

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. 25-
	)	(Enforcement—Water)
SALUKI HOMES, LLC,	)	
an Illinois limited liability company,	)	
	)	
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 Illinois Pollution Control Board by electronic filing the following **Complaint, Motion for Relief from Hearing Requirement, and Stipulation and Proposal for Settlement**, 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,
KWAME RAOUL, Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
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BY: /s/ Hector Lareau
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Dated: August 27, 2025

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	)	
Respondent.	)	

COMPLAINT

Complainant, 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, complains of Respondent, SALUKI HOMES, LLC, an Illinois limited liability company, (“Respondent”) as follows:

COUNT I
VIOLATION OF NPDES PERMIT

1. This Count is brought on behalf of the People of the State of Illinois, by Kwame Raoul, Attorney General of the State of Illinois, at the request of the Illinois Environmental Protection Agency (“Illinois EPA” or “Agency”) and on his own motion, pursuant to the terms and provisions of Section 31 of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31 (2024).

2. The Illinois EPA is an agency of the State of Illinois created by the Illinois General Assembly in Section 4 of the Act, 415 ILCS 5/4 (2024), and charged, *inter alia*, with the duty of enforcing the Act.

3. The Illinois Pollution Control Board ("Board") is an independent board created by the General Assembly in Section 5 of the Act, 415 ILCS 5/5 (2024), and charged, inter alia, with the duty of determining standards and adopting regulations.

4. This Count is brought after providing Respondent with notice and the opportunity for a meeting with the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2024).

5. Respondent at all times relevant to this Complaint was and is an active limited liability company organized and existing under the laws of the State of Illinois and in good standing with the Illinois Secretary of State.

6. At all times relevant to this Complaint until May 22, 2023, Respondent was the operator of a wastewater treatment plant ("WWTP") that serves a mobile home park containing 96 lots. The WWTP facility is located at 290 Warren Road, Carbondale, Illinois, 62901.

7. On September 15, 2020, Illinois EPA issued National Pollutant Discharge Elimination System Permit No. IL0038415 ("NPDES Permit") to Respondent, with an effective date of October 1, 2020 and an expiration date of September 30, 2025.

8. The NPDES Permit authorizes discharges from a single outfall ("001 STP Outfall") to an unnamed tributary of Drury Creek.

9. From January 2021 through February 2023, Respondent exceeded the effluent limits of its NPDES Permit for dissolved oxygen, carbonaceous biochemical oxygen demand, ammonia nitrogen, and total suspended solids, expressed in milligrams per liter ("mg/L"), and ammonia nitrogen, expressed in pounds per day ("lbs/day"), with the levels being reported as follows:

Dissolved Oxygen (DO), Monthly Average Concentration (mg/L)

	DO Monthly Average	Effluent Limit
January 2021	5.0 mg/L	Not less than 5.5 mg/L

Dissolved Oxygen (DO), Weekly Average Concentration (mg/L)

	DO Monthly Average	Effluent Limit
July 2021	5.0 mg/L	Not less than 6.0 mg/L

**Carbonaceous Biochemical Oxygen Demand (CBOD₅),
Monthly Average Concentration (mg/L)**

	DO Monthly Average	Effluent Limit
September 2021	15 mg/L	10 mg/L

Total Suspended Solids (“TSS”) Monthly Average Concentration (mg/L)

	TSS Monthly Average	Effluent Limit
January 2021	18 mg/L	12 mg/L
March 2021	24 mg/L	12 mg/L
May 2021	30 mg/L	12 mg/L
July 2021	22 mg/L	12 mg/L
September 2021	14 mg/L	12 mg/L
September 2022	14 mg/L	12 mg/L
January 2023	14 mg/L	12 mg/L

Total Suspended Solids (“TSS”) Daily Maximum Concentration (mg/L)

	TSS Daily Maximum	Effluent Limit
May 2021	30 mg/L	24 mg/L

Ammonia Nitrogen Monthly Average Concentration (mg/L)

