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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. KWAME RAOUL, Attorney)
General of the State of Illinois,)
)
Plaintiff,)
)
v.)
)
Stony Island Reclamation Company,)
Land and Lakes Company, and)
J.L.W. Trucking, LLC dba Whole Earth Compost,)
)
Defendants.)

No. 2026CH07608

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND CIVIL PENALTIES

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 Defendants STONY ISLAND RECLAMATION COMPANY, LAND AND LAKES COMPANY, and J.L.W. TRUCKING, LLC, dba Whole Earth Compost (together, “Defendants”), as follows:

COUNT I

**SUBSTANTIAL DANGER TO THE ENVIRONMENT,
PUBLIC HEALTH AND WELFARE OF PERSONS AS TO ALL DEFENDANTS**

1. This Count is brought on behalf of the PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, the Attorney General of the State of Illinois, on his own motion and at the request of the Illinois Environmental Protection Agency (“Illinois EPA”), against all Defendants pursuant to the terms and provisions of Section 43(a) of the Illinois Environmental

Protection Act (the “Act”), 415 ILCS 5/43(a) (2024), and is an action to restrain a substantial danger to public health and welfare, and to the environment.

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 (2024), and charged, *inter alia*, with the duty of enforcing the Act.

3. At all times relevant to this Verified Complaint, Defendant Stony Island Reclamation Co. (“Stony Island”) was and is an Illinois corporation in good standing with the Illinois Secretary of State (“ILSOS”).

4. At all times relevant to this Verified Complaint, Defendant Land and Lakes Co. (“Land & Lakes”) was and is an Illinois corporation in good standing with the ILSOS.

5. At all times relevant to this Verified Complaint, Defendant J.L.W. Trucking, LLC doing business as (“dba”) Whole Earth Compost (“Whole Earth”) was and is an Illinois limited liability company in good standing with the ILSOS.

6. The property relevant to this Verified Complaint is located at 2000 East 122nd Street Chicago, Illinois 60633-2301, with deeded address of 12121-12123 S. Stony Island Ave., Chicago, and which PIN numbers are 25-24-315-004-0000 and 25-24-315-003-0000 (“Site”).

7. There are private residences located within three (3) miles from the Site.

8. The 79-acre Harbor View municipal solid waste and non-hazardous special waste landfill, located at the Site, was certified closed by Illinois EPA on October 29, 2003, and is currently in a minimum thirty (30) year post-closure care period (the “Landfill”).

9. From at least August 24, 2023 and continuing through the date of filing of this Verified Complaint, Stony Island has owned a commercial composting business that processes

landscape and food waste for compost (“Composting Operation”). The Composting Operation is conducted on top of the Landfill.

10. From at least August 24, 2023 through approximately May 12, 2026 or a date or dates better known to Defendants, Whole Earth operated the Composting Operation.

11. From approximately May 13, 2026 or a date better known to Defendants, through the date of filing this Verified Complaint, on information and belief Whole Earth no longer had access to the Site or Composting Operation.

12. Since at least 1995 and at all times relevant to this Verified Complaint, Defendant Stony Island owned and continues to own the Landfill and the Site.

13. At all times relevant to this Verified Complaint, Land & Lakes operated and continues to operate the Landfill and is the parent company of Stony Island.

14. On April 23 and 28, 2026, and May 1, 8, and 18, 2026, in response to citizen complaints of smoke, Illinois EPA inspected the Site and Composting Operation (the “Five Inspections”).

15. At the April 23, 2026 inspection, Whole Earth representatives told Illinois EPA that the fire had begun on approximately April 9, 2026.

16. During the Five Inspections, there were large amounts of composted and partially composted waste, landscape debris, and debris such as compostable and non-compostable materials, including but not limited to, plastic bags, and pieces of blue, black, and white plastic (“Debris”), at the Site, both in rows of materials (“Windrows”) and in piles.

17. During the Five Inspections, piles of composted and partially composted organic and non-organic materials, landscape debris, and Debris were smoldering and smoking at the Composting Operation (“Burn Piles”), and open flames were occasionally visible.

18. At the April 23, 2026 inspection, Whole Earth representatives told Illinois EPA that on approximately April 9, 2026, embers from at least one fire at the Site had become windblown and spread to create other fires at the Site.

19. From at least April 23, 2026 through May 8, 2026, there was a Burn Pile approximately one acre in size which appeared to consist mostly of un-composted landscape debris (“Burn Pile A”).

20. From at least April 23, 2026 through approximately June 2, 2026, there was a second pile at the Site, the largest of the Burn Piles, approximately 200 x 300 x 25 feet in size (“Burn Pile B”), which appeared to consist of composted and partially composted organic materials, landscape debris, and Debris.

21. From at least May 1 through May 18, 2026, there was a Burn Pile of approximately half an acre which appeared to consist of composted and partially composted organic materials (“Burn Pile C”).

22. As part of the Landfill’s post-closure care program, Stony Island and Land & Lakes own and operate a landfill gas extraction well system, which utilizes a vacuum compressor system (“Compressor”) to, among other things, extract landfill gas, including methane, from the Landfill using landfill gas extraction wells (“Gas Wells”) located on the top and sides, or “cap,” of the Landfill and route the gas to a flare located on the east side of the Landfill (taken together, “Gas Extraction System”) for combustion.

23. From at least January 30, 2025 through May 5, 2026, or dates better known to Defendants Stony Island and Land & Lakes, the Gas Extraction System’s flare, compressor, and/or other essential component parts were not fully operational.

