

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. 25
)	(Enforcement - Air)
ADVANCED WEB TECHNOLOGIES)	
ILLINOIS, INC., a Delaware corporation)	
)	
Respondent.)	

NOTICE OF FILING

To: Persons on Attached Service List
(VIA ELECTRONIC FILING)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the Complaint, Stipulation and Proposal for Settlement, and Motion for Relief from Hearing Requirement, true and correct copies of which are attached hereto and hereby served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

KWAME RAOUL
Attorney General
State of Illinois

BY: /s/ Cara V. Sawyer

Cara V. Sawyer
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Dated: June 30, 2025

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CERTIFICATE OF SERVICE

I, Cara V. Sawyer, do certify that I have caused to be served on this 30th day of June, 2025 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 electronic mail.

/s/ Cara V. Sawyer
Cara V. Sawyer
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COMPLAINT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois (“Complainant”), on his own motion and at the request of the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, complains of Respondent, ADVANCED WEB TECHNOLOGIES, INC., a Delaware corporation (“Respondent”), as follows:

COUNT I

**OPERATING WITHOUT A CLEAN AIR ACT PERMIT PROGRAM PERMIT OR
FEDERALLY ENFORCEABLE STATE OPERATING PERMIT**

1. This Complaint 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 Respondent, pursuant to Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2022).

2. Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2022), and charged, *inter alia*, with the duty of enforcing the Act.

3. At all times relevant to this Complaint, Respondent has been and is a Delaware corporation authorized to do business in Illinois by the Illinois Secretary of State.

4. At all times relevant to this Complaint, Respondent has owned and operated a flexographic printing facility at 393 Joseph Dr., South Elgin, Kane County, Illinois ("Facility").

5. On January 30, 2012, Respondent's Facility, owned previously by U.S. Converting Inc., obtained Lifetime Operating Permit 808070020 ("Permit") for Emission units at the Facility, including: one (1) 10-color flexographic printing press controlled by a regenerative thermal oxidizer ("RTO"), two (2) 6-color flexographic printing presses, two (2) laminators, and one (1) solvent recovery still.

6. On August 16, 2016, Illinois EPA received an application from Respondent for a construction permit to add an additional 10-color flexographic printing press controlled by a new RTO and to modify the existing 10-color flexographic printing press to also be controlled by the new RTO (together, the "Printing Presses") at the Facility.

7. On August 16, 2016, Illinois EPA also received an application from Respondent for a Federally Enforceable State Operating Permit ("FESOP") for the Facility.

8. On August 19, 2016, Illinois EPA notified Respondent that its FESOP application was determined to be incomplete, because while Respondent indicated it was in full compliance in the application, Respondent had not yet constructed the new RTO or performed required stack testing on the new RTO and therefore could not demonstrate that its emission units complied with the Act and Board regulations. The Illinois EPA notice stated that, upon receipt of the requisite information, it would resume its consideration of the FESOP application.

9. On November 9, 2016, Illinois EPA issued Construction Permit 16080022 (“Construction Permit”) to Respondent for the applied-for construction regarding the Printing Presses.

10. After Respondent obtained the Construction Permit, on a date better known to Respondent, Respondent finished construction of the Printing Presses and RTO and began operating them.

11. The Construction Permit indicated that, based on the information that Respondent provided to Illinois EPA in the Construction Permit application, once Respondent finished construction of the Printing Presses and RTO and began operating them, the Facility would become a major source because it emits and/or has the potential to emit (“PTE”) more than 100 tons per year (“tpy”) of volatile organic matter (“VOM”).

12. On July 15, 2022, Illinois EPA inspected the Facility and observed that Respondent had completed the construction pursuant to the Construction Permit and was operating the Printing Presses and RTO, but did not have a CAAPP permit or FESOP. The Respondent had also removed its 6-color flexographic printing presses.

13. From a date best known to Defendant and at least from July 15, 2022 through the filing of this Complaint, emission units at the Facility include the Printing Presses, two (2) laminators, and one (1) solvent recovery still (collectively, the “Facility’s Equipment”).

