

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB No. 27-
	)	(Enforcement - Water)
MAT HOLDINGS, INC.,	)	
an Illinois corporation,	)	
	)	
Respondent.	)	

NOTICE OF FILING

To: Persons on 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 Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement, true and correct copies of which are attached hereto and hereby served upon you.

KWAME RAOUL
Attorney General
State of Illinois

BY: /s/ Cara Sawyer
Cara Sawyer
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
115 S. LaSalle St., 23rd Floor
Chicago, Illinois 60603
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Date: October 5, 2026

SERVICE LIST

MAT Holdings, Inc.
Robert Patton, General Counsel
6700 Wildlife Way
Long Grove, IL 60047
Bob.Patton@mathold.com

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served on the date of 5th of October 2026 the attached Notice of Filing, Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement upon the persons listed on the foregoing Service via electronic mail.

BY: /s/ Cara Sawyer

Cara Sawyer

Assistant Attorney General

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COMPLAINT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES

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 the Respondent, MAT HOLDINGS, INC., an Illinois corporation, as follows:

COUNT I
VIOLATION OF NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
PERMIT EFFLUENT LIMITATIONS

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, on his own motion and at the request of the Illinois Environmental Protection Agency (“Illinois EPA”), against MAT HOLDINGS, INC. (“Respondent” or “MAT”), pursuant to Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2024).

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 (2024), and charged with, *inter alia*, the duty of enforcing the Act.

3. At all times relevant to this Complaint, MAT has been and is an Illinois corporation, organized and operating under the laws of the State of Illinois.

4. MAT's office building and its associated sewage treatment plant ("STP") are located at 6700 Wildlife Way, Long Grove, Illinois 60047 ("Facility"). The STP serves the bathrooms and sinks at the Facility utilized by approximately 200 employees.

5. The Facility discharges wastewater from the STP through its Outfall 001 into a tributary of Waud Pond.

6. Section 402 of the federal Clean Water Act ("CWA"), 33 U.S.C. § 1342, establishes the National Pollutant Discharge Elimination System ("NPDES") program to address water pollution by regulating point sources that discharge pollutants to the waters of the United States.

7. The United States Environmental Protection Agency has authorized the State of Illinois to issue NPDES permits through the Illinois EPA in compliance with federal NPDES regulations.

8. On September 15, 2022, Illinois EPA issued NPDES Permit No. IL0080246 (the "NPDES Permit") to MAT for discharges of wastewater from the Facility's STP via Outfall 001, with an effective date of October 1, 2022, and expiration date of September 30, 2027.

9. The NPDES Permit includes daily maximum ("daily max") and monthly average ("m.a.") effluent limitations for Total Suspended Solids ("TSS") described in both milligrams per liter ("mg/L") and pounds per day ("lb/d"), as follows:

TSS	
Limit Value	Limit Type
24 mg/L	daily max
12 mg/L	m.a.
0.4 lb/d	daily max
0.2 lb/d	m.a.

10. The NPDES Permit includes daily max and m.a. effluent limitations for 5-day Carbonaceous Biochemical Oxygen Demand ("CBOD₅") described in both mg/L and lb/d, as follows:

CBOD₅	
Limit Value	Limit Type
20 mg/L	daily max
10 mg/L	m.a.
0.33 lb/d	daily max
0.17 lb/d	m.a.

11. The NPDES Permit placed a daily max effluent limitation on fecal coliform bacteria (“Fecal Coliform”), described in units per 100 ml (“/100 mL”), as follows:

Fecal Coliform	
Limit Value	Limit Type
400/100 mL	daily max

12. The NPDES Permit includes daily max, weekly average (“w.a.”), and m.a. effluent limitations on total Ammonia Nitrogen (“Total Ammonia Nitrogen”) described in both mg/L and lb/d as follows:

Total Ammonia Nitrogen		
Date Range	Limit Value	Limit Type
March-May	11.9 mg/L	daily max
March-May	7.1 mg/L	w.a.
March-May	2.8 mg/L	m.a.
March-May	0.2 lb/d	daily max
March-May	0.12 lb/d	w.a.
March-May	0.05 lb/d	m.a.
June-August	15.0 mg/L	daily max
June-August	5.5 mg/L	w.a.
June-August	2.2 mg/L	m.a.
June-August	0.25 lb/d	daily max
June-August	0.09 lb/d	w.a.
June-August	0.04 lb/d	m.a.
September-October	11.9 mg/L	daily max
September-October	7.1 mg/L	w.a.
September-October	2.8 mg/L	m.a.
September-October	0.2 lb/d	daily max
September-October	0.12 lb/d	w.a.
September-October	0.05 lb/d	m.a.
November-February	12.4 mg/L	daily max
November-February	5.0 mg/L	m.a.
November-February	0.21 lb/d	daily max
November-February	0.08 lb/d	m.a.

