



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 5 – 77 W. Jackson Blvd., Chicago, IL 60604

EXPEDITED SETTLEMENT AGREEMENT

Docket Number: CWA-05-2026-0003, NPDES No. ILP000064

Penalty Amount: \$1,340, Inspection Date: July 8, 2025

Alpha Circuit I, LLC (“Respondent”) is a “person,” within the meaning of Section 502(5) of the Clean Water Act (“Act”), 33 U.S.C. § 1362(5), and 40 C.F.R. § 122.2.

Attached is an “Expedited Settlement Offer Worksheet” (“Settlement Worksheet”), which is incorporated by reference. By its signature, Complainant (“EPA”) finds that Respondent is responsible for the alleged violations specified in the Settlement Worksheet.

Respondent failed to comply with Section 307 of the Act, 33 U.S.C. § 1317, and certain regulations at 40 C.F.R. Part 403.

EPA finds, and Respondent admits, that Respondent is subject to Section 307 of the Act, 33 U.S.C. § 1317 and the regulations at 40 C.F.R. Part 403 and that EPA has jurisdiction and authority to enforce pretreatment requirements against industrial users. Respondent neither admits nor denies the alleged violations specified in the Settlement Worksheet or this Consent Agreement and Final Order (“Agreement”).

EPA is authorized to enter into this Agreement under the authority vested in the Administrator of EPA by Section 309(g)(2)(A) of the Act, 33 U.S.C. § 1319(g)(2)(A), and by 40 C.F.R. § 22.13(b). The parties enter into this Agreement to settle the civil violation(s) alleged in this Agreement for a penalty of \$1,340. Respondent consents to the assessment of this penalty and waives the right to: (1) contest the finding(s) specified in the Settlement Worksheet; (2) a hearing pursuant to Section 309(g)(2) of the Act, 33 U.S.C. § 1319(g)(2); and (3) appeal pursuant to Section 309(g)(8), 33 U.S.C. § 1319(g)(8). By signing this consent agreement, Respondent waives any rights or defenses that Respondent has or may have for this matter to be resolved in federal court, including but not limited to any right to a jury trial, and waives any right to challenge the lawfulness of the final order accompanying the consent agreement.

Respondent shall pay the Assessed Penalty and any interest, fees, and other charges due using any method, or combination of appropriate methods, as provided on the EPA website: <https://www.epa.gov/financial/makepayment>. For additional instructions see: <https://www.epa.gov/financial/additional-instructions-making-payments-epa>. However, for any payments made after September 30, 2025, and in accordance with the March 25, 2025 Executive Order on Modernizing Payments To and From America’s Bank Account, Respondent shall pay using one of the electronic payments methods listed on EPA’s How to Make a Payment website and will not pay with a paper check.

Respondent agrees that consistent with section 162(f)(1) of the Internal Revenue Code, 26 U.S.C. § 162(f)(1), it will not deduct the penalties paid under this Agreement for federal tax purposes.

Additionally, Respondent certifies, subject to civil and criminal penalties for making a false statement to the United States Government, that the alleged violations identified in the Settlement Worksheet have been corrected. Respondent shall submit a written report and other documentation with this Agreement detailing the specific actions taken to correct the alleged violations cited herein. This documentation may include monitoring, inspection and maintenance reports, documentation of corrective actions, certification records, and other records required for compliance with permit documentation and recordkeeping conditions.

This Agreement settles EPA’s civil penalty claims against Respondent for the alleged Clean Water Act violation(s) specified in this Agreement. EPA does not waive its rights to take any enforcement action against Respondent for any other past, present, or future civil or criminal violation of the Act or of any other federal statute or regulation. EPA does not waive its right to issue a compliance order for any uncorrected alleged violation(s) described in the Settlement Worksheet. EPA has determined this Agreement to be appropriate.

