

**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
CHAMPAIGN COUNTY, ILLINOIS**

**PEOPLE OF THE STATE OF ILLINOIS,** )  
*ex rel.* **LISA MADIGAN, Attorney General** )  
**of the State of Illinois,** )  
 )  
          **Plaintiff,** )  
 )  
                  **v.** )  
 )  
**THE PEOPLES GAS** )  
**LIGHT AND COKE COMPANY,** )  
**an Illinois corporation,** )  
 )  
          **Defendant.** )

**No. 17 CH**

**VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES**

Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, on her own motion and at the request of the ILLINOIS DEPARTMENT OF NATURAL RESOURCES, complains of the Defendant, THE PEOPLES GAS LIGHT AND COKE COMPANY, an Illinois corporation, as follows:

**COUNT I**  
**FAILURE TO KEEP WELL IN LEAK-FREE CONDITION**

1. This Count is brought in the name of the People of the State of Illinois by the Attorney General of the State of Illinois at the request of the Illinois Department of Natural Resources (“Illinois DNR” or “Department”), pursuant to Section 11 of the Illinois Oil and Gas Act (the “Oil and Gas Act”), 225 ILCS 725/11 (2016).

2. The Illinois DNR is an agency of the State of Illinois created by the Illinois General Assembly and charged, *inter alia*, with the duty of enforcing the Oil and Gas Act and all rules and regulations promulgated thereunder, pursuant to Section 3 of the Oil and Gas Act, 225 ILCS 725/3 (2016).

3. Defendant, THE PEOPLES GAS LIGHT AND COKE COMPANY (“PEOPLES GAS”), at all times relevant to this Complaint, was and is a natural gas provider company and an Illinois corporation registered to do business in Illinois.

4. PEOPLES GAS is the owner and operator of the Manlove Field, an underground natural gas storage facility (the “Facility”) located near the Village of Fisher, in Champaign County, Illinois.

5. The Facility contains 153 injection withdrawal wells and an underground gas storage field with a working gas capacity of approximately 36.5 billion cubic feet of gas per year, located beneath 27,500 contiguous acres.

6. The natural gas is stored at the Facility at a depth of approximately 4,000 feet below surface, in the Mount Simon formation.

7. The Mahomet Aquifer is located above the Mount Simon formation, and provides fresh water to approximately 850,000 people.

8. Upon information and belief, on December 6, 2016, an employee of PEOPLES GAS detected a leak (the “Gas Release”) from the well known as L. McCord #2 (“MC2”), when he observed gas bubbles rising out of puddles near MC2.

9. MC2 is one of the 153 injection withdrawal wells in the Facility, and is located at 40.27749 N. Latitude and 88.38961 W. Longitude.

10. After investigating the Gas Release, on January 13, 2017, Defendant reported to the U.S. Department of Transportation that 39,300,000 cubic feet of natural gas leaked from MC2.

11. On a date better known to Defendant and prior to January 13, 2017, PEOPLES GAS further determined that the leaked natural gas from MC2 had migrated into the Mahomet Aquifer.

12. After investigating private water wells located within a 5,000-foot radius of MC2, PEOPLES GAS found five homes impacted by the Gas Release. The five homes PEOPLES GAS found to be impacted by the Gas Release each had a private water well, and the five private water wells each tested positive for natural gas from the Facility.

13. The homes and private water wells that PEOPLES GAS found to be impacted by the Gas Release are at various locations, generally to the north, east, and south of MC2. The homes range from approximately 1,000 feet to 4,000 feet from MC2.

14. The primary component of natural gas is methane, a greenhouse gas.

15. Natural gas is highly flammable and an asphyxiant in enclosed spaces.

16. Affected homeowners have been able to light on fire the drinking water obtained from their groundwater wells. The drinking water obtained within the affected homes is bubbly, due to the presence of natural gas in the water.

