

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. 2025-040
) (Enforcement – Land)
ROYAL CREATION INC., an Illinois)
corporation, and STEFON GIVENS, an)
individual,)
)
Respondents.)

NOTICE OF FILING

To: Persons on Attached Service List

PLEASE TAKE NOTICE that I have today caused to be filed with the Clerk of the Illinois Pollution Control Board by electronic filing the following Motion to Deem Facts Admitted and for Summary Judgment, a true and correct copy of which is attached hereto and hereby served upon you.

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

By: /s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington St., 18th Floor
Chicago, Illinois 60602
(773) 590-7047
Molly.Kordas@ilag.gov

Dated: October 20, 2025

Service List

Brad Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
Brad.Halloran@illinois.gov
(Via Email)

ROYAL CREATION INC.
c/o Kiera Givens, Registered Agent
4435 Waubansie Lane
Lisle, IL 60532-1062
(Via U.S. Mail)

Stefon Givens
4435 Waubansie Lane
Lisle, IL 60532-1062
(Via U.S. Mail)

CERTIFICATE OF SERVICE

I, Molly Kordas, as Assistant Attorney General, do certify that on this 20th day of October 2025, I caused to be served a copy of the foregoing Notice of Filing and Motion to Deem Facts Admitted and for Summary Judgment, upon the persons listed on the attached Service List by methods described.

/s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(773) 590-7047
Molly.Kordas@ilag.gov

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
by KWAME RAOUL, Attorney)	
General of the State of Illinois,)	
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Complainant,)	
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v.)	PCB No. 25-40
)	(Enforcement - Land)
ROYAL CREATION INC., an Illinois)	
corporation, and STEFON GIVENS, an)	
individual,)	
)	
Respondents.)	

MOTION TO DEEM FACTS ADMITTED AND FOR SUMMARY JUDGMENT

Now comes Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, pursuant to Sections 103.204 and 101.516 of the Illinois Pollution Control Board's Procedural Rules, 35 Ill. Adm. Code 103.204 and 101.516, and hereby moves for the entry of an order deeming all material facts in Complainant's Complaint as admitted against Respondents, ROYAL CREATION INC. ("Royal Creation") and Stefon Givens (collectively, "Respondents"), as to Counts I through VII of the Complaint. Further, Complainant moves this Illinois Pollution Control Board ("Board") for summary judgment as to Counts I through VII of the Complaint against Respondents. In support thereof, Complainant states as follows:

1. On January 17, 2025, the Complainant filed its Complaint against Respondents for alleged violations that resulted from a vehicle collision and spill of diesel fuel at or near the intersection of Argo Fay Route and Thomson Road in Carroll County, Illinois ("Collision Site"). Complainant alleged that through its acts and omissions following the collision, Royal Creation, as operator of the vehicle through its employee and agent Stefon Givens, caused, threatened, and/or

allowed the discharge of diesel fuel, a contaminant, into an unnamed tributary to Johnson Creek causing or tending to cause water pollution in Illinois, in violation of Section 12(a) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/12(a) (2022); caused diesel fuel to be deposited onto the ground at the Collision Site near the unnamed tributary to Johnson Creek, creating a water pollution hazard, in violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2022); caused or allowed the open dumping of diesel fuel, a waste, in violation of Section 21(a) of the Act, 415 ILCS 5/21(a) (2022); conducted a waste disposal operation without an Illinois EPA-issued permit, in violation of Section 21(d) of the Act, 415 ILCS 5/21(d) (2022); disposed of waste at the Collision Site, which did not meet the requirements of the Act and was not permitted by Illinois EPA, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2022); caused or allowed the open dumping of a waste resulting in litter, in violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2022); and caused or allowed the open dumping of a waste resulting in standing or flowing liquid discharge from the Collision Site, in violation of Section 21(p)(6) of the Act, 415 ILCS 5/21(p)(6) (2022).

2. On February 11, 2025, Complainant filed its Proof of Service of the January 17, 2025 Complaint on Respondent Royal Creation with the Board.

3. On June 17, 2025, Complainant filed its Proof of Service of the January 17, 2025 Complaint on Respondent Stefon Givens with the Board.