13. As recorded in MAT's monthly Discharge Monitoring Report ("DMR") from January 31, 2024, the effluent the Facility discharged from its STP contained the following concentration of TSS that exceeded the limitation set forth in the NPDES Permit as follows:

TSS			
Date	Limit Type	Limit Value	Reported Value
1/31/2024	m.a.	12 mg/L	21.6 mg/L

14. As recorded in MAT's DMRs from November 30, 2023 through October 1, 2024, the effluent the Facility discharged from its STP contained the following concentrations of CBOD₅ that exceeded the limitations set forth in the NPDES Permit as follows:

CBOD₅			
Date	Limit Type	Limit Value	Reported Value
11/30/2023	m.a.	10 mg/L	10.02 mg/L
6/30/2024	m.a.	10 mg/L	12 mg/L
7/31/2024	m.a.	10 mg/L	66 mg/L
7/31/2024	m.a.	0.17 lb/d	0.45 lb/d
7/31/2024	daily max	20 mg/L	120 mg/L
7/31/2024	daily max	0.33 lb/d	0.83 lb/d
8/31/2024	m.a.	10 mg/L	13.5 mg/L
8/31/2024	daily max	20 mg/L	24 mg/L
9/30/2024	m.a.	10 mg/L	24 mg/L
9/30/2024	daily max	20 mg/L	24 mg/L
10/31/2024	daily max	20 mg/L	24 mg/L

15. As recorded in MAT's DMRs from October 1, 2023 through January 31, 2024, the effluent that the Facility discharged from its STP contained the following concentrations of Fecal Coliform that exceeded the limitations set forth in the NPDES Permit as follows:

Fecal Coliform			
Date	Limit Type	Limit Value	Reported Value
10/31/2023	daily max	400/100 mL	6,100/100 mL
11/30/2023	daily max	400/100 mL	440 mL
12/31/2023	daily max	400/100 mL	640 mL
1/31/2024	daily max	400/100 mL	1,500 mL

16. As recorded in MAT's DMRs from March 31, 2024 through January 31, 2025, the effluent the Facility discharged from its STP contained the following concentrations of Total Ammonia Nitrogen that exceeded the limitations set forth in the NPDES Permit as follows:

Total Ammonia Nitrogen			
Date	Limit Type	Limit Value	Reported Value
03/31/2024	m.a.	2.8 mg/L	59.5 mg/L
03/31/2024	m.a.	0.05 lb/d	0.2 lb/d
03/31/2024	w.a.	7.1 mg/L	59.5 mg/L
03/31/2024	w.a.	0.12 lb/d	0.2 lb/d
03/31/2024	daily max	11.9 mg/L	59.5 mg/L
04/30/2024	m.a.	2.8 mg/L	70.5 mg/L
04/30/2024	m.a.	0.05 lb/d	0.24 lb/d
04/30/2024	w.a.	7.1 mg/L	70.5 mg/L
04/30/2024	w.a.	0.12 lb/d	0.24 lb/d
04/30/2024	daily max	11.9 mg/L	70.5 mg/L
06/30/2024	m.a.	2.2 mg/L	15.7 mg/L
06/30/2024	w.a.	5.5 mg/L	15.7 mg/L
06/30/2024	daily max	15.0 mg/L	15.7 mg/L
07/31/2024	m.a.	2.2 mg/L	7.19 mg/L
07/31/2024	w.a.	5.5 mg/L	7.19 mg/L
08/31/2024	m.a.	2.2 mg/L	7.21 mg/L
08/31/2024	w.a.	5.5 mg/L	7.21 mg/L
09/30/2024	m.a.	2.8 mg/L	7.39 mg/L
09/30/2024	w.a.	7.1 mg/L	7.39 mg/L
10/31/2024	m.a.	2.8 mg/L	14.19 mg/L
10/31/2024	m.a.	0.05 lb/d	0.107 lb/d
10/31/2024	w.a.	7.1 mg/L	14.19 mg/L
10/31/2024	daily max	11.9 mg/L	29.6 mg/L
01/31/2025	m.a.	5.0 mg/L	11.24 mg/L
01/31/2025	daily max	12.4 mg/L	22.1 mg/L

17. Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), provides 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.

