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DEC 29 2003

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
ex rel. LISA MADIGAN, Attorney)
General of the State of Illinois,)
)
Complainant,)
)
v.)
)
PETER BABANIOTIS, an individual,)
)
Respondent.)

No. PCB 04- 107
(Enforcement-Land,
Water)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on December 29, 2003, 2003, we filed with the Illinois Pollution Control Board a Complaint, a true and correct copy of which is attached and hereby served upon you.

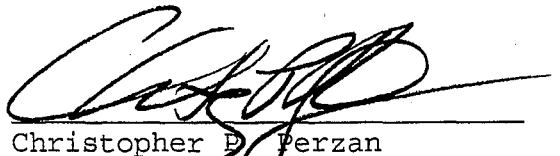
Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer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

Financing to correct the violations alleged may be available through the Illinois Environmental Facilities Financing Act 20 ILCS 3515/1, et seq.

Respectfully submitted,

LISA MADIGAN
Attorney General
State of Illinois

BY:


Christopher D. Perzan
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601
(312) 814-3532

SERVICE LIST

Mr. Peter Babaniotis
101 East Jefferson Street
Shorewood, Illinois 60435

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COMPLAINT

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, complains of Respondent, PETER BABANIOTIS, as follows:

COUNT I

WATER POLLUTION

1. This Complaint is brought on behalf of the People of the State of Illinois by Lisa Madigan, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency ("Illinois EPA") pursuant to the terms and provisions of Subsections 42(d) and (e) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/42(d) and (e) (2002), and is an action to restrain ongoing violations of the Act and for civil penalties.

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 (2002), and charged, *inter alia*, with the duty of enforcing the Act.

3. Respondent, PETER BABANIOTIS is an individual and is a resident of Shorewood, Will County, Illinois.

4. Respondent was, at all times relevant to this complaint, an owner and operator of two gasoline underground storage tanks ("USTs") located at 101 E. Jefferson Street, Shorewood, Will County, Illinois ("Site"). The Site is the location of a former Citgo gasoline station.

5. On or about January 9, 1993, the United States Environmental Protection Agency ("U. S. EPA") received complaints from two residents concerning vapors in the vicinity of the Site.

6. Representatives from the Office of the State Fire Marshal, Illinois EPA and the Shorewood Fire Department responded to and investigated the complaints.

7. The initial investigation revealed the presence of hydrocarbon vapors in the residences. Further investigation revealed the presence of gasoline odor and free gasoline product in the sewer system near the complaining residents. The Shorewood Fire Department traced the sewer system back to the Site. Gasoline and gasoline vapor is an ignitable substance.

8. Samples of a monitoring well on the east side of the Site revealed approximately 2 to 3 millimeters of free gasoline product atop the water in the monitoring well.

9. Tank tightness tests measure the integrity of a UST against leaks. On January 15, 1993 tank tightness tests were performed on six USTs located at the Site. Two of the USTs failed the tank tightness test, indicating their potential to leak.

10. Compliance Inquiry Letters dated March 25, 1993 and October 31, 1994 were sent to the Respondent alleging statutory and regulatory

violations and requesting the Respondent to take steps to abate the violations.

11. On December 5, 1994 all six of the USTs were removed from the Site.

12. During the removal, an Illinois EPA official observed that a rubber hose joined the supply lines to the dispensers. The Illinois EPA official also observed that one of the tanks had been patched in a poor manner.

13. During the removal, gasoline-related contamination was observed above the water table. Also, between December 5 and 9, 1994, approximately 1500 cubic yards of soils contaminated with benzene were removed from the Site. Contaminated soils remained at the Site after the removal, and still remain.

14. The Village of Shorewood instituted a proceeding in Circuit Court (Village of Shorewood v. Chicago Title and Trust Company, Peter Babaniotes, Chris Babaniotes, Tom Babaniotis and Unknown Owners, No. 94 MR 3086 (Will County)). The Court issued an order on December 19, 1995 requiring the Respondents in that proceeding to hire an environmental consultant, conduct soil borings and a groundwater evaluation and submit a Corrective Action Plan ("CAP") to the Illinois EPA.

15. The Respondent ultimately submitted a preliminary CAP to the Illinois EPA in November 1997. On December 11, 1997 the consultant to the Respondent advised the Illinois EPA that the Respondent did not intend to implement the November 1997 CAP.