4. Royal Creation was served with the Complaint on February 6, 2025. A true and correct copy of the Proof of Service is attached hereto as Exhibit 1.

5. Stefon Givens was served with the Complaint on February 6, 2025. A true and correct copy of the Proof of Service is attached hereto as Exhibit 2.

6. As of the date of the filing of this Motion, Respondents have not filed an Answer, nor otherwise pled, to the Complaint.

7. Section 103.204(d) and (e) of the Board's Procedural Rules, 35 Ill. Adm. Code 103.204(d) and (e), provides as follows:

- (d) Except as provided in subsection (e), the respondent must file an answer within 60 days after receipt of the complaint if respondent wants to deny any allegations in the complaint. All material allegations of the complaint will be taken as admitted if no answer is filed or if not specifically denied by the answer, unless respondent asserts a lack of knowledge sufficient to form a belief. Any facts constituting an affirmative defense must be plainly set forth before hearing in the answer or in a supplemental answer, unless the affirmative defense could not have been known before hearing.
- (e) If the respondent timely files a motion under Section 103.212(b) or 35 Ill. Adm. Code 101.506, the 60-day period to file an answer described in subsection (d) will be stayed. The stay will begin when the motion is filed and end when the Board disposes of the motion.

8. By failing to answer the Complaint on or before April 7, 2025, and by failing to file a motion staying the 60-day period in which to file an Answer as required by Section 103.204(d) and (e) of the Board's Procedural Rules, 35 Ill. Adm. Code 103.204(d) and (e), Respondents have each admitted the material allegations asserted in the Complaint.

9. Complainant therefore requests that the Board enter an order finding that pursuant to Section 103.204(d) and (e), 35 Ill. Adm. Code 103.204(d) and (e), Respondents have each admitted all material allegations asserted in the Complaint.

10. Complainant's Complaint sufficiently states facts establishing the following violations of the Act against Respondents:

Count I: Water Pollution: Section 12(a) of the Act, 415 ILCS 5/12(a) (2022).

Count II: Creating a Water Pollution Hazard: Section 12(d) of the Act, 415 ILCS 5/12(d) (2022).

Count III: Open Dumping of Waste: Section 21(a) of the Act, 415 ILCS 5/21(a) (2022).

Count IV: Conducting a Waste Disposal Operation Without a Permit: Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2022).

Count V: Waste Disposal at an Unpermitted Site: Section 21(e) of the Act, 415 ILCS 5/21(e) (2022).

Count VI: Open Dumping Resulting in Litter: Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2022).

Count VII: Open Dumping Resulting in Liquid Discharge from the Dump Site: Section 21(p)(6) of the Act, 415 ILCS 5/21(p)(6) (2022).

11. Section 101.516(b) of the Board's Procedural Regulations, 35 Ill. Adm. Code 101.516(b), provides as follows:

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

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

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, respectfully requests that that Board issue an order in favor of Complainant and against Respondents ROYAL CREATION INC., an Illinois corporation, and STEFON GIVENS, an individual, as follows:

A. Finding all material allegations in the Complaint admitted against Respondents;

B. Finding that each Respondent violated Sections 12(a), 12(d), 21(a), 21(d)(1), 21(e), 21(p)(1), and 21(p)(6) of the Act, 415 ILCS 5/12(a), 12(d), 21(a), 21(d)(1), 21(e), 21(p)(1), and 21(p)(6) (2022);

C. Granting summary judgment in favor of Complainant and against each Respondent on Counts I through VII of the Complaint;

