

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT  
LAWRENCE COUNTY, STATE OF ILLINOIS**

|                                              |   |            |
|----------------------------------------------|---|------------|
| PEOPLE OF THE STATE OF ILLINOIS,             | ) |            |
| <i>ex rel.</i> KWAME RAOUL, Attorney General | ) |            |
| of the State of Illinois,                    | ) |            |
|                                              | ) |            |
| Plaintiff,                                   | ) | 2026CH6    |
|                                              | ) |            |
| v.                                           | ) | No. 26-CH- |
|                                              | ) |            |
| CITY OF LAWRENCEVILLE, a municipal           | ) |            |
| corporation,                                 | ) |            |
|                                              | ) |            |
| Defendant.                                   | ) |            |

**COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF**

Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, Attorney General of the State of Illinois, on his own motion and at the request of the Illinois Environmental Protection Agency, complains of Defendant, CITY OF LAWRENCEVILLE, a municipal corporation duly organized and existing under the laws of the State of Illinois, as follows:

**COUNT I  
NPDES PERMIT VIOLATIONS—EFFLUENT LIMITATIONS**

1. This Count is brought on behalf of the People of the State of Illinois, *ex rel.* 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” or “Agency”), pursuant to the terms and provisions of Section 42(d) and (e) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/42(d) and (e) (2024), to seek injunctive relief and civil penalties.
2. The Illinois EPA is an agency of the State of Illinois created by the Illinois General

Assembly in Section 4 of the Act, 415 ILCS 5/4 (2024), and is charged, *inter alia*, with the duty of enforcing the Act.

3. The Illinois Pollution Control Board (“Board”) is an independent board created by the Illinois General Assembly in Section 5 of the Act, 415 ILCS 5/5 (2024), and is charged, *inter alia*, with the duty of promulgating standards and regulations under the Act.

4. The Defendant, CITY OF LAWRENCEVILLE, is a municipal corporation duly organized and existing under the laws of the State of Illinois. CITY OF LAWRENCEVILLE is located in Lawrence County and has approximately 4,315 residents.

5. The Defendant owns and operates a sewage treatment plant at 1502 3rd Street, Lawrenceville, Illinois, in Lawrence County, Illinois (“Facility”). The Defendant’s mailing address is 700 State Street, Lawrenceville, IL 62439.

6. The Facility consists of, *inter alia*, a shop, office/lab, headworks with influent pump station and automatic and manual bar screens, primary clarifier, flow control structure, dual Schreiber extended air activated sludge units and a traveling bridge (secondary clarifiers), disinfection, digested sludge wet storage, aerobic digester, and excess flow equalization basin/lagoon with disinfection and its collection system.

7. Effluent from the Facility discharges via Outfall 001 to Embarras River approximately 1,000 feet east of the Facility and via Outfall 002, which is the excess flow lagoon discharge, to an unnamed tributary to the Embarras River just south of the excess flow lagoon.

8. On September 29, 2020, Illinois EPA issued National Pollutant Discharge Elimination System Permit No. IL0029467 (“the NPDES Permit”) to Defendant, with an effective date of October 1, 2020, and an expiration date of September 30, 2025. The NPDES Permit

authorized Defendant to discharge effluent from Outfalls 001 and 002, subject to the terms and conditions of the NPDES Permit.

9. On September 30, 2025, the NPDES Permit expired. Since September 30, 2025, the Defendant has operated the Facility without a permit.

10. On September 16, 2025, Illinois EPA technical personnel conducted an inspection of the Facility (“September 2025 Inspection”).

11. On September 16, 2025, the Facility was deficient in the following particulars:

- a. within the headworks, the automatic bar screen was not functional and the manual bar screen had not been properly cleaned or maintained, resulting in trash and debris flowing into the Facility;
- b. the primary clarifier was not functional and several parts of it were held together with ropes; further, trash, debris, and scum were present in the primary clarifier;
- c. the secondary clarifier was not functional, with only one of the Schreiber units operating; further, trees and vegetation were growing in the tanks and aeration was not being provided as the system was designed;
- d. the Facility’s laboratory equipment was covered in dust and bearing evidence of animal infestation; biological oxygen demand testing bottles were not clean or sterilized; the fecal testing equipment and total suspended solids oven had insects in them; and none of the equipment had been recently calibrated;
- e. most of the testing chemicals were outdated.