Prior to requesting that an EPA Regional Judicial Officer issue the Final Order, EPA will provide a copy of the Agreement to the state of Illinois for the purposes of consultation with Illinois on the appropriateness of this Agreement. EPA will also provide public notice of this Agreement and a reasonable opportunity for public comment on it. EPA will address any comments on the Agreement in accordance with section 309(g)(1) and (4)(A) of the Act, 33 U.S.C. § 1319(g)(1) and (4)(A), and 40 CFR §§ 22.38 and 22.45.

This Agreement is binding on the parties signing below and becomes final 30 days from the date it signed is by the Regional Judicial Officer, unless a petition to set aside this Agreement is filed by a commenter pursuant to Section 309(g)(5) of the Act, 33 U.S.C. § 1391(g)(5), following public notice of this Agreement.

APPROVED BY RESPONDENT:

Name
(print): PRASHANT PATEL

Title
(print): PRESIDENT

Signature:  Date: 09/18/25

APPROVED BY EPA:

**CAROLYN
PERSOON**

Digitally signed by
CAROLYN PERSOON
Date: 2025.11.17
07:48:51 -06'00'

Date: _____

Carolyn Persoon
Acting Division Director
Enforcement and Compliance Assurance Division
U.S. Environmental Protection Agency, Region 5

More than 40 days have elapsed since providing the Agreement to Illinois and the issuance of public notice pursuant to Section 309(g)(1) and (4)(A) of the Act, 33 U.S.C. § 1319(g)(1) and (4)(A), and EPA has received no comments concerning this matter.

Having determined that this Agreement is authorized by law,
IT IS SO ORDERED:

Date: _____

Regional Judicial Officer
Region 5
U.S. Environmental Protection Agency

Expedited Settlement Offer Worksheet Violations Form For Wastewater

Version 2 (updated August 2025)

Consult instructions regarding eligibility criteria and procedures prior to use.



1	Alpha Circuit I, LLC	NPDES Permit Number		
		ILP000064		
		Permit Effective Date:	September 16, 2021	
		Permit Expiration Date:	October 31, 2024	
2	730 North Oaklawn Ave Elmhurst, IL 60126	EPA Contact Name:	Gabrielle Giampietro	
		EPA Contact Title:	Environmental Engineer	
		EPA Office:	Region 5	
		Name of Facility Contact (ESO Worksheet recipient): Upal Kumbhani		
		Name of Authorized Official (40 CFR 122.22): Prashant Patel		
		Are any findings a result of an inspection? Yes		
		Inspection Date(s) (if applicable): 07/08/2025		
3		Name of Receiving Water Body (Indicate whether 303(d) listed): Indirect Discharger to City of Elmhurst STP. City of Elmhurst		
4	Is the entity privately owned (i.e., not municipal)?	If yes, adjustment factor of 2.0 is applied.	Yes	2.0
5	Select the appropriate average volume of flow on a day of discharge in millions of gallons per			
	A	<0.050 mgd (no adjustment is applied)	No adjustment factor is applied.	0.0
	B	≥0.050 mgd and <0.250 mgd	Adjustment factor of 1.5 is applied.	
	C	≥0.250 mgd and <1 mgd	Adjustment factor of 3.0 is applied.	
	D	≥1 mgd and <5 mgd	Adjustment factor of 6.0 is applied.	
	E	≥5 mgd and <10 mgd	Adjustment factor of 10.0 is applied.	
	F	≥10 mgd and <50 mgd	Adjustment factor of 15.0 is applied.	
	G	≥50 mgd	Adjustment factor of 20.0 is applied.	
6	A	How many other state and federal formal enforcement actions has the responsible entity been subject to in the last three years? Include enforcement actions at this facility and any other facilities.	For each enforcement action, adjustment factor is increased 50%.	1.0
		2.00		