17. Section 11 of the Oil and Gas Act, 225 ILCS 725/11 (2016) (Emphasis Added), provides as follows:

Whenever it shall appear that any person is violating or threatening to violate any provision of this Act, or any rule or final administrative order made hereunder, the Department, through the Attorney General, who may call to his or her assistance the State's Attorney of the county in which an action is instituted, shall bring an action in the name of the People of the State of Illinois against such person in the circuit court of the county wherein any part of the land or any activity which is the subject matter of such action is located, or a final administrative order was entered, to restrain such person from continuing such violation or from carrying out the threat of violation. **In such action the Department, in the name of the People of the State of Illinois, may obtain such injunctions, prohibitory and mandatory, including temporary restraining orders**

**and preliminary injunctions, or other enforcement orders as the facts may warrant.** All remedies and penalties provided for in this Act shall be cumulative in effect and, accordingly, proceedings under this Section are in addition to, and not in lieu of, other remedies and penalties provided for in this Act.

18. Section 240.155 of the Department's Oil and Gas Regulations, 62 Ill. Adm. Code 24.155 provides as follows:

- a) The Department may elect to file an action with the Attorney General with or without issuing a notice of violation pursuant to Section 240.150.
- b) In accordance with Section 11 of the Act, the Department through the Attorney General shall bring an action in the name of the People of the State of Illinois against such person in the circuit court of the county wherein any part of the land or any activity which is the subject matter of such action is located, or a final administrative order was entered, to restrain such person from continuing such violation or from carrying out the threat of violation. In such action the Department, in the name of the People of the State of Illinois, may obtain such injunctions, prohibitory and mandatory, including temporary restraining orders and preliminary injunctions, or other enforcement orders as the facts may warrant, including but not limited to:
  - 1) an assessment of civil penalties not to exceed \$1,000 per day for each and every act of violation documented in the previous 2 years; and/or
  - 2) submission of a bond in accordance with Subpart O; and/or
  - 3) denial of new drilling and/or operating permits.
- c) The provisions of this Section apply to the following:
  - 1) violations of any requirement of the Act that the Department determines creates a substantial and imminent danger to the health or safety of the public; or
  - 2) violations of the Act that pose an imminent danger of substantial environmental harm or cause environmental damage to property or contamination of surface or ground waters of the State as a result of improper disposal, release, or discharge of produced fluid; or

- 3) the permittee has shown a pattern of documented events involving improper disposal, release, or discharge of produced fluids within the previous 2 years from the date of the most recent event.

19. Section 240.1800 of the Department's Oil and Gas Act Regulations, 62 Ill. Adm.

Code 240.1800, provides, in pertinent part, as follows:

The provisions of this Subpart apply to groundwater protection requirements and operating requirements of Underground Gas Storage Fields; the drilling and conversions of gas storage and observation wells in an Underground Gas Storage Field ...

20. Section 240.1805(a) of the Department's Oil and Gas Act Regulations, 62

Ill. Adm. Code 240.1805(a), provides the following definition:

- a) "Gas Storage Well" means a well drilled for input and/or withdrawal of natural gas or manufactured gas in a gas storage field.

21. Well MC2 is a gas storage well as that term is defined in Section 240.1805(a) of the Department's Oil and Gas Act Regulations, 62 Ill. Adm. Code 240.1805(a).

22. Section 240.1852(b) of the Department's Oil and Gas Act Regulations, 62 Ill.

Adm. Code 240.1852(b), provides, in pertinent part, as follows:

- b) Wells shall be subject to the operating requirements of Section 240.630(a), (b) and (c) and the leaking well provisions of Section 240.1610.

\* \* \*

23. Section 240.630(b) of the Department's Oil and Gas Act Regulations, 62 Ill.

Adm. Code 240.630(b), provides as follows:

- b) The well and wellhead shall be maintained in a leak-free condition.

24. Commencing on or before December 16, 2016, and on dates better known to PEOPLES GAS, PEOPLES GAS has failed to maintain MC2 in a leak-free condition.

25. By failing to keep MC2 in a leak-free condition, PEOPLES GAS has violated Section 240.630(b) of the Department's Oil and Gas Act Regulations, 62 Ill. Adm. Code 240.630(b).