12. From October 1, 2020 through September 30, 2025, the NPDES Permit provided, among others, the following limitations in the treated wastewater discharged from the Facility. The effluent limitation for Ammonia as Nitrogen (“Ammonia”) is detailed in the table below:

|                                              |                              |
|----------------------------------------------|------------------------------|
|                                              | Concentration Limits<br>mg/L |
|                                              | Daily Maximum                |
| <b>Ammonia</b><br>(Mar-<br>May/<br>Sept-Oct) | 4.7                          |

13. Samples collected at Outfall 001 during the September 2025 Inspection contained concentrations of Ammonia above the limit set by the NPDES Permit as set forth below.

| Date    | Effluent<br>Parameter | Limit<br>Exceeded | Concentration<br>Limit (mg/L) | Reported<br>Value (mg/L) |
|---------|-----------------------|-------------------|-------------------------------|--------------------------|
| 9/16/25 | Ammonia               | Daily<br>Maximum  | 4.7                           | 18.6                     |

14. Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), provides as follows:

No person shall:

- (f) 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 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.

15. Section 3.315 of the Act, 415 ILCS 5/3.315 (2024), provides the following definition:

“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

16. The Defendant is a “person” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2024).

17. Section 3.165 of the Act, 415 ILCS 5/3.165 (2024), provides the following definition:

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

18. Wastewater discharged from the Facility is a “contaminant” as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165 (2024).

19. Section 3.550 of the Act, 415 ILCS 5/3.550 (2024), 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 this State.

20. The Embarras River and its unnamed tributary, which receive wastewater from the Facility, are “waters” as that term is defined in Section 3.550 of the Act, 415 ILCS 5/3.550 (2024).

21. Pursuant to the authority granted in Sections 13 and 27 of the Act, 415 ILCS 5/13 and 5/27 (2024), the Board has promulgated rules and regulations to control water pollution in Illinois, codified at 35 Ill. Adm. Code, Subtitle C, Chapter I (“Board’s Water Pollution Regulations”).

22. Section 39(b) of the Act, 415 ILCS 5/39(b) (2024), provides, in pertinent part, as follows:

(b) The Agency may issue NPDES permits exclusively under this subsection for the discharge of contaminants from point sources into navigable waters, all as defined in the Federal Water Pollution Control Act, as now or hereafter amended, within the jurisdiction of the State, or into any well.

All NPDES permits shall contain those terms and conditions, including, but not limited to, schedules of compliance, which may be required to accomplish the purposes and provisions of this Act.

\* \* \*

The Agency may include, among such conditions, effluent limitations and other requirements established under this Act, Board regulations, the Federal Water Pollution Control Act, as now or hereafter amended, and regulations pursuant thereto, and schedules for achieving compliance therewith at the earliest reasonable date.

23. Section 3.105 of the Act, 415 ILCS 5/3.105 (2024), provides as follows:

“Agency” is the Environmental Protection Agency established by this Act.

24. The Illinois EPA issued coverage under the NPDES Permit to the Defendant pursuant to its authority in Section 39(b) of the Act, 415 ILCS 5/39(b) (2024).

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

Unless it complies with the Act, Board regulations, 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 is unlawful.

26. Section 301.240 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 301.240, provides as follows:

“CWA” means the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., Public Law 92-500 enacted by Congress October 18, 1972 as amended by the “Clean Water Act”, Public Law 95-217, enacted December 12, 1977, as amended.)

27. Section 502(14) of the CWA, 33 U.S.C. § 1362(14), provides as follows:

(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.

28. The Facility's Outfall 001, which discharges into the Embarras River is a "point source" as that term is defined in Section 502(14) of the CWA, 33 U.S.C. § 1362(14), and as authorized by the NPDES Permit.

29. Section 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a), provides as follows:

A person that has been issued an NPDES Permit must not discharge any contaminant in its effluent in excess of the standards and limitations for that contaminant in its permit.

30. Section 301.275 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 301.275, provides as follows:

"Effluent" means any wastewater discharged, directly or indirectly, to the waters of the State or to any storm sewer, and the runoff from land used for the disposition of wastewater or sludges, but does not otherwise include nonpoint source discharges such as runoff from land or any livestock management facility or livestock waste handling facility subject to regulation under Subtitle E.

31. Wastewater discharged from the Facility constitutes "effluent" as that term is defined in Section 301.275 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 301.275.

