

SERVICE LIST

Illinois Cook Corporation
c/o Anthony Benish, Registered Agent
2100 Clearwater Drive, Suite 250
Oak Brook, IL 60523
(Via Certified Mail)

Illinois Cook Corporation
c/o Kevin J. O'Brien
Porter Wright Morris & Arthur LLP
321 N. Lake Street, Suite 400
Chicago, IL 60654
kobrien@porterwright.com
(Via Email)

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served on the date of June 13, 2022, the attached Notice of Filing, Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement upon the persons listed on the foregoing Service List by methods described.

/s/ Christopher Grant
Christopher Grant
Senior Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
(312) 814-5388
Primary e-mail: Christopher.Grant@ilag.gov

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. 22-
)	(Enforcement - Water)
COOK-ILLINOIS CORP.,)	
an Illinois corporation,)	
)	
Respondent.)	

COMPLAINT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois (“Complainant”), complains of Respondent, COOK-ILLINOIS CORP., an Illinois corporation, as follows:

COUNT I
FAILURE TO OBTAIN A GENERAL NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM PERMIT FOR INDUSTRIAL ACTIVITIES

1. This Count is brought 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 at the request of the Illinois Environmental Protection Agency (“Illinois EPA”), against COOK-ILLINOIS CORP., an Illinois corporation (“Respondent” or “CIC”), pursuant to Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2020).

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 (2020), and is charged, *inter alia*, with the duty of enforcing the Act. The Illinois EPA is further charged with the duty to abate violations of the National

Pollution Discharge Elimination System (“NPDES”) permit program under the Federal Clean Water Act (“CWA”), 33 U.S.C. § 1342(b)(7).

3. At all times relevant to this Complaint, CIC has been 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, CIC owns and operates several subsidiaries, including Lakeside Transportation (“Lakeside”). Lakeside is a school bus transportation and maintenance facility located at 2794 N. Northwestern Avenue, Waukegan, Lake County, Illinois (the “Lakeside Facility”). The Lakeside Facility consists of an administrative office building, vehicle maintenance and storage facilities, paved access driveways, a paved parking lot, graveled lots for transportation vehicle storage, pervious setback areas, and open space.

5. At all times relevant to this Complaint, the Lakeside Facility contains products used for the operation and maintenance of vehicles including, but not limited to, diesel fuel, motor oil, antifreeze, brake fluid, transmission fluid, windshield washer fluid, various greases and lubricants, and various cleaners (collectively “Maintenance Fluids”).

6. The Lakeside Facility is a school bus transportation system and maintenance facility classified as Standard Industrial Classification Codes (“SIC”) 4151 and 4173.

7. Stormwater at the Lakeside Facility discharges into the Suburban Country Club Tributary, which is tributary to the Des Plaines River.

8. To obtain coverage under the NPDES General Stormwater Permit for Industrial Activities (“NPDES Industrial General Permit”), a facility is required to submit to the Illinois EPA a Notice of Intent (“NOI”), a Stormwater Pollution Prevention Plan (“SWPPP”), and a permit application fee.

9. On June 6, 2017, the Illinois EPA received a NOI from Respondent to obtain

coverage for its Lakeside Facility under the NPDES Industrial General Permit.

10. On October 18, 2017 and June 28, 2018, the Illinois EPA issued Respondent Notices of Incompleteness for Respondent's NPDES Industrial General Permit application for the Lakeside Facility. The permit application lacked a copy of a SWPPP and the permit application fee.

11. Respondent failed to respond to the October 18, 2017 and June 28, 2018 Notices of Incompleteness.

12. On November 20, 2018, Respondent paid the permit application fee for the NPDES Industrial General Permit for the Lakeside Facility, but did not submit a SWPPP.

13. On April 26, 2019, an Illinois EPA inspector visited the Lakeside Facility, verified the Lakeside Facility was still in operation, and informed a representative of the Lakeside Facility that the Lakeside Facility was required to submit an updated NOI and a SWPPP to obtain coverage under the NPDES Industrial General Permit.

