

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS, by KWAME))	
RAOUL, Attorney General of the State of Illinois,))	
)	
Complainant,))	
)	
v.))	PCB No. 20-
)	(Enforcement-Air)
COUNTRY SQUIRE CLEANERS, INC.,))	
an Illinois Corporation,))	
)	
Respondents.))	

NOTICE OF FILING

TO: See attached service list (VIA ELECTRONIC FILING)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board by electronic filing the following Complaint, a copy of which is attached and hereby served upon you. You may be required to answer the charges of the Complaint at a hearing before the Board, at a date set by the Board.

Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the clerk's office, or an attorney.

NOTIFICATION - YOU ARE HEREBY NOTIFIED that financing may be available through the Illinois Environmental Facilities Financing Act [20 ILCS 3515/1, et seq.] to correct the alleged violations.

Respectfully submitted,

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

By: s/Kevin Bonin
Kevin Bonin, #6294877
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, IL 62701
kbonin@atg.state.il.us

Date: March 6, 2020

THIS FILING IS SUBMITTED ON RECYCLED PAPER

Service List

For the Respondent

Maatuka Al-Heeti Emkes LLC

Attn: Roaa Al-Heeti

2101 Windsor Place, Suite 2

Champaign, IL 61820

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
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v.)	PCB No. 20 –
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COUNTRY SQUIRE CLEANERS, INC.,)	
an Illinois corporation,)	
)	
Respondent.)	

COMPLAINT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, complains of the Respondent, COUNTRY SQUIRE CLEANERS, INC., an Illinois corporation, as follows:

COUNT I
AIR POLLUTION – FAILURE TO SUBMIT
ANNUAL EMISSIONS REPORT

1. This Complaint is brought on behalf of the People of the State of Illinois, *ex rel.* Kwame Raoul, Attorney General of the State of Illinois, on his own motion and at the request of the Illinois Environmental Protection Agency (“Illinois EPA”), pursuant to the terms and provisions of Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2018).

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 (2018), and is charged, *inter alia*, with the duty of enforcing the Act.

3. Respondent, COUNTRY SQUIRE CLEANERS, INC., is an Illinois corporation in good standing and authorized to do business in the State of Illinois by the Illinois Secretary of

State.

4. At all times relevant to this Complaint, Respondent was and is the owner and/or operator of a perchloroethylene dry cleaning facility located at 1805 West Springfield Avenue, Champaign, Champaign County, Illinois 61821 ("Facility").

5. Emission sources at the Facility include two Perchloroethylene dry cleaning machines.

6. On May 1, 2009, Illinois EPA issued Lifetime Operating Permit Number 09040027 to the Respondent to operate Perchloroethylene dry cleaning machines at the Facility.

7. On June 25, 2014, Illinois EPA sent Violation Notice A-2014-00078 to the Respondent pursuant to Section 31(a)(1) of the Act, 415 ILCS 5/31(a)(1) (2018).

8. Violation Notice A-2014-00078 addressed the Respondent's failure to submit an Annual Emissions Report ("AER") to Illinois EPA for calendar year 2013.

9. On September 10, 2014, Respondent entered into a Compliance Commitment Agreement ("CCA") with Illinois EPA to resolve Violation Notice A-2014-00078.

10. On June 14, 2017, Illinois EPA sent Violation Notice A-2017-00038 to the Respondent pursuant to Section 31(a)(1) of the Act, 415 ILCS 5/31(a)(1) (2018).

11. Violation Notice A-2017-00038 addressed the Respondent's failure to submit an AER to Illinois EPA for calendar year 2016.

12. On August 8, 2017, Respondent entered into a CCA with Illinois EPA to resolve Violation Notice A-2017-00038.

13. On July 9, 2018, Illinois EPA sent Violation Notice A-2018-00065 to the Respondent pursuant to Section 31(a)(1) of the Act, 415 ILCS 5/31(a)(1) (2018).

14. Violation Notice A-2018-00065 addressed the Respondent's failure to submit an

AER to Illinois EPA for calendar year 2017.