32. On September 16, 2025, and at times better known to Defendant, Defendant discharged effluent from Outfall 001 containing concentrations of Ammonia in excess of the Facility's NPDES-permitted effluent limits, and thereby violated the effluent limits of the NPDES Permit.

33. By discharging Ammonia in its effluent in excess of the standards and limitations of the NPDES Permit, Defendant violated Section 304.141 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 304.141(a).

34. By discharging a contaminant into waters of the State from a point source in violation of the NPDES Permit, Defendant violated Section 309.102(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a).

35. By causing, threatening, or allowing the discharge of a contaminant from a point source into the waters of the State in violation of regulations adopted by the Board with respect to the NPDES program and the terms or conditions imposed by the NPDES Permit, the Defendant violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2024).

36. Violations of the pertinent environmental statutes will continue unless and until this Court grants equitable relief in the form of preliminary, and, after trial, permanent injunctive relief.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, prays that this Court enter an order in favor of the Plaintiff and against the Defendant, CITY OF LAWRENCEVILLE, on Count I:

A. Finding that the Defendant violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 309.102(a) and 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a) and 304.141(a), and the NPDES Permit;

B. Enjoining the Defendant from further violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 309.102(a) and 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a) and 304.141(a), and the NPDES Permit;

C. Ordering the Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 309.102(a) and 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a) and 304.141(a), and the NPDES Permit, including but

not limited to implementing all operational and Facility improvements necessary to comply with the NPDES Permit;

D. Assessing against Defendant, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024), 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) (2024), Sections 309.102(a) and 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a) and 304.141(a), and the NPDES Permit, that occurred prior to June 16, 2025;

E. Assessing against Defendant, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1),<sup>1</sup> a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each day of violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Sections 309.102(a) and 304.141(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.102(a) and 304.141(a), and the NPDES Permit, that occurred on or after June 16, 2025, with an annual increase on July 1st of each subsequent year calculated pursuant to Section 42(l) of the Act, 415 ILCS 5/42(l).

F. Assessing all costs against the Defendant, including attorney, expert witness and consultant fees expended by Plaintiff in its pursuit of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

G. Ordering such other and further relief as the Court deems appropriate and just.

## **COUNT II** **WATER POLLUTION**

1-31. Plaintiff re-alleges and incorporates herein by reference paragraphs 1 through 31 of Count I as paragraphs 1 through 31 of this Count II.

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<sup>1</sup> On June 16, 2025, the State of Illinois enacted Public Act 104-006, which amended Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1), to change the maximum penalty amounts under that section to \$25,000 per day of violation. Pub. Act 104-006 (eff. June 16, 2025), § 5-35. The amendment provides for these amounts to be increased annually based on the consumer price index. *Id.* The amendment took effect immediately. Pub. Act 104-006, § 99-99.

32. On dates before April 2, 2026 better known to the Defendant, Manhole Number 44, located along a sanitary sewer main that discharges to the North Lift Station and then the Facility's excess flow lagoon, had a large hole in its concrete collar. An eroded channel containing toilet paper and grit extended from Manhole Number 44 to a nearby creek, tributary to the Embarras River.

33. On April 2, 2026, dye tablets deposited into Manhole Number 43, located along the same main, indicated discharge from a sanitary sewer main break into a nearby creek, tributary to the Embarras River. The creek was discolored with and smelled of raw sewage.

34. On April 2, 2026, the excess flow lagoon was actively discharging about 50 gallons per minute of untreated effluent through Outfall 002. The Defendant had not taken samples of the effluent for testing at any time relevant to this Complaint.

35. Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), provides as follows:

No person shall:

- (a) Cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

36. Section 3.545 of the Act, 415 ILCS 5/3.545 (2024), provides as follows:

“Water pollution” is such alteration of the physical, thermal, chemical, biological or radioactive properties of any waters of the State, or such discharge of any contaminant into any waters of the State, as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to livestock, wild animals, birds, fish, or other aquatic life.

37. Defendant's discharges from the Facility into the Embarras River and tributary waters thereof containing untreated sewage and/or contaminants in excess of the permitted limits

caused or threatened to cause such water to be rendered harmful or detrimental or injurious to (a) public health, safety or welfare; (b) domestic, commercial, industrial, agricultural, recreational, or other legitimate uses; or (c) livestock, wild animals, birds, fish, or other aquatic life, and therefore constitute “water pollution” as that term is defined in Section 3.545 of the Act, 415 ILCS 5/3.545 (2024).