D. Requiring Respondents to do the following:

- i. Cease all open dumping at the Collision Site;
- ii. Within 30 days of the Board's order, retain an Illinois-licensed environmental engineering professional to conduct soil sampling at the Collision Site;
- iii. Within 60 days of the Board's order, submit a sampling plan ("Initial Site Investigation Plan") for Illinois EPA review and approval. The Initial Site Investigation Plan must include at least five surface samples at the Collision Site, located at approximately 41.960193, -90.047272, to determine whether contaminants resulting from the diesel spill, including benzene, toluene, ethylbenzene, and xylenes ("BTEX"), are present in the soil in concentrations above threshold levels for soil remediation objectives developed pursuant to Title 35, Part 742 of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 742, at the Collision Site;
 - a. If Illinois EPA approves with conditions or disapproves of the Initial Site Investigation Plan, Respondents shall, within 21 days after receiving written notice of such approval with conditions or disapproval, submit a proposal that addresses Illinois EPA's conditions or reasons for disapproval. This process shall continue until Illinois EPA approves the Initial Site Investigation Plan.
- iv. Within 30 days of receiving Illinois EPA approval of the Initial Site Investigation Plan, fully implement the Initial Site Investigation Plan; and
- v. Within 30 days of fully implementing the Initial Site Investigation Plan, submit a report that includes the final sampling results and the quality assurance and quality control data ("Initial Site Investigation Report"), to Illinois EPA, Rockford Field Operations Section for review. All submittals shall be sent to the following:

Greg Kazmerski
Environmental Protection Specialist

Bureau of Land – Field Operations Section
Illinois Environmental Protection Agency
4302 North Main Street
Rockford, IL 61103-1280
Greg.Kazmerski@illinois.gov

- vi. If the results in the Initial Site Investigation Report show BTEX contaminant concentrations below the threshold for soil remediation objectives developed pursuant to the Board Waste Disposal Regulations, 35 Ill. Adm. Code 742, submit to Illinois EPA soil sampling report(s) confirming that there is no above-threshold contamination resulting from the diesel spill present at the Collision Site.
- vii. If the results in the Initial Site Investigation Report show BTEX contaminant concentrations at or above the threshold for soil remediation objectives developed pursuant to the Board Waste Disposal Regulations, 35 Ill. Adm. Code 742:
 - a. Within 15 days of submitting the Initial Site Investigation Report to Illinois EPA, enroll in the Illinois EPA Site Remediation Program (“SRP”);
 - b. Within 30 days of enrolling in the SRP, submit to Illinois EPA for its review and approval a focused site investigation plan (“FSIP”) to identify the vertical and horizontal extent of BTEX soil contamination;
 - i. If Illinois EPA approves with conditions or disapproves of the FSIP, Respondents shall, within 21 days after receiving written notice of such approval with conditions or disapproval, submit a proposal that addresses Illinois EPA’s conditions or reasons for disapproval. This process shall continue until Illinois EPA approves the FSIP.
 - c. Within 60 days of receiving Illinois EPA approval of the FSIP, fully implement the FSIP;
 - d. Within 60 days of fully implementing the FSIP, submit to Illinois EPA for its review and approval a focused site investigation report (“FSIR”), detailing the investigation and findings;
 - i. If Illinois EPA approves with conditions or disapproves of the FSIR, Respondents shall, within 21 days after receiving written notice of such approval with conditions or disapproval, submit a proposal that addresses Illinois EPA’s

conditions or reasons for disapproval. This process shall continue until Illinois EPA approves the FSIR.

- e. Within 30 days of receiving Illinois EPA approval of the FSIR, submit to Illinois EPA a proposed remedial action plan (“RAP”) which includes, but is not limited to, a schedule of remedial action activities, removal of all open-dumped diesel fuel, and excavation and disposal of contaminated soils in accordance with the Act and all other State and local laws;
 - i. If Illinois EPA approves with conditions or disapproves of the RAP, Respondents shall, within 21 days after receiving written notice of such approval with conditions or disapproval, submit a proposal that addresses Illinois EPA’s conditions or reasons for disapproval. This process shall continue until Illinois EPA approves the RAP.
- f. Fully implement the RAP in accordance with the Illinois EPA-approved schedule; and
- g. Within 60 days of fully implementing the RAP, submit a Remedial Action Completion Report to Illinois EPA for its review and approval.
 - i. If Illinois EPA approves with conditions or disapproves of the Remedial Action Completion Report, Respondents shall, within 21 days after receiving written notice of such approval with conditions or disapproval, submit a proposal that addresses Illinois EPA’s conditions or reasons for disapproval. This process shall continue until Illinois EPA approves the Remedial Action Completion Report.
- h. Respondents shall complete all remediation within two years of the Board’s order.
- i. Once remediation is completed and Illinois EPA approves the Remedial Action Completion Report, complete a property owner certification form and obtain a No Further Remediation letter for the Collision Site through the Illinois EPA SRP.