26. By failing to keep MC2 in a leak-free condition, Defendant improperly disposed, released, or discharged produced fluids, referenced *supra*, that have created a substantial and imminent danger to the health or safety of the public.

27. To restrain Defendant's acts of improperly disposing, releasing, or discharging produced fluids, referenced *supra*, that have created a substantial and imminent danger to the health or safety of the public, Plaintiff may obtain "such injunctions, prohibitory or mandatory, including temporary restraining orders and preliminary injunctions, or other enforcement orders" as provided by Section 11 of the Oil and Gas Act, 225 ILCS 725/11 (2016), and Section 240.155(b) of the Department's Oil and Gas Regulations, 62 Ill. Adm. Code 240.155(b).

28. By failing to keep MC2 in a leak-free condition, Defendant improperly disposed, released, or discharged produced fluids that have posed, and continues to pose, an imminent danger of substantial environmental harm or that have caused environmental damage to property or contamination of surface or ground waters of the State.

29. To restrain Defendant's acts of improperly disposing, releasing, or discharging produced fluids that have posed, and continue to pose, an imminent danger of substantial environmental harm or have caused environmental damage to property or contamination of surface or ground waters of the State, Plaintiff may obtain "such injunctions, prohibitory or mandatory, including temporary restraining orders and preliminary injunctions, or other enforcement orders" as provided by Section 11 of the Oil and Gas Act, 225 ILCS 725/11 (2016),

and Section 240.155(b) of the Department's Oil and Gas Regulations, 62 Ill. Adm. Code 240.155(b).

30. Violations of the pertinent environmental statutes and regulations 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, respectfully requests that this Court grant an immediate and preliminary injunction and, after trial, a permanent injunction in favor of the Plaintiff and against the Defendant, THE PEOPLES GAS LIGHT AND COKE COMPANY, on this Court I, as follows:

A. Finding that the Defendant has violated the Oil and Gas Act, 225 ILCS 725/1 (2016) *et seq.*, and Section 240.630(b) of the Department's Oil and Gas Act Regulations, 62 Ill. Adm. Code 240.630(b);

B. Enjoining the Defendant from committing any further violations of the Oil and Gas Act, 225 ILCS 725/1 (2016) *et seq.*, and Section 240.630(b) of the Department's Oil and Gas Act Regulations, 62 Ill. Adm. Code 240.630(b);

C. Ordering the Defendant to immediately investigate the cause of the Gas Release, cease the discharge of natural gas from the Facility, maintain twenty-four (24) hour response operations to stop any natural gas leaks, provide safe and adequate drinking water to any households impacted by the Gas Release, install methane and hydrogen disulfide gas monitoring devices in any households impacted by the Gas Release, investigate the extent of any remaining contamination, and complete remediation of affected areas and of all impacted waters;

D. Assessing against the Defendant, pursuant to Section 26 of the Oil and Gas Act, 225 ILCS 725/26 (2016), a civil penalty of One Thousand Dollars (\$1,000.00) for each day of violation; and

E. Granting such other relief as this Court deems equitable and just.

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

1. This Count is brought on behalf of the People of the State of Illinois, *ex rel.* Lisa Madigan, Attorney General of the State of Illinois, on her own motion pursuant to Section 42 of the Illinois Environmental Protection Act (“Environmental Protection Act”), 415 ILCS 5/42 (2016).

2-16. Plaintiff realleges and incorporates by reference herein, paragraphs 2 through 16 of Count I, as paragraphs 2 through 16 of this Count II.

17. Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a) (2016), 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.

18. Section 3.315 of the Environmental Protection Act, 415 ILCS 5/3.315 (2016), 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.



19. PEOPLES GAS is a “person” as that term is defined in Section 3.315 of the Environmental Protection Act, 415 ILCS 5/3.315 (2016).

20. Section 3.165 of the Environmental Protection Act, 415 ILCS 5/3.165 (2016), provides the following definition:

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

21. Natural gas is a “contaminant,” as that term is defined in Section 3.165 of the Environmental Protection Act, 415 ILCS 5/3.165 (2016).