14. On May 2, 2019, and July 25, 2019, the Illinois EPA issued to Respondent a third and fourth Notice of Incompleteness for Respondent's NPDES Industrial General Permit application for the Lakeside Facility.

15. On November 12, 2020, Respondent submitted a new NOI and SWPPP to obtain coverage under the NPDES Industrial General Permit for the Lakeside Facility.

16. On November 16, 2020, the Illinois EPA issued Respondent a Notice of Coverage for the Lakeside Facility under the NPDES Industrial General Permit No. ILR007461.

17. Section 12(f) of the Act, 415 ILCS 5/12(f) (2020), provides as follows:

No person shall:

Cause, threaten or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any

sewage works, or into any well or from any point source within the State, without an NPDES [National Pollution Discharge Elimination System] permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program.

18. Industrial sites are subject to the Act and the rules and regulations promulgated by the Illinois Pollution Control Board (“Board”). The Board’s regulations for water pollution are codified at 35 Ill. Adm. Code, Subtitle C, Chapter 1 (“Board Water Pollution Regulations”).

19. Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a), provides as follows:

Except as in compliance with the provisions of the Act, Board regulations, and the CWA, and the provisions and conditions of the NPDES permit issued to the discharger, the discharge of any contaminant or pollutant by any person into the waters of the State from a point source or into a well shall be unlawful.

20. Section 3.315 of the Act, 415 ILCS 5/3.315 (2020), provides as follows:

“Person” is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

21. Respondent, a corporation, is a “person” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2020).

22. Section 3.165 of the Act, 515 ILCS 5/3.165 (2020), provides as follows:

“Contaminant” is any solid, liquid, or gaseous matter, any odor, or any form of energy, from whatever source.

23. The Maintenance Fluids are “contaminants” as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.165 (2020).

24. Section 3.550 of the Act, 415 ILCS 5/3.550 (2020), provides the following definition:

“Waters” means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State.

25. The Suburban Country Club Tributary is “waters”, as that term is defined in Section 3.550 of the Act, 415 ILCS 5/3.550 (2020).

26. Section 502(14) of the CWA, 33 U.S.C.S. § 1362(14), provides the following definition:

(14) The term “point source” means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include agricultural stormwater discharges and return flows from irrigated agriculture.

27. The Lakeside Facility is a “point source”, as that term is defined in Section 502(14) of the CWA, 33 U.S.C.S. § 1362(14).

28. The CWA regulates the discharge of pollutants from a point source into navigable waters and prohibits such point source discharges without an NPDES permit. The United States Environmental Protection Agency (“USEPA”) administers the NPDES program in each State unless the USEPA has delegated authority to do so to that State.

29. The USEPA has authorized the State of Illinois to issue NPDES permits through the Illinois EPA in compliance with NPDES federal regulations, including stormwater discharges regulated by 40 CFR § 122.26, which requires a person to, among other things, obtain a NPDES permit and prepare and implement a stormwater pollution prevention plan.

30. The USEPA NPDES Regulations require certain categories of point source dischargers to obtain coverage under a general NPDES permit.

31. 40 C.F.R. § 122.26(a)(1)(ii) provides as follows:

(a) Permit requirement.

- (1) Prior to October 1, 1994, discharges composed entirely of storm water shall not be required to obtain a NPDES permit except:

* * *

- ii. A discharge associated with industrial activity;

- 32. 40 C.F.R. § 122.26(b)(14)(viii) includes the following definition:

- (b) Definitions.

* * *

- (14) Storm water discharge associated with industrial activity means the discharge from any conveyance that is used for collecting and conveying storm water...The following categories of facilities are considered to be engaging in “industrial activity” for purposes of paragraph (b)(14):

* * *

- (viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42 (except 4221–25), 43, 44, 45, and 5171 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (b)(14) (i)–(vii) or (ix)–(xi) of this section are associated with industrial activity;

33. Respondent, who operates a school bus transportation and maintenance facility classified as SIC Codes 4151 and 4173, conducts “industrial activity” at the Lakeside Facility as defined in 40 C.F.R. § 122.26(b)(14)(viii).