24. On at least April 23, 2026, April 28, 2026, and May 1, 2026, Well EW2-5 was located within approximately fifteen (15) feet of Burn Pile B.

25. On at least May 1, 2026 or on a date or dates better known to Defendants, three Gas Wells, consisting of Wells EW2-5, EW4-9, and EW2-11 (the “Three Gas Wells”), were located within approximately thirty (30) feet of the smoldering, smoking, and flaming Burn Pile B.

26. On at least May 1, 2026 or on a date or dates better known to Defendants, there was suspected landfill gas bubbling up through pools of leachate near and around Gas Wells EW4-9 and EW2-11 within approximately thirty (30) feet of the smoldering, smoking, and flaming Burn Pile B.

27. On at least May 1, 2026 or on a date or dates better known to Defendants, there was suspected landfill gas bubbling up through pools of leachate near and around various Gas Wells around the Landfill.

28. Landfill gas contains methane, a combustible gas that can be explosive when present in air at concentrations between approximately five and fifteen percent (5 - 15%) by volume.¹

29. On or about May 15, 2026, Burn Pile A was extinguished.

30. On or about May 22, 2026, Burn Pile C was extinguished.

31. On or about June 2, 2026, Burn Pile B was extinguished.

32. Section 43(a) of the Act, 415 ILCS 5/43(a) (2024), provides, in pertinent part, as follows:

¹ USEPA *Guidance for Evaluating Landfill Gas Emissions from Closed or Abandoned Facilities* (September 2005, EPA-600/R-05/123a), pp. 1-6: “Methane is a flammable, potentially explosive gas that is combustible only under specific conditions (i.e., the right combination of CH₄ and O₂ plus a source of ignition). Methane is explosive at concentrations that range from the lower explosive limit (LEL) of 5 percent to the upper explosive limit (UEL) of 15 percent CH₄ per volume of air.”

- (a) In circumstances of substantial danger to the environment or to the public health of persons or to the welfare of persons where such danger is to the livelihood of such persons, the State's Attorney or Attorney General, upon request of the Agency or on his own motion, may institute a civil action for an immediate injunction to halt any discharge or other activity causing or contributing to the danger or to require such other action as may be necessary. The court may issue an ex parte order and shall schedule a hearing on the matter not later than 3 working days from the date of injunction.

33. From approximately April 9, 2026 through May 1, 2026 or on a date or dates better known to Defendants, Defendants caused or allowed the composted and partially composted organic materials, landscape debris, and Debris in Burn Pile B to smoke, smolder, or catch fire within approximately fifteen (15) feet of Gas Well EW2-5.

34. On at least May 1, 2026, Defendants caused or allowed composted and partially composted organic materials, landscape debris, and Debris at the Site to smoke, smolder, or catch fire within approximately thirty (30) feet of the Three Gas Wells.

35. From approximately April 9, 2026 through June 2, 2026, Defendants caused or allowed composted and partially composted organic materials, landscape debris, and Debris at the Site to smoke, smolder, or catch fire on top of a closed Landfill whose Gas Extraction System has not been fully operational since a date or dates better known to Defendants Stony Island and Land & Lakes.

36. From approximately April 9, 2026 through June 2, 2026, by failing to prevent or quickly address smoldering, smoking, and flaming piles of composted and partially composted organic materials, landscape debris, and Debris, located near landfill gas extraction Gas Wells on top of a Landfill whose Gas Extraction System has not been fully operational since a date or dates better known to Defendants, Defendants Stony Island, Land & Lakes, and Whole Earth created a

risk of fire and explosion that threatened the health and welfare of persons, including nearby residents.

37. By failing to prevent fire at the Site, and by causing and allowing fire to exist and continue at the Site, especially in close proximity to the Three Gas Wells, Defendants thereby created circumstances of substantial danger to the environment and the health and welfare of persons, in contravention of the requirements of the Act.

38. The substantial danger alleged herein will continue or recur unless and until this Court grants equitable relief in the form of immediate, preliminary, and, after trial, permanent injunctive relief.

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of Plaintiff and against the Defendants STONY ISLAND RECLAMATION COMPANY, LAND AND LAKES COMPANY, and J.L.W. TRUCKING, LLC dba Whole Earth Compost, and enter an order with respect to Count I:

1. Finding that all Defendants have each created and are maintaining a substantial danger to the environment and public health;

2. Enjoining all Defendants from creating any further substantial endangerment pursuant to Section 43(a) of the Act, 415 ILCS 5/43(a) (2024);

3. Ordering all Defendants to take all necessary actions to properly address the substantial danger to the environment, and to the public health and welfare, including but not limited to safely, quickly, and effectively putting out the fire in accordance with a plan approved by Illinois EPA;

4. Ordering all Defendants to prevent future fires at the Site in compliance with the requirements of all federal and State regulations;

5. Ordering all Defendants, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

COUNT II

VIOLATION OF COMPOST PERMIT CONDITIONS AS TO DEFENDANTS STONY ISLAND AND WHOLE EARTH ONLY

1. This Count is brought on behalf of the PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, the Attorney General of the State of Illinois, on his own motion and at the request of the Illinois EPA, against Defendants Stony Island and Whole Earth only pursuant to Section 42(d) and (e) of the Act, 415 ILCS 5/42(d) and (e) (2024).

2-31. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I as paragraphs 2 through 31 of this Count II.

32. On December 20, 2023, Illinois EPA issued Supplemental Permit No. 2023-222-SP to Stony Island as owner and Whole Earth as operator (the “2023 Compost Permit”).