38. Section 302.203 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 302.203 provides as follows:

Waters of the State must be free from sludge or bottom deposits, floating debris, visible oil, odor, plant or algal growth, and color or turbidity of other than natural origin.

39. Section 304.106 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.106, provides as follows:

In addition to the other requirements of this Part, no effluent shall contain settleable solids, floating debris, visible oil, grease, scum or sludge solids. Color, odor and turbidity must be reduced to below obvious levels.

40. By allowing waters of the State to become discolored and smell of raw sewage, the Defendant violated Section 302.203 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 302.203.

41. By allowing effluents from the Facility to have color and odor above obvious levels, Defendant violated 304.106 of the Board’s Water Pollution Regulations, 35 Ill. Adm. Code 304.106.

42. By causing, threatening, or allowing the discharge of contaminants into the environment so as to cause or threaten to cause water pollution, the Defendant violated 12(a) of the Act, 415 ILCS 5/12(a) (2024).

43. By causing, threatening, or allowing the discharge of contaminants into the environment so as to violate Section 302.203 and 304.106 of the Board's Water Pollution Regulations, the Defendant violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024).

44. Violations of the pertinent environmental statutes will continue unless and until this Court grants equitable relief in the form of preliminary, and, after a hearing, permanent injunctive relief.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, prays that this Court enter an order in favor of the Plaintiff and against the Defendant, CITY OF LAWRENCEVILLE, on Count II:

A. Finding that Defendant violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 302.203 and 304.106 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 302.203 and 304.106;

B. Enjoining Defendant from further violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 302.203 and 304.106 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 302.203 and 304.106;

C. Ordering Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of the violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 302.203 and 304.106 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 302.203 and 304.106;

D. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024), a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 302.203 and 304.106 of the Board's Water

Pollution Regulations, 35 Ill. Adm. Code 302.203 and 304.106, that occurred prior to June 16, 2025, and an additional Ten Thousand Dollars (\$10,000.00) for each day that each violation continued prior to June 16, 2025;

E. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a),<sup>2</sup> a civil penalty of One Hundred Thousand Dollars (\$100,000.00) for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Sections 302.203 and 304.106 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 302.203 and 304.106, that occurred on or after June 16, 2025, and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continued on or after June 16, 2025, with an annual increase on July 1st of each subsequent year calculated pursuant to Section 42(l) of the Act, 415 ILCS 5/42(l);

F. Assessing all costs against Defendant, including attorney, expert witness and consultant fees expended by Plaintiff in its pursuit of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

G. Ordering such other and further relief as the Court deems appropriate and just.

**COUNT III**  
**WATER POLLUTION HAZARD**

1–32. Plaintiff re-alleges and incorporates herein by reference paragraphs 1 through 31 of Count I and paragraph 32 of Count II as paragraphs 1 through 32 of this Count III.

33. Section 12(d) of the Act, 415 ILCS 5/12(d) (2024), provides as follows:

No person shall:

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<sup>2</sup> On June 16, 2025, the State of Illinois enacted Public Act 104-006, which amended Section 42(a) of the Act, 415 ILCS 5/42(a), to change the maximum penalty amounts under that section to \$100,000 per violation and \$25,000 per day each violation continues. Pub. Act 104-006 (eff. June 16, 2025), § 5-35. The amendment provides for these amounts to be increased annually based on the consumer price index. *Id.* The amendment took effect immediately. Pub. Act 104-006, § 99-99.

- (d) Deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

34. During the September 2025 Inspection, piles of trash and debris were observed to be deposited on the ground adjacent to the primary clarifier.

35. Trash, debris, toilet paper and grit are “contaminants” as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165 (2024).

36. By depositing contaminants, including trash, debris, toilet paper and grit, upon the land at its Facility and in the vicinity of its collection system, Defendant created a water pollution hazard.