16. The Respondent submitted a subsequent CAP dated April 8,

1998. The Illinois EPA denied the CAP by letter of May 20, 1998. The Respondent did not appeal the denial.

17. At no time relevant to this complaint has the Respondent received approval from the Illinois EPA for a CAP relating to the Site. The soils at the site continue to be contaminated to the date of the filing of this Complaint.

18. Section 3.545 of the Act, 415 ILCS 5/3.545 (2002), contains the following definition:

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

19. Section 3.315 the Act, 415 ILCS 5/3.315(2002), contains the following definition:

"Person" means any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, federal government, or interstate body.

20. Respondent is a person as that term is defined in 415 ILCS 5/3.315(2002).

21. Section 3.550 of the Act, 415 ILCS 5/3.550 (2002), contains the following definition:

"WATERS" means all accumulation of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this State.

22. Section 3.165 of the Act, 415 ILCS 5/3.165 (2002), contains

the following definition:

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

23. Section 12(a) of the Act, 415 ILCS 5/12(a) (2002), provides as follows:

No person shall:

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

24. The rules of the Pollution Control Board ("PCB rules") establish a limit for benzene in Class I groundwater of 5 ppb. 35 Ill. Adm. Code 620.410(b). The PCB rules establish a limit for ethylbenzene of 700 ppb. 35 Ill. Adm. Code 620.410(b).

25. Benzene is a known human carcinogen and can cause other non-cancerous adverse health effects in humans.

26. Ethylbenzene can cause adverse health effects in humans.

27. Samples of groundwater taken at the Site on July 23, 1997 indicated the presence of benzene and ethylbenzene. Benzene levels were found at the levels of 2,500 parts per billion ("ppb") at monitoring well ("MW")-6, 920 ppb at MW-7, and 830 ppb at MW-8. Ethylbenzene levels were found at 870 ppb at MW-7. MW-6, MW-7 and MW-8 are located downgradient from the location of the USTs.

28. Samples of groundwater taken at the Site on May 24, 2002, indicate the presence of benzene at levels of 17 ppb in MW-6, 570 ppb at MW-7 and 620 ppb at MW-8. Ethylbenzene was present at the level of

870 ppb at MW-8.

29. The gasoline and other substances from the USTs constitute "contaminants" as that term is defined at Section 3.165 of the Act, 415 ILCS 5/3.165 (2002).

30. The groundwater impacted by the release of contaminants from the Site constituted waters as that term is defined in Section 3.550 of the Act, 415 ILCS 5/3.550 (2002).

31. The presence of gasoline and other contaminants in the groundwater constituted water pollution as that term is defined at Section 3.545 of the Act, 415 ILCS 5/3.545 (2002).

32. From at least January 1993 or a date better known to Respondent and continuing to the date of the filing of this complaint, the release and presence of gasoline and other substances and contaminants in the groundwater at and near the Site constituted a violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2002).

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

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

2. Finding that Respondent violated Section 12(a) of the Act;

3. Ordering Respondent to cease and desist from further violations of Section 12(a) of the Act;

4. Ordering Respondent to remediate the groundwater at and

from the Site;

5. Assessing against Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and regulations promulgated thereunder, with an additional penalty of Ten Thousand Dollars (\$10,000.00) for each and every day of violation;

6. Ordering Respondent to pay all costs including attorney, expert witness and consultant fees expended by the State in pursuit of this action; and

7. Granting such additional relief as the Board deems appropriate and just.

COUNT II

CREATION OF A WATER POLLUTION HAZARD

1-23. Complainant realleges and incorporates herein by reference paragraphs 1 through 22 and 29 of Count I as paragraphs 1 through 23 of this Count II.

24. Section 12 of the Act, 415 ILCS 5/12(2002) provides, in pertinent part, as follows:

No person shall:

* * *

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

25. The contaminants that leaked from the USTs to the soils and groundwater and that remain at the Site have created and continue to create a water pollution hazard. The potential to create further water pollution.

26. As of the date of the filing of this Complaint Respondent

has not remediated the soils and groundwater. The facts as alleged in this count constitute the creation of a water pollution hazard in violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2002).

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 on this Count II, and:

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

2. Finding that Respondent violated Section 12(a) of the Act and 35 Ill. Adm. Code 302.203, 302.208(g) and 302.212(a);

3. Ordering Respondent to cease and desist from further violations of Section 12(a) of the Act and 35 Ill. Adm. Code 302.203, 302.208(g) and 302.212(a);

4. Ordering Respondent to remove all contaminated soils and to remediate the contaminated groundwater at and from the Site.