18. MAT is required to have a NPDES permit for wastewater discharges from the STP pursuant to 12(f) of the Act, 415 ILCS 5/12(f) (2024).

19. Section 3.550 of the Act, 415 ILCS 5/3.550 (2024), provides the following definition:

“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. Waud Pond and its unnamed tributary are each “waters” as that term is defined in Section 3.550 of the Act, 415 ILCS 5/3.550 (2024).

21. Section 309.102(a) of the Illinois Pollution Control Board (“Board”) Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), provides as follows:

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.

22. Section 301.240 of the Board Water Pollution Regulations, 35 Ill. Adm. Code 301.240, provides the following definition:

“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.)

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

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 in its permit.

24. Section 3.315 of the Act, 415 ILCS 5/3.315 (2024), provides the following definition:

“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.

25. MAT, a corporation, is a “person” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2024).

26. Section 3.165 of the Act, 415 ILCS 5/3.165 (2024), provides the following definition:

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

27. The concentrations of CBOD₅, TSS, Fecal Coliform, and Total Ammonia Nitrogen that exceeded limitations those allowed in the NPDES Permit which MAT discharged from the Facility’s STP via Outfall 001 are each a “contaminant” as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.165 (2024).

28. Section 502(14) of the CWA, 33 U.S.C. §1362(14), provides as follows:

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...

29. Outfall 001 of MAT’s STP is a “point source” within the meaning of Section 502(14) of the CWA, 33 U.S.C. §1362(14).

30. Section 301.275 of the Board 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.

31. MAT’s discharges from Outfall 001 into the unnamed tributary of Waud Pond constitute “effluent” as that term is defined in Section 301.275 of the Board Water Pollution Regulations, 35 Ill. Adm. Code 301.275.

32. Between October 1, 2023 and January 31, 2025, and on dates better known to Respondent, by causing or allowing discharges containing concentrations of TSS, CBOD₅, Fecal Coliform, and Total Ammonia Nitrogen in excess of its permitted effluent limitations for wastewater discharges, Respondent violated the effluent limitations of NPDES Permit IL0080246.

33. Between October 1, 2023 and January 31, 2025, and on dates better known to Respondent, by violating the standards and conditions for TSS, CBOD₅, Fecal Coliform, and Total Ammonia Nitrogen in NPDES Permit IL0073431, MAT violated Section 304.141(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a).

34. Between October 1, 2023 and January 31, 2025, and on dates better known to Respondent, by failing to comply with Section 304.141(a) of the Board’s Water Pollution Regulations, and the provisions and conditions of the NPDES Permit, MAT also unlawfully discharged contaminants or pollutants into waters of the State from a point source, in violation of Section 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a).

35. Between October 1, 2023 and January 31, 2025, and on dates better known to Respondent, by violating the provisions terms and conditions of its the NPDES Permit and Sections 304.141(a) and 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a), MAT also caused, threatened, or allowed the discharge of contaminants

into the waters of the State in violation of a term or condition imposed by a NPDES permit, and in violation of regulations adopted by the Board with respect to the NPDES program, in violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an Order against Respondent, MAT HOLDINGS, INC., with respect to Count I:

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

2. Finding that Respondent has violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 304.141(a) and 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a), and the terms and conditions of the NPDES Permit;

3. Ordering Respondent to cease and desist from any future violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 304.141(a) and 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a); and the NPDES Permit,;

4. Assessing against Respondent, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024), a civil penalty of Ten Thousand Dollars (\$10,000.00) for each day during which each violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 304.141(a) and 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a), and the NPDES Permit continued;

5. Taxing all costs in this action, including, but not limited to, attorney, expert witness and consultant fees against Respondent, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

6. Granting other such relief as the Board deems appropriate and just.

COUNT II
WATER POLLUTION

1–32. Complainant re-alleges and incorporates herein by reference paragraphs 1 through 16 and 19 through 34 as paragraphs 1 through 32 of this Count II.

33. 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.

35. 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.

36. Respondent caused, threatened, or allowed discharges containing concentrations of TSS, CBOD₅, Fecal Coliform, and Total Ammonia Nitrogen elevated above those allowed by the NPDES Permit, such that the discharges from the Facility’s STP via Outfall 001 will create or are likely to create a nuisance, or render such waters harmful, detrimental, or injurious to public health, safety, or welfare, thus constituting “water pollution” as that term is defined by Section 3.545 of the Act, 415 ILCS 5/3.545 (2024).