Notes: * RCA = Requires Corrective Action

		Violation(s) / Corrective Action(s)	CWA / Permit Citation	R C A*	No. of Viol- actions	Dollar Amount w/ Adjust. Factor	Total
7	Failure to submit compliance schedule report:						
	A Late but less than 30 days late					\$100 =	
	B Submitted more than 30 days late					\$150 =	
	C Not submitted					\$300 =	
8	Failure to submit timely discharge monitoring report (DMR) and/or DMR submitted with failure to conduct self-monitoring:						
	A DMR late but less than 30 days late					\$100 =	
	B DMR submitted more than 30 days late					\$150 =	
	C DMR not submitted or DMR submitted with a failure to sample pollutants - conventional pollutants (count each conventional pollutant not reported or not sampled as a violation: BOD, TSS, pH, oil and grease, e. coli, fecal coliform)					\$150 =	
	D DMR not submitted or DMR submitted with a failure to sample pollutants - toxic pollutants (count each toxic pollutant not reported or not sampled as a violation)					\$150 =	
9	Failure to conduct self-monitoring in accordance with permit requirements, including but no limited to required sample type, sample location, representative sampling, meeting 40 CFR 136 or other permit requirements (count each pollutant with one or more failures)					\$50 =	
10	Failure to submit any other required report or notice (e.g., biosolids report, pretreatment report, industrial user notification, planned changes, anticipated noncompliance, anticipated bypass, etc.):						
	A Late but less than 30 days late					\$100 =	
	B Submitted more than 30 days late					\$150 =	
	C Not submitted					\$300 =	
11	24-Hour Noncompliance Notice						
	A Failure to provide notice of noncompliance					\$150 =	
	B Noncompliance notice late					\$100 =	
12	5-Day Written Noncompliance Follow-up Report:						
	A Failure to provide report					\$150 =	
	B Report provided late and/or incomplete					\$100 =	
13	Noncompliance Not Required Within 24 Hours:						
	A Failure to provide report with DMR					\$50 =	
	B Report provided late and/or incomplete					\$20 =	
Subtotal Monitoring / Reporting Violations							\$0

14	Failure to conduct and document self-inspections of facility (count each month with one or more missed and/or undocumented inspection)					\$80	=	
15	Failure to document all required information in self-inspections or conduct a complete inspection (count each month with one or more partially documented/completed inspection unless the month is accounted for in #15)	pH logs not included in 1 semi-annual report (December 2023). Temperature not included on chain of custody forms for 3 semi-annual reports (December 2023, June 2024, June 2025). 4 total occurrences.		Yes	4	\$40	=	\$160
16	Failure to identify and document corrective actions					\$40	=	
17	Failure to meet operation and maintenance requirement of the permit					\$200	=	
18	Failure to manage removed substances in accordance with the permit					\$500	=	
Subtotal Operations and Maintenance Violations								\$160
19	Failure to meet effluent limitations:	pH exceedances on 3 semi-annual reports less than 40% above the limit (June 2024, December 2024, June 2025).		Yes	3	\$100	=	\$300
A	Months with effluent exceedance less than 40% above the limit - conventional pollutants (count each conventional pollutant separately as a violation; BOD, TSS, pH, oil and grease, e. coli, fecal coliform)							
B	Months with effluent exceedance 40% or more above the limit - conventional pollutants (count each conventional pollutant separately as a violation; BOD, TSS, pH, oil and grease, e. coli, fecal coliform)					\$150	=	
C	Months with effluent exceedance less than 20% above the limit - toxic pollutants (count each toxic pollutant separately as a violation)					\$200	=	
E	Months with effluent exceedance 20% or more above the limit - toxic pollutants (count each toxic pollutant separately as a violation)					\$400	=	
Subtotal Effluent Limitations Violations								\$300
20	Failure to create/maintain sampling and/or analysis records (count each month with one or more failure)	TOMP not approved for all semi-annual reports in past 24 months. Did not received approval, but previously submitted for approval.		Yes	1	\$80	=	\$80
21	Failure to maintain other records required by the permit (count each month with one or more failure excluding records not maintained in #22)					\$50	=	
Subtotal Records Violations								\$80
22	Industrial user's discharge to a POTW that contributed to interference with its operations, or pass-through of treatment (General Prohibition, duration <= 7 days).		40 CFR 403.5(a)			\$8,500	=	
23	Industrial user's discharge to a POTW that violated one or more national Specific Prohibitions, elevating risks.		40 CFR 403.5(b)			\$7,500	=	
24	Categorical Industrial User (new source) began discharging wastewater to a POTW without all pretreatment equipment necessary to meet applicable standards fully installed and in operating condition (duration <= 90 days).		40 CFR 403.6(b)			\$710	=	
25	Dilution of a discharge by an Industrial User to meet standards or requirements in lieu of operating adequate pretreatment equipment (unwillful violation; duration <= 90 days).		40 CFR 403.6(d)			\$700	=	