33. From approximately May 13, 2026, or a date better known to Defendants, on information and belief Defendant Stony Island assumed operation of the Composting Operation.

34. The 2023 Compost Permit contains the following Special Conditions:

* * *

II.

6. The permittee shall take measures to ensure that the waste does not become wind strewn or ignited...

* * *

10. The operator shall control litter at the facility by patrolling the facility daily and collecting any litter accumulated....

III.

3. Organic waste received at the facility shall be processed and placed into windrows providing proper conditions for composting within 24 hours after receipt.

35. Section 3(a) of the Litter Control Act, 415 ILCS 105/3(a) (2024), provides the following definition:

“Litter” means any discarded, used or unconsumed substance or waste. “Litter” may include, but is not limited to, any garbage, trash, refuse, cigarettes, debris, rubbish, grass clippings or other lawn or garden waste, newspaper, magazines, glass, metal, plastic or paper containers or other packaging construction material, abandoned vehicle (as defined in the Illinois Vehicle Code [625 ILCS 5/1-100 et seq.]), motor vehicle parts, furniture, oil, carcass of a dead animal, any nauseous or offensive matter of any kind, any object likely to injure any person or create a traffic hazard, potentially infectious medical waste as defined in Section 3.360 of the Environmental Protection Act [415 ILCS 5/3.360], or anything else of an unsightly or unsanitary nature, which has been discarded, abandoned or otherwise disposed of improperly.

36. On at least April 23 and 28, 2026, and May 1, 8, and 18, 2026 or dates better known to Defendants Stony Island and Whole Earth, the Debris was strewn on the ground at the Composting Operation, in, among, and between Windrows, and visible in and around the Bum Piles.

37. The Debris and landscape debris that Defendants Stony Island and Whole Earth discarded, abandoned, or otherwise disposed of improperly and in violation of permitted conditions at the Site was and is “litter” as that term is defined in Section 3(a) of the Litter Control Act, 415 ILCS 105/3(a) (2024).

38. Section 3.535 of the Act, 415 ILCS 5/3.535 (2024), provides, in pertinent part, as follows:

“Waste” means any garbage . . . or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities....

39. Section 3.385 of the Act, 415 ILCS 5/3.385 (2024), provides the following definition:

“Refuse” means waste.

40. Section 3.470 of the Act, 415 ILCS 5/3.470 (2024), provides as follows:

“Solid waste” means waste.

41. The composted and partially composted organic materials, landscape debris, and Debris, burned and unburned, on top of the closed Landfill constitute “waste,” “refuse,” and “solid waste” as those terms are defined in Sections 3.385, 3.470, and 3.535 of the Act, 415 ILCS 5/3.385, 3.470, and 3.535 (2024).

42. From at least April 9 through approximately May 13, 2026, or dates better known to Defendant Whole Earth, Defendant Whole Earth as permittee did not ensure its Composting Operation’s waste did not become wind strewn or ignited, in violation of Special Condition (“Condition”) II.6 of the 2023 Compost Permit.

43. From approximately April 9 through June 2, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as permittee did not ensure its Composting Operation’s waste did not become wind strewn or ignited, in violation of Condition II.6 of the 2023 Compost Permit.

44. On at least April 23 and 28, 2026, and May 1 and 8, 2026, or dates better known to Defendant Whole Earth, Defendant Whole Earth as operator did not control litter at the Site, in violation of Condition II.10 of the 2023 Compost Permit.

45. On at least May 18, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as operator did not control litter at the Site, in violation of Condition II.10 of the Compost Permit.

46. On at least April 23 and 28, 2026, and May 1 and 8, 2026, or dates better known to Defendant Whole Earth, Defendant Whole Earth as operator did not process and place all organic waste into windrows within 24 hours, in violation of Condition III.3 of the 2023 Compost Permit.

47. On at least April 23 and 28, 2026, and May 1, 8, and 18, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as owner did not process and place all organic waste into windrows within 24 hours, in violation of Condition III.3 of the 2023 Compost Permit.

48. On at least May 18, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as operator did not control litter at the Site, in violation of Condition III.3 of the Compost Permit.

49. Section 21(e) of the Act, 415 ILCS 5/21(e) (2024), provides as follows:

No person shall:

* * *

- (e) Dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage, or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

50. Section 21(d) of the Act, 415 ILCS 5/21(d) (2024), provides as follows:

No person shall:

* * *

- (d) Conduct any waste-storage, waste-treatment, or waste-disposal operation:
 - (1) without a permit granted by the Agency or in violation of any conditions imposed by such permit [...];

- (2) in violation of any regulations or standards adopted by the Board under this Act; [...].

51. Section 3.315 of the Act, 415 ILCS 5/3.315 (2024), provides as follows:

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

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

53. Defendant Whole Earth, a limited liability company, is a “person” as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2024).

54. Section 3.505 of the Act, 415 ILCS 5/3.505 (2024), provides as follows:

“Treatment” means any method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any waste so as to neutralize it or render it nonhazardous, safer for transport, amenable for recovery, amenable for storage, or reduced in volume. Such term includes any activity or processing designed to change the physical form or chemical composition of hazardous waste so as to render it nonhazardous.

55. Section 3.185 of the Act, 415 ILCS 5/3.185 (2024), provides as follows:

“Disposal” means the discharge, deposit, injection, dumping, spilling, leaking or placing of any waste or hazardous waste into or on any land or water or into any well so that such waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.