	Ammonia Nitrogen Monthly Average	Effluent Limit
January 2021	6.0 mg/L	4.0 mg/L
February 2021	6.0 mg/L	4.0 mg/L
March 2021	6.19 mg/L	2.6 mg/L
April 2021	8.5 mg/L	1.5 mg/L
June 2021	20 mg/L	1.5 mg/L
July 2021	25 mg/L	1.5 mg/L
August 2021	26 mg/L	1.5 mg/L
September 2021	4.8 mg/L	1.5 mg/L
October 2021	34 mg/L	1.5 mg/L
November 2021	31 mg/L	4 mg/L
December 2021	22 mg/L	4 mg/L
January 2022	6.0 mg/L	4.0 mg/L
February 2022	30 mg/L	4.0 mg/L
March 2022	20 mg/L	2.6 mg/L
April 2022	31 mg/L	1.5 mg/L
May 2022	51 mg/L	1.5 mg/L
June 2022	44 mg/L	1.5 mg/L
July 2022	59 mg/L	1.5 mg/L
August 2022	51 mg/L	1.5 mg/L
September 2022	8.7 mg/L	1.5 mg/L
October 2022	28 mg/L	1.5 mg/L
November 2022	60 mg/L	4.0 mg/L

December 2022	35 mg/L	4.0 mg/L
January 2023	45 mg/L	4.0 mg/L
February 2023	29 mg/L	4.0 mg/L

Ammonia Nitrogen Weekly Average Concentration (mg/L)

	Ammonia Nitrogen Weekly Average	Effluent Limit
April 2021	8.5 mg/L	6.0 mg/L
June 2021	20 mg/L	5.2 mg/L
July 2021	25 mg/L	5.2 mg/L
August 2021	26 mg/L	5.2 mg/L
October 2021	34 mg/L	6.0 mg/L
March 2022	20 mg/L	6.5 mg/L
April 2022	31 mg/L	6.0 mg/L
May 2022	51 mg/L	6.0 mg/L
June 2022	44 mg/L	5.2 mg/L
July 2022	59 mg/L	5.2 mg/L
August 2022	51 mg/L	5.2 mg/L
September 2022	8.7 mg/L	6.0 mg/L
October 2022	28 mg/L	6.0 mg/L

Ammonia Nitrogen Daily Maximum Concentration (mg/L)

	Ammonia Nitrogen Daily Maximum	Effluent Limit
June 2021	20 mg/L	1.5 mg/L
July 2021	25 mg/L	1.5 mg/L

August 2021	26 mg/L	1.5 mg/L
October 2021	34 mg/L	1.5 mg/L
November 2021	31 mg/L	9.2 mg/L
December 2021	22 mg/L	9.2 mg/L
February 2022	30 mg/L	9.2 mg/L
March 2022	20 mg/L	14.4 mg/L
April 2022	31 mg/L	15 mg/L
May 2022	51 mg/L	15 mg/L
June 2022	44 mg/L	15 mg/L
July 2022	59 mg/L	15 mg/L
August 2022	51 mg/L	15 mg/L
October 2022	28 mg/L	15 mg/L
November 2022	60 mg/L	9.2 mg/L
December 2022	35 mg/L	9.2 mg/L
January 2023	45 mg/L	9.2 mg/L
February 2023	29 mg/L	9.2 mg/L

Ammonia Nitrogen Monthly Average Load Limit (lbs/day)

	Ammonia Nitrogen Monthly Average	Effluent Limit
August 2021	0.8 lbs/day	0.78 lbs/day
October 2021	1.08 lbs/day	0.78 lbs/day
April 2022	.93 lbs/day	0.78 lbs/day
May 2022	13.5 lbs/day	0.78 lbs/day
July 2022	1.28 lbs/day	0.78 lbs/day

August 2022	1.57 lbs/day	0.78 lbs/day
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Ammonia Nitrogen Daily Maximum Load Limit (lbs/day)

	Ammonia Nitrogen Daily Maximum	Effluent Limit
May 2022	13.5 lbs/day	7.8 lbs/day

Ammonia Nitrogen Weekly Average Load Limit (lbs/day)

	Ammonia Nitrogen Weekly Average	Effluent Limit
May 2022	13.5 lbs/day	3.1 lbs/day

10. On September 8, 2021, Illinois EPA and Respondent entered into a Compliance Commitment Agreement (“CCA”), whereby Respondent committed to: (a) clean its polishing pond by removing settled solids from the pond by November 30, 2021; (b) demonstrate compliance with the NPDES Permit for its effluent discharges by February 28, 2022, for which an extension was granted until May 31, 2022; and (c) submit a signed compliance statement by March 31, 2022, for which an extension was granted until June 30, 2022.

11. On June 2, 2022, Respondent advised via letter that it had completed removing sludge from the polishing pond in January 2022.

12. As of May 22, 2023, the date it sold the mobile home park and the WWTP therein, Respondent had not achieved compliance with the NPDES Permit for its effluent discharges.

13. Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), provides in relevant part as follows:

No person shall:

* * *

(f) Cause, threaten or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any

sewage works, or into any well or from any point source within the State, without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program.