14. At all times relevant to this Complaint, the Facility’s Equipment has emitted and continues to emit carbon monoxide (“CO”), nitrogen oxides (“NO_x”), particulate matter (“PM”), and sulfur dioxide (“SO₂”) into the atmosphere.

15. On December 7, 2022, Illinois EPA received a second FESOP application from Respondent for the Facility.

16. As of the date of filing of this Complaint, Illinois EPA has not issued Respondent a FESOP, nor has Respondent obtained a CAAPP permit, for the Facility.

17. Section 3.315 of the Act, 4154 ILCS 5/3.315 (2022), provides the following definition:

“Person” means 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.

18. Respondent, a corporation, is a “person” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2022).

19. Section 3.165 of the Act, 415 ILCS 5/3.165 (2022), provides the following definition:

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

20. VOM, CO, NO_x, PM, and SO₂ are each a “contaminant” as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165 (2022).

21. Section 39.5(1) of the Act, 415 ILCS 5/39.5(1) (2022), provides the following definitions:

“CAAPP” means the Clean Air Act Permit Program, developed pursuant to Title V of the Clean Air Act.

“CAAPP permit” . . . means any permit issued, renewed, amended, modified or revised pursuant to Title V of the Clean Air Act.

“CAAPP source” means any source for which the owner or operator is required to obtain a CAAPP permit pursuant to subsection 2 of this Section.

“Emission unit” means any part or activity of a stationary source that emits or has the potential to emit any air pollutant. ...

“Federally enforceable” means enforceable by [the United States Environmental Protection Agency].

“Major source” means a source for which emissions of one or more air pollutants meet the criteria for major status pursuant to paragraph (c) of subsection 2 of this Section.

“Owner or operator” means any person who owns, leases, operates, controls, or supervises a stationary source.

“Potential to emit” means the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation is enforceable by USEPA. ...

“Regulated air pollutant” means the following:

- (1) Nitrogen oxides (NO_x) or any volatile organic compound.
- (2) Any pollutant for which a national ambient air quality standard has been promulgated.

* * *

“Source” means any stationary source (or any group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person or persons under common control) belonging to a single major industrial grouping

“Stationary source” means any building, structure, facility, or installation that emits or may emit any regulated air pollutant or any pollutant listed under Section 112(b) of the Clean Air Act ...

22. Section 39.5(2) of the Act, 415 ILCS 5/39.5(2) (2022), provides, in pertinent part, as follows:

(2) Applicability.

(a) Sources subject to this Section shall include:

- (i) Any major source as defined in paragraph (c) of this subsection.

* * *

- (c) For purposes of this Section the term “major source” means any source that is:

* * *

- (ii) A major stationary source of air pollutants, as defined in Section 302 of the Clean Air Act, that directly emits or has the potential to emit, 100 tpy or more of any air pollutant subject to regulation...

23. At all times relevant to this Complaint, Respondent’s Facility has the PTE 100 tpy of VOM, which is a volatile organic compound, and also to emit NO_x, CO, PM, and SO₂, which are each a pollutant for which a national ambient air quality standard has been promulgated, and thereby constitute “regulated air pollutants,” as those terms are defined in Section 39.5(1) of the Act, 415 ILCS 5/39.5(1) (2022).

24. Respondent’s Facility has the PTE more than 100 tpy of VOM and is therefore a “major source,” a “stationary source,” and a “CAAPP Source,” as those terms are defined by Section 39.5(1) and (2) of the Act, 415 ILCS 5/39.5(1) and (2) (2022).

25. At all times relevant to this Complaint, Respondent has owned, leased, operated, or controlled, and continues to own, lease, operate, or control a stationary source, such that Respondent is an “owner or operator” as that term is defined in Section 39.5(1) of the Act, 415 ILCS 5/39.5(1) (2022), and as such is subject to the CAAPP permitting requirements.

26. Section 39.5(3)(c) of the Act, 415 ILCS 5/39.5(3)(c) (2022), provides as follows:

- (3) Agency Authority To Issue CAAPP Permits and Federally Enforceable State Operating Permits.

