

ILLINOIS POLLUTION CONTROL BOARD  
February 19, 2026

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 26-33  
) (Enforcement - Water)  
PARAGON PORK, INC., an Illinois )  
corporation, KINTZLE CONSTRUCTION, )  
INC., an Iowa corporation, )  
)  
Respondents. )

ORDER OF THE BOARD (by B.F. Currie):

On October 30, 2026, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a sixteen-count complaint against Paragon Pork, Inc. (Paragon Pork) and Kintzle Construction, Inc. (Kintzle Construction). The complaint concerns the farrow-to-wean swine operation owned and operated by Paragon Pork at 101 South Stone Hill Road in Chana, Ogle County, and land application of Paragon Pork’s livestock waste by Kintzle Construction onto Paragon Pork’s fields. The People and Kintzle Construction now seek to settle without a hearing. Paragon Pork is not a party to this stipulation. For the reasons below, the Board directs the Clerk to provide public notice of the parties’ stipulation, proposed settlement, and request for relief from the hearing requirement.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2024)), the Attorney General and the State’s Attorneys may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2024); 35 Ill. Adm. Code 103. In this case, the People allege that Kintzle Construction violated the following provisions of the Act and the Board’s regulations:

- Count IX: Water pollution in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).
- Count X: Creating a water pollution hazard in violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2024).
- Count XI: Discharge of contaminants without a National Pollutant Discharge Elimination Permit in violation of Sections 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2024), and Sections 309.102(a) and 502.101(a) of the Board’s regulations, 35 Ill. Adm. Code 309.102(a) and 502.101(a).

- Count XII: Creating offensive conditions in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024) and Section 302.203 of the Board's water pollution regulations, 35 Ill. Adm. Code 302.203.
- Count XIII: Exceeding dissolved oxygen and ammonia nitrogen water quality standards in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024) and Sections 302.206(b)(2)(A), 302.212(a), and 302.212(c)(1) of the Board's water pollution regulations, 35 Ill. Adm. Code 302.206(b)(2)(A), 302.212(a), and 302.212(c)(1).
- Count XIV: Planning or conducting the transportation of livestock waste in a manner that that caused, threatened, or allowed runoff or overflow from a livestock management or waste-handling facility so as to cause water quality violations of the Act and the Board's agriculture-related pollution rules, in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and 35 Ill. Adm. Code 501.405(a).
- Count XV: Applying a quantity of livestock waste that exceeded the practical limits determined by field conditions in violation of Sections 12(a) and (d) of the Act, 415 ILCS 5/12(a) (2024), and the Board's agriculture-related pollution rules, 35 Ill. Adm. Code 501.405(a).
- Count XVI: Causing or allowing the land application of livestock waste within 100 feet of downgradient grassed waterways, in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and 35 Ill. Adm. Code 502.510(b)(11) and (13).

On February 6, 2026, the People and Kintzle Construction filed a stipulation and proposed settlement. On February 10, 2026, the People filed a joint request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2024)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2024)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Kintzle Construction does not affirmatively admit the alleged violations and agrees to pay a civil penalty of \$17,500.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. *See* 415 ILCS 5/31(c)(2) (2024); 35 Ill. Adm. Code 103.300(b), (c). The Board directs

the Clerk to provide the required notice.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 19, 2026, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in black ink and is positioned above a horizontal line.

Don A. Brown, Clerk  
Illinois Pollution Control Board