56. The composting methods by which Defendants Stony Island and Whole Earth changed the physical, chemical, or biological character or composition of the materials at the Site, including but not limited to landscape debris, to render them amenable for recovery or reduce them in volume, constitute “treatment” as that term is defined by Section 3.505 of the Act, 415 ILCS 5/3.505 (2024).

57. The Debris, composted and un-composted organic materials, and burnt materials that Defendants Stony Island and Whole Earth discharged, deposited, dumped, or placed onto the land at the Site which entered the land and ground water at or around the Site or were emitted into the air when burned at the Site, constitute “disposal” as that term is defined by Section 3.185 of the Act, 415 ILCS 5/3.185 (2024).

58. Defendants Stony Island’s and Whole Earth’s activities related to the Composting Operation at the Site constituted waste-treatment or waste-disposal operations.

59. From at least April 9 through approximately May 13, 2026, or dates better known to Defendant Whole Earth, by violating Condition II.6 of the 2023 Compost Permit, Defendant Whole Earth as permittee conducted the Composting Operation, a waste-disposal or waste-treatment operation, in violation of conditions imposed by a permit granted by Illinois EPA, in violation of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024).

60. From approximately April 9 through June 2, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as permittee conducted the Composting Operation, a waste-disposal or waste-treatment operation, in violation of Condition II.6 of the 2023 Compost Permit, a condition imposed by a permit granted by Illinois EPA, which in turn violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024).

61. On at least April 23 and 28, 2026, and May 1 and 8, 2026, or dates better known to Defendant Whole Earth, Defendant Whole Earth as operator conducted the Composting Operation, a waste-disposal or waste-treatment operation, in violation of Condition II.10 of the 2023 Compost Permit, a condition imposed by a permit granted by Illinois EPA, which in turn violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024).

62. On at least May 18, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as operator conducted the Composting Operation, a waste-disposal or waste-treatment operation, in violation of Condition II.10 of the 2023 Compost Permit, a condition imposed by a permit granted by Illinois EPA, which in turn violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024).

63. On at least April 23 and 28, 2026, and May 1 and 8, 2026, or dates better known to Defendant Whole Earth, Defendant Whole Earth as operator conducted the Composting Operation, a waste-disposal or waste-treatment operation, in violation of Condition III.3 of the 2023 Compost Permit, a condition imposed by a permit granted by Illinois EPA, which in turn violated Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024).

64. On at least April 23 and 28, 2026, and May 1, 8, and 18, 2026, or dates better known to Defendant Stony Island, Defendant Stony Island as owner conducted the Composting Operation, a waste-disposal or waste-treatment operation, in violation of Condition III.3 of the 2023 Compost Permit, a condition imposed by a permit granted by Illinois EPA, in violation of Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024).

65. By violating Section 21(d)(1) of the Act, 415 ILCS 5/21(d)(1) (2024), Defendants Stony Island and Whole Earth disposed of waste at a site which did not meet the requirements of the Act, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2024).

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

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of

Plaintiff and against the Defendants STONY ISLAND RECLAMATION COMPANY and J.L.W. TRUCKING, LLC dba Whole Earth Compost and enter an order with respect to Count II:

1. Finding that Defendants Stony Island and Whole Earth violated Special Conditions II.6, II.10, and III.3 of the 2023 Compost Permit, and Section 21(d)(1) and 21(e) of the Act, 415 ILCS 5/21(d)(1) and 21(e) (2024);

2. Enjoining Defendants Stony Island and Whole Earth from further violations of Special Conditions II.6, II.10, and III.3 of the 2023 Compost Permit, and Section 21(d)(1) and 21(e) of the Act, 415 ILCS 5/21(d)(1) and 21(e) (2024);

3. Ordering Defendants Stony Island and Whole Earth to immediately take the necessary actions that will result in a final and permanent abatement of the violations of Special Conditions II.6, II.10, and III.3 of the 2023 Compost Permit, and Section 21(d)(1) and 21(e) of the Act, 415 ILCS 5/21(d)(1) and 21(e) (2024);

4. Assessing against Defendants Stony Island and Whole Earth, 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 and every violation of Special Conditions II.6, II.10, and III.3 of the 2023 Compost Permit, and Section 21(d)(1) and 21(e) of the Act, 415 ILCS 5/21(d)(1) and 21(e) (2024), and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day of each violation, 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) (2024);

5. Ordering Defendants Stony Island and Whole Earth to pay all costs in this action, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2022), including expert witness, consultant, and attorneys' fees expended by the Plaintiff in its pursuit of this action; and

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

COUNT III

OPEN DUMPING
AS TO ALL DEFENDANTS

1. This Count is brought on behalf of the PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, the Attorney General of the State of Illinois, on his own motion and at the request of the Illinois EPA, against all Defendants, pursuant to Section 42(d) and (e) of the Act, 415 ILCS 5/42(d) and (e) (2024).

2-45. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I and paragraphs 38 through 41 and 49 through 58 of Count II as paragraphs 2 through 45 of this Count III.

46. Section 21(a) of the Act, 415 ILCS 5/21(a) (2024), provides as follows:

No person shall:

(a) Cause or allow the open dumping of any waste.

47. Defendant Land & Lakes, a corporation, is a “person” who continues to operate a waste-disposal operation at the Site, as its waste-related activities at the Site constituted “disposal”, as those terms are defined by Sections 3.185 and 3.315 of the Act, 415 ILCS 5/3.185 and 3.315 (2024).