* * *

- (c) The Agency shall have the authority to issue a State operating permit for a source under subsection (a) of Section 39 of this Act, as amended, and regulations promulgated thereunder, which includes federally enforceable conditions limiting the “potential to emit” of the source to a level below the major source threshold for that source as described in paragraph (c) of subsection 2 of this Section, when

requested by the applicant pursuant to paragraph (u) of subsection 5 of this Section. ...

27. Section 39.5(5)(x) of the Act, 415 ILCS 5/39.5(5)(x) (2022), provides in part as follows:

The owner or operator of a new CAAPP source shall submit its complete CAAPP application consistent with this subsection within 12 months after commencing operation of such source. ...

28. Respondent was required to submit its complete CAAPP application for the Facility, a new CAAPP source, on a date better known to Respondent that was within 12 months after the first date that the Facility commenced operation of the Printing Presses and RTO, pursuant to Section 39.5(5)(x) of the Act, 415 ILCS 5/39.5(5)(x) (2022).

29. Section 39.5(5)(u), 415 ILCS 5/39.5(5)(u) (2022), provides, in pertinent part, as follows:

An owner or operator of a CAAPP source which seeks exclusion from the CAAPP through the imposition of federally enforceable conditions, pursuant to paragraph (c) of subsection 3 of this Section, must request such exclusion within a CAAPP application submitted consistent with this subsection on or after the date that the CAAPP application for the source is due. ...

30. At all times relevant to this Complaint, if Respondent wanted to seek exclusion from the CAAPP permit requirement through the imposition of federally enforceable conditions by submitting a FESOP application for the Facility, it was required to do so on or after the date its CAAPP application was due, pursuant to Section 39.5(5)(u) of the Act, 415 ILCS 5/39.5(5)(u) (2022).

31. Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022), provides as follows:

After the applicable CAAPP permit or renewal application submittal date, as specified in subsection 5 of this Section, no person shall operate a CAAPP source without a CAAPP permit unless the complete CAAPP permit or renewal application for such source has been timely submitted to the Agency.

32. To operate while remaining in compliance with Illinois law, Respondent was required to timely submit its CAAPP permit or renewal application, pursuant to Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022).

33. From July 15, 2022 or a date better known to Respondent, Respondent failed to submit to Illinois EPA its complete CAAPP application for the Facility, a new CAAPP source, within 12 months after the first date that the Facility commenced operation of the Printing Presses and RTO.

34. From July 15, 2022 or a date better known to Respondent, Respondent failed to timely seek exclusion from the CAAPP permit requirement through the imposition of federally enforceable conditions by submitting a FESOP application for the Facility.

35. From July 15, 2022 or a date better known to Respondent through the date of filing the Complaint, Respondent operated and continues to operate a CAAPP source without timely submission of a complete CAAPP permit or FESOP application to the Illinois EPA, in violation of Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Illinois Pollution Control Board enter an Order against Respondent, ADVANCED WEB TECHNOLOGIES, INC., 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 violated Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022);

3. Ordering Respondent to cease and desist from any future violations of Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022);

4. Assessing against Respondent a civil penalty of Ten Thousand Dollars (\$10,000.00) for each day of each violation, pursuant to Section 42(b)(5) of the Act, 415 ILCS 5/42(b)(5) (2022);
5. Taxing all costs of this action, including, but not limited to, attorney, expert witness and consultant fees against Respondent; and
6. Granting such other relief as the Board deems appropriate and just.

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:
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Assistant Attorney General
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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) (2022), 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) (2022). In support of this motion, Complainant states as follows:

1. The Complaint in this matter alleges violations of Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022).
2. The parties have reached agreement on all outstanding issues in this matter.
3. This agreement is presented to the Board in a Stipulation and Proposal for Settlement filed this same date.
4. 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) (2022).

