

Paul Christian Pratapas
Complainant

v

Pulte Home Company, LLC
Respondent

COMPLAINANTS MOTION TO MODIFY FORMAL COMPLAINT

On July 27, 2023, Paul Christian Pratapas filed a citizen's complaint against Pulte Home Company, LLC (Pulte). The complaint concerns five residential home construction sites: Wagner Farms, located at 3723 Quick Fire Drive in Naperville, Will County; Trillium Farms located at Purnell Road, in Winfield, DuPage County; Winding Creek, located at the intersection of McKee Street and Deerpath Road, in Batavia, Kane County; Naper Commons located at 2308 West Lucent Lane in Naperville, DuPage County; and Sawgrass located at Hassert Boulevard and Sedge Drive in Lockport, Will County.

At the time of the original filing, the true locations of the developments corresponding to their respective permit numbers were unknown because Pulte repeatedly and knowingly refused access to the SWPPP binders and at no time planned to or did install required regulatory signage, both basic tenants of their permit requirements. Historically, The ILEPA and The Board has allowed permit holders to file defenses against permit violations which are based in their undisputed failures to comply.

The Board has since requested clarification of the following portion of the initial complaint filing to specify which violation(s) occurred at which [NPDES permitted] sites:

Toxic concrete washout water and slurry prohibited from making contact with soil and migrating to surface waters or into the ground water not managed. Photographs show concrete trucks have been cleaning out at the end of driveways. Sediment and sediment laden water freely allowed to enter the street and inlets. Inlet filter baskets filled with water and overflowing indicating they are clogged with the fine sediment and require maintenance. Workers photographed on a dirt covered road cleaning there boots off on the curb next to an inlet surrounded with sediment laden water. There appeared to e a total unawareness of any issues at hand. Cut out curbs left without BMPs. Pollutants are not controlled.

Complainant requests The Board amend the Formal Complaint to include site specific information on violations as follows:

Sawgrass Site:

- Pollutants are not controlled
- Workers photographed on a dirt covered road cleaning their boots off on the curb next to an inlet surrounded with sediment laden water
- Toxic concrete washout water and slurry prohibited from making contact with soil and migrating to surface waters or into the ground water not controlled
- Sediment and sediment laden water freely allowed to enter the street and inlets
- Curbside protection required because of execution of construction plans is missing
- Trackout onto roads not removed by end of day
- Sediment accumulation in curbside gutters not removed by end of day
- Prohibited discharge of sediment laden water into stormwater system and potentially leaving the site
- Refusal to allow public access of SWPPP binder to assess the previous bullet point(s)
- Improper vehicle storage
- Not building in the phases approved with permit
- Designate concrete washout area not built to required specs
- Regulatory signage and permit number not posted anywhere

Wagner Farms Site:

- Pollutants are not controlled
- Toxic concrete washout water and slurry prohibited from making contact with soil and migrating to surface waters or into the ground water not controlled
- Concrete washout container not covered
- Concrete washer container not serviced as required leading to spillage
- Designate concrete washout area not built to required specs
- Designate concrete washout area and container not flat
- Designate concrete washout area missing perimeter protection and barrier between stones and soil
- Sediment and sediment laden water freely allowed to enter the street and inlets
- Curbside protection required because of execution of construction plans is missing
- Trackout onto roads not removed by end of day
- Sediment accumulation in curbside gutters not removed by end of day
- Prohibited discharge of sediment laden water into stormwater system and potentially leaving the site
- Refusal to allow public access of SWPPP binder to assess the previous bullet point(s)
- Not building in the phases approved with permit
- Improper vehicle storage

- Stockpile missing perimeter controls and located too near the road which also lacks appropriate curbside BMPs
- Regulatory signage and permit number not posted anywhere

Trillium Farm Site:

- Pollutants are not controlled
- Toxic concrete washout water and slurry prohibited from making contact with soil and migrating to surface waters or into the ground water not controlled
- Concrete washout container not covered
- Concrete washer container not serviced as required
- Designate concrete washout area not built to required specs
- Designate concrete washout area missing perimeter protection and barrier between stones and soil
- Sediment and sediment laden water freely allowed to enter the street and inlets
- Curbside protection required because of execution of construction plans is missing
- Trackout onto roads not removed by end of day
- Sediment accumulation in curbside gutters not removed by end of day
- Prohibited discharge of sediment laden water into stormwater system and potentially leaving the site
- Refusal to allow public access of SWPPP binder to assess the previous bullet point(s)
- Not building in the phases approved with permit
- Improper vehicle storage
- Regulatory signage and permit number not posted anywhere

Winding Creek Site:

- Pollutants not controlled
- Toxic concrete washout water and slurry prohibited from making contact with soil and migrating to surface waters or into the ground water not controlled
- Concrete washout container not covered
- Concrete washer container not serviced as required
- Designate concrete washout area not built to required specs
- Designate concrete washout area missing perimeter protection and barrier between stones and soil
- Sediment and sediment laden water freely allowed to enter the street and inlets
- Curbside protection required because of execution of construction plans is missing
- Sediment accumulation in curbside gutters not removed by end of day
- Prohibited discharge of sediment laden water into stormwater system and potentially leaving the site
- Refusal to allow public access of SWPPP binder to assess the previous bullet point(s)

- Hiring illegal immigrants with an education nowhere near comparable to that of the minimum American education leading to greater violations of law by way of ignorance
- Not building in the phases approved with permit
- Improper vehicle storage
- Regulatory signage and permit number not posted anywhere

Naper Commons Site:

- Pollutants not controlled
- Toxic concrete washout water and slurry prohibited from making contact with soil and migrating to surface waters or into the ground water not controlled
- Concrete washout container not covered
- Concrete washer container not serviced as required
- Designate concrete washout area not built to required specs
- Designate concrete washout area missing perimeter protection and barrier between stones and soil
- Sediment and sediment laden water freely allowed to enter the street and inlets
- Curbside protection required because of execution of construction plans is missing
- Sediment accumulation in curbside gutters not removed by end of day
- Prohibited discharge of sediment laden water into stormwater system and potentially leaving the site
- Refusal to allow public access of SWPPP binder to assess the previous bullet point
- Hiring illegal immigrants with an education nowhere near comparable to that of the minimum American education leading to greater violations of law by way of ignorance
- Not building in the phases approved with permit
- Improper vehicle storage

**Specs for all BMPs must meet standards found in the Illinois Urban Manual found at <https://illinoisurbanmanual.org/>*

Paul Christian Pratapas

11/27/2023

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