15. On or about August 23, 2018, Respondent submitted an AER to Illinois EPA for calendar year 2017.

16. On August 24, 2018, Illinois EPA issued a Notice of Non-Issuance of Compliance Commitment Agreement to the Respondent.

17. On September 21, 2018, Illinois EPA issued a Notice of Intent to Pursue Legal Action ("NIPLA") to the Respondent pursuant to Section 31(b) of the Act, 415 ILCS 5/31(b) (2018).

18. On October 1, 2018, Illinois EPA and the Respondent held a meeting regarding the NIPLA.

19. Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), provides 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.

20. Section 3.315 of the Act, 415 ILCS 5/3.315 (2018), 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.

21. Respondent, COUNTRY SQUIRE CLEANERS, INC., a corporation, is a "person" as that term is defined in Section 3.315 of the Act, 415 ILCS 5/3.315 (2018).

22. Section 3.165 of the Act, 415 ILCS 5/3.165 (2018), provides the following definition:

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

23. Perchloroethylene emissions from activities associated with the operation of a dry cleaner are “contaminants” as that term is defined in Section 3.165 of the Act, 415 ILCS 5/3.165 (2018).

24. Section 201.302(a) of the Board’s regulations, 35 Ill. Adm. Code 201.302(a), provides as follows:

- a) The owner or operator of any emission unit or air pollution control equipment meeting the applicability criteria contained in 35 Ill. Adm. Code 254.102 shall submit to the Agency as a minimum, annual reports detailing the nature, specific emission units and total annual quantities of all specified air contaminant emissions; provided, however, that the Agency may require more frequent reports when necessary to accomplish the purposes of the Act and this Chapter.

25. Section 201.101(b) of the Board’s regulations, 35 Ill. Adm. Code 201.101(b), provides as follows:

- b) All terms defined in 35 Ill. Adm. Code 211 which appear in this Part have the definitions specified by 35 Ill. Adm. Code 211.

26. Section 211.1950 of the Board’s regulations, 35 Ill. Adm. Code 211.1950, provides as follows:

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

27. Perchloroethylene dry cleaning machines at the Facility are “emission units” as that term is defined in Section 211.1950 of the Board’s regulations, 35 Ill. Adm. Code 211.1950.

28. Section 211.4370 of the Board’s regulations, 35 Ill. Adm. Code 211.4370, provides as follows:

“Owner or operator” means any person who owns, operates, leases, controls, or supervises a source, an emission unit or air pollution control equipment.

29. Respondent is an “owner or operator,” as that term is defined in Section 211.4370 of the Board’s regulations, 35 Ill. Adm. Code 211.4370, of the emission units at the Facility.

30. Section 254.102(b) of the Board’s regulations, 35 Ill. Adm. Code 254.102(b), provides, in pertinent part, as follows:

- b) Subpart C of this Part applies to the owner or operator of any source of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201 that is not subject to subsection (a) of this Section.

31. Section 254.103 of the Board’s regulations, 35 Ill. Adm. Code 254.103, provides, in pertinent part, as follows:

Except as otherwise defined in this Part, definitions of terms used in this Part shall be those used in the Environmental Protection Act [415 ILCS 5] and in 35 Ill. Adm. Code: Subtitle B.

32. Section 211.5500(b) of the Board’s regulations, 35 Ill. Adm. Code 211.5500(b), provides, in pertinent part, as follows:

- b) “Regulated air pollutant” shall, for the purposes of 35 Ill. Adm. Code 201.180(a), mean any air contaminant as to which this Subtitle contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act.

33. Section 9.1(d)(1) of the Act, 415 ILCS 5/9.1(d)(1) (2018), provides, in pertinent part, as follows:

- (d) No person shall:
 - (1) violate any provisions of Sections 111, 112, 165 or 173 of the Clean Air Act . . . or federal regulations adopted pursuant thereto;

34. Perchloroethylene is regulated as a hazardous air pollutant pursuant to Section 112

of the Clean Air Act, 42 U.S.C. § 7412, and Title 40, Part 63, Subpart M of the Code of Federal Regulations.