34. An NPDES permit is required for stormwater discharges associated with industrial activity at the Lakeside Facility pursuant to 40 C.F.R. § 122.26(a)(1)(ii).

35. By discharging stormwater associated with industrial activity at the Lakeside

Facility from at least June 6, 2017 through November 16, 2020, or a date or dates better known to Respondent, without obtaining coverage under the NPDES General Stormwater Permit for Industrial Activities, Respondent thereby violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2020), and Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an Order against Respondent, COOK-ILLINOIS CORP., with respect to Count I:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent has violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2020), and Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a);
3. Ordering Respondent to cease and desist from any future violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2020), and Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a);
4. Assessing against Respondent a civil penalty of Ten Thousand Dollars (\$10,000.00) for each day of violation of Section 12(f) of the Act, 415 ILCS 5/12(f), and Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a);
5. Taxing all costs in this action, including, but not limited to, attorney, expert witness and consultant fees against Respondent; and
6. Granting other such relief as the Board deems appropriate and just.

Respectfully submitted,

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

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

BY: /s/ Stephen J. Sylvester
STEPHEN J. SYLVESTER, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:

AUDREY AVILA
CHRISTOPHER GRANT
Assistant Attorneys General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
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(312) 814-6986
(312) 814-5388
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Secondary email: maria.cacaccio@ilag.gov

any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1).

* * *

3. No hearing is now scheduled in this matter.
4. The Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests relief from the requirement of a hearing pursuant to 415 ILCS 5/31(c)(2) (2020).

Respectfully submitted,

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

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

STEPHEN SYLVESTER, Chief
Environmental Bureau North

BY: /s Christopher Grant
CHRISTOPHER GRANT
Senior Assistant Attorney General
Environmental Bureau
69 W. Washington St., #1800
Chicago, Illinois 60602
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Christopher.grant@ilag.gov

against the 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 (2020). The Illinois EPA is further charged with the duty to abate violations of the General National Pollution Discharge Elimination System (“NPDES”) permit program under the Federal Clean Water Act (“CWA”), 33 U.S.C. § 1342(b)(7).

3. At all times relevant to the Complaint, Respondent was and is an Illinois corporation that is authorized to transact business in the State of Illinois.

4. At all times relevant to this Complaint, Respondent owned and operated Lakeside Transportation (“Lakeside”). Lakeside is a school bus transportation and maintenance facility located at 2794 N. Northwestern Avenue, Waukegan, Lake County, Illinois (the “Lakeside Facility”). The Lakeside Facility consists of an administrative office building, vehicle maintenance and storage facilities, paved access driveways, a paved parking lot, graveled lots for transportation vehicle storage, pervious setback areas, and open space.

5. The Lakeside Facility contains products used for the operation and maintenance of vehicles including, but not limited to, diesel fuel, motor oil, antifreeze, brake fluid, transmission fluid, windshield washer fluid, various greases and lubricants, and various cleaners.

6. Stormwater at the Lakeside Facility discharges into the Suburban Country Club Tributary, which is tributary to the Des Plaines River.

7. Respondent, which owns and operates a school bus transportation and maintenance facility classified as Standard Industrial Codes 4151 and 4173, conducts “industrial activity” at the Lakeside Facility as defined in 40 C.F.R. § 122.26(b)(14)(viii).

8. A NPDES permit is required for stormwater discharges associated with industrial activity at the Lakeside Facility pursuant to 40 C.F.R. § 122.26(a)(1)(ii).

B. Allegations of Non-Compliance

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

Count I: Failure to Obtain a General National Pollutant Discharge Elimination System Permit for Industrial Activities, in violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2020), and Section 309.102(a) of the Board Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a).