48. Section 3.305 of the Act, 415 ILCS 5/3.305 (2024), provides the following definition:

“Open dumping” means the consolidation of refuse from one or more sources at a disposal site that does not fulfill the requirements of a sanitary landfill.

49. Section 3.460 of the Act, 415 ILCS 5/3.460 (2024), provides the following definition:

“Site” means any location, place, tract of land, and facilities, including but not limited to buildings, and improvements used for purposes subject to regulation or control by this Act or regulations thereunder.

50. The Site is a location or place used for the dumping of waste which is subject to regulation under the Act and regulations thereunder and is therefore a “site” as that term is defined by Section 3.460 of the Act, 415 ILCS 5/3.460 (2024).

51. Section 3.445 of the Act, 415 ILCS 5/3.445 (2024), provides the following definition:

“Sanitary landfill” means a facility permitted by the Agency for the disposal of waste on land meeting the requirements of the Resource Conservation and Recovery Act, P.L. 94-580 [42 U.S.C. § 6901 *et seq.*], and regulations thereunder, and without creating nuisances or hazards to public health or safety, by confining the refuse to the smallest practical volume and covering it with a layer of earth at the conclusion of each day’s operation, or by such other methods and intervals as the Board may provide by regulation.

52. The land above the cap of the Landfill is not permitted for the disposal of waste meeting the requirements of the Resource Conservation and Recovery Act, P.L. 94-580 [42 U.S.C. § 6901 *et seq.*], and regulations thereunder, and therefore does not fulfill the requirements of a “sanitary landfill” as that term is defined in Section 3.445 of the Act, 415 ILCS 5/3.445 (2024).

53. Defendants caused or allowed the consolidation from one or more sources of the Debris and landscape waste maintained outside of permitted conditions, as well as debris from the fire, on the cap of the Historical Landfill which is a disposal site that does not fulfill the requirements of a sanitary landfill, so as to constitute “open dumping” as that term is defined in Section 3.305 of the Act, 415 ILCS 5/3.305 (2024).

54. On dates better known to Defendants but from approximately April 9, 2026 through the date of filing of this Verified Complaint, by causing or allowing the consolidation of waste on

the cap of the Landfill, Defendants caused or allowed open dumping at the Site, in violation of Section 21(a) of the Act, 415 ILCS 5/21(a) (2024).

55. By violating Section 21(a) of the Act, 415 ILCS 5/21(a) (2024), Defendants disposed of waste at a site which did not meet the requirements of the Act, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2024).

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

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of Plaintiff and against the Defendants STONY ISLAND RECLAMATION COMPANY, LAND AND LAKES COMPANY, and J.L.W. TRUCKING, LLC dba Whole Earth Compost, and enter an order with respect to Count III:

1. Finding that all Defendants violated Section 21(a) and (e) of the Act, 415 ILCS 5/21(a) and (e) (2024);

2. Enjoining all Defendants from further violations of Section 21(a) and (e) of the Act, 415 ILCS 5/21(a) and (e) (2024);

3. Ordering all Defendants to immediately take all necessary corrective action which will result in a final and permanent abatement of the violations of Section 21(a) and (e) of the Act, 415 ILCS 5/21(a) and (e) (2024);

4. Assessing against all Defendants, 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 and every violation of Section 21(a) and (e) of the Act, 415 ILCS 5/21(a) and (e) (2024), and an additional

Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continues, 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) (2024);

5. Ordering all Defendants, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

COUNT IV

OPEN BURNING **AS TO ALL DEFENDANTS**

1-48. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I, paragraphs 35 through 41, 49, and 51 through 58 of Count II, paragraphs 1 and 47 of Count III, as paragraphs 1 through 48 of this Count IV.

49. Section 9(c) of the Act, 415 ILCS 5/9(c) (2024), provides, in pertinent part, as follows:

Section 9. Acts prohibited.

No person shall:

(c) Cause or allow the open burning of refuse...

50. Section 3.300 of the Act, 415 ILCS 5/3.300 (2024), provides as follows:

“Open burning” is the combustion of any matter in the open or in an open dump.

51. The composted and un-composted organic materials, Debris, and other materials which were smoking, smoldering, or burning at the Site was the combustion of matter in the open,

constituting “open burning” as that term is defined in Section 3.300 of the Act, 415 ILCS 5/3.300 (2024).

52. By causing or allowing the open burning of composted and partially composted organic materials, landscape debris, and Debris, which are refuse, at the Site, Defendants caused or allowed the open burning of refuse, in violation of Section 9(c) of the Act, 415 ILCS 5/9(c) (2024).

53. Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2024), provides, in pertinent part, as follows:

No person shall:

* * *

(p) In violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:

(3) open burning;

54. On dates better known to Defendants but from approximately April 9, 2026, Defendants caused or allowed the open dumping of composted and un-composted organic materials and Debris at the Site in a manner which resulted in open burning of Burn Piles A, B, and C.

55. On dates better known to Defendants but at least from approximately April 9, 2026, by causing or allowing the open dumping of waste in a manner which resulted in open burning at the Site, Defendants violated Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2024).

56. Section 830.205(e) of the Pollution Control Board (“Board”) Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e), provides as follows:

Open Burning.	Open burning is prohibited except in accordance with 35 Ill. Adm. Code 200 through 245.
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57. The Defendants were not open burning in accordance with 35 Ill. Adm. Code 200 through 245.

58. On dates better known to Defendants but at least from approximately April 9, 2026 through June 2, 2026, by open burning Defendants violated Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e).

59. By violating Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e), Defendants conducted a waste-disposal or waste-treatment operation in violations of regulations adopted by the Board under the Act and thus violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2024).