37. Between October 1, 2023 and January 31, 2025, and on dates better known to Respondent, by causing, threatening, or allowing the discharge of contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, Respondent violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).

38. Between October 1, 2023 and January 31, 2025, and on dates better known to Respondent, by causing, threatening, or allowing the discharge of contaminants into the environment so as to violate Sections 304.141(a) and 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a), Respondent violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order against Respondent, MAT HOLDINGS, INC., with respect to Count II:

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

2. Finding that Respondent violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 304.141(a) and 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a);

3. Ordering Respondent to cease and desist from any future violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 304.141(a) and 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a);

4. Assessing against Respondent, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024), a civil penalty of 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 of Ten Thousand Dollars (\$10,000.00) for each day of each violation;

5. Taxing all costs in this action, including but not limited to, attorney, expert witness and consultant fees, against Respondent pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

6. Granting other such other relief as the Boards deems appropriate and just.

COUNT III
VIOLATION OF COMPLIANCE COMMITMENT AGREEMENT

1-18. Complainant re-alleges and incorporates herein by reference paragraphs 1 through 16 and 24 through 25 as paragraphs 1 through 18 of this Count III.

19. On July 9, 2024, MAT and the Illinois EPA entered into a Compliance Commitment Agreement (“CCA”).

20. The terms of the CCA required, among other things, that MAT “shall return to compliance with the NPDES [Permit’s] effluent limit for general fecal coliform, carbonaceous BOD, and total suspended solids levels” by September 1, 2024.

21. 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.

22. On July 9, 2024, Illinois EPA and MAT entered into the CCA under Section 31(a)(7.5) of the Act, 415 ILCS 5/31(a)(7.5) (2024).

23. MAT discharged CBOD₅ in levels above the NPDES Permit’s m.a. and daily max limits as reported in their September 30, 2024 and October 31, 2024 DMRs and thus did not return to compliance with the effluent limits of the NPDES Permit by September 1, 2024 as required by the CCA.

24. By failing to return to compliance with CBOD₅ effluent limits of the NPDES Permit by September 1, 2024 as required in the CCA, MAT violated the terms and conditions of the CCA and thus violated Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an Order against Respondent, MAT HOLDINGS, INC., with respect to Count III:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent violated Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024);
3. Ordering Respondent to cease and desist from any future violations of Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024);
4. Assessing against Respondent a civil penalty of Two Thousand Dollars (\$2,000.00) for violation of the CCA, pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k) (2024);
5. Taxing all costs in this action, including, but not limited to, attorney, expert witness and consultant fees against Respondent, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and
6. Granting other such relief as the Board deems appropriate and just.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

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/ Stephen J. Sylvester
STEPHEN J. SYLVESTER, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:

Cara Sawyer
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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 the Illinois Pollution Control Board (“Board”) to 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 in Count I of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 304.141(a) and 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a), and the terms and conditions of the NPDES Permit; in Count II Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 304.141(a) and 309.102(a) of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a); and in Count III of Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024).

2. The parties have reached agreement on all outstanding issues in this matter.

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

4. 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

KWAME RAOUL
Attorney General
State of Illinois

BY: /s/ Cara Sawyer

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Assistant Attorney General
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Date: October 5, 2026

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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 MAT HOLDINGS, INC. (“Respondent”), (collectively “Parties to the Stipulation”), have agreed to the making of this Stipulation and Proposal for Settlement (“Stipulation”) and submit it to the Illinois Pollution Control Board (“Board”) for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board’s approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1, et seq. (2024), 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. On October 5, 2026, 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 (2024), 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 (2024).

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

4. At all times relevant to the Complaint, Respondent owned and operated a sewage treatment plant (“STP”) located at 6700 Wildlife Way, Long Grove, Illinois 60047 (“Facility”).

5. The Facility discharges wastewater from the STP through its Outfall 001 into a tributary of Waud Pond.

6. Section 402 of the federal Clean Water Act (“CWA”), 33 U.S.C. § 1342, establishes the National Pollutant Discharge Elimination System (“NPDES”) program to address water pollution by regulating point sources that discharge pollutants to the waters of the United States.

7. The United States Environmental Protection Agency has authorized the State of Illinois to issue NPDES permits through the Illinois EPA in compliance with federal NPDES regulations.

8. On September 15, 2022, Illinois EPA issued NPDES Permit No. IL0080246 (the “NPDES Permit”) to Respondent for discharges of wastewater from the Facility’s STP via Outfall 001, with an effective date of October 1, 2022, and expiration date of September 30, 2027.