C. Non-Admission of Violations

The 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, the Respondent does not affirmatively admit the allegations of violation 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

1. On November 16, 2020, after Respondent submitted a new Notice of Intent and Stormwater Pollution Prevention Plan for its Lakeside Facility to the Illinois EPA, the Illinois EPA issued Respondent a Notice of Coverage for the Lakeside Facility under the NPDES Industrial General Permit No. ILR007461.

II. APPLICABILITY

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. The 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 assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against the 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, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2020).

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

Section 33(c) of the Act, 415 ILCS 5/33(c) (2020), 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, the Parties to the Stipulation state the following:

1. Complainant contends that human health and the environment were threatened and the Illinois EPA's information gathering responsibilities were hindered by Respondent's violations.
2. There is social and economic benefit to the Lakeside Facility.
3. Operation of the Lakeside Facility was and is suitable for the area in which it is located.
4. Obtaining coverage under the NPDES General Stormwater Permit for Industrial Activities is both technically practicable and economically reasonable for Respondent.
5. Respondent has subsequently complied with the Act and the Board regulations.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2020), 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 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;
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. Respondent discharged stormwater associated with industrial activity from at least June 6, 2017 through November 16, 2020 at the Lakeside Facility without obtaining coverage under the NPDES General Stormwater Permit for Industrial Activities. The violations were

resolved on November 16, 2020.

2. The Respondent lacked diligence in attempting to come back into compliance with the Act and the Board Water Pollution Regulations, but has since obtained coverage under the NPDES General Stormwater Permit for the Lakeside Facility.

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 Ten Thousand Dollars (\$10,000.00) 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.

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**

1. The Respondent shall pay a civil penalty in the sum of Ten Thousand Dollars (\$10,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. **Interest and Default**

1. If the Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, the 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, the 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(f) (2020), interest shall accrue on any penalty amount owed by the 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.

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
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 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:

Audrey Avila
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602
Audrey.Avila@ilag.gov

D. Future Compliance

1. The Respondent shall comply with all terms and conditions of its NPDES Permit for the Lakeside Facility.

2. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, shall have the right of entry into and upon the Respondent's facility which is the subject of this Stipulation, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

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

4. The 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 the Respondent's payment of the \$10,000.00 penalty, its commitment to cease and desist as contained in Section V.D.4 above, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges the 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 Complainant's Complaint filed on June 13, 2022. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against the Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation 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 the 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 (2020), or entity other than the Respondent.

G. Enforcement and Modification of Stipulation

1. 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.

H. Opportunity for Public Comment

Pursuant to 35 Ill. Adm. Code 103.300(b)(2), the Board shall publish notice of this Stipulation for at least 30 days prior to the Board accepting the Stipulation. If public comments are submitted to the Board regarding this Stipulation, the Complainant reserves the right to withdraw its consent if the comments regarding the Stipulation disclose facts or considerations which indicate that the Stipulation is inappropriate, improper, or inadequate. Respondent consents to the entry of this Stipulation without further notice and agrees not to withdraw from or oppose acceptance of this Stipulation or to challenge any provision of the Stipulation, unless the Complainant has notified Respondent in writing that it withdraws or withholds its consent for the Stipulation. In the event the Complainant notifies the Respondent that it withdraws or withholds

its consent for the Stipulation, then the terms of the agreement may not be used as evidence in any litigation between those entities.

I. 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.

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

JOHN J. KIM, Director
Illinois Environmental Protection Agency

BY: 
STEPHEN J. SYLVESTER, Chief
Environmental Bureau
Assistant Attorney General

BY: 
CHARLES W. GUNNARSON
Chief Legal Counsel

DATE: 6/9/22

DATE: 6/6/22

RESPONDENT
Cook-Illinois Corporation

BY: Anthony Benish

ITS: Secretary

DATE: 5-20-2022

People v. Cook-Illinois Corp.