60. On dates better known to Defendants but at least from approximately April 9, 2026 through the date of filing of this Complaint, by violating Section 21(d)(2) and (p)(3) of the Act, 415 ILCS 5/21(d)(2) and (p)(3) (2024), and Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e), Defendants disposed of waste at a site which did not meet the requirements of a regulation promulgated under the Act, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2024).

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

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of Plaintiff and against the Defendants STONY ISLAND RECLAMATION COMPANY, LAND AND LAKES COMPANY, and J.L.W. TRUCKING, LLC dba Whole Earth Compost, and enter an order with respect to Count IV:

1. Finding that all Defendants violated Sections 9(c), 21(d)(2), 21(e), and 21(p)(3) of the Act, 415 ILCS 5/9(c), 21(d)(2), 21(e), and 21(p)(3) (2024), and Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e);

2. Enjoining all Defendants from further violations of Sections 9(c), 21(d)(2), 21(e), and 21(p)(3) of the Act, 415 ILCS 5/9(c), 21(d)(2), 21(e), and 21(p)(3) (2024), and Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e);

3. Ordering all Defendants to immediately take all necessary corrective action which will result in a final and permanent abatement of the violations of Sections 9(c), 21(d)(2), 21(e), and 21(p)(3) of the Act, 415 ILCS 5/9(c), 21(d)(2), 21(e), and 21(p)(3) (2024), and Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e);

4. Assessing against all Defendants, 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 and every violation of Sections 9(c), 21(d)(2), 21(e), and 21(p)(3) of the Act, 415 ILCS 5/9(c), 21(d)(2), 21(e), and 21(p)(3) (2024), and Section 830.205(e) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(e), and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continues, 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) (2024);

5. Ordering all Defendants, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

COUNT V

AIR POLLUTION FROM THE FIRES
AS TO ALL DEFENDANTS

1-35. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I, paragraphs 51 through 53 of Count II, and paragraphs 1 and 47 of Count III as paragraphs 2 through 35 of this Count V.

36. Section 9(a) of the Act, 415 ILCS 5/9(a) (2024), provides, in pertinent part, as follows:

No person shall:

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

37. Section 201.141 of the Board Air Pollution Regulations, 35 Illinois Administrative Code (“Ill. Adm. Code”) 201.141, provides as follows:

No person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as, either alone or in combination with contaminants from other sources, to cause or tend to cause air pollution in Illinois, or so as to violate the provisions of this Chapter, or so as to prevent the attainment or maintenance of any applicable ambient air quality standard.

38. Section 3.165 of the Act, 415 ILCS 5/3.615 (2024), provides the following definition:

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

39. The smoke and particulate matter discharged and emitted into the air as a result of the smoldering, smoking, and flaming materials in the Burn Piles at the Site are each a “contaminant” as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.615 (2024).

40. Section 3.115 of the Act, 415 ILCS 5/3.115 (2024), provides the following definition:

“Air pollution” is the presence in the atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

41. The release of smoke and particulate matter into the atmosphere at the Site and blowing off the Site from approximately April 9, 2026 through June 2, 2026, emitted one or more contaminants into the atmosphere in sufficient quantities and duration as to be injurious to human, plant, or animal life, property, or unreasonably interfered with neighboring property owners’ enjoyment of life and property, and thus constituted “air pollution” as that term is defined in Section 3.115 of the Act, 415 ILCS 5/3.115 (2024).

42. By causing, threatening, or allowing the release of airborne contaminants into the environment in the form of smoke and particulate matter from the Burn Piles from approximately April 9, 2026 through June 2, 2026, Defendants caused, threatened, or allowed air pollution in Illinois, thereby violating Section 9(a) of the Act, 415 ILCS 5/9(a) (2024).

43. By causing, threatening, or allowing the release of airborne contaminants into the environment in the form of smoke and particulate matter from the Burn Piles from approximately April 9, 2026 through the date of filing of this Verified Complaint, Defendants caused, threatened, or allowed air pollution in Illinois, thereby violating Section 201.141 Ill. Adm. Code Section 201.141.

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

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of Plaintiff and against the Defendants STONY ISLAND RECLAMATION COMPANY, LAND AND LAKES COMPANY, and J.L.W. TRUCKING, LLC dba Whole Earth Compost, and enter an order with respect to Count V:

1. Finding that all Defendants violated Sections 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

2. Enjoining all Defendants from further violations of Sections 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

3. Ordering all Defendants to immediately take all necessary corrective action which will result in a final and permanent abatement of the violations of Sections 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

4. Assessing against all Defendants, 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 and every violation of Sections 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141, and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continues, 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) (2024);

5. Ordering all Defendants, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

COUNT VI

AIR POLLUTION FROM METHANE AND LANDFILL GAS EMISSIONS AS TO DEFENDANTS STONY ISLAND AND LAND & LAKES ONLY

1-39. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I, paragraphs 51 through 53 of Count II, paragraph 1 of Count III, and paragraphs 36 through 38, and 40 of Count V as paragraphs 2 through 39 of this Count VI.

40. The methane and landfill gas at the Landfill are “contaminants” as that term is defined by Section 3.165 of the Act, 415 ILCS 5/3.615 (2024).

41. Defendants Stony Island’s and Land & Lakes’ uncontrolled emission of methane and landfill gas into the atmosphere at the Site created a risk of injury to human, plant, and/or animal life, and a risk to health, property, or threatened to unreasonably interfere with the enjoyment of life or property and thus constitute “air pollution” as that term is defined in Section 3.115 of the Act, 415 ILCS 5/3.115 (2024).

