

Paul Christian Pratapas

*Complainant*

v

Pulte Homes, LLC

*Respondent*

**COMPLAINANTS MOTION TO AMEND FORMAL COMPLAINT AND RESPONSE  
TO RESPONDENT'S MOTION FOR DISMISSAL**

Whereas Respondent has filed quite the manifesto in response to the formal complaint against them. Respondents attorney meets the CGP definition for a contractor and made numerous statements in violation of the contractor certification. Complainant requests The Board take notice of this consistent pattern of permit violation by proxy while continuing the identified violations instead of initiating the required corrective actions and providing public access to documents which must be made available to the public.

Respondent's refusal and unawareness to the necessity to comply with this portion of their permit is a violation of Complainant's Civil Liberties and interferes with present efforts to petition the government for relief.

At no point in the manifesto does Respondent take responsibility for or acknowledge the existence of clear violations in the photographic evidence. A violation of the permit by proxy via someone who meets the definition of "Contractor".

Complainant requests The Board to amend Formal Complaint and consider the following specifics:

 09-06-2023

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630.210.1637

**VIOLATIONS OF NPDES PERMIT ILR10 ILLINOIS CONSTRUCTION  
GENERAL PERMIT**

**Part VI. STANDARD PERMIT CONDITIONS**

**A. Duty to Comply:** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Illinois Environmental Protection Act and the CWA and is grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application. Failure to obtain coverage under this permit or an individual permit for storm water releases associated with construction activities is a violation of the Illinois Environmental Protection Act and the CWA.

**Part V. RETENTION OF RECORDS**

B. The permittee shall retain a copy of the storm water pollution prevention plan and any revisions to said plan required by this permit at the construction site from the date of project initiation to the date of final stabilization.

**Part III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER  
NON-NUMERIC LIMITATIONS**

**A. Prohibition of Non-Storm Water Discharges**

1. Except as provided in Part I paragraph B.2 and paragraphs 2, 3 or 4 below, all discharges covered by this permit shall be comprised entirely of storm water.
2. Left Blank Intentionally by Complainant

3. The following non-storm water discharges are prohibited by this permit:
- concrete and wastewater from washout of concrete (unless managed by an appropriate control), wastewater from washout and clean out of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution.

#### **Part IV. STORM WATER POLLUTION PREVENTION PLANS**

##### **B. Signature, Plan Review and Notification**

1. If an on-site location is unavailable to keep the SWPPP when no personnel are present, notice of the plans location must be posted near the main entrance of the construction site.
6. All storm water pollution prevention plans and all completed inspection forms/reports required under this permit are considered reports that **shall be available to the public at any reasonable time upon request.**

##### **D. Contents of Plan**

###### **2. Controls**

- a. Erosion and Sediment Controls** The permittee shall design, install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed and maintained to.

(iii) Minimize the amount of soil exposed during construction activity through the use of project phasing or other appropriate techniques.

(v) Minimize sediment discharges from the site.

**f. Pollution Prevention:** The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants.

**F. Contractors**

**2. Certification Statement:** All contractors and subcontractors identified in a storm water pollution prevention plan in accordance with paragraph 1 above shall sign a copy of the following certification statement before conducting any professional service at the site identified in the storm water pollution prevention plan:

\*I certify under penalty of law that I understand the terms and conditions of the general National Pollutant Discharge Elimination System (NPDES) permit(ILR10)that authorizes the storm water discharges associated with industrial activity from the construction site identified as part of this certification."

**VIOLATIONS OF 2017 NPDES GENERAL PERMIT FOR DISCHARGES**  
**FROM CONSTRUCTION AACTIVITIES**

**1.5 REQUIREMENT TO POST A NOTICE OF YOUR PERMIT**

**COVERAGE**

You must post a sign or other notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site. The notice must be located so that it is visible from the public road that is nearest to the active part of the construction site, and it must use a font large enough to be readily viewed from a public right-of-way.<sup>9</sup> At a minimum, the notice must include:

- The NPDES ID (i.e., permit tracking number assigned to your NOI);
- A contact name and phone number for obtaining additional construction site information;
- The Uniform Resource Locator (URL) for the SWPPP (if available), or the following statement: "If you would like to obtain a copy of the Stormwater Pollution Prevention Plan (SWPPP) for this site, contact the EPA Regional Office at [include the appropriate CGP Regional Office contact information found at <https://www.epa.gov/npdes/contact-us-stormwater#regional>];" and
- The following statement "If you observe indicators of stormwater pollutants in the discharge or in the receiving waterbody, contact the EPA through the following website: <https://www.epa.gov/enforcement/report-environmental-violations>."

**ADDITIONAL FACTS**

- Complainant established TN residency as required to work in County Air Pollution Control upon the end of their lease terms in Illinois.
- Complainant must maintain TN residency for employment with the TN Department of Environment and Conservation.
- Millions of birds, including The Nashville Warbler and Sandhill Cranes, migrate through IL and TN.
- Complainant moved to IL in 1984 and has maintained residency nearly the entire time since.
- Complainant maintains significant personal, professional and familial ties to the State of Illinois which are directly and indirectly affected Respondent's violations and actions from the attitude of being "above the law".
- Complainant has been in contact with TDEC Water Pollution Professionals since 02/2023 and will be providing the formal complaint and motion for dismissal for review. And to determine appropriate enforcement actions in TN as the violations photographed in IL constitute misdemeanor and felony criminal charges in TN.
- All sites mentioned in complaint were missing the required signage noted above in, "1.5 REQUIREMENT TO POST A NOTICE OF YOUR PERMIT COVERAGE"
- All sites refused access to the SWPPP book and it's contents required by NPDES IRL10 and yet have attacked Complainant on a personal level.

- The above failures to comply have significantly impacted Complainant's ability to participate.
- Despite signing the contractor certification, a supervisory manager at Naper Commons stalked, and from behind without Complainant knowing, photographed my license plate thinking he was able to report me for handing him a list of violations at his site and asking to view the SWPPP Binder.
- The State of TN has provided Complainant with a special license plate to deter this behavior.
- Complainant received threats by permit violators unaware of their permit responsibilities.
- Respondent lacks respect for their permit obligations and feels at ease wasting the time of The Board while engaging in egregious violations of their permit requirements.