



**Count IV**—Sections 403.102 and 406.106 of the Board’s regulations, 35 Ill. Adm. Code 403.102 and 406.106, and Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), by allowing offsite discharge of constituents in exceedance of allowable limits.

**Count V**—Special Condition No. 1 of Alpena’s 2010 and 2017 National Pollutant Discharge Elimination System (NPDES) permit, Sections 302.203, 403.102, 406.107, 406.108, and 406.202 of the Board’s regulations, 35 Ill. Adm. Code 302.203, 403.102, 406.107, 406.108, and 406.202, and Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), by causing and allowing Mine Discharge and Reclamation Materials to discharge in effluent offsite into waters of the State causing unnatural color and turbidity resulting in offensive discharges and conditions in the waters of the State.

**Count VI**—Effluent Limitations and Monitoring requirements and Special Conditions No. 3 and 4 of Alpena’s 2017 NPDES permit, Sections 305.102(b) and 406.102 of the Board’s regulations, 35 Ill. Adm. Code 305.102(b) and 406.102, and Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), by failing to monitor discharges from the Site and submit Completed Discharge Monitoring Reports.

**Count VII**—General Condition No. 13 and Special Conditions No. 3 and 5 of Alpena’s 2017 NPDES permit, Sections 305.102(b) and 620.405 of the Board’s regulations, 35 Ill. Adm. Code 305.102(b) and 620.405, and Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), by failing to submit groundwater monitoring reports and conduct groundwater monitoring at the Site.

**Count VIII**—Paragraph 3 of Page 6, General Condition No. 13(b), and Special Conditions No. 3, 5, 11, 12, and 14 of Alpena’s 2010 NPDES permit, Special Conditions No. 3, 5, 12, 13, and 15 of Alpena’s 2017 NPDES permit, Section 305.102(b) of the Board’s regulations, 35 Ill. Adm. Code 305.102(b), and Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), by failing to conduct monitoring and reporting of discharges.

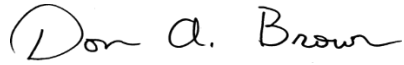
On May 27, 2026, the People and Alpena filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2024)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2024)), which 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, Alpena does not affirmatively admit the violations and agrees to pay a civil penalty of \$6,000.

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 30 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.

Member Mankowski abstained.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 4, 2026, by a vote of 3-0.

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