42. By causing, threatening, or allowing the release of airborne contaminants into the environment in the form of unpermitted methane and landfill gas from dates in 2024 best known to Defendants Stony Island and Land & Lakes through the date of filing of this Verified Complaint, Defendants Stony Island and Land & Lakes caused, threatened, or allowed air pollution in Illinois, thereby violating Section 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141.

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

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of Plaintiff and against the Defendants STONY ISLAND RECLAMATION COMPANY and LAND AND LAKES COMPANY, and enter an order with respect to Count VI:

1. Finding that Defendants Stony Island and Land & Lakes violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

2. Enjoining Defendants Stony Island and Land & Lakes from further violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

3. Ordering Defendants Stony Island and Land & Lakes to immediately take all necessary corrective action which will result in a final and permanent abatement of the violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;

4. Assessing against Defendant, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a), a civil penalty of One Hundred Thousand Dollars (\$100,000.00) for each violation of Section 9(a) of the Act, 415 ILCS 5/9(a) (2024), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141, and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which day during which each violation continued 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) (2024)

5. Ordering Defendants Stony Island and Land & Lakes, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

COUNT VII

OPEN DUMPING RESULTING IN LITTER **AS TO DEFENDANTS STONY ISLAND AND WHOLE EARTH ONLY**

1-49. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I, paragraphs 1, 35 through 41, 49, and 51 through 53 of Count II, and paragraphs 47 through 53 of Count III as paragraphs 1 through 49 of this Count VII.

50. Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2024), provides, in pertinent part, as follows:

No person shall:

* * *

(p) In violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:

(1) litter;

51. On dates best known to Defendants Stony Island and Whole Earth but on at least April 23 and 28, and May 1, 2026, Defendants Stony Island and Whole Earth caused or allowed

the open dumping of waste involved in the Composting Operation which resulted in litter at the Site, in violation of Section 21(p)(1) of the Act, 415 ILCS 21(p)(1) (2024).

52. By violating Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2024), Defendants Stony Island and Land & Lakes disposed of waste at a site which did not meet the requirements of the Act, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2024).

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

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court grant a preliminary injunction and, after trial, a permanent injunction, in favor of Plaintiff and against the Defendants STONY ISLAND COMPANY and J.L.W. TRUCKING, LLC dba Whole Earth Compost and enter an order with respect to Count VII:

1. Finding that Defendants Stony Island and Whole Earth violated Section 21(e) and 21(p)(1) of the Act, 415 ILCS 5/21(e) and 21(p)(1) (2024);

2. Enjoining Defendants Stony Island and Whole Earth from further violations of Section 21(e) and 21(p)(1) of the Act, 415 ILCS 5/21(e) and 21(p)(1) (2024);

3. Ordering Defendants Stony Island and Whole Earth to immediately take all necessary corrective action which will result in a final and permanent abatement of the violations of 21(e) and 21(p)(1) of the Act, 415 ILCS 5/21(e) and 21(p)(1) (2024);

4. Assessing against Defendants Stony Island and Whole Earth, 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 and every violation of Section 21(e) and 21(p)(1) of the Act, 415 ILCS 5/21(e) and 21(p)(1) (2024), and an additional Twenty-Five Thousand Dollars (\$25,000.00) for

each day during which each violation continues, 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) (2024);

5. Ordering Defendants Stony Island and Whole Earth, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

COUNT VIII

FAILURE TO CONTROL LITTER AS TO DEFENDANT WHOLE EARTH ONLY

1. This Count is brought on behalf of the PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, the Attorney General of the State of Illinois, on his own motion and at the request of the Illinois EPA, against Defendant Whole Earth only pursuant to Section 42(d) and (e) of the Act, 415 ILCS 5/42(d) and (e) (2024).

2-48. Plaintiff re-alleges and incorporates herein by reference paragraphs 2 through 31 of Count I and paragraphs 35 through 41 and 49 through 58 of Count II as paragraphs 2 through 48 of this Count VIII.

49. Section 830.205(j)(1) of the Board waste disposal regulations (“Board Waste Disposal Regulations”), 35 Ill. Adm. code 830.205(j)(1), provides as follows:

830.205 Additional Operating Standards for Permitted Landscape Waste Compost Facilities

(j) Litter Control. The operator shall control litter at the facility. At a minimum:

- (1) The operator shall patrol the facility daily to check for litter accumulation. All litter must be collected in a secure container for later disposal.

50. On dates better known to Defendant Whole Earth but at least on April 23 and 28, and May 1, 2026, Defendant Whole Earth had not patrolled the Site to check for litter accumulation or collect litter in a secure container for later disposal.

51. By failing to check for litter accumulation and to collect litter in a secure container for later disposal, Defendant Whole Earth violated Section 830.205(j)(1) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(j)(1).

52. By violating Section 830.205(j)(1) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(j)(1), Defendants conducted a waste-disposal or waste-treatment operation, in violation of regulations adopted by the Board under the Act and thus violated Section 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2024).

53. By violating 21(d)(2) of the Act, 415 ILCS 5/21(d)(2) (2024), and Section 830.205(j)(1) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(j)(1), Defendants Stony Island and Land & Lakes disposed of waste at a site which did not meet the requirements of the Act or the requirements of regulations promulgated under the Act, in violation of Section 21(e) of the Act, 415 ILCS 5/21(e) (2024).