14. Section 3.315 of the Act, 415 ILCS 5/3.315 (2024), 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.

15. Respondent is a “person” as that term is defined by Section 3.315 of the Act, 415 ILCS 5/3.315 (2024).

16. Section 3.105 of the Act, 415 ILCS 5/3.105 (2024), provides as follows:

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

17. Section 3.165 of the Act, 415 ILCS 5/3.165 (2024), provides as follows:

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

18. Wastewater is a “contaminant” as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.165 (2024).

19. Section 3.550 of the Act, 415 ILCS 5/3.550 (2024), 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.

20. The unnamed tributary and Drury Creek are “waters” as that term is defined by Section 3.550 of the Act, 415 ILCS 5/3.550 (2024).

21. Pursuant to the authority granted in Sections 13 and 27 of the Act, 415 ILCS 5/13 and 5/27 (2024), the Board has promulgated rules and regulations to control water pollution in

Illinois, codified at 35 Ill. Adm. Code, Subtitle C, Chapter I (“Board’s Water Pollution Regulations”).

22. Section 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), provides as follows:

- a) Unless it complies with the Act, Board regulations, the CWA, and the provisions and conditions of the NPDES permit issued to the discharger, the discharge of any contaminant or pollutant by any person into the waters of the State from a point source or into a well is unlawful.

23. Section 301.240 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 301.240, provides as follows:

“CWA” means the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., Public Law 92-500 enacted by Congress October 18, 1972 as amended by the “Clean Water Act”, Public Law 95-217, enacted December 12, 1977, as amended).

24. Section 1362(14) of the CWA, 33 U.S.C.A. 1362(14) (2024), provides as follows:

(14) The term “point source” means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

25. The 001 STP Outfall, which discharges into an unnamed tributary to Drury Creek, is a “point source” as that term is defined by Section 1362(14) of the CWA, 33 U.S.C.A. 1362(14) (2024), and as established in the NPDES Permit.

26. Section 39(b) of the Act, 415 ILCS 5/39(b) (2024), provides as follows:

(b) The Agency may issue NPDES permits exclusively under this subsection for the discharge of contaminants from point sources into navigable waters, all as defined in the Federal Water Pollution Control Act, as now or hereafter amended, within the jurisdiction of the State, or into any well.

All NPDES permits shall contain those terms and conditions, including but

not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act.

* * *

The Agency may include, among such conditions, effluent limitations and other requirements established under this Act, Board regulations, the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto, and schedules for achieving compliance therewith at the earliest reasonable date.

27. The Illinois EPA issued the NPDES Permit to Respondent pursuant to its authority in Section 39(b) of the Act, 415 ILCS 5/39(b) (2024).

28. The NPDES Permit provides, in relevant part, the following limits for total suspended solids (“TSS”), ammonia nitrogen, dissolved oxygen, and carbonaceous biochemical oxygen demand (CBOD₅):

	LOAD LIMITS lbs/day DAF (DMF)*			CONCENTRATION LIMITS MG/L		
	Monthly Average	Weekly Average	Daily Max.	Monthly Average	Weekly Average	Daily Max.
CBOD ₅ **, ****	2.1 (5.2)		4.2 (10)	10		20
Total Suspended Solids (“TSS”) ****	2.5 (6.3)		5.0 (13)	12		24
Ammonia Nitrogen						
April-May/Sept.-Oct.	0.31 (0.78)	1.3 (3.1)	3.1 (7.8)	1.5	6.0	15.0
June-August	0.31 (0.78)	1.1 (2.7)	3.1 (7.8)	1.5	5.2	15.0
Nov.-Feb.	0.83 (2.1)		1.9 (4.8)	4.0		9.2
March	0.54 (1.4)	1.4 (3.4)	3.0 (7.5)	2.6	6.5	14.4
				Monthly Average not less than	Weekly Average not less than	Daily Minimum
Dissolved Oxygen						
March-July				N/A	6.0	5.0
August-February				5.5	4.0	3.5

*Load limits based on design maximum flow shall apply only when flow exceeds design average flow.

**Carbonaceous BOD₅ (CBOD₅) testing shall be in accordance with 40 CFR 136.

* * *

****BOD₅ and Suspended Solids (85% removal required): In accordance with 40 CFR 133, the 30-day average percent removal shall not be less than 85 percent . . . Percent removal is a percentage expression of the removal efficiency across a treatment plant for a given pollutant parameter, as determined from the 30-day average values of the raw wastewater influent concentrations to the facility and the 30-day average values of the effluent pollutant concentrations for a given time period.