E. Assessing a civil penalty in the amount of at least Thirty Thousand Dollars (\$30,000.00) against Respondents for their violations of the Act.

COMPLAINANT'S ARGUMENT IN SUPPORT OF ITS PROPOSED REMEDY

The January 23, 2025 Board Order in this cause provides, in pertinent part:

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

Pursuant to the January 23, 2025 Board Order, Complainant is proposing a remedy for Respondents' violations of Sections 12(a), 12(d), 21(a), 21(d)(1), 21(e), 21(p)(1), and 21(p)(6) of the Act, 415 ILCS 5/12(a), 12(d), 21(a), 21(d)(1), 21(e), 21(p)(1), and 21(p)(6) (2022).

Complainant therefore requests that Respondents be ordered to sample the Collision Site area for BTEX contamination resulting from the diesel spill and remediate any above-threshold BTEX contamination through removal of all open-dumped diesel fuel and proper excavation and disposal of contaminated soils. Additionally, the Board should assess a civil penalty against Respondents.

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

In determining whether a civil penalty is warranted, the Board must consider the factors set forth in Section 33(c) of the Act, 415 ILCS 5/33(c) (2024). *Toyal Am., Inc. v. Illinois Pollution Control Board*, 2012 IL App (3d) 100585, ¶ 28 (3d Dist. 2012). The factors provided in Section 33(c) bear on the reasonableness of the circumstances surrounding the violation. *People v. John Prior d/b/a Prior Oil Co. and James Mezo d/b/a Mezo Oil Co.*, (PCB 02-177), Slip Op. at 29 (May 6, 2004). Section 33(c) of the Act, 415 ILCS 5/33(c) (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:

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, Complainant states the following:

1. Respondents' violations posed moderate harm to the environment and to the health, general welfare, and physical property of the public. Affidavit of Greg Kazmerski ("Kazmerski Affidavit"), attached hereto as Exhibit 3, at ¶¶6-7.
2. There is social and economic benefit to Royal Creation's interstate commercial trucking business.
3. Operation of the vehicle by Royal Creation, through its employee and agent Stefon Givens, was and is suitable for the area in which it was located.
4. Ceasing open dumping at the Collision Site and removal of all open dumped diesel fuel and contaminated soils was both technically practicable and economically reasonable.
5. Respondents have not subsequently complied with the Act. Kazmerski Aff., ¶8.

In consideration of these factors, the Board should enter an order requiring Respondents to cease all open dumping at the Collision Site; conduct sampling at the Collision Site to determine whether BTEX contamination resulting from the spill of diesel fuel is present above threshold levels as set forth in Section D.ii through D.vi above; if necessary, enroll in the SRP and conduct remediation of the Collision Site, submit all sampling and remediation reports, as well as records

of the proper disposal of contaminated soils to Illinois EPA, and obtain a No Further Remediation letter through the SRP as set forth in Section D.vii above. Additionally, the Board should assess a civil penalty in the amount of at least Thirty Thousand Dollars (\$30,000.00) against Respondents for their violations of the Act.

Explanation of Civil Penalty Requested

Section 2(b) of the Act, 415 ILCS 5/2(b) (2024), provides:

It is the purpose of this Act, as more specifically described in later sections, to establish a unified, state-wide program supplemented by private remedies, to restore, protect and enhance the quality of the environment, *and to assure that adverse effects upon the environment are fully considered and borne by those who cause them.* (Emphasis added.)

The primary purpose of civil penalties is to aid in the enforcement of the Act. *See People v. McHenry Shores Water Co.*, 295 Ill. App. 3d 628, 638 (2d Dist. 1998). Civil penalties should reflect the severity of the violations of the Act. *Southern Illinois Asphalt Company, Inc. v. Pollution Control Board*, 60 Ill. App. 2d 204, 208 (5th Dist. 1975). However, the Act authorizes civil penalties regardless of whether violations resulted in actual pollution. *ESG Watts, Inc. v. Illinois Pollution Control Board*, 282 Ill. App. 3d 43, 52 (4th Dist. 1996). Moreover, the award of a civil penalty “serves the legislative purpose of aiding enforcement of the Act, for through penalties upon those who blatantly disregard applicable rules and regulations, others, who might consider cutting corners at the expense of the environment, are deterred.” *Wasteland, Inc. v. Illinois Pollution Control Board*, 118 Ill. App. 3d 1041, 1055 (3d Dist. 1983); *see also e.g. Standard Scrap Metal Co. v. Pollution Control Board*, 142 Ill. App. 3d 655, 665 (1st Dist. 1986)).