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) (2022).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

KWAME RAOUL
Attorney General
State of Illinois

BY: /s/ Cara V. Sawyer

Cara V. Sawyer
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Ste. 1800
Chicago, Illinois 60602
(312) 814-3094
Primary email: cara.sawyer@ilag.gov
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Dated: June 30, 2025

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STIPULATION AND PROPOSAL FOR SETTLEMENT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), and ADVANCED WEB TECHNOLOGIES ILLINOIS, INC., a Delaware corporation ("Respondent"), (collectively "Parties to the Stipulation"), have agreed to the making of this Stipulation and Proposal for Settlement ("Stipulation") and submit it to the Illinois Pollution Control Board ("Board") for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board's approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1, et seq. (2022), and the Board's regulations, alleged in the Complaint except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

I. STATEMENT OF FACTS

A. Parties

1. On June 30, 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 (2022), 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 (2022).

3. At all times relevant to the Complaint, Respondent was and is a Delaware corporation registered to do business in Illinois.

4. At all times relevant to the Complaint, Respondent has owned and operated a flexographic printing facility at 393 Joseph Dr., South Elgin, Kane County, Illinois ("Facility").

5. On January 30, 2012, Illinois EPA issued a Lifetime Operating Permit 08070020 ("Permit") for the Facility's emission units, including: one (1) 10-color flexographic printing press controlled by a regenerative thermal oxidizer ("RTO"), two (2) 6-color flexographic printing presses, two (2) laminators, and one (1) solvent recovery still.

6. On August 16, 2016, Illinois EPA received an application from Respondent for a construction permit to add an additional 10-color flexographic printing press controlled by a new RTO and to modify the existing 10-color flexographic printing press to also be controlled by the new RTO (together, the "Printing Presses") at the Facility.

7. On August 16, 2016, Illinois EPA also received an application from Respondent for a Federally Enforceable State Operating Permit ("FESOP") for the Facility.

8. On August 19, 2016, Illinois EPA notified Respondent that its FESOP application was determined to be incomplete, because while Respondent indicated it was in full compliance in the application, Respondent had not yet constructed the new RTO or performed required stack testing on the new RTO and therefore could not demonstrate that its emission units complied with

the Act and Board regulations. The Illinois EPA notice stated that, upon receipt of the requisite information, it would resume its consideration of the FESOP application.

9. On November 9, 2016, Illinois EPA issued Construction Permit 16080022 ("Construction Permit") to Respondent for the applied-for construction regarding the Printing Presses.

10. After Respondent obtained the Construction Permit, Respondent finished construction of the Printing Presses and RTO and began operating them in January 2017.

11. The Construction Permit indicated that, based on the information that Respondent provided to Illinois EPA in the Construction Permit application, once Respondent finished construction of the Printing Presses and RTO and began operating them, the Facility would become a major source because it emits and/or has the potential to emit more than 100 tons per year of volatile organic matter ("VOM").

12. Respondent completed RTO VOM stack testing on June 7, 2017.

13. On July 15, 2022, Illinois EPA inspected the Facility and observed that Respondent had completed the construction pursuant to the Construction Permit and was operating the Printing Presses and RTO, but did not have a CAAPP permit or FESOP. The Respondent had also removed its 6-color flexographic printing presses.

14. Since January 2017, emission units at the Facility include the Printing Presses, two (2) laminators, and one (1) solvent recovery still (collectively, the "Facility's Equipment").

15. Since January 2017, the Facility's Equipment has emitted and continues to emit carbon monoxide ("CO"), nitrogen oxides ("NO_x"), particulate matter ("PM"), VOM, and sulfur dioxide ("SO₂") into the atmosphere.

B. Allegations of Non-Compliance

Complainant contends that Respondent has violated the following provision of the Act:

Count I: Operating Without a Clean Air Act Permit Program Permit ("CAAPP") or Federally Enforceable State Operating Permit ("FESOP"), in violation of Section 39.5(6)(b) of the Act, 415 ILCS 5/39.5(6)(b) (2022).

C. Non-Admission of Violations

Respondent represents that it has entered into this Stipulation for the purpose of settling and compromising disputes 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.