22. Section 3.545 of the Environmental Protection Act, 415 ILCS 5/3.545 (2016), provides the following definition:

“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.

23. Section 3.550 of the Environmental Protection Act, 415 ILCS 5/3.550 (2016), 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.

24. The Mahomet Aquifer is a “water,” as that term is defined by Section 3.550 of the Environmental Protection Act, 415 ILCS 5/3.550 (2016).

25. The presence of natural gas in the Mahomet Aquifer constitutes the alteration of the physical and chemical properties of the water which 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 the domestic, commercial, industrial, agricultural, recreational, or other legitimate uses, or to

livestock, wild animals, birds, fish, or other aquatic life, and therefore is “water pollution” as that term is defined in Section 3.545 of the Environmental Protection Act, 415 ILCS 5/3.545 (2016). The water in the Mahomet Aquifer has been contaminated with natural gas, causing the water from the aquifer when removed for household drinking water purposes to be flammable, and to be contaminated with benzene, a known human carcinogen.

26. By causing, threatening, or allowing the discharge of natural gas into the Mahomet Aquifer, PEOPLES GAS has caused water pollution in violation of Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a) (2016).

27. Commencing on or before December 16, 2016, and continuing through the present, PEOPLES GAS has violated and continues to violate Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a) (2016).

28. Violations of the pertinent environmental statutes and regulations 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, respectfully requests that this Court grant an immediate and preliminary injunction and, after trial, a permanent injunction in favor of the Plaintiff and against the Defendant, THE PEOPLES GAS LIGHT AND COKE COMPANY, on this Count II, as follows:

A. Finding that the Defendant has violated Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a) (2016);

B. Enjoining the Defendant from committing any further violations of the Environmental Protection Act;

C. Ordering the Defendant to immediately investigate the cause of the Gas Release, cease the discharge of natural gas from the Facility, maintain twenty-four (24) hour response operations to stop any natural gas leaks, provide safe and adequate drinking water to any households impacted by the Gas Release, install methane and hydrogen disulfide gas monitoring devices in any households impacted by the Gas Release, investigate the extent of any remaining contamination, and complete remediation of affected areas and of all impacted waters;

D. Assessing against the Defendant, pursuant to Section 42(a) of the Environmental Protection Act, 415 ILCS 5/42(a) (2016), a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each and every violation of the Environmental Protection Act, and an additional Ten Thousand Dollars (\$10,000.00) for each day of violation;

E. Assessing all costs against the Defendant, including attorney, expert witness, and consultant fees expended by the State in its pursuit of this action, pursuant to Section 42(f) of the Environmental Protection Act, 415 ILCS 5/42(f) (2016); and

F. Granting such other relief as this Court deems equitable and just.

**COUNT III**  
**IMPAIRMENT OF RESOURCE GROUNDWATER**

1. This Count is brought on behalf of the People of the State of Illinois, *ex rel.* Lisa Madigan, Attorney General of the State of Illinois, on her own motion pursuant to Section 42 of the Illinois Environmental Protection Act, 415 ILCS 5/42 (2016).

2-25. Plaintiff realleges and incorporates by reference herein, paragraphs 2 through 16 of Count I, and paragraphs 17-25 of Count II, as paragraphs 2 through 25 of this Count III.

26. Section 620.301(a) of the Illinois Pollution Control Board (“Board”) Public Water Supplies Regulations, 35 Ill. Adm. Code 620.301(a), provides as follows:

- a) No person shall cause, threaten or allow the release of any contaminant to a resource groundwater such that:
  - 1) Treatment or additional treatment is necessary to continue an existing use or to assure a potential use of such groundwater; or
  - 2) An existing or potential use of such groundwater is precluded

27. Section 620.110 of the Board's Public Water Supplies Regulations, 35 Ill.

Adm. Code 620.110, provides the following definitions:

"Groundwater" means underground water which occurs within the saturated zone and geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure.