9. The NPDES Permit contains certain limitations for contaminants, including but not limited to, Total Suspended Solids (“TSS”), 5-day Carbonaceous Biochemical Oxygen Demand (“CBOD5”), fecal coliform bacteria (“Fecal Coliform”), and total Ammonia Nitrogen (“Total Ammonia Nitrogen”).

10. Under the NPDES Permit, Respondent is required to submit Discharge Monitoring Reports (“DMRs”) to Illinois EPA.

11. At various dates from October 1, 2023 through January 31, 2025, the effluent the Facility discharged from its STP contained concentrations of TSS, CBOD5, Fecal Coliform, and Total Ammonia Nitrogen that exceeded the limitations set forth in the NPDES Permit.

B. Allegations of Non-Compliance

Complainant contends that the Respondent has violated the following provisions of the Act and Board water pollution regulations (“Board Water Pollution Regulations”):

- Count I: Violation of NPDES Permit Effluent Limitations, in violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 304.141(a) and 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a) and 309.102(a), and the terms and conditions of the NPDES Permit;
- Count II: Causing, Threatening, or Allowing Water Pollution, in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024); and
- Count III: Violation of Compliance Commitment Agreement, in violation of Section 31(a)(7.6) of the Act, 415 ILCS 5/31(a)(7.6) (2024).

C. Admission of Violations

The Respondent neither admits nor denies the violations alleged in the Complaint filed in this matter and referenced within Section I.B herein.

D. Compliance Activities to Date

- 1. In 2018, Respondent decided to replace its septic system.
- 2. Respondent could not install a new septic system because the area where it needed to be located had become categorized as a wetland.
- 3. Respondent performed research and hired consultants, determining that the only system available as an STP was a BioMicrobics BioBarrier Membrane BioReactor system. Then,

in December 2022, Respondent hired certified consultants to install and initiate operations of its new STP.

4. Respondent contends that the STP immediately struggled to timely achieve compliance as follows:

5. Filter Issues:

- a. Due to a fire at its facility, the system's manufacturer changed the original design of the filter membranes that Respondent purchased.
- b. In 2023, the system's manufacturer provided Respondent with the newly designed filters and Respondents' consultants installed the filters.
- c. Following months of troubleshooting, Respondent's consultants finally determined the installed filters were faulty and the root cause of effluent violations at Respondent's STP.
- d. Thereafter, the manufacturer took several additional months to replace the faulty filters that were under warranty.
- e. On May 23, 2024, Respondent's consultants installed new filters, and the treatment system was restarted.
- f. It took several months to rebalance the microbes in the STP system.

6. The Flood:

- a. On January 4, 2025, two months after reports showed compliance was achieved, an in-ground main fire sprinkler line in Respondent's building ruptured and caused extensive flooding.
- b. This flood led to four feet of water in various areas of the building, overloaded the STP, and caused additional NPDES Permit effluent violations.

c. Respondent once again obtained new equipment and hired consultants for compliance purposes.

7. To date, Respondent has spent approximately \$38,000.00 remedying the violations

8. From February 2025 through the filing of this Stipulation, Respondent has not reported any exceedances of the effluent limitations in its NPDES Permit for its STP.

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 (2024).

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

Section 33(c) of the Act, 415 ILCS 5/33(c) (2024), 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:

- (i) the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
- (ii) the social and economic value of the pollution source;
- (iii) 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;

- (iv) the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
- (v) 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 the Respondent's violations.
2. There is social and economic benefit to the facility.
3. Operation of the facility was and is suitable for the area in which it is located.
4. Compliance with Respondent's NPDES Permit is both technically practicable and economically reasonable.
5. Respondent has subsequently complied with the Act and the Board regulations.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

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

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

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;

6. whether the respondent voluntarily self-disclosed, in accordance with subsection i of this Section, the non-compliance to the Agency;
7. whether the respondent has agreed to undertake a supplemental environmental project, which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

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

1. The Respondent violated various provisions of the Act, Board Water Pollution Regulations, and its NPDES Permit. The violations began on or around October 1, 2023, and were individually resolved at various times in the next 16 months.
2. Respondent was diligent in attempting to come back into compliance with the Act, Board Water Pollution Regulations, and its NPDES Permit.
3. Respondent did not gain any economic benefit from its non-compliance.
4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Ten Thousand Dollars (\$10,000.00) 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. Illinois EPA became aware of the Respondent's violations when it submitted DMRs, so a penalty reduction for self-disclosure under Section 42(i) is not appropriate.
7. The settlement of this matter does not include a supplemental environmental project.