35. Perchloroethylene is a contaminant regulated in Illinois pursuant to Section 9.1 of the Act, 415 ILCS 5/9.1 (2018), and is therefore a "regulated air pollutant" as that term is defined in Section 211.5500(b) of the Board's regulations, 35 Ill. Adm. Code 211.5500(b).

36. Respondent is the owner or operator of a source of regulated air pollutants required to have an operating permit in accordance with 35 Ill. Adm. Code 201, and therefore meets the applicability criteria contained in 35 Ill. Adm. Code 254.102.

37. Respondent is the owner or operator of an emission unit meeting the applicability criteria of Section 254.102 of the Board's regulations, 35 Ill. Adm. Code 254.102, and is therefore required to submit an AER pursuant to Section 201.302(a) of the Board's regulations, 35 Ill. Adm. Code 201.302(a).

38. Section 254.132(a) of the Board's regulations, 35 Ill. Adm. Code 254.132(a), provides as follows:

- a) Failure to file a complete Annual Emissions Report by the applicable deadlines prescribed in Section 254.137(a) of this Subpart shall be a violation of this Part and 35 Ill. Adm. Code 201.302(a).

39. Section 254.137(a) of the Board's regulations, 35 Ill. Adm. Code 254.137(a), provides as follows:

- a) All Annual Emissions Reports are due by May 1 of the year following the calendar year in which the emissions took place.

40. By failing to submit an AER for calendar year 2017 by May 1, 2018, Respondent violated Sections 201.302(a) and 254.132(a) of the Board's regulations, 35 Ill. Adm. Code 201.302(a) & 254.132(a).

41. By violating Sections 201.302(a) and 254.132(a) of the Board's regulations, 35 Ill. Adm. Code 201.302(a) & 254.132(a), Respondent violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2018).

PRAYER FOR RELIEF

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of the Complainant and against the Respondent, COUNTRY SQUIRE CLEANERS, INC., on Count I:

A. Authorizing a hearing in this matter at which time the Respondent will be required to answer the allegations herein;

B. Finding that the Respondent violated Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), and Sections 201.302(a) and 254.132(a) of the Board's regulations, 35 Ill. Adm. Code 201.302(a) & 254.132(a);

C. Ordering the Respondent to cease and desist from any further violations of Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), and Sections 201.302(a) and 254.132(a) of the Board's regulations, 35 Ill. Adm. Code 201.302(a) & 254.132(a);

D. Assessing against the Respondent a civil penalty of \$50,000.00 for each violation of the Act and the Board's regulations, and an additional civil penalty of \$10,000.00 for each day such violations continued, pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2018);

E. Awarding to the Complainant its costs, including expert witness, consultant, and attorney fees, expended in pursuit of this action, pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2018); and

F. Ordering such other and further relief as the Board deems appropriate and just.

Respectfully submitted,

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

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

BY:



ANDREW B. ARMSTRONG, Chief
Environmental Bureau
Assistant Attorney General

Kevin D. Bonin, #6294877
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South 2nd Street
Springfield, Illinois 62706
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
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v.)	PCB No. 20 –
)	(Enforcement – Air)
COUNTRY SQUIRE CLEANERS, INC.,)	
an Illinois corporation,)	
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STIPULATION AND PROPOSAL FOR SETTLEMENT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, the Illinois Environmental Protection Agency (“Illinois EPA”), and COUNTRY SQUIRE CLEANERS, INC., (“Respondent”), (collectively “Parties to the Stipulation”), have agreed to the making of this Stipulation and Proposal for Settlement (“Stipulation”) and submit it to the Illinois Pollution Control Board (“Board”) for approval. This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Board's approval of this Stipulation and issuance of relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/1, *et seq.* (2018), and the Board's regulations alleged in the Complaint, except as otherwise provided herein. It is the intent of the Parties to the Stipulation that it be a final adjudication of this matter.