* * *

Dissolved oxygen shall be reported on the DMR as a minimum value.

29. In its wastewater discharges through the 001 STP Outfall from the WWTP, Respondent exceeded the NPDES-permitted effluent limits for the dissolved oxygen monthly average concentration during January 2021; the dissolved oxygen weekly average concentration during July 2021; the carbonaceous biochemical oxygen demand monthly average concentration during September 2021; the total suspended solids monthly average concentration for January 2021, March 2021, May 2021, July 2021, September 2021, September 2022, and January 2023; the total suspended solids daily maximum concentration for May 2021; the ammonia nitrogen monthly average concentration for January 2021, February 2021, March 2021, April 2021, June 2021, July 2021, August 2021, September 2021, October 2021, November 2021, December 2021, January 2022, February, 2022, March 2022, April 2022, May 2022, June 2022, July 2022, August 2022, September 2022, October 2022, November 2022, December 2022, January 2023, and February 2023; the ammonia nitrogen weekly average concentration for April 2021, June 2021, July 2021, August 2021, October 2021, March 2022, April 2022, May 2022, June 2022, July 2022, August 2022, September 2022, and October 2022; the ammonia nitrogen daily maximum

concentration for June 2021, July 2021, August 2021, October 2021, November 2021, December 2021, February 2022, March 2022, April 2022, May 2022, June 2022, July 2022, August 2022, October 2022, November 2022, December 2022, January 2023, and February 2023; the ammonia nitrogen monthly average load limit for August 2021, October 2021, April 2022, May 2022, July 2022, and August 2022; the ammonia nitrogen daily maximum load limit for May 2022; and the ammonia nitrogen weekly average load limit for May 2022.

30. By discharging wastewater, which is a contaminant, from the WWTP through the 001 STP Outfall into the unnamed tributary to Drury Creek, so as to exceed the NPDES-permitted effluent limits for dissolved oxygen, carbonaceous biochemical oxygen demand, total suspended solids, and ammonia nitrogen, Respondent caused, threatened, or allowed the discharge of a contaminant from a point source into the waters of the State in violation of the NPDES Permit.

31. Because Respondent caused, threatened, or allowed the discharge of a contaminant from a point source into the waters of the State in violation of the NPDES Permit, Respondent has thereby violated Section 12(f) of the Act, 415 ILCS 5/12(f)(2024), and Section 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Board enter an Order against the Respondent, SALUKI HOMES, LLC on this Count I as follows:

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

B. Finding that Respondent has caused or allowed violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), and the NPDES Permit;

C. Ordering Respondent to cease and desist from any further violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), and the NPDES Permit;

D. Assessing against Respondent a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each day of each violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), and the NPDES Permit, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024);

E. Assessing all costs against Respondent, including attorney, expert witness and consultant fees expended by the Complainant in its pursuit of this action pursuant to 415 ILCS 5/42(f) (2024); and

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

COUNT II
WATER POLLUTION

1-28. Complainant re-alleges and incorporates herein by reference paragraphs 1 through 28 of Count I as paragraphs 1 through 28 of this Count II.

29. Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), 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.

30. Section 3.545 of the Act, 415 ILCS 5/3.545 (2024), 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.

31. Respondent’s discharges from the WWTP through the 001 STP Outfall into the unnamed tributary of Drury Creek of wastewater containing contaminants in excess of their permitted limits caused, threatened, or allowed such waters to be rendered harmful or detrimental or injurious to (a) public health, safety or welfare; (b) domestic, commercial, industrial, agricultural, recreational, or other legitimate uses; or (c) livestock, wild animals, birds, fish, or other aquatic life, and therefore constitutes “water pollution” as that term is defined by 415 ILCS 5/3.545 (2024).

32. By causing, threatening, or allowing the discharge of contaminants into the environment so as to cause water pollution, Respondent violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).

33. Respondent’s discharges into the unnamed tributary to Drury Creek violated Section 309.102(a) of the Board Regulations, 35 Ill. Adm. Code 309.102(a), and thereby violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Board enter an Order against the Respondent, SALUKI HOMES, LLC on this Count II as follows:

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 12(a) of the Act, 415 ILCS 5/12(a) (2024);
- C. Ordering Respondent to cease and desist from further violations of Section 12(f) of the Act, 415 ILCS 5/12(a) (2024);
- D. Assessing against Respondent a civil penalty not to exceed Fifty Thousand Dollars (\$50,000.00) for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and an additional civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each day each violation continues, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024);
- E. Assessing all costs against Respondent, including attorney, expert witness and consultant fees expended by the Complainant in its pursuit of this action pursuant to 415 ILCS 5/42(f) (2024); and
- F. Ordering such other and further relief as the Board deems appropriate and just.

