



**SERVICE LIST**

Mr. Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
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Chicago, IL 60605  
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Certificate of Service

I, Rebecca Kanz, an Assistant Attorney General, hereby certify that on this 17th day of June 2026, I caused to be served the foregoing Notice of Filing, Motion for Relief from Hearing Requirement and Stipulation and Proposal for Settlement, upon the parties named in the attached service list by electronic mail.

BY: /s/ Rebecca Kanz  
Assistant Attorney General  
Environmental Bureau  
Office of the Illinois Attorney General  
115 S. LaSalle St., Floor 23  
Chicago, Illinois 60603  
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**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. 26 - 028
	)	
M & A PRECISION TRUCK	)	
AND AUTO REPAIR, INC., an Illinois	)	
corporation,	)	
	)	
Respondent.	)	

**MOTION FOR RELIEF FROM HEARING REQUIREMENT**

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(c)(2) (2024), moves that the Illinois Pollution Control Board (“Board”) grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2024). In support of this motion, Complainant states as follows:

1. The Complainant in this matter alleges violations of Sections 12(a) and 21(d)(2) and (e) of the Act, 415 ILCS 5/12(a) and 21(d)(2) and (e) (2024), and Sections 704.146(c)(3), 704.148(d), and 704.289(a)(1) of the Board UIC Permit Program Regulations, 35 Ill. Adm. Code 704.146(c)(3), 704.148(d), and 704.289(a)(1).
2. Complainant filed the Complaint with the Board on October 10, 2025.
3. The parties have reached agreement on all outstanding issues in this matter.
4. This agreement is presented to the Board in a Stipulation and Proposal for Settlement filed this same date.

5. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2024).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2024).

Respectfully submitted,

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

BY: /s/ Rebecca Kanz  
Rebecca Kanz  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
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DATE: June 17, 2026



I. STATEMENT OF FACTS

A. **Parties**

1. On October 10, 2025, a Complaint was filed on behalf of the People of the State of Illinois by Kwame Raoul, Attorney General of the State of Illinois, on his own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2024), against Respondent.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2024).

3. At all times relevant to this Complaint, Respondent was and is an Illinois corporation registered and in good standing with the Illinois Secretary of State's Office.

4. At all times relevant to this Complaint, Respondent operated, and continues to operate, a diesel truck maintenance and repair facility located at 1480 Imhoff Drive, Lake in the Hills, McHenry County, Illinois ("Facility").

5. At all times relevant to this Complaint, Respondent operated a Class V motor vehicle disposal dry well ("Dry Well"), which was located on the southwest side of the Facility, and would collect fluids from vehicle repair and maintenance activities taking place within the Facility.

6. On January 10, 2020, the Illinois EPA conducted an inspection at the Facility and determined that the Dry Well had been removed and the floor drains leading to the Dry Well had been plugged.

7. On January 10, 2020, Respondent completed a Class V Injection Well Inventory Form ("Inventory Form"). Respondent had not completed a Class V Injection Well Inventory Form prior to this date.

**B. Allegations of Non-Compliance**

Complainant contends that Respondent has violated the following provisions of the Act and Board regulations:

- Count I: Water Pollution: Violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).
- Count II: Failure to Submit Inventory Information: Violation of Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2024) and Section 704.148(d) of the UIC Permit Program Regulations, 35 Ill. Adm. Code 704.148(d).
- Count III: Waste Disposal at a Site that Does Not Meet the Requirements of the Act: Violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2024).
- Count IV: Failure to Close Class V Injection Well in Compliance with the Act and Board Regulations: Violation of Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2024) and Section 704.289(a)(1) of the UIC Permit Program Regulations, 35 Ill. Adm. Code 704.289(a)(1) (2024).

**C. Non-Admission of Violations**

Respondent represents that it has entered into this Stipulation for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Stipulation and complying with its terms, Respondent does not affirmatively admit the allegations of violations within the Complaint and referenced within Section I.B herein, and this Stipulation shall not be interpreted as including such admission.

**D. Compliance Activities to Date**

Respondent took steps to bring the Facility back into compliance with the Act and Board regulations which included the installation of a new disposal system.

**II. APPLICABILITY**

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assignees to take

such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against Respondent in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the Complaint in this matter, solely for purposes of Section 39 and 42 of the Act, 415 ILCS 5/39 and 5/42 (2024).