Section 42 of the Act provides guidance for calculating civil penalties for violations of the Act. In particular, Section 42(a) of the Act, 415 ILCS 5/42(a) (2024)¹, provides in pertinent part, as follows:

- (a) Except as provided in this Section, any person that violates any provision of this Act or any regulation adopted by the Board, or any permit or term or condition thereof, or that violates any order of the Board pursuant to this Act, shall be liable for a civil penalty of not to exceed \$100,000 for the violation and an additional civil penalty of not to exceed \$25,000 for each day during which the violation continues;

Consideration of Section 42(h) Factors

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

In determining the appropriate civil penalty to be imposed..., 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;

¹ On June 16, 2025, the State of Illinois enacted Public Act 104-006, which amended Section 42(a) of the Act, 415 ILCS 5/42(a), to change the maximum penalty amounts under that section to \$100,000 per violation and \$25,000 per day each violation continues. Pub. Act 104-006 (eff. June 16, 2025), § 5-35. The amendment provides for these amounts to be increased annually based on the consumer price index. Id. The amendment took effect immediately. Pub. Act 104-006, § 99-99.

- (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, Complainant states as follows:

1. On October 19, 2020, Royal Creation, through its employee and agent Stefon Givens, was involved in a collision which resulted in the release of up to 300 gallons of diesel fuel. Kazmerski Aff., ¶6. Royal Creation, through its employee and agent Stefon Givens, first reported the incident seven days after the collision occurred. To date, nearly five years later, Respondents have failed to conduct any remediation at the Collision Site. Kazmerski Aff., ¶8. Diesel fuel contains toxic contaminants including hydrocarbons, and the release of diesel fuel into the unnamed tributary to Johnson Creek caused, allowed, or threatened water pollution and soil contamination. Both the duration and gravity of the violations weigh against Respondents.

2. The question of good faith, or the lack thereof, is pertinent to a determination of sanctions. *Wasteland, Inc. v. Pollution Control Board*, 118 Ill. App. 3d 1041 (3d Dist., 1983). Here, Respondents failed to act diligently in this matter, as evidenced by the failure to timely report the incident and investigate and/or conduct any remediation at the Collision Site. Kazmerski Aff., ¶¶7-8.

3. The Thirty Thousand Dollar (\$30,000.00) civil penalty requested by Complainant includes any economic benefit that Respondents may have accrued as a result of their noncompliance and their delay in investigating and remediating soils at the Collision Site.

4. In the absence of a civil penalty sufficient to deter other persons similarly situated under the Act, no regulated entity “would ever be inclined to comply with Illinois’ environmental requirements.” *See Standard Scrap Metal Co.*, 142 Ill. App. 3d at 664. Accordingly, a significant civil penalty is warranted. As such, a civil penalty in the amount of at least Thirty Thousand Dollars (\$30,000.00) will serve to deter further violations by Respondents and to otherwise aid in enhancing voluntary compliance with the Act by Respondents and other persons similarly subject to the Act.

5. To Complainant’s knowledge, Respondents have had no previously adjudicated violations.

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

7. Respondents did not offer to perform a supplemental environmental project.

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

In furtherance of the purposes of the Act “to assure that adverse effects upon the environment are fully considered and borne by those who cause them”, 415 ILCS 5/2(b) (2024), and based on the duration of the violations and Respondents’ lack of diligence to comply with Sections 12(a), 12(d), 21(a), 21(d)(1), 21(e), 21(p)(1), and 21(p)(6) of the Act, 415 ILCS 5/12(a), 12(d), 21(a), 21(d)(1), 21(e), 21(p)(1), and 21(p)(6) (2024), the Board should assess against Respondents a civil penalty of no less than Thirty Thousand Dollars (\$30,000.00).