WHEREFORE Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that this Court enter judgment in favor of Plaintiff and against Defendant J.L.W. TRUCKING, LLC dba Whole Earth Compost, and enter an order with respect to Count VIII:

1. Finding that Defendant Whole Earth violated Section 21(d)(2) and 21(e) of the Act, 415 ILCS 5/21(d)(2) and 21(e) (2024), and Section 830.205(j)(1) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(j)(1);

2. Ordering Defendant Whole Earth to cease and desist from any further violations of Section 21(d)(2) and 21(e) of the Act, 415 ILCS 5/21(d)(2) and 21(e) (2024), and Section 830.205(j)(1) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(j)(1);

3. Assessing against Defendant Whole Earth, 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 and every violation of Section 21(d)(2) and 21(e) of the Act, 415 ILCS 5/21(d)(2) and 21(e) (2024), and Section 830.205(j)(1) of the Board Waste Disposal Regulations, 35 Ill. Adm. Code 830.205(j)(1), and an additional Twenty-Five Thousand Dollars (\$25,000.00) for each day during which each violation continues, 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) (2024);

4. Ordering Defendant Whole Earth, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2024), to pay all costs, including oversight, sampling and clean-up costs, and attorney, expert witness and consultant fees, expended by the Plaintiff in pursuit of this action; and

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

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

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

By: /s/ Stephen Sylvester
STEPHEN SYLVESTER, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:
Cara Sawyer
Christina Haddad Scanlon
Assistant Attorneys General
Environmental Bureau
115 S. LaSalle St., 23rd Floor
Chicago, Illinois 60603
(312) 814-3094
(312) 814-0660
Cara.Sawyer@ilag.gov
Christina.Scanlon@ilag.gov
Firm #: 99000

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. KWAME RAOUL, Attorney)
General of the State of Illinois,)
)
Plaintiff,)
)
v.)
)
Stony Island Reclamation Company,)
Land and Lakes Company, and)
J.L.W. Trucking, LLC dba Whole Earth Compost,)
Defendants.)

No. 26 CH _____

VERIFICATION

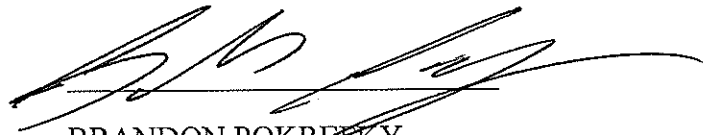
I, Brandon Pokrefky, do state as follows:

1. I am currently employed by the Illinois Environmental Protection Agency (“Illinois EPA”) and serve as an Inspector in the Field Operations Service for the Bureau of Land.
2. I have been employed by Illinois EPA for 4 years, and in my current position for 4 years.
3. As a Field Inspector for the Bureau of Land, my duties include, but are not limited to: conducting inspections on behalf of the Illinois EPA to enforce the Act and Board Regulations which, in part, regulate the disposal of waste in Cook County, Illinois; requesting documentation from the regulated community to demonstrate compliance with the Act and related statutes and regulations, and Illinois EPA-issued permits; taking samples and photographing site conditions; and, writing reports of my observations and findings.
4. I have read the foregoing Verified Complaint for Injunction and Civil Penalties (the “Complaint”) and am aware of the contents thereof.

5. The factual matters set forth in Paragraphs 7, 11, 14-21, 24-27, and 29-31 of Count I of the Complaint are true in substance and in fact, to the best of my knowledge, information and belief.

6. The factual matters set forth in Paragraphs 33 and 36 of Count II of the Complaint are true in substance and in fact, to the best of my knowledge, information and belief.

7. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument 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.



BRANDON POKREPEK
Inspector, Field Operations Services
Bureau of Land
Illinois Environmental Protection Agency

8/6/2026

DATE

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION**

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. KWAME RAOUL, Attorney)
General of the State of Illinois,)
)
Plaintiff,)
)
v.)
)
Stony Island Reclamation Company,)
Land and Lakes Company, and)
J.L.W. Trucking, LLC dba Whole Earth Compost,)
Defendants.)

No. 26 CH _____

VERIFICATION

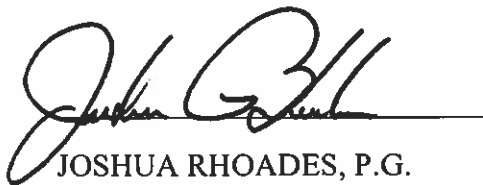
I, Joshua Rhoades, do state as follows:

1. I am currently employed by the Illinois Environmental Protection Agency ("Illinois EPA") and serve as the Manager of the Permit Section for the Bureau of Land.
2. I have been employed by Illinois EPA for 13 years, and in my current position for 1.5 years.
3. As Manager of the Permit Section for the Bureau of Land, my duties and responsibilities include, among others, knowledge of, access to, and oversight of permitting records of land-related matters, including landfills. My knowledge includes Illinois laws and regulations, and related permitting matters.
4. I have read the foregoing Verified Complaint for Injunction and Civil Penalties (the "Complaint") and am aware of the contents thereof.
5. The factual matters set forth in Paragraphs 8-10, 12, 13, 22, 23, and 28 of Count I of the Complaint are true in substance and in fact, to the best of my knowledge, information and

belief.

6. The factual matters set forth in Paragraphs 32 and 34 of Count II of the Complaint are true in substance and in fact, to the best of my knowledge, information and belief.

7. Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument 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.



JOSHUA RHOADES, P.G.

Manager – Permit Section, Bureau of Land
Illinois Environmental Protection Agency



DATE