COUNT III
EFFLUENT VIOLATIONS

1-31. Complainant re-alleges and incorporates herein by reference paragraphs 1 through 28 of Count I and paragraphs 29 through 31 of Count II as paragraphs 1 through 31 of this Count III.

32. Section 301.275 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 301.275, provides as follows:

“Effluent” means any wastewater discharged, directly or indirectly, to the waters of the State or to any storm sewer, and the runoff from land used for the disposition of wastewater or sludges, but does not otherwise include nonpoint source discharges such as runoff from land or any livestock management facility or livestock waste handling facility subject to regulation under Subtitle E.

33. Wastewater from the WWTP discharged through the 001 STP Outfall constitutes “effluent” as that term is defined in Section 301.275 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 301.275.

34. Section 304.141(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a), provides as follows:

- a) A person that has been issued an NPDES Permit must not discharge any contaminant in its effluent in excess of the standards and limitations for that contaminant which are set forth in its permit.

35. By causing or allowing the effluent discharged from the WWTP to exceed the prescribed numerical standards, Respondent has violated Section 304.141(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a).

36. By violating Section 304.141(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a), Respondent thereby violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).

37. By violating Section 304.141(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a), Respondent thereby violated Section 12(f) of the Act, 415 ILCS 5/12(a) (2024).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Board enter an Order against the Respondent, SALUKI HOMES, LLC on this Count III as follows:

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

B. Finding that Respondent has caused or allowed violations of Sections 12(a) and 12(f) of the Act, 415 ILCS 5/12(a), (f) (2024), and Section 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a);

C. Ordering Respondent to cease and desist from further violations of Sections 12(a) and 12(f) of the Act, 415 ILCS 5/12(a), (f) (2024), and Section 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a);

D. Assessing against Respondent a civil penalty not to exceed Fifty Thousand Dollars (\$50,000.00) for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and an additional civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each day each violation continues, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024);

E. Assessing against Respondent a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each day of each violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), and Section 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a), pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024);

F. Assessing all costs against Respondent, including attorney, expert witness and consultant fees expended by the Complainant in its pursuit of this action pursuant to 415 ILCS 5/42(f) (2024); and

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

COUNT IV
VIOLATING A COMPLIANCE COMMITMENT AGREEMENT

1-28. Complainant re-alleges and incorporates by reference herein paragraphs 1 through 28 of Count I as paragraphs 1 through 28 of this Count IV.

29. On July 28, 2021, Illinois EPA issued a Violation Notice to Respondent concerning effluent violations of the Act and Board regulations ("Violation Notice").

30. On September 8, 2021, Illinois EPA and Respondent entered into a Compliance Commitment Agreement (“CCA”) to address the violations cited in Illinois EPA’s Violation Notice, pursuant to Section 31(a)(7)(i) of the Act, 415 ILCS 5/31(a)(7)(i) (2024). Attached hereto as Exhibit A is a copy of the CCA.

31. On September 8, 2021, Illinois EPA and Respondent entered into a Compliance Commitment Agreement (“CCA”), whereby Respondent committed to: (a) clean its polishing pond by removing settled solids from the pond by November 30, 2021; (b) demonstrate compliance with the NPDES Permit for its effluent discharges by February 28, 2022, for which an extension was granted until June 30, 2022; and (c) submit a signed compliance statement by March 31, 2022, for which an extension was granted until June 30, 2022.

32. Respondent failed to clean the polishing ponds at the WWTP by November 20, 2021.

33. Respondent failed to demonstrate compliance with the effluent limits set forth in the NPDES Permit by February 28, 2022 or by the extended deadline of June 30, 2022.

34. Respondent failed to submit a completed, signed compliance statement by March 31, 2022 or by the extended deadline of June 30, 2022.

35. Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024), provides, in pertinent part, as follows:

No person shall violate the terms or conditions of a Compliance Commitment Agreement entered into under subdivision (a)(7.5) of this Section.

* * *

36. By failing to clean the polishing ponds at the WWTP by November 20, 2021; by failing to demonstrate compliance with the effluent limits set forth in the NPDES Permit by February 28, 2022 and subsequently by May 31, 2022; and by failing to submit a completed, signed

compliance statement by March 31, 2022 and subsequently by June 30, 2022, Respondent violated the CCA.