"Resource groundwater" means groundwater that is presently being, or in the future is capable of being, put to beneficial use by reason of being of suitable quality.

28. The Mahomet Aquifer is "groundwater" and "resource groundwater," as those terms are defined by Section 620.110 of the Board's Public Water Supplies Regulations, 35 Ill.

Adm. Code 620.110.

29. Commencing on or before December 16, 2016, and on dates better known to PEOPLES GAS, PEOPLES GAS has caused, threatened, or allowed the release of a contaminant into a resource groundwater.

30. As a result of the release of a contaminant into a resource groundwater, it was necessary to install gas-water separators in at least three homes, so that the water could be safely taken from the Mahomet Aquifer.

31. By causing, threatening, or allowing the discharge of natural gas into the Mahomet Aquifer, PEOPLES GAS necessitated treatment of the groundwater for continued use,

thereby violating Section 620.301(a) of the Board's Public Water Supplies Regulations, 35 Ill. Adm. Code 620.301(a).

32. By violating Section 620.301(a) of the Board's Public Water Supplies Regulations, 35 Ill. Adm. Code 620.301(a), PEOPLES GAS thereby also has violated Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a) (2016).

33. Violations of the pertinent environmental statutes and regulations 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, respectfully requests that this Court grant an immediate and preliminary injunction and, after trial, a permanent injunction in favor of the Plaintiff and against the Defendant, THE PEOPLES GAS LIGHT AND COKE COMPANY, on this Count III, as follows:

A. Finding that the Defendant has violated Section 12(a) of the Environmental Protection Act, 415 ILCS 5/12(a) (2016), and Section 620.301(a) of the Board's Public Water Supplies Regulations, 35 Ill. Adm. Code 620.301(a);

B. Enjoining the Defendant from committing any further violations of the Environmental Protection Act and Board regulations;

C. Ordering the Defendant to immediately investigate the cause of the Gas Release, cease the discharge of natural gas from the Facility, maintain twenty-four (24) hour response operations to stop any natural gas leaks, provide safe and adequate drinking water to any households impacted by the Gas Release, install methane and hydrogen disulfide gas monitoring

devices in any households impacted by the Gas Release, investigate the extent of any remaining contamination, and complete remediation of affected areas and of all impacted waters;

D. Assessing against the Defendant, pursuant to Section 42(a) of the Environmental Protection Act, 415 ILCS 5/42(a) (2016), a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each and every violation of the Environmental Protection Act, and an additional Ten Thousand Dollars (\$10,000.00) for each day of violation;

E. Assessing all costs against the Defendant, including attorney, expert witness, and consultant fees expended by the State in its pursuit of this action, pursuant to Section 42(f) of the Environmental Protection Act, 415 ILCS 5/42(f) (2016); and

F. Granting such other relief as this Court deems equitable and just.

**COUNT IV**  
**FAILURE TO PREVENT WASTE**

1-21 Plaintiff realleges and incorporates by reference herein, paragraphs 1 through 21 of Count I, as paragraphs 1 through 21 of this Count IV.

22. Section 1.1 of the Oil and Gas Act, 225 ILCS 725/1.1 (2016), provides as follows:

Waste as defined by this Act is prohibited.

23. Section 1 of the Oil and Gas Act, 225 ILCS 725/1 (2016), provides, in pertinent part, the following definition:

“Waste” means “physical waste” as that term is generally understood in the oil and gas industry, and further includes:

\* \* \*

(2) permitting the migration of oil, gas, or water from the stratum in which it is found into other strata, thereby ultimately resulting in the loss of recoverable oil, gas or both;

\* \* \*

- (4) the unreasonable damage to underground, fresh or mineral water supply, workable coal seams, or other mineral deposits in the operations for the discovery, development, production, or handling of oil and gas;
- (5) The unnecessary or excessive surface loss or destruction of oil or gas resulting from evaporation, seepage, leakage or fire, especially such loss or destruction incident to or resulting from the escape of gas into the open air in excessive or unreasonable amounts...