5. Assessing against Respondent a civil penalty of Fifty Thousand Dollars (\$50,000.00) for each violation of the Act, and regulations promulgated thereunder, with an additional penalty of Ten Thousand Dollars (\$10,000.00) for each and every day of violation;

6. Ordering Respondent to pay all costs including attorney, expert witness and consultant fees expended by the State in pursuit of this action; and

7. Granting such additional relief as the Board deems appropriate and just.

COUNT III

FAILURE TO REMOVE FREE PRODUCT
AND TO SUBMIT REPORT

1-22. Complainant realleges and incorporates herein by reference paragraphs 1 through 17, 22 through 23 and 27 through 29 of Count I as paragraphs 1 through 22 of this Count III.

23. Pursuant to the authority granted in Section 22.4(d) of the Act, 415 ILCS 5/22.4(d) (2002), the Board has promulgated rules to control releases from USTs at 35 Ill. Adm. Code Part 731 ("Board rules").

24. Section 731.160 of the Board rules provides as follows:

Owners and operators of petroleum or hazardous substance UST systems must, in response to a confirmed release from the UST system, comply with the requirements of this Subpart except for USTs excluded under Section 731.110(b) and UST systems subject to RCRA corrective action requirements under 35 Ill. Adm. Code 724.200, 724.296, 725 Subpart G.

25. The USTs at the Site are within that category covered by the requirements of 35 Ill. Adm. Code 731.160.

26. Section 731.112 of the Board rules, 35 Ill. Adm. Code 731.112, provides the following pertinent definitions:

"Free product" refers to a regulated substance that is present as a nonaqueous liquid phase (e.g., liquid not dissolved in water.)

"Operator" means any person in control of, or having responsibility for, the daily operation of the UST system.

"Owner" means:

In the case of an UST system in use on November 8, 1984, or brought into use after that date, any person who owns an UST system used for storage, use or dispensing of regulated substances; and

In the case of any UST system in use before November 8, 1984, but no longer in use on that date, any person who owned such UST immediately before the discontinuation of its use.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation, state, unit of local government, commission, political subdivision of a state or any interstate body. Person, also includes a consortium, a joint venture, a commercial entity and the United States Government.

"Underground storage tank" or "UST" means any one or combination of tanks (including underground pipes connected thereto) which is used to contain an accumulation of regulated substances, and the volume of which (including the volume of the underground pipes connected thereto) is ten per centum or more beneath the surface of the ground.

"UST system" or "Tank system" means an underground storage tank, connected underground piping, underground ancillary equipment, and containment system, if any.

27. The Respondent is a person, an owner and an operator as those terms are defined at 35 Ill. Adm. Code 731.112.

28. The USTs at the Site constituted USTs and, along with associated piping, a UST System within the definitions of 35 Ill. Adm. Code 731.112.

29. During the initial investigation and at the removal of the USTs, free product, as that term is defined in 35 Ill. Adm. Code 731.112, was observed at the site in the form of undissolved gasoline.

30. Section 731.164 of the Board rules, 35 Ill. Adm. Code 731.164, provides as follows:

At sites where investigation under Section 731.172(a)(6) indicate the presence of free product, owners and operators shall remove free product to the maximum extent practicable, while continuing, as necessary, any action initiated under Section 731.161 through Section 731.163, or preparing for actions required under Section 731.165 through Section 731.166. In meeting the requirements of this Section owners and operators must:

- a) Conduct free product removal in a manner that minimizes the spread of contamination into previously uncontaminated zones by using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site, and that properly treats, discharges or disposes of recovery byproducts in compliance with applicable local, state and federal regulations;
- b) Use abatement of free product migration as a minimum objective for the design of the free product removal system;
- c) Handle any flammable products in a safe and competent manner to prevent fires or explosions; and
- d) Prepare and submit to the Agency, within 45 days after confirming a release, a free product removal report that provides at least the following information:
 - 1) The name of the persons responsible for implementing the free product removal measures;
 - 2) The estimated quantity, type and thickness of free product observed or measured in wells, boreholes and excavation;
 - 3) The type of free product recovery system used;
 - 4) Whether any discharge will take place on-site or off-site during the recovery operation and where this discharge will be located;
 - 5) The type of treatment applied to, and the effluent quality expected from, any discharge;
 - 6) The steps that have been or are being taken to obtain necessary permits for any discharge; and
 - 7) The disposition of the recovered free product.

31. The Respondent failed to remove free product from the Site to the maximum extent possible as required by 35 Ill. Adm. Code 731.164.

