

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 ST. ELIZABETH'S HOSPITAL OF THE)
 HOSPITAL SISTERS OF THE THIRD)
 ORDER OF ST. FRANCIS, an Illinois)
 Nonprofit corporation,)
)
 Respondent.)

PCB No.
(Enforcement-Land)

NOTICE OF ELECTRONIC FILING

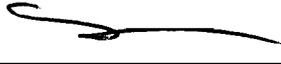
PLEASE TAKE NOTICE that on November 27, 2013, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, a COMPLAINT, MOTION FOR RELIEF FROM HEARING REQUIREMNET and STIPULATION AND PROPOSALFOR SETTLEMENT, copies of which is attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN,
Attorney General of the
State of Illinois

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

BY: 

Thomas Davis, Chief
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: November 27, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO.
)	(Enforcement – Land)
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ST. ELIZABETH'S HOSPITAL OF THE)	
HOSPITAL SISTERS OF THE THIRD ORDER)	
OF ST. FRANCIS, an Illinois nonprofit)	
Corporation,)	
)	
Respondent.)	

COMPLAINT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and at the request of the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, complains of Respondent, ST. ELIZABETH'S HOSPITAL OF THE HOSPITAL SISTERS OF THE THIRD ORDER OF ST. FRANCIS, a nonprofit corporation, as follows:

COUNT I
HAZARDOUS WASTE MANAGEMENT VIOLATIONS

1. This Complaint is brought by the Attorney General on her 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 (2010).

2. The Illinois EPA is an agency of the State of Illinois created by the Illinois General Assembly in Section 4 of the Act, 415 ILCS 5/4 (2010), and charged *inter alia*, with the duty of enforcing the Act in proceedings before the Illinois Pollution Control Board ("Board").

3. St. Elizabeth's is a nonprofit corporation that owns and operates St. Elizabeth's Hospital ("Hospital") located at 211 S. Third Street, Belleville, St. Clair County, Illinois. The

registered agent for St. Elizabeth's is William H. Roach, Jr., 4936 Laverna Road, Springfield, Illinois 62707.

4. The Hospital generates non-hazardous waste, hazardous waste, and, incompatible hazardous waste. Hazardous pharmacy waste and incompatible hazardous waste are stored in the Bio-Hazard Room. In addition, the Hospital's Laboratory generates spent solvents. The spent solvents are stored in an accumulation area within the Hospital known as the Hazardous Waste Cage. The Hazardous Waste Cage is located in the basement of the parking garage.

5. The Hospital's Pharmacy generates non-hazardous waste which is collected in blue 8-gallon containers; hazardous pharmacy waste which is collected in black 8-gallon containers; and, incompatible hazardous waste which is collected in 2-gallon and 8-gallon black containers containing an orange "!" mark. The 2-gallon incompatible hazardous waste containers are used to collect wastes such as silver nitrate sticks, amyl nitrate and aerosols/inhalers. The 8-gallon incompatible hazardous waste containers are used to collect pyridoxine HCL and hazardous waste with infectious properties or live viruses. The containers are first located on the various nursing floors. Once full, the containers are moved to the Bio-Hazard Room.

6. On September 15, 2011, one 2-gallon incompatible waste container located in the Bio-Hazard room was not dated.

7. The Hospital's Histology Laboratory generates spent reagent alcohol, xylene, and methanol. These solvents are used to de-water tissue. The spent solvents are removed from a staining machine periodically into one-gallon plastic bottles. The bottles are then placed in the Hazardous Waste Cage.

8. On September 15, 2011, 178 one-gallon plastic bottles containing spent solvents were accumulated in the Hazardous Waste Cage; some of the bottles were located on spill containment structures and some were located on the concrete floor. None of the bottles were

labeled with the words "Hazardous Waste" and none of the bottles were marked with an accumulation start date. In addition, no aisle spacing was provided between the 178 one-gallon containers to allow for the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment.

9. A Chemical Waste Log kept by the Hospital's lab indicated that from June 29, 2011 through the date of the inspection, September 15, 2011, the lab generated 178 one-gallon bottles of spent solvent.