I. STATEMENT OF FACTS

A. Parties

1. Contemporaneous with the filing of this Stipulation, a Complaint was filed on behalf of the People of the State of Illinois by Kwame Raoul, Attorney General of the State of Illinois, on his own motion and upon the request of the Illinois EPA, pursuant to Section 31 of the

Act, 415 ILCS 5/31 (2018), against the Respondent.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2018).

3. At all times relevant to the Complaint, Respondent was and is an Illinois corporation that is authorized to transact business in the State of Illinois.

4. At all times relevant to the Complaint, Respondent owned and operated a dry cleaning facility located at 1805 West Springfield Avenue, Champaign, Champaign County, Illinois ("Facility").

5. At all times relevant to the Complaint, Respondent operated two Perchloroethylene dry cleaning machines at the Facility.

6. Perchloroethylene is regulated as a hazardous air pollutant pursuant to Section 112 of the Clean Air Act, 42 U.S.C. § 7412, and Title 40, Part 63, Subpart M of the Code of Federal Regulations.

7. Perchloroethylene is a contaminant regulated in Illinois pursuant to Section 9.1 of the Act, 415 ILCS 5/9.1 (2018), and is therefore a "regulated air pollutant" as that term is defined in Section 211.5500(b) of the Board's regulations, 35 Ill. Adm. Code 211.500(b).

8. The owner or operator of each emission source must submit Annual Emissions Reports. All Annual Emission Reports are due by May 1 of the year following the calendar year in which the emissions took place.

9. On July 9, 2018, Illinois EPA sent Violation Notice A-2018-00065 to Respondent, alleging that Respondent failed to timely submit an AER to Illinois EPA for calendar year 2017.

10. On August 23, 2018, Respondent submitted its AER for the calendar year 2017 to the Illinois EPA.

11. On August 24, 2018, Illinois issued a Notice of Non-Issuance of Compliance Commitment Agreement to Respondent.

B. Allegations of Non-Compliance

Complainant contends that the Respondent has violated the following provisions of the Act and Board regulations:

Count I: Failure to Submit Annual Emissions Report
Section 9(a) of the Act, 415 ILCS 5/9(a) (2018);
Sections 201.302(a) and 254.132(a) of the Board's Regulations, 35 Ill.
Adm. Code 201.302(a) and 254.132(a).

C. Admission of Violations

The Respondent admits to the violations alleged in the Complaint filed in this matter and referenced within Section I.B herein.

D. Compliance Activities

On August 23, 2018, Respondent submitted to Illinois EPA its Annual Emissions Report for calendar year 2017.

On November 19, 2019, Illinois EPA issued a Revised Lifetime Operating Permit to Respondent. The Revised Lifetime Operating Permit reflects the following changes made to Respondent's operation of the Facility: (1) the retirement of one Perchloroethylene dry cleaning machine and (2) the installation and operation of one hydrocarbon dry cleaning machine.

II. APPLICABILITY

This Stipulation shall apply to and be binding upon the Parties to the Stipulation. The Respondent shall not raise as a defense to any enforcement action taken pursuant to this Stipulation the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Stipulation. This Stipulation may be used against the Respondent in any subsequent enforcement action or permit proceeding as

proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2018).

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

Section 33(c) of the Act, 415 ILCS 5/33(c) (2018), provides as follows:

In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing upon the reasonableness of the emissions, discharges, or deposits involved including, but not limited to:

1. the character and degree of injury to, or interference with the protection of the health, general welfare and physical property of the people;
2. the social and economic value of the pollution source;
3. the suitability or unsuitability of the pollution source to the area in which it is located, including the question of priority of location in the area involved;
4. the technical practicability and economic reasonableness of reducing or eliminating the emissions, discharges or deposits resulting from such pollution source; and
5. any subsequent compliance.

In response to these factors, the Parties to the Stipulation state the following:

1. Respondent submitted its Annual Emissions Report for calendar year 2017 approximately 114 days late. Illinois EPA's information gathering responsibilities were hindered by the Respondent's violations, thereby threatening human health and the environment.
2. There is social and economic benefit to the facility.
3. Operation of the facility was and is suitable for the area in which it is located.
4. Submitting Annual Emissions Reports in a timely manner was both technically practicable and economically reasonable.
5. Respondent has subsequently complied with the Act and the Board regulations.