32. The Respondent has never submitted a free product removal report to the Illinois EPA required by 35 Ill. Adm. Code 731.164(d).

33. The facts as alleged herein constitute a violation of

Section 12(a) of the Act, 415 ILCS 5/12(a) (2002) and 35 Ill. Adm. Code 731.164(a), (b) and (d).

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 on this Count III, and:

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

2. Finding that the Respondent has violated 415 ILCS 5/12(a) and (f) (2) (2002) and 35 Ill. Adm. Code 731.164(a), (b) and (d);

3. Ordering the Respondent to cease and desist from violation of 415 ILCS 5/12(a) (2002) and 35 Ill. Adm. Code 731.164(a), (b) and (d);

4. Ordering the Respondent to remove free product from the Site and to submit all appropriate reports;

5. Assessing a civil penalty of Fifty Thousand Dollars (\$50,000.00) against the Respondent for each and every violation of the Act and the Board's regulations, with an additional penalty of Ten Thousand Dollars (\$10,000) per day for each day of each violation;

6. Taxing all costs in this action, including expert witness, consultant and attorney fees, against the Respondent; and

7. Granting such other relief as the Board deems appropriate and just.

COUNT IV

FAILURE TO DEFINE THE EXTENT OF
OFF-SITE CONTAMINATION

1-29. Complainant realleges and incorporates herein by reference paragraphs 1 through 29 of Count III as paragraphs 1 through 29 of this Count IV.

30. Section 731.165 of the Board rules, 35 Ill. Adm. Code 731.165, provides as follows:

- a) In order to determine the full extent and location of soils contaminated by the release, and the presence and concentrations of dissolved product contamination in the groundwater, owners and operators shall conduct investigations of the release, the release site, and the surrounding area possibly affected by the release if any of the following conditions exist:
 - 1) There is evidence that groundwater wells have been affected by the release (e.g., as found during release confirmation or previous corrective action measures);
 - 2) Free product is found to need recovery in compliance with Section 731.164;
 - 3) There is evidence that contaminated soils may be in contact with groundwater (e.g., as found during conduct of the initial response measures or investigations required under Section 731.160 through Section 731.164); and
 - 4) The Agency requests an investigation, based on the potential effects of contaminated soil or groundwater on nearby surface water and groundwater resources.
- b) Owners and operators shall submit the information collected under subsection (a) as soon as practicable or in accordance with a schedule established by the Agency.

31. Well sampling activities conducted at the Site showed that groundwater wells were impacted by the release from the USTs. Free product requiring removal pursuant to 35 Ill. Adm. Code 731.164 was

present at the Site. Contaminated soils are present and in contact with groundwater at the Site. By letter of October 31, 1994, the Illinois EPA requested the Respondent to conduct an investigation of off-site resources.

32. The Respondent submitted an Off-Site Soil and Groundwater Drilling and Sampling Plan ("GDSP") by letter of June 25, 1998. The Illinois EPA approved the GDSP with modifications by letter of September 9, 1998. The Respondent submitted a subsequent plan on December 4, 2002, which was subsequently approved by the Illinois EPA on February 3, 2003.

33. The Respondent has not implemented either plan approved by the Illinois EPA per the terms of the Illinois EPA's approval or submitted any of the information required by 35 Ill. Adm. Code 731.165(b).

34. As of the date of the filing of this Complaint, Respondent has failed to define the extent of any off-site contamination in violation of 35 Ill. Adm. Code 731.165(b) and is thereby also in violation of 415 ILCS 5/12(a)(2002).

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 on this Count IV, and:

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

2. Finding that the Respondent has violated 415 ILCS 5/12(a)(2002) and 35 Ill. Adm. Code 731.165(b);

3. Ordering the Respondent to cease and desist from further violation of 415 ILCS 5/12(a) (2002) and 35 Ill. Adm. Code 731.164(b);

4. Ordering the Respondent to determine the extent of any off-site contamination.

5. Assessing a civil penalty of Fifty Thousand Dollars (\$50,000.00) against the Respondent for each and every violation of the Act and the Board's regulations, with an additional penalty of Ten Thousand Dollars (\$10,000) per day for each day of each violation;

6. Taxing all costs in this action, including expert witness, consultant and attorney fees, against the Respondent; and

7. Granting such other relief as the Board deems appropriate and just.

COUNT V

FAILURE TO PROVIDE ADEQUATE CORRECTIVE ACTION PLAN

1-30. Complainant realleges and incorporates herein by reference paragraphs 1 through 30 of Count III as paragraphs 1 through 30 of this Count V.

