

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 PROFESSIONAL SWINE MANAGEMENT, )  
 LLC, an Illinois limited liability corporation, )  
 HILLTOP VIEW, LLC, an Illinois limited liability )  
 Corporation, WILDCAT FARMS, LLC, an )  
 Illinois limited liability corporation, )  
 HIGH-POWER PORK, LLC, an Illinois limited )  
 liability corporation, EAGLE POINT FARMS, )  
 LLC, an Illinois limited liability corporation, )  
 LONE HOLLOW, LLC, an Illinois limited )  
 liability corporation, TIMBERLINE, LLC, an )  
 Illinois limited liability corporation, PRAIRIE )  
 STATE GILTS, LTD, an Illinois corporation, )  
 LITTLE TIMBER, LLC, an Illinois limited )  
 Liability corporation, )  
 )  
 Respondents. )

PCB No. 10-84  
(Enforcement)

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

PLEASE TAKE NOTICE that on January 10, 2017, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, COMPLAINANT'S POST HEARING SUBMISSION IN RESPONSE TO PUBLIC COMMENT, a copy of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,  
Attorney General of the State of Illinois

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

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BY: /s/Jane E. McBride  
JANE E. McBRIDE  
Deputy Bureau Chief  
Environmental Bureau, South



The Pinnacle matter, PCB 07-29, concerned allegations of causing or threatening water pollution and allowing or creating a water pollution hazard, improperly storing manure solids, conducting an unpermitted truck wash, improperly operating a hog carcass incinerator, open burning of potentially infectious medical waste and allowing wastewater and manure solids to enter waters of the State.

PCB No. 10-84 alleges a variety of water violations at the Respondent facilities, some of which are similar among the facilities. The discharge that is the subject of Count III, concerning High-Power Pork, resulted in a fish kill. It was the only count wherein the subject discharge resulted in an aquatic kill.

Seven of the eight counts were brought on the Attorney General's own motion. Only three of the facilities were referred by the Illinois EPA. The Attorney General's office, under its own authority to do so, utilized this single enforcement action to address certain operational issues apparent under PSM's management at more than one facility if not multiple facilities.

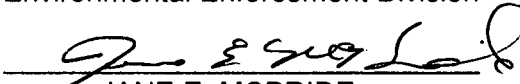
Comparing the two as each being one enforcement action, the penalty of \$116,500 obtained in the instant matter is certainly a step up from the \$27,000 penalty obtained in the settlement of the Pinnacle matter. Six years of litigation and ongoing settlement discussions and a \$116,500.00 penalty could certainly be considered a step up as a deterrence factor.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
ex rel. LISA MADIGAN, Attorney General  
of the State of Illinois

MATTHEW J. DUNN, Chief  
Environmental Enforcement Division

BY:

  
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CERTIFICATE OF SERVICE

I hereby certify that I did, on January 10, 2017, cause to be served a true and correct copy of the following instruments entitled Notice of Filing and Complainant's Post Hearing Submission in Response to Public Comment, upon the following persons:

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