**III. IMPACT ON THE PUBLIC RESULTING FROM ALLEGED NON-COMPLIANCE**

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 or 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, the Parties to the Stipulation state the following:

1. The disposal and handling of automotive fluids and other contaminated soil at the Facility threatened human health and the environment.
2. There is social and economic benefit to Respondent's Facility.

3. Operations by Respondent at the Facility were and are suitable for the area in which the Facility is located, so long as Respondent's actions are conducted in compliance with the Act and the Board regulations.

4. The proper disposal of automotive fluids at the Facility is both technically practicable and economically reasonable.

5. Respondent has subsequently complied with the Act and the Board regulations.

**IV. CONSIDERATION OF THE 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 under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following:

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;
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, the Parties to the Stipulation state as follows:

1. The alleged violations Illinois EPA discovered during site investigations of the Facility on August 26, 2019, September 9, 2019, and January 10, 2020, were serious in nature as contaminated soil had been excavated and piled at the Facility prior to removal, and the Dry Well had been removed without proper closure.

2. Respondent was diligent in attempting to come back into compliance with the Act and Board regulations once it became aware of the violations.

3. The civil penalty takes into account any economic benefit realized by the Respondent as a result of avoided or delayed compliance.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Fifteen Thousand Dollars (\$15,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. To Complainant's knowledge, Respondent has no previously adjudicated violations of the Act or Board regulations.

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

7. The settlement of this matter does not include a supplemental environmental project.

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

**V. TERMS OF SETTLEMENT**

**A. Penalty Payment**

Respondent shall pay a civil penalty in the sum of Fifteen Thousand Dollars (\$15,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

**B. Stipulated Penalties, Interest, and Default**

1. If Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, Respondent shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, Complainant shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, 415 ILCS 5/42(g), interest shall accrue on any penalty amount owed by Respondent not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

3. The stipulated penalties shall be enforceable by Complainant and shall be in addition to, and shall not preclude the use of, any other remedies or sanctions arising from the failure to comply with this Stipulation.

**C. Payment Procedures**

1. All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency  
Fiscal Services Division  
2520 W. Iles Ave.  
P.O. Box 19276  
Springfield, IL 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order.

3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Rebecca Kanz  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
115 S. LaSalle Street, Floor 23  
Chicago, Illinois 60603  
[Rebecca.Kanz@ilag.gov](mailto:Rebecca.Kanz@ilag.gov)

**D. Future Compliance**

1. Respondent shall comply with all applicable rules and regulations when performing diesel truck maintenance and repair activities at the Facility.

2. This Stipulation in no way affects the responsibilities of Respondent to comply with any other federal, state, or local laws or regulations, including but not limited to the Act and the Board Regulations.

3. Respondent shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint.

**E. Release from Liability**

In consideration of Respondent's payment of the Fifteen Thousand Dollars (\$15,000.00) penalty, its commitment to cease and desist as contained in Section V.D.3 above, completion of all activates required hereunder, and upon the Board's approval of this Stipulation, the

Complainant releases, waives and discharges Respondent from any further liability or penalties for the violations of the Act and Board regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in the Complainant's Complaint filed on October 10, 2025. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violations of state, federal, local, and common laws and/or regulations;
- c. liability for natural resources damage arising out of the alleged violations; and
- d. liability or claims based on Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, or entity other than Respondent.

**F. Enforcement of Stipulation**

Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable Order of the Board and may be enforced as such through any and all available means.

**G. Execution of Stipulation**

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this

Stipulation and to legally bind them to it. This Stipulation may be executed by the parties in one or more counterparts, all of which taken together shall constitute one and the same instrument.

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

KWAME RAOUL  
Attorney General  
State of Illinois

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

JAMES JENNINGS, Director  
Illinois Environmental Protection Agency

BY: *Stephen J. Sylvester*  
STEPHEN J. SYLVESTER, Chief  
Environmental Bureau

BY: *Andrew Armstrong*  
ANDREW ARMSTRONG  
Chief Legal Counsel

DATE: 6/11/26

DATE: 06/10/2026

RESPONDENT  
M & A PRECISION TRUCK AND AUTO REPAIR, INC.

BY: *Gillian A. Dunne*  
ITS: *President*  
(title of signatory)

DATE: 6-5-2026