37. By creating a water pollution hazard, the Defendant violated Section 12(d) of the Act, 415 ILCS 5/12(d) (2024).

38. Violations of the pertinent environmental statutes will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, prays that this Court enter an order in favor of the Plaintiff and against the Defendant, CITY OF LAWRENCEVILLE, on Count III:

- A. Finding that Defendant violated Section 12(d) of the Act, 415 ILCS 5/12(d) (2024);
- B. Enjoining Defendant from further violations of Section 12(d) of the Act, 415 ILCS 5/12(d) (2024);
- C. Ordering Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of the violations of Section 12(d) of the Act, 415 ILCS 5/12(d) (2024);

D. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024), a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2024), that occurred prior to June 16, 2025, and an additional Ten Thousand Dollars (\$10,000.00) for each day that each violation continued prior to June 16, 2025;

E. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024), a civil penalty of One Hundred Thousand Dollars (\$100,000.00) for each violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2024), that occurred on or after June 16, 2025, and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continued on or after June 16, 2025, with an annual increase on July 1st of each subsequent year calculated pursuant to Section 42(l) of the Act, 415 ILCS 5/42(l);

F. Assessing all costs against Defendant, including attorney, expert witness and consultant fees expended by Plaintiff in its pursuit of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

G. Ordering such other and further relief as the Court deems appropriate and just.

**COUNT IV**  
**SANITARY SEWER OVERFLOWS**

1–34. Plaintiff re-alleges and incorporates herein by reference paragraphs 1 through 31 of Count I and paragraphs 32-34 of Count II as paragraphs 1 through 34 of this Count IV.

35. Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304 provides as follows:

Overflows from sanitary sewers are prohibited.

36. The Defendant self-reported overflows from its sanitary sewer system occurring on January 7, February 12, and March 11, 2026.

37. By allowing overflows from its sanitary sewer system, the Defendant violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304.

38. Violations of the pertinent environmental statutes will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, prays that this Court enter an order in favor of the Plaintiff and against the Defendant, CITY OF LAWRENCEVILLE, on Count IV:

A. Finding that Defendant violated Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304;

B. Enjoining Defendant from further violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304;

C. Ordering Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of the violations of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304;

D. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024), a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304, that occurred prior to June 16, 2025, and an additional

Ten Thousand Dollars (\$10,000.00) for each day that each violation continued prior to June 16, 2025;

E. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2024), a civil penalty of One Hundred Thousand Dollars (\$100,000.00) for each violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2024), and Section 306.304 of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 306.304, that occurred on or after June 16, 2025, and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continued on or after June 16, 2025, with an annual increase on July 1st of each subsequent year calculated pursuant to Section 42(l) of the Act, 415 ILCS 5/42(l);

F. Assessing all costs against Defendant, including attorney, expert witness and consultant fees expended by Plaintiff in its pursuit of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

G. Ordering such other and further relief as the Court deems appropriate and just.

**COUNT V**  
**FAILING TO MAINTAIN FACILITY AND PREVENT UNLAWFUL DISCHARGES**

1–31. Plaintiff re-alleges and incorporates herein by reference paragraphs 1 through 31 of Count I as paragraphs 1 through 31 of this Count IV.

32. Standard Condition 10 of the NPDES permit provides, in pertinent part, as follows:

Monitoring and records.

- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
- (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or

application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.

...

- (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.

33. Following the September 2025 Inspection, Plaintiff requested five years of lab bench sheets pursuant to Standard Condition 10(b) of the NPDES Permit. Defendant could only produce six months of bench sheets.

34. By failing to produce requested bench sheets, Defendant violated Standard Condition 10(b) of the NPDES Permit.

35. By failing to properly operate and maintain its Facility, the Defendant violated Standard Condition 10(d) of the NPDES Permit.

36. By causing, threatening, or allowing the discharge of a contaminant from a point source into waters of the State in violation of the terms or conditions imposed by the NPDES Permit, Defendant violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2024).

37. Violations of the pertinent environmental statutes will continue unless and until this Court grants equitable relief in the form of preliminary and, after trial, permanent injunctive relief.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, prays that this Court enter an order in favor of the Plaintiff and against the Defendant, CITY OF LAWRENCEVILLE, on Count V:

- A. Finding that Defendant violated Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), and Standard Conditions 10(b) and (d) of the NPDES Permit;
- B. Enjoining Defendant from further violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), and Standard Conditions 10(b) and (d) of the NPDES Permit;
- C. Ordering Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of the violations of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), and Standard Conditions 10(b), and (d) of the NPDES Permit;
- D. Assessing against Defendant, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024), a civil penalty of Ten Thousand Dollars (\$10,000.00) for each violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), and NPDES Permit Condition that occurred prior to June 16, 2025;
- E. Assessing against Defendant, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024), a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each day of violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), and NPDES Permit Condition that occurred on or after June 16, 2025, with an annual increase on July 1st of each subsequent year calculated pursuant to Section 42(l) of the Act, 415 ILCS 5/42(l);
- F. Assessing all costs against Defendant, including attorney, expert witness and consultant fees expended by Plaintiff in its pursuit of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and
- G. Ordering such other and further relief as the Court deems appropriate and just.