IV. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2018), provides as follows:

In determining the appropriate civil penalty to be imposed under . . . this Section, the Board is authorized to consider any matters of record in mitigation or aggravation of penalty, including but not limited to the following factors:

1. the duration and gravity of the violation;
2. the presence or absence of due diligence on the part of the respondent in attempting to comply with requirements of this Act and regulations thereunder or to secure relief therefrom as provided by this Act;
3. any economic benefits accrued by the respondent because of delay in compliance with requirements, in which case the economic benefits shall be determined by the lowest cost alternative for achieving compliance;
4. the amount of monetary penalty which will serve to deter further violations by the respondent and to otherwise aid in enhancing voluntary compliance with this Act by the respondent and other persons similarly subject to the Act;
5. the number, proximity in time, and gravity of previously adjudicated violations of this Act by the respondent;
6. whether the respondent voluntarily self-disclosed, in accordance with subsection i of this Section, the non-compliance to the Agency;
7. whether the respondent has agreed to undertake a "supplemental environmental project," which means an environmentally beneficial project that a respondent agrees to undertake in settlement of an enforcement action brought under this Act, but which the respondent is not otherwise legally required to perform; and
8. whether the respondent has successfully completed a Compliance Commitment Agreement under subsection (a) of Section 31 of this Act to remedy the violations that are the subject of the complaint.

In response to these factors, the Parties to the Stipulation state as follows:

-
1. Respondent submitted its Annual Emissions Report for calendar year 2017 approximately 114 days late. The requirement of submitting timely Annual Emissions Reports is

of significant importance to Illinois EPA's air program.

2. Respondent did not submit the Annual Emissions Report for calendar year 2017 until after receiving a Violation Notice from Illinois EPA.

3. No calculable economic benefit has been derived from the failure to timely submit the Annual Emissions Report for calendar year 2017.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of five-thousand Dollars (\$5,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and Board regulations.

5. To Complainant's knowledge, Respondent has no previously adjudicated violations of the Act.

6. Self-disclosure is not at issue in this matter.

7. The settlement of this matter does not include a supplemental environmental project.

8. A Compliance Commitment Agreement was not at issue in this matter.

V. TERMS OF SETTLEMENT

A. **Penalty Payment**

1. The Respondent shall pay a civil penalty in the sum of five-thousand Dollars (\$5,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. **Interest and Default**

1. If the Respondent fails to make any payment required by this Stipulation on or before the date upon which the payment is due, the Respondent shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing immediately. In the event of default, the Complainant shall be entitled to reasonable costs of

collection, including reasonable attorney's fees.

2. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by the Respondent not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

C. Payment Procedures

1. All payments required by this Stipulation shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF"). Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency
Fiscal Services
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order.

3. A copy of the certified check or money order and any transmittal letter shall be sent to:

Kevin D. Bonin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

D. Future Compliance

1. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, shall have the right

of entry into and upon the Respondent's facility which is the subject of this Stipulation, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

2. This Stipulation in no way affects the responsibilities of the Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board's regulations.

3. The Respondent shall cease and desist from future violations of the Act and Board regulations that were the subject matter of the Complaint.

E. Release from Liability

In consideration of the Respondent's payment of the \$5,000.00 penalty, its commitment to cease and desist as contained in Section V.D.3 above, and upon the Board's approval of this Stipulation, the Complainant releases, waives and discharges the Respondent from any further liability or penalties for the violations of the Act and Board regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Complainant's Complaint filed contemporaneously with this Stipulation. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against the Respondent with respect to all other matters, including but not limited to, the following:

- a. criminal liability;
- b. liability for future violation of state, federal, local, and common laws and/or regulations;
- c. liability for natural resources damage arising out of the alleged violations; and

- d. liability or claims based on the Respondent's failure to satisfy the requirements of this Stipulation.

Nothing in this Stipulation is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315 (2018), or entity other than the Respondent.