37. By violating the CCA, Respondent violated Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024).

38. Section 42(k) of the Act, 415 ILCS 5/42(k) (2024), provides as follows:

In addition to any other remedy or penalty that may apply, whether civil or criminal, any person who violates subdivision (a)(7.6) of Section 31 of this Act shall be liable for an additional civil penalty of \$2,000.

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Board enter an Order against the Respondent, SALUKI HOMES, LLC on this Count IV as follows:

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 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024);

C. Ordering Respondent to cease and desist from further violations of Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024);

D. Assessing against Respondent a civil penalty of two thousand dollars (\$2,000) for violating the September 8, 2021 Compliance Commitment Agreement, pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k) (2024);

E. Assessing all costs against Respondent, including attorney, expert witness and consultant fees expended by the Complainant in its pursuit of this action pursuant to 415 ILCS 5/42(f) (2024); 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/ Rachel R. Medina
RACHEL R. MEDINA, Chief
Environmental Bureau
Assistant Attorney General
ARDC No. 6297171

Hector Lareau
ARDC No. 6220378
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706
(217) 986-0625
hector.lareau@ilag.gov

$$\begin{array}{l}) \\) \\) \\) \\) \\) \\) \\) \end{array}$$

2. Respondent owns and/or operates **Saluki Homes, LLC – IL0038415**, a mobile home park located in **Jackson County**, Illinois.
3. Pursuant to Violation Notice (“VN”) **W-2021-50119**, issued on **VN Issuance Date**, the Illinois EPA contends that Respondent has violated the following provisions of the Act and Illinois Pollution Control Board (“Board”) Regulations:
 - a) **Effluent Violations** - Section¹12(a) and (f) of the Act, 415 ILCS 5/12(a) (2018); 35 Ill. Adm. Code 304.141(a)

III. Compliance Activities

4. On Facility VN Response, the Illinois EPA received Respondent's response to VN W-2021-50119, which included proposed terms for a CCA. The Illinois EPA has reviewed Respondent's proposed CCA terms, as well as considered whether any additional terms and conditions are necessary to attain compliance with the alleged violations cited in the VN.
5. Respondent agrees to undertake, and complete the following actions, which the Illinois EPA has determined are necessary to attain compliance with the allegations contained in VN W-2021-50119:

a)

Task	Scheduled Due Date
Clean polishing ponds according to ILPA guidelines.	11/30/2021
Demonstrate compliance with effluent limits set forth in NPDES Permit IL0038415.	02/28/2022 Extension Requested 5/31/22
Submit the completed/signed Compliance Statement as required in (b) below.	03/31/2022 Ext Req. 6/30/22

IV. Terms and Conditions

6. Respondent shall comply with all provisions of this CCA, including, but not limited to, any appendices to this CCA and all documents incorporated by reference into this CCA. Pursuant to Section 31(a)(10) of the Act, 415 ILCS 5/31(a)(10), if Respondent complies with the terms of this CCA, the Illinois EPA shall not refer the alleged violations that are the subject of this CCA, as described in Section II above, to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violations occurred. Successful completion of this CCA or an amended CCA shall be a factor to be weighed, in favor of the Respondent, by the Office of the Illinois Attorney General in determining whether to file a complaint on its own motion for the violations cited in **VN W-2021-50119**.
7. This CCA is solely intended to address the violations alleged in Illinois EPA **VN W-2021-50119**. The Illinois EPA reserves, and this CCA is without prejudice to, all rights of the Illinois EPA against Respondent with respect to noncompliance with any term of this CCA, as well as to all other matters. Nothing in this CCA 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 Illinois EPA may have against Respondent, or any other person as defined by Section 3.315 of the Act, 415 ILCS 5/3.315. This CCA 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.
8. Pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k), in addition to any other remedy or penalty that may apply, whether civil or criminal, Respondent shall be liable for an additional civil penalty of \$2,000 for violation of any of the terms or conditions of this CCA.
9. This CCA shall apply to and be binding upon the Illinois EPA, and on Respondent and Respondent's officers, directors, employees, agents, successors, assigns, heirs, trustees, receivers, and upon all persons, including but not limited to contractors and consultants, acting on behalf of Respondent, as well as upon subsequent purchasers of Respondent's sanitary sewer.
10. In any action by the Illinois EPA to enforce the terms of this CCA, Respondent consents to and agrees not to contest the authority or jurisdiction of the Illinois EPA to enter into or enforce this CCA, and agrees not to contest the validity of this CCA or its terms and conditions.