**COUNT VI**  
**UNPERMITTED DISCHARGE**

1–31. Plaintiff re-alleges and incorporates herein by reference paragraphs 1 through 31 of Count I as paragraphs 1 through 31 of this Count VI.

32. Section 309.104(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code

309.104(a), provides, in pertinent part, as follows:

a) Any permittee who wishes to continue to discharge after the expiration date of the NPDES Permit must timely apply for reissuance of the permit.

1) A permittee has submitted a timely application for a new permit when:

A) The permittee submits:

i) an application 180 days before the expiration date of the existing permit; or

ii) a request for a waiver in writing to the Agency, the Agency grants a written waiver to apply less than 180 days before the expiration date of the existing permit, and the applicant applies within the timeframe listed in the waiver request. . . .

\* \* \*

2) The terms and conditions of an expiring permit remain effective and enforceable against the discharger until the Agency takes final action on the pending permit application, only if:

A) the permittee has submitted a timely application under subsection (a)(1).

33. Standard Condition 2 of the NPDES Permit states as follows:

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, the permit shall continue in full force and effect until the final Agency decision on the application has been made.

34. The Defendant submitted its permit renewal request on August 18, 2025, approximately 137 days after the renewal deadline. At the time of this Complaint's filing, the

permit renewal remains pending.

35. The Defendant has continued to discharge wastewater from the Facility's Outfall 001 and 002 since the NPDES Permit expired on September 30, 2025.

36. From September 30, 2025 through at least the date of this Complaint, discharges of wastewater from the Facility's Outfall 001 and 002 were not authorized by an NPDES permit.

37. From September 30, 2025 through at least the date of this Complaint, the Defendant continued to operate the Facility and discharge wastewater from Outfall 001 and 002 without a valid NPDES permit.

38. By failing to submit a permit renewal application 180 days prior to the expiration date of the NPDES Permit, the Defendant violated Section 309.104(a) of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.104(a), and Standard Condition 2 of the NPDES Permit.

39. By causing, threatening, or allowing the discharge of a contaminant from a point source into waters of the State without a valid NPDES permit, and in violation of the regulations adopted by the Board with respect to the NPDES program, the Defendant thereby violated Sections 12(f) of the Act, 415 ILCS 5/12(f) (2024).

40. Violations of the pertinent statutes and regulations will continue unless and until this Court grants equitable relief in the form of preliminary, and, after hearing, permanent injunctive relief.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, prays that this Court enter an order in favor of the Plaintiff and against the Defendant, CITY OF LAWRENCEVILLE, on Count VI:

A. Finding that Defendant violated Sections 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.104(a) of the of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.104(a), and the NPDES Permit;

B. Enjoining Defendant from further violations of Sections 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.104(a) of the of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.104(a), and the NPDES Permit;

C. Ordering Defendant to immediately undertake all necessary corrective action that will result in a final and permanent abatement of the violations of Sections 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.104(a) of the of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.104(a), and the NPDES Permit;

D. Assessing against Defendant, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024), a civil penalty of Ten Thousand Dollars (\$10,000.00) for each violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.104(a) of the of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.104(a), and the NPDES Permit, that occurred prior to June 16, 2025;

E. Assessing against Defendant, pursuant to Section 42(b)(1) of the Act, 415 ILCS 5/42(b)(1) (2024), a civil penalty of Twenty-Five Thousand Dollars (\$25,000.00) for each day of violation of Section 12(f) of the Act, 415 ILCS 5/12(f) (2024), Section 309.104(a) of the of the Board's Water Pollution Regulations, 35 Ill. Adm. Code 309.104(a), and the NPDES Permit, that occurred on or after June 16, 2025, with an annual increase on July 1st of each subsequent year calculated pursuant to Section 42(l) of the Act, 415 ILCS 5/42(l);

F. Assessing all costs against Defendant, including attorney, expert witness and consultant fees expended by Plaintiff in its pursuit of this action pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024); and

G. Ordering such other and further relief as the Court deems appropriate and just.

Respectfully Submitted,

PEOPLE OF THE STATE OF ILLINOIS,  
*ex rel.* KWAME RAOUL, Attorney General  
of the State of Illinois

MATTHEW J. DUNN, Chief  
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