F. Correspondence, Reports and Other Documents

Any and all correspondence, reports and any other documents required under this Stipulation, except for penalty payments, shall be submitted as follows:

As to the Complainant

Kevin D. Bonin
Assistant Attorney General
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

James Morgan
Assistant Counsel, Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Manager
Bureau of Air, Compliance Section
Mail Code #40
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

As to the Respondent

Roaa Al-Heeti
Maatuka Al-Heeti Emkes LLC
2101 Windsor Place
Champaign, Illinois 61820

Kevin Buskirk
President, Country Squire Cleaners, Inc.
1805 West Springfield Avenue
Champaign, Illinois 61821

G. Enforcement

1. Upon the entry of the Board's Order approving and accepting this Stipulation, that Order is a binding and enforceable order of the Board and may be enforced as such through any and all available means.

H. Execution of Stipulation

The undersigned representatives for the Parties to the Stipulation certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Stipulation and to legally bind them to it.

WHEREFORE, the Parties to the Stipulation request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

KWAME RAOUL
Attorney General
State of Illinois

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

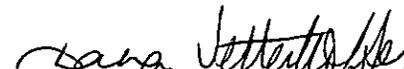
JOHN J. KIM, Director
Illinois Environmental Protection Agency

BY:



ANDREW ARMSTRONG, Chief
Assistant Attorney General
Environmental Bureau

BY:



DANA VETTERHOFFER
Acting Chief Legal Counsel

DATE:

03/03/2020

DATE:

2-25-20

COUNTRY SQUIRE CLEANERS, LLC

BY: Kevin N. Buskirk
KEVIN BUSKIRK
President

DATE: 2-14-20

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
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Complainant,)	
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v.)	PCB No. 20 –
)	(Enforcement – Air)
COUNTRY SQUIRE CLEANERS, INC.,)	
an Illinois corporation,)	
)	
Respondent.)	

MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by KWAME RAOUL, Attorney General of the State of Illinois, and requests relief from the requirement of a hearing in this matter. In support thereof, the Complainant states as follows:

1. Along with this Motion, Complainant filed on March 6, 2020 the initial Complaint in this matter and a Stipulation and Proposal for Settlement executed between Complainant and the Respondent, Country Squire Cleaners, Inc.

2. Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2018), provides as follows:

(c)(2) Notwithstanding the provisions of subdivision (1) of this subsection (c), whenever a complaint has been filed on behalf of the Agency or by the People of the State of Illinois, the parties may file with the Board a stipulation and proposal for settlement accompanied by a request for relief from the requirement of a hearing pursuant to subdivision (1). Unless the Board, in its discretion, concludes that a hearing will be held, the Board shall cause notice of the stipulation, proposal and request for relief to be published and sent in the same manner as is required for hearing pursuant to subdivision (1) of this subsection. The notice shall include a statement that any person may file a written demand for hearing within 21 days after receiving the notice. If any person files a timely written demand for hearing, the Board shall deny the request for relief from a hearing and shall hold a hearing in accordance with the provisions of subdivision (1).

3. No hearing is scheduled in this matter.

4. The Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests relief from the requirement of a hearing pursuant to Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2018).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS,
by KWAME RAOUL, Attorney General
of the State of Illinois

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

BY:



KEVIN D. BONIN, #6294877
Environmental Bureau
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500 South 2nd Street
Springfield, Illinois 62706
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Dated: March 6, 2020

CERTIFICATE OF SERVICE

I, Kevin Bonin, an Assistant Attorney General, certify that on the 6th day of March, 2020, I caused to be served by Regular U.S. Mail the foregoing Notice of Filing, Complaint, Stipulation and Proposal for Settlement and Motion for Relief from Hearing Requirements by depositing same with postage fully prepaid and placed in the United States Mail in Springfield, Illinois, to:

Maatuka Al-Heeti Emkes LLC
Attn: Roaa Al-Heeti
2101 Windsor Place, Suite 2
Champaign, IL 61820

s/Kevin Bonin
Kevin Bonin, #6294877
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