11. This CCA shall only become effective:

- a) If, within 30 days of receipt, Respondent executes this CCA and submits it, via certified mail, to Illinois EPA Division of Water Pollution Control, Attn: Rob Yoggerst/CAS #19, P.O. Box 19276, Springfield, IL 62794-9276. If Respondent fails to execute and submit this CCA within 30 days of receipt, via certified mail, this CCA shall be deemed rejected by operation of law; and
- b) Upon execution by all Parties.

12. Pursuant to Section 31(a)(7.5) of the Act, 415 ILCS 5/31(a)(7.5), this CCA shall not be amended or modified prior to execution by the Parties. Any amendment or modification to this CCA by Respondent prior to execution by all Parties shall be considered a rejection of the CCA by operation of law. This CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and Respondent's signatory to this CCA, Respondent's legal representative, or Respondent's agent.

AGREED:

FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

BY: Cathy Siders
Cathy Siders, Manager
Compliance Assurance Section
Bureau of Water, Division of Water Pollution Control

DATE: 9-8-2021

FOR RESPONDENT:

BY: Larry J. Hickey

DATE: 9/3/2021

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. 25-
	)	(Enforcement—Water)
SALUKI HOMES, LLC,	)	
an Illinois limited liability company,	)	
	)	
Respondent.	)	

MOTION FOR RELIEF FROM HEARING REQUIREMENT

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) (2024), 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) (2024). In support of this motion, Complainant states as follows:

1. The Complaint in this matter alleges violations of Sections 12(a) and 12(f) of the Act, 415 ILCS 5/12(a), (f) (2024), Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) 2024; Sections 304.141(a) and 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a), 309.102(a); and National Pollutant Discharge Elimination System Permit No. IL0038415 (“NPDES Permit”).
2. Complainant is filing the Complaint with the Board simultaneous with this Motion and a Stipulation and Proposal for Settlement.
3. The parties have reached an agreement on all outstanding issues in this matter.

4. This agreement is presented to the Board in a Stipulation and Proposal for Settlement filed this same date.

5. All parties agree that a hearing on the Stipulation and Proposal for Settlement 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) (2024).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2024).

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/ Hector Lareau
Hector Lareau, ARDC# 6220378
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62701
(217)782-9034
Hector.Lareau@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 25-
	)	(Enforcement – Water)
SALUKI HOMES, LLC,	)	
an Illinois limited liability company,	)	
	)	
Respondent.	)	

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 SALUKI HOMES, LLC. ("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.* (2022), 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. Simultaneously herewith, 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 (2022), 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 (2022).

3. At all times relevant to the Complaint, Respondent was and is an Illinois limited liability company that is authorized to transact business in the State of Illinois.

4. At all times relevant to the Complaint and until May 22, 2023, Respondent owned and operated a wastewater treatment plant ("WWTP") that serves a mobile home park containing 96 lots. The WWTP facility is located at 290 Warren Road, Carbondale, Illinois, 62901.

5. On September 15, 2020, Illinois EPA issued National Pollutant Discharge Elimination System Permit No. IL0038415 ("NPDES Permit") to the Respondent, with an effective date of October 1, 2020 and an expiration date of September 30, 2025.

6. The NPDES Permit authorizes discharges from a single outfall ("001 STP Outfall") to an unnamed tributary of Drury Creek.

7. From January 2021 through May 22, 2023, Respondent exceeded the effluent limits of its NPDES Permit for dissolved oxygen, carbonaceous biochemical oxygen demand, ammonia nitrogen, and total suspended solids, by varying amounts.

B. Allegations of Non-Compliance

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

- | | |
|-----------|---|
| Count I: | NPDES Violations
415 ILCS 5/12(f) (2022)
35 Ill. Adm. Code 304.102(a) |
| Count II: | Water Pollution
415 ILCS 5/12(a) (2022)
35 Ill. Adm. Code 309.141(a) |

Count III: Effluent Violations
415 ILCS 5/12(a) and (f) (2022)
35 Ill. Adm. Code 309.102(a) and (b)

Count IV: Violating Compliance Commitment Agreement
415 ILCS 5/31(a)(7.6) (2022)

C. Admission of Violations

The Respondent admits to the violations alleged in the Complaint filed in this matter and referenced within Section I.B herein.