Based on the facts of this case and consideration of Section 42(h) of the Act, 415 ILCS 5/42(h) (2024), the Board should assess against Respondents a civil penalty in the amount of at least Thirty Thousand Dollars (\$30,000.00).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, respectfully requests that the Board grant its

Motion to Deem Facts Admitted and for Summary Judgment against Respondents, ROYAL CREATION INC. and STEFON GIVENS, and award the relief requested herein, and take such other action as the Board deems to be appropriate and just.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
by KWAME RAOUL, Attorney General
of the State of Illinois

BY: /s/Molly Kordas
Molly Kordas
Taylor Desgrosseilliers
Assistant Attorneys General
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EXHIBIT 1

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
by KWAME RAOUL, Attorney)
General of the State of Illinois,)
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Complainant,)
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v.) PCB No. 2025-040
) (Enforcement – Land)
ROYAL CREATION INC., an Illinois)
corporation, and STEFON GIVENS, an)
individual,)
)
Respondents.)

NOTICE OF FILING

To: Persons on Attached Service List

PLEASE TAKE NOTICE that I have today caused to be filed with the Clerk of the Illinois Pollution Control Board by electronic filing the following Proof of Service of Complainant's Complaint upon Respondent Royal Creation Inc., a true and correct copy of which is attached hereto and hereby served upon you.

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

By: /s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington St., 18th Floor
Chicago, Illinois 60602
(773) 590-7047
Molly.Kordas@ilag.gov

Dated: February 11, 2025

Service List

Brad Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
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Brad.Halloran@illinois.gov
(Via Email)

ROYAL CREATION INC.
c/o Kiera Givens, Registered Agent
1129 Cedar Street, Apt. 1A
Glendale Heights, IL 60139-3488

Stefon Givens
206 W. Division Street
Villa Park, IL 60181

CERTIFICATE OF SERVICE

I, Molly Kordas, as Assistant Attorney General, do certify that on this 11th day of February 2025, I caused to be served a copy of the foregoing Notice of Filing and Proof of Service of Complainant's Complaint upon Respondent Royal Creation Inc., upon the persons listed on the attached Service List via U.S. Mail.

/s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
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1. Article Addressed to:

Royal Creation Inc.
C/o Keira Givens
4435 Waubansie Lane
Lisle, IL 60532-1062



2. Article Number (Transfer from service label)

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

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 Addressee

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[See All Tracking History](#)

Feedback

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus®



Product Information



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EXHIBIT 2

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. 2025-040
) (Enforcement – Land)
ROYAL CREATION INC., an Illinois)
corporation, and STEFON GIVENS, an)
individual,)
)
Respondents.)

NOTICE OF FILING

To: Persons on Attached Service List

PLEASE TAKE NOTICE that I have today caused to be filed with the Clerk of the Illinois Pollution Control Board by electronic filing the following Proof of Service of Complainant's Complaint upon Respondent Stefon Givens, a true and correct copy of which is attached hereto and hereby served upon you.

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

By: /s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington St., 18th Floor
Chicago, Illinois 60602
(773) 590-7047
Molly.Kordas@ilag.gov

Dated: June 17, 2025

Service List

Brad Halloran
Hearing Officer
Illinois Pollution Control Board
60 E. Van Buren, Suite 630
Chicago, IL 60605
Brad.Halloran@illinois.gov
(Via Email)

ROYAL CREATION INC.
c/o Kiera Givens, Registered Agent
4435 Waubansie Lane
Lisle, IL 60532-1062
(Via U.S. Mail)

Stefon Givens
4435 Waubansie Lane
Lisle, IL 60532-1062
(Via U.S. Mail)

CERTIFICATE OF SERVICE

I, Molly Kordas, as Assistant Attorney General, do certify that on this 17th day of June 2025, I caused to be served a copy of the foregoing Notice of Filing and Proof of Service of Complainant's Complaint upon Respondent Stefon Givens, upon the persons listed on the attached Service List by methods described.