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 assigns 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, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2022).

No change in ownership, corporate status or operator of the facility shall in any way alter the responsibilities of Respondent under this Stipulation. This provision does not relieve Respondent from compliance with any regulatory requirement regarding notice and transfer of applicable facility permits.

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

Section 33(c) of the Act, 415 ILCS 5/33(c) (2022), 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. The Illinois EPA's information gathering responsibilities were hindered by Respondent's violations thereby threatening human health and the environment.
2. There is social and economic benefit to the facility.
3. Operation of the facility was and is suitable for the area in which it is located.
4. Timely submission of CAAPP or FESOP applications is both technically practicable and economically reasonable.
5. Respondent resubmitted its FESOP application to Illinois EPA, which Illinois EPA received on December 7, 2022. On or about December 12, 2022, Illinois EPA sent a CAAPP Application Completeness Determination notice to Respondent. As of the filing of this Stipulation, Respondent is operating without a FESOP.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2022), 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. On December 7, 2022, Illinois EPA received an untimely FESOP application from Respondent. On or about December 12, 2022, Illinois EPA sent a CAAPP Application Completeness Determination notice to Respondent. However, to date, Respondent has not obtained the required FESOP. As such, Respondent has operated and continues to operate without a CAAPP Permit or FESOP since at least July 15, 2022.
2. Respondent was diligent in attempting to come back into compliance with the Act

once Illinois EPA notified it of its noncompliance,

3. The civil penalty takes into account any economic benefit realized by 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 Twenty-Seven Thousand and Five Hundred Dollars (\$27,500.00) will serve to deter further violations and aid in future voluntary compliance with the Act.

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

Respondent shall pay a civil penalty in the sum of Twenty-Seven Thousand and Five Hundred Dollars (\$27,500.00) 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, the Complainant shall be entitled to reasonable costs of collection, including reasonable attorneys' fees.

2. Pursuant to Section 42(g) of the Act, 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 the 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
2520 West Iles Ave.
Springfield, Illinois 62704

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:

Cara Sawyer
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
69 W. Washington Street, Suite 1800
Chicago, Illinois 60602

D. Future Compliance

1. Respondent shall promptly respond to any requests for additional information regarding its FESOP application by the Illinois EPA within the timeframe specified in the request.

2. Upon Illinois EPA's issuance to Respondent of its CAAPP permit or FESOP, Respondent shall comply with all of the terms and conditions of the permit.

3. Respondent shall timely apply to Illinois EPA for all future construction and operating permits.

4. 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 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.

5. 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 or Illinois Pollution Control Board's regulation.

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

E. Release from Liability

In consideration of Respondent's payment of the \$27,500.00 penalty, its commitment to cease and desist as contained in Section V.D.6 above, 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 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 30, 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 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 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 (2022), or entity other than Respondent.

F. Correspondence, Reports and Other Documents

Any and all correspondence, reports and any other documents required under this Stipulation, except for penalty payments, shall be submitted, by both U.S. mail and email, as follows:

As to the Complainant

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

Xinyi Wei
Assistant Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
2520 West Iles Ave.
Springfield, Illinois 62704
xinyi.wei@illinois.gov

As to Respondent

Aron Frakes
Lindsey Remakel
Devin Driscoll
Counsels for Respondent
Fredrikson & Byron, P.A.
60 South 6th Street, Suite 1500
Minneapolis, Minnesota 55417
afrakes@fredlaw.com
lremakel@fredlaw.com
ddriscoll@fredlaw.com

G. Enforcement and Modification 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.

H. 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

KWAME RAOUL
Attorney General
State of Illinois

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

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

JAMES JENNINGS, Acting Director
Illinois Environmental Protection Agency

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

BY: 
ANDREW ARMSTRONG
Chief Legal Counsel

DATE: 6/25/25

DATE: 06/23/2025

ADVANCED WEB TECHNOLOGIES
ILLINOIS, INC.

BY (print): Michelle Zeller

ITS (title): President

SIGNATURE: 

DATE: 6/10/25