8. Illinois EPA and Respondent entered into a Compliance Commitment Agreement, which Respondent violated.

V. TERMS OF SETTLEMENT

A. Penalty Payment

The Respondent shall pay a civil penalty in the sum of Ten Thousand Dollars (\$10,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. Stipulated Penalties, Interest, and Default

1. If the Respondent fails to complete any activity or fails to comply with any response or reporting requirement by the date specified in this Stipulation, the Respondent shall provide notice to the Complainant of each failure to comply with this Stipulation and shall pay stipulated penalties in the amount of \$400.00 per day per violation for up to the first fifteen (15) days of violation, \$500.00 per day per violation for the next fifteen (15) days of violation, and \$1,000.00 per day per violation thereafter until such time that compliance is achieved. The Complainant may make a demand for stipulated penalties upon the Respondent for its noncompliance with this Stipulation. However, failure by the Complainant to make this demand shall not relieve the Respondent of the obligation to pay stipulated penalties. All stipulated penalties shall be payable within thirty (30) calendar days of the date the Respondent knows or should have known of its noncompliance with any provision of this Stipulation.

2. 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.

3. 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.

4. The stipulated penalties shall be enforceable by the Complainant and shall be in addition to, and shall not preclude the use of, any other remedies or sanctions arising from the failure to comply with this Stipulation.

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
2520 West Iles Avenue
P.O. Box 19276
Springfield, IL 62794

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:

Cara Sawyer
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
115 S. LaSalle St., 23rd floor
Chicago, Illinois 60603

D. Future Compliance

1. The Respondent shall at all times comply with all the terms and conditions of its NPDES permit number Permit No. IL0080246.

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

3. 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.

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

E. Release from Liability

In consideration of the Respondent's payment of the Ten Thousand Dollar \$10,000.00 penalty, its commitment to cease and desist as contained in Section V.D.4 above, completion of all activities required hereunder, 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 on October 5, 2026. 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;
- b. 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 (2024), or entity other than the Respondent.

F. Correspondence, Reports and Other Documents

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

As to the Complainant

Cara Sawyer
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
115 S. LaSalle St., 23rd floor
Chicago, Illinois 60603
Cara.Sawyer@ilag.gov

Christine Zeivel
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, IL 62794

Marissa Quigley
Bureau of Water
Compliance Assurance Section
Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, IL 62794

As to the Respondent

MAT Holdings, Inc.
Attention: Robert Patton, General Counsel
6700 Wildlife Way
Long Grove, IL 60047
Bob.Patton@mathold.com

G. Enforcement and Modification of Stipulation

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

H. Opportunity For Public Comment

Pursuant to 35 Ill. Adm. Code 103.300(b)(2), the Board shall publish notice of this Stipulation for at least 30 days prior to the Board accepting the Stipulation. If public comments are submitted to the Board regarding this Stipulation, the Complainant reserves the right to withdraw its consent if the comments regarding the Stipulation disclose facts or considerations which indicate that the Stipulation is inappropriate, improper, or inadequate. Respondent consents to the entry of this Stipulation without further notice and agrees not to withdraw from or oppose acceptance of this Stipulation or to challenge any provision of the Stipulation, unless the Complainant has notified Respondent in writing that it withdraws or withholds its consent for the Stipulation. In the event the Complainant notifies the Respondent that it withdraws or withholds

its consent for the Stipulation, then the terms of the agreement may not be used as evidence in any litigation between those entities.

I. Execution of Stipulation

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it. This Stipulation may be executed by the parties in one or more counterparts, all of which taken together shall constitute one and the same instrument.

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

COMPLAINANT

PEOPLE OF THE STATE OF ILLINOIS

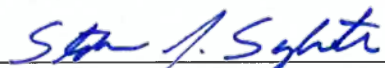
ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

KWAME RAOUL
Attorney General
State of Illinois

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

JAMES JENNINGS, Director
Illinois Environmental Protection Agency

BY:


STEPHEN J. SYLVESTER, Chief
Environmental Bureau
Assistant Attorney General

BY:


ANDREW ARMSTRONG
Chief Legal Counsel

DATE: 10/1/26

DATE: 09/30/2026

RESPONDENT

MAT HOLDINGS, INC.

BY (print): Robert PATTON

ITS (title): General Counsel

SIGNATURE: Robert J. Patton

DATE: 9/28/2026