31. Section 731.166 of the Board rules, 35 Ill. Adm. Code 731.166, provides as follows:

- a) At any point after reviewing the information submitted in compliance with Section 731.161 through Section 731.163, the Agency may require owners and operators to submit additional information or to develop and submit a corrective action plan for responding to contaminated soils and groundwater. If a plan is required, owners and operators shall submit the plan according to a schedule and format established by the Agency. Alternatively, owners and operators may, after fulfilling the requirements of Section 731.161 through Section 731.163, choose to submit a corrective action plan for responding to contaminated soil and groundwater.

- b) The Agency shall approve the corrective action plan only after ensuring that implementation of the plan will adequately protect human health, safety and the environment. In making this determination, the Agency shall consider the following factors as appropriate:
- 1) The physical and chemical characteristics of the regulated substance, including its toxicity, persistence and potential for migration;
 - 2) The hydrogeologic characteristics of the facility and the surrounding area;
 - 3) The proximity quality and current and future uses of nearby surface water and groundwater;
 - 4) The potential effects of residual contamination on nearby surface water and groundwater;
 - 5) An exposure assessment; and
 - 6) Any information assembled in compliance with this Subpart.
- c) Upon approval of the corrective action plan or as directed by the Agency, owners and operators shall implement the plan, including modifications to the plan made by the Agency. They shall monitor, evaluate and report the results of implementing the plan in accordance with a schedule and in a format established by the Agency.
- d) Owners and operators may, in the interest of minimizing environmental contamination and promoting more effective cleanup, begin cleanup of soil and groundwater before the corrective action plan is approved provided that they:
- 1) Notify the Agency of their intention to begin cleanup;
 - 2) Comply with any conditions imposed by the Agency, including halting cleanup or mitigating adverse consequences from cleanup activities; and
 - 3) Incorporate these self-initiated cleanup measures in the corrective action plan that is submitted to the Agency.

32. The Illinois EPA requested the Respondent to submit a CAP meeting the requirements of 35 Ill. Adm. Code 731.166 by letters of

October 31, 1994, May 20, 1998, and July 26, 2000. The first request, on October 31, 1994, requested the Respondent to submit, among other things, a CAP, within fifteen days of the date of the letter, or November 15, 2004.

33. The Respondent submitted a CAP in November, 2002. The Illinois EPA issued a CAP approval letter dated February 3, 2003. The Respondent, therefore, failed to have an approved CAP for a period from at least November 15, 1994 until February 3, 2003.

34. The facts as alleged in this count constitute a violation of 415 ILCS 5/12(a) and 35 Ill. Adm. Code 731.166(a).

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 on this Count V, and:

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

2. Finding that the Respondent has violated 415 ILCS 5/12(a) (2002) and 35 Ill. Adm. Code 731.166(a);

3. Ordering the Respondent to cease and desist from further violation of 415 ILCS 5/12(a) (2002) and 35 Ill. Adm. Code 731.166(a);

4. Assessing a civil penalty of Fifty Thousand Dollars (\$50,000.00) against the Respondent for each and every violation of the Act and the Board's regulations, with an additional penalty of Ten Thousand Dollars (\$10,000) per day for each day of each violation;

5. Taxing all costs in this action, including expert witness, consultant and attorney fees, against the Respondent; and

6. Granting such other relief as the Board deems appropriate and just.

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

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

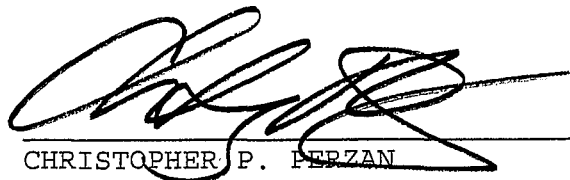
BY: *Rose Marie Cazeau*
ROSEMARIE CAZEAU, Chief
Environmental Bureau
Assistant Attorney General

OF COUNSEL:

CHRISTOPHER P. PERZAN
Assistant Attorney General
Environmental Bureau
188 West Randolph Street, 20th Floor
Chicago, IL 60601
312 814-3532

CERTIFICATE OF SERVICE

I, CHRISTOPHER P. PERZAN, an Assistant Attorney General, certify that on the 29th day of December, 2003, I caused to be served by Registered Certified Mail, Return Receipt Requested, the foregoing Complaint to the parties named on the attached service list, by depositing same in postage prepaid envelopes with the United States Postal Service located at 100 West Randolph Street, Chicago, Illinois 60601.



CHRISTOPHER P. PERZAN