26	Any Industrial User's discharge exceeding/failing an applicable pretreatment standard or requirement (other than 403.5(a/b)), and qualifying as industrial user significant noncompliance (SNC) under 40 CFR 403.8(f)(2)(viii)(H).		See 40 CFR 403.5(d) and 403.8(f)(2)(viii)(H)			\$250		
27	Significant Industrial User's discharge exceeding/failing an applicable pretreatment standard or requirement (other than 403.5(a/b)), but not qualifying as industrial user SNC.		See 40 CFR 403.5(d) and 403.8(f)(2)(viii)			\$150		
28	Non-Significant Industrial User's discharge exceeding/failing an applicable pretreatment standard or requirement (other than 403.5(a/b)), but not qualifying as industrial user SNC.		See 40 CFR 403.5(d) and 403.8(f)(2)(viii)			\$100		
29	Categorical Industrial User's submission of a 403.12(b) baseline report (and/or equivalent permit application content as control authority may allow) > 180 days after the effective date of the standards (existing source), or < 90 days prior to commencing discharge to a POTW (new source).		40 CFR 403.12(b)			\$200		
30	Categorical Industrial User's submission of a 403.12(d) 90-day compliance report (and/or equivalent permit report as may be required by control authority) > 90 days after the final compliance date (existing source) or > 90 days after commencing discharge to a POTW (new source).		40 CFR 403.12(d)			\$200		
31	Categorical Industrial User's late or incomplete submission of 403.12(e) periodic reports due in July and December (or as more frequently required by control authority).	4 Semi-Annual Reports were not submitted in the past 60 months (June 2021, June 2024, December 2024, June 2025).	40 CFR 403.12(e)	Yes	4	\$200	\$800	
32	Any Industrial User's failure to self-monitor as required by 403.12(h), or failure to follow 403.12(g) procedures for valid collections, analyses, and resamplings.		40 CFR 403.12(g) and/or (h)			\$200		
33	Any industrial User's late or incomplete submission of required notifications or certifications.		40 CFR 403.12(c)(3), (f), (j), (l), (p)(4), and/or (g)			\$100		
34	Any Industrial User's failure to submit required notifications or certifications.		40 CFR 403.12(c)(3), (f), (j), (l), (p)(4) and/or (g)			\$700		
35	Any Industrial User's failure to retain documentation of a monitoring activity in cases where the results are known and documentation can be later obtained from a second party off-site.		40 CFR 403.12(o)			\$100		
36	Any Industrial User's late or incomplete notification of discharging to a POTW in a calendar month >= 15 kg (33 lbs) of a substance, which, if otherwise disposed of, would be a non-acute hazardous waste under 40 CFR Part 261.		See 40 CFR 403.12(p)(2), for <u>non-acute hazardous wastes only</u>			\$200		
Subtotal Records Violations							\$800	
37	Enter total estimate economic benefit calculated rounded up to the nearest \$50					ESA eligible		
Total Expedited Settlement							\$1,340	