/s/ Molly Kordas
Molly Kordas
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(773) 590-7047
Molly.Kordas@ilag.gov

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PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
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4405 4405
0001 0001
0000 0000
0719 0719
7019 7019

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ _____
 Return Receipt (electronic) \$ _____
 Certified Mail Restricted Delivery \$ _____
 Adult Signature Required \$ _____
 Adult Signature Restricted Delivery \$ _____Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No.
City, State, ZIP+4Stefon Givens
4435 Waubansie Lane
Lisle, IL 60532-1062

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

USPS TRACKING

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

9590 9402 9101 4225 6273 24

United States
Postal Service

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

Molly Kordas
 Assistant Attorney General
 Environmental Bureau
 69 West Washington Street, Suite 1800
 Chicago, Illinois 60602

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Stefon Givens
 4435 Waubansie Lane
 Lisle, IL 60532-1062



9590 9402 9101 4225 6273 24

2. Article Number (Transfer from service label)

2019 0700 0001 4405 1937

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent
 Addressee

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Signature Confirmation™
 Signature Confirmation Restricted Delivery
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 Mail Restricted Delivery
 Mail Restricted Delivery (00)

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

Domestic Return Receipt

Tracking Number:

Remove X

70190700000144051937[Copy](#)[Add to Informed Delivery](https://informeddelivery.usps.com/) (<https://informeddelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 1:03 pm on February 6, 2025 in LISLE, IL 60532.

Get More Out of USPS Tracking:

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Delivered

Delivered, Left with Individual

LISLE, IL 60532

February 6, 2025, 1:03 pm

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[What Do USPS Tracking Statuses Mean?](#) (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates**USPS Tracking Plus®****Product Information**[See Less](#) [Track Another Package](#)

Feedback

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

EXHIBIT 3

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
by KWAME RAOUL, Attorney)
General of the State Illinois,)
)
)
Complainant,)
)
)
v.) PCB No. 25-40
) (Enforcement – Water, Land)
ROYAL CREATION INC., an Illinois)
corporation, and STEFON GIVENS, an)
individual,)
)
)
Respondents.)

AFFIDAVIT OF GREG KAZMERSKI

I, Greg Kazmerski, under penalties as provided by law pursuant to Section 101.504 of the Illinois Pollution Control Board General Rules, 35 Ill. Adm. Code 101.504, and consistent with Section 1-109 of the Illinois Code of Civil Procedure, 735 ILCS 5/1-109, the undersigned, certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true:

1. I am currently employed as an Environmental Protection Specialist with the Illinois Environmental Protection Agency (“Illinois EPA”). I have been employed with the Illinois EPA since 1989 and in my current role since 1990.

2. As part of my duties for the Illinois EPA Bureau of Land, Field Operations Section, I conduct inspections to assess compliance with applicable laws and regulations in the State of Illinois.

3. I have direct and personal knowledge as to the release of diesel fuel that occurred on October 19, 2020, at or near the intersection of Argo Fay Route and Thomson Road in Carroll County, Illinois ("Collision Site").

4. I have reviewed the Illinois EPA file related to the release of diesel fuel on October 19, 2020 at the Collision Site.

5. I am familiar with the People's Complaint in this case titled *People v. Royal Creation Inc. and Stefon Givens*, PCB No. 25-40, filed January 17, 2025.

6. On October 19, 2020, the Illinois EPA received a report from the Illinois Emergency Management Agency that a truck operated by Stefon Givens was involved in a collision causing at least one of the truck's two saddle tanks to rupture and releasing up to 300 gallons of diesel fuel at the Collision Site.

7. On October 23, 2020, I conducted an inspection of the Collision Site and completed an Illinois EPA Inspection Report. At that time, I observed absorbent booms placed near the site of the spill, a puddle of unidentifiable liquid on the ground, a noticeable sheen on the surface of the puddle on the ground, and an unnamed tributary to Johnson Creek located approximately 200 feet from the Collision Site.

8. As of the date of this affidavit, the Illinois EPA has no record of Royal Creation Inc. or Stefon Givens taking any action to remediate the Collision Site, including but not limited to soil testing and excavating and removing contaminated soils.

FURTHER, AFFIANT SAYETH NOT.



Greg Kazmerski
Illinois Environmental Protection Agency

Dated: 10 - 20 - 2025