail Express® | | | | | | | | | | | | | |
| <input type="checkbox"/> Adult Signature Restricted Delivery | <input type="checkbox"/> Registered Mail™ | | | | | | | | | | | | | |
| <input type="checkbox"/> Certified Mail® | <input type="checkbox"/> Registered Mail Restricted Delivery | | | | | | | | | | | | | |
| <input type="checkbox"/> Certified Mail Restricted Delivery | <input checked="" type="checkbox"/> Signature Confirmation™ | | | | | | | | | | | | | |
| <input type="checkbox"/> Collect on Delivery | <input type="checkbox"/> Signature Confirmation Restricted Delivery | | | | | | | | | | | | | |
| <input type="checkbox"/> Collect on Delivery Restricted Delivery | | | | | | | | | | | | | | |
| <p>2. Article Number (Transfer from service label) 7020 3160 0001 5204 9730</p> | <p>red Mail red Mail Restricted Delivery r \$500)</p> | | | | | | | | | | | | | |

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

USPS TRACKING#
CHAMPAIGN IL 618



9590 9402 6480 0346 1527 55

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

United States
Postal Service

RECEIVED
ATTORNEY GENERAL

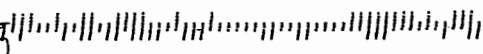
JUN 06 2023

ENVIRONMENTAL

* Sender: Please print your name, address, and ZIP+4® in this box*

*Kevin Barnai
Assistant Attorney General
Environmental Bureau
500 South Second St
Springfield, IL 62701*

Lee Trucking



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Steven Lee
 Lee Trucking, Inc
 303 E. Main St.,
 P.O. Box 178
 Shawville, IL 60968



9590 9402 6480 0346 1527 79

2. Article Number (Transfer from service label)
 7020 3160 0001 5204 9754

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
Steven Lee

B. Received by (Printed Name) Agent Addressee
Steven Lee

C. Date of Delivery
 6/2/23

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail (Insured Mail Restricted Delivery over \$500)
 - Priority Mail Express®
 - Registered Mail™
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Keren Barnai
 Assistant Attorney General
 Environmental Bureau
 500 South Second St.
 Springfield, IL 62701

-177199

Lee Trucking

CERTIFICATE OF SERVICE

I hereby certify that I did on August 10, 2023, send by e-mail and First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the document entitled Notice of Filing, Affidavit of Service and certified mail cards to:

Lee Trucking, Inc.
c/o Sherilyn Rabideau, Registered Agent
740 E. Walnut Street
Watseka, IL 60970

Lee Trucking, Inc.
c/o Mary I. Lee, President
303 E. Main Street
P.O. Box 178
Thawville, IL 60968

Lee Trucking, Inc
c/o Steven Lee
303 E. Main Street
P.O. Box 178
Thawville, IL 60968
leetrucking1989@gmail.com

Lee Trucking, Inc.
c/o Mary I. Lee, President
303 E. Main Street
Thawville, IL 60968

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62794
Carol.Webb@illinois.gov

/s/Lilia M.Brown
Lilia M. Brown
Administrative Secretary
Environmental Bureau

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this certificate of service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/Lilia M.Brown
Lilia M. Brown
Administrative Secretary
Environmental Bureau

CERTIFICATE OF SERVICE

I hereby certify that I did on October 26, 2023, send by e-mail and First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the documents entitled Notice of Filing and Motion to Deem Facts Admitted and for Summary Judgment to:

Lee Trucking, Inc.
c/o Sherilyn Rabideau, Registered Agent
740 E. Walnut Street
Watseka, IL 60970

Lee Trucking, Inc.
c/o Mary I. Lee, President
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Carol.Webb@illinois.gov

/s/Lilia M.Brown
Lilia M. Brown
Administrative Secretary
Environmental Bureau

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this certificate of service are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true.

/s/Lilia M.Brown
Lilia M. Brown
Administrative Secretary
Environmental Bureau