\* \* \*

24. Commencing on or before December 16, 2016, and on dates better known to PEOPLES GAS, PEOPLES GAS permitted the migration of gas from the stratum in which it was found into another stratum causing the loss of gas.

25. By permitting the migration of gas from the stratum in which it was found into another stratum causing the loss of gas, PEOPLES GAS has created “waste,” as that term is defined in Section 1(2) of the Oil and Gas Act, 225 ILCS 725/1(2) (2016).

26. Commencing on or before December 16, 2016, and on dates better known to PEOPLES GAS, PEOPLES GAS caused unreasonable damage to an underground water supply in the handling of gas.

27. By causing unreasonable damage to an underground water supply in the handling of gas, PEOPLES GAS has created “waste,” as that term is defined in Section 1(4) of the Oil and Gas Act, 225 ILCS 725/1(4) (2016).

28. Commencing on or before December 16, 2016, and on dates better known to PEOPLES GAS, PEOPLES GAS allowed the escape of gas into open air from the Facility in excessive or unreasonable amounts.

29. By allowing the excessive loss of gas to escape from the Facility into open air in excessive or unreasonable amounts, PEOPLES GAS has created “waste,” as that term is defined in Section 1(5) of the Oil and Gas Act, 225 ILCS 725/1(5) (2016).

30. By creating “waste,” as that term is defined in Sections 1(2), 1(4), and 1(5) of the Oil and Gas Act, 225 ILCS 725/1(2), (4), and (5) (2016), PEOPLES GAS has violated Section 1.1 of the Oil and Gas Act, 225 ILCS 725/1.1 (2016).

31. By creating “waste” as alleged in this Count IV, Defendant improperly disposed, released, or discharged produced fluids, referenced *supra*, that have created a substantial and imminent danger to the health or safety of the public.

32. To restrain Defendant’s acts of improperly disposing, releasing, or discharging produced fluids, referenced *supra*, that have created a substantial and imminent danger to the health or safety of the public, Plaintiff may obtain “such injunctions, prohibitory or mandatory, including temporary restraining orders and preliminary injunctions, or other enforcement orders” as provided by Section 11 of the Act, 225 ILCS 725/11 (2016), and Section 240.155(b) of the Department’s Oil and Gas Regulations, 62 Ill. Adm. Code 240.155(b).

33. By creating “waste” as alleged in this Count IV, Defendant improperly disposed, released, or discharged produced fluids that have posed, and continues to pose, an imminent danger of substantial environmental harm or that have caused environmental damage to property or contamination of surface or ground waters of the State.

34. To restrain Defendant’s acts of improperly disposing, releasing, or discharging produced fluids that have posed, and continue to pose, an imminent danger of substantial environmental harm or have caused environmental damage to property or contamination of surface or ground waters of the State, Plaintiff may obtain “such injunctions, prohibitory or



mandatory, including temporary restraining orders and preliminary injunctions, or other enforcement orders” as provided by Section 11 of the Oil and Gas Act, 225 ILCS 725/11 (2016), and Section 240.155(b) of the Department’s Oil and Gas Regulations, 62 Ill. Adm. Code 240.155(b).

35. Violations of the pertinent environmental statutes and regulations 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, respectfully requests that this Court grant an immediate and preliminary injunction and, after trial, a permanent injunction in favor of the Plaintiff and against the Defendant, THE PEOPLES GAS LIGHT AND COKE COMPANY, on this Count IV, as follows:


- A. Finding that the Defendant has violated Section 1.1 of the Oil and Gas Act, 225 ILCS 725/1.1 (2016);
- B. Enjoining the Defendant from committing any further violations of the Oil and Gas Act;
- C. Ordering the Defendant to immediately investigate the cause of the Gas Release, cease the discharge of natural gas from the Facility, maintain twenty-four (24) hour response operations to stop any natural gas leaks, provide safe and adequate drinking water to any households impacted by the Gas Release, install methane and hydrogen disulfide gas monitoring devices in any households impacted by the Gas Release, investigate the extent of any remaining contamination, and complete remediation of affected areas and of all impacted waters;