D. Compliance Activities to Date

1. On September 8, 2021, Illinois EPA and Respondent entered into a Compliance Commitment Agreement, whereby Respondent committed to: (a) clean its polishing pond by removing settled solids from the pond by November 30, 2021; (b) demonstrate compliance with the NPDES Permit for its effluent discharges by February 28, 2022, for which an extension was granted until June 30, 2022; and (c) submit a signed compliance statement by March 31, 2022, for which an extension was granted until June 30, 2022.

2. While the Respondent failed to complete the requirements of the Compliance Commitment Agreement, it engaged in good faith efforts to address the violations until May 22, 2023, when Respondent sold the mobile home park and the WWTP therein.

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 (2022).

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

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 Parties to the Stipulation state the following:

1. The Illinois EPA's information gathering responsibilities were hindered by the Respondent's violations thereby interfering with the protection of the health, welfare, and physical property of the people .
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 and the Board's regulations.
4. Attaining compliance with the Permit's terms was both technically practicable

and economically reasonable.

5. On May 22, 2023, Respondent sold the mobile home park and the WWTP therein.

At such time, Respondent had not achieved compliance with the NPDES Permit.

IV. 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 . . . 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. From January 2021 through May 22, 2023, Respondent exceeded the effluent limits of its NPDES Permit for dissolved oxygen, carbonaceous biochemical oxygen demand, ammonia nitrogen, and total suspended solids, by varying amounts.
2. Respondent was diligent in attempting to remedy the issues and return to 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 thousand dollars (\$20,000.00) 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 at issue in this matter; the Respondent failed to satisfy the requirements of the Compliance Commitment Agreement, despite extensions.

V. TERMS OF SETTLEMENT

A. Penalty Payment

1. The Respondent shall pay a civil penalty in the sum of twenty thousand dollars (\$20,000.00) within thirty (30) 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

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
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:

Hector Lareau
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 \$20,000.00 penalty, 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 in this matter. 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 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.

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.

H. Notice and Public Comment

After all Parties to the Stipulation sign this Stipulation but prior to the Board's entry of same, the Board shall publish notice of this Stipulation for a period of not less than thirty (30) days for public notice and comment prior to the Board's acceptance of the Stipulation. If any member of the public submits a comment to the Board, the Complainant reserves the right to withdraw or withhold its consent prior to the Board's entry if the comments regarding the Stipulation disclose facts or considerations which indicate that the Stipulation is inappropriate, improper, or inadequate. The Respondent consents to the entry of this Stipulation without further notice and agrees not to withdraw from or oppose the entry of this Stipulation or to challenge any provision of the Stipulation unless the Complainant has notified the Respondent in writing that it withdraws or withholds its consent for the Stipulation. In the event the Complainant notifies Respondent that it withdraws or withholds its consent for the Stipulation, then neither of the Parties to the Stipulation may use the terms of the agreement as evidence in any litigation between those entities.

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

FOR THE COMPLAINANT:
PEOPLE OF THE STATE OF ILLINOIS,

ex rel. KWAME RAOUL,

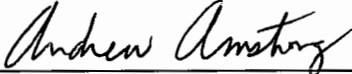
Attorney General of the
State of Illinois

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

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

JAMES JENNINGS, Acting Director
Illinois Environmental Protection Agency

BY: 
RACHEL R. MEDINA, Chief
Environmental Bureau
Assistant Attorney General

BY: 
ANDREW B. ARMSTRONG
Chief Legal Counsel

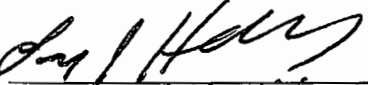
DATE: 8/25/2025

DATE: 08/22/2025

FOR THE RESPONDENT:

ENTERED:

SALUKI HOMES LLC

By 
Larry J. Halliday
Manager

DATE: _____

Date: 6/30/2025

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. 25-
	)	(Enforcement—Water)
SALUKI HOMES, LLC,	)	
an Illinois limited liability company,	)	
	)	
Respondent.	)	

CERTIFICATE OF SERVICE

Michael Lehman, under penalties as provided by law pursuant to §1-109 of the Code of Civil Procedure (735 ILCS 5/1-109), certifies that the statements set forth in this certificate of service are true and correct, and that he has served a copy of the foregoing Notice of Filing, Complaint, Motion for Relief from Hearing Requirement, and Stipulation and Proposal for Settlement, by Certified U.S. Mail on August 27, 2025, by depositing same in postage prepaid envelopes with the United States Postal Service located at Springfield, Illinois, to the parties named on the attached service list.

s/ Michael Lehman
Administrative Clerk

Hector Lareau, ARDC# 6220378
Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62701
(217)782-9034
Hector.Lareau@ilag.gov