D. Assessing against the Defendant, pursuant to Section 26 of the Oil and Gas Act, 225 ILCS 725/26 (2016), a civil penalty of One Thousand Dollars (\$1,000.00) for each day of violation; and

E. Granting such other relief as this Court deems equitable and just.

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

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

By:   
ANDREW B. ARMSTRONG, Chief  
Environmental Bureau  
Assistant Attorney General

Of Counsel:  
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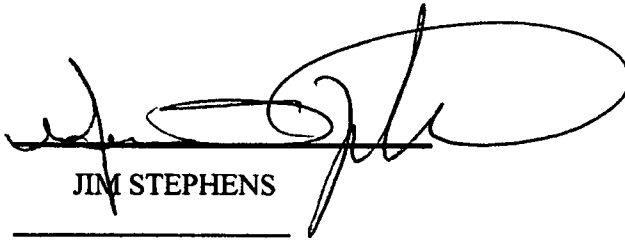
**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
CHAMPAIGN COUNTY, ILLINOIS**

<b>PEOPLE OF THE STATE OF ILLINOIS</b>	,		)
<i>ex rel.</i> <b>LISA MADIGAN, Attorney General</b>			)
<b>of the State of Illinois,</b>			)
			)
<b>Plaintiff,</b>			)
			)
<b>v.</b>			)
		<b>No. 17 CH</b>	)
			)
<b>THE PEOPLES GAS</b>			)
<b>LIGHT AND COKE COMPANY,</b>			)
<b>an Illinois corporation,</b>			)
			)
<b>Defendant.</b>			)

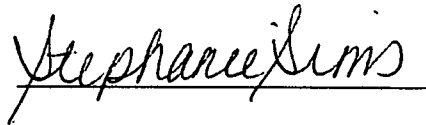
**VERIFICATION**

- I, Jim Stephens, being duly sworn, on oath state as follows:
1. I am presently employed by the Illinois Department of Natural Resources ("Illinois DNR") in Springfield, Illinois as a Well Inspector 2. I am also currently temporarily assigned as the Acting Field Manager.
  2. I have been employed by the Illinois DNR for 29 years.
  3. My responsibilities, among other things, are to inspect oil and gas production and storage wells at the journeyman level in an assigned geographic area of the state; observe wells in the process of being drilled and the proper plugging of abandoned or dry wells; inspect injection wells used for disposal of fluid, such as saltwater, accumulated as part of the oil recovery and production process; ensure compliance with all current state laws, rules and regulations related to the production, storage and conservation of oil, gas, water and coal resources of the State; provide technical advice and consultation to oil and gas companies; investigate all complaints and requests; maintain accurate and current records of inspectional activities; close down operations not in compliance; and remain "on call" to answer emergency inspection calls. Upon formal request, I also review pleadings to be filed by the State of Illinois to ensure veracity and accuracy based on the records of the IDNR as well as on my own personal observations and knowledge.
  4. I am familiar with the Illinois Attorney General's case involving the allegations against the Defendant, The Peoples Gas Light and Coke Company, and I have direct and personal knowledge as to the documents submitted by the Defendant.
  5. In addition, I have direct and personal knowledge of the Manlove Field located at located near the Village of Fisher, in Champaign County, Illinois.
  6. I have read the foregoing Verified Complaint for Injunction and Civil Penalties (the "Complaint"), and am aware of the contents thereof.
  7. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil

Procedure, 735 ILCS 5/1-109 (2016), the undersigned certifies that the statements set forth in this instrument and in Paragraphs 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 16 of Count I, Paragraph 30 of Count III, and Paragraphs 24, 26, and 28 of Count IV of the Complaint are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

  
\_\_\_\_\_  
JIM STEPHENS

Subscribed and Sworn to before me  
this 20 day of October, 2017.

  
\_\_\_\_\_  
Stephanie Sims

NOTARY PUBLIC