10. On September 15, 2011, no weekly inspection records for the Bio-Hazard Room or Hazardous Waste Cage were at the facility. Steve Raps, the Director of Environmental Services for the Hospital, told the Illinois EPA inspector, Chris Cahnovsky, that container inspections were not conducted on a weekly basis.

11. The federal Resource Conservation and Recovery Act ("RCRA") provides for the comprehensive regulation of hazardous waste and is administered by the Illinois EPA.

12. Spent reagent alcohol is a regulated waste, and is designated as D001 characteristically hazardous waste, pursuant to Section 721.121 of the Board's Waste Regulations, 35 Ill. Adm. Code 721.121.

13. Spent xylene and methanol are regulated wastes, and are designated as F003 listed hazardous wastes, pursuant to Section 721.131 of the Board's Waste Regulations, 35 Ill. Adm. Code 721.131.

14. Spent silver nitrate sticks, amyl nitrate, and aerosole/inhalers are RCRA regulated wastes, and are designated as D011, D001, and D001, respectively.

15. Section 702.110 of the Board's Waste Regulations, 35 Ill. Adm. Code 702.110, provides, in pertinent part, as follows:

"Generator" (RCRA) means any person, by site location, whose act or
process produces hazardous waste.

"Hazardous waste management facility" or "HWM facility" (RCRA) means all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (for example, one or more landfills, surface impoundments, or combinations of them).

"Storage" (RCRA) means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of, or stored elsewhere.

16. The Hospital is a "generator" of hazardous waste and a "hazardous waste management facility" as defined under Section 702.110 of the Board's Waste Regulations, 35 Ill. Adm. Code 702.110.

17. Section 21(f) of the Act, 415 ILCS 5/21(f) (2010), provides, in pertinent part, as follows:

- (f) Conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation:
 - (1) without a RCRA permit for the site issued by the Agency under subsection (d) of Section 39 of this Act, or in violation of any condition imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder; or
 - (2) in violation of any regulations or standards adopted by the Board under this Act; or
 - (3) in violation of any RCRA permit filing requirement established under standards adopted by the Board under this Act; or
 - (4) in violation of any order adopted by the Board under this Act.

18. Section 703.121(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 703.121(a), provides as follows:

- (a) No person may conduct any hazardous waste storage, hazardous waste treatment, or hazardous waste disposal operation as follows:

- (1) Without a RCRA permit for the HWM (hazardous waste management) facility; or
- (2) In violation of any condition imposed by a RCRA permit.

19. Section 722.134(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.134(a) (2010), provides in pertinent part, as follows:

- a) Except as provided in subsection (d), (e), (f), (g), (h), or (i) of this Section, a generator is exempt from all the requirements in Subparts G and H of 35 Ill. Adm. Code 725, except for 35 Ill. Adm. Code 725.211 and 725.214, and may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that the following conditions are fulfilled:

- 2) The date upon which each period of accumulation begins is clearly marked and visible for inspection on each container;
- 3) While being accumulated on-site, each container and tank is labeled or marked clearly with the words "Hazardous Waste," ...

20. Section 725.135 of the Board Regulations, 35 Ill. Adm. Code 725.135, provides as follows:

The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, unless aisle space is not needed for any of these purposes.

21. Section 725.274 of the Board Regulations, 35 Ill. Adm. Code 725.274

At least weekly, the owner or operator must inspect areas where containers are stored. The owner or operator must look for leaking containers and for deterioration of containers caused by corrosion or other factors.

22. By failing to mark the 178 one-gallon plastic bottles containing spent reagent alcohol, xylene, and/or methanol with a label containing the words "Hazardous Waste,"

Respondent violated Section 725.134(a)(3) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.134(a)(3), and Section 21(f) of the Act, 415 ILCS 5/21(f).

23. By failing to mark the 178 one-gallon plastic bottles containing spent reagent alcohol, xylene, and/or methanol, and a 2-gallon container of incompatible waste, with an accumulation date, Respondent violated Section 725.134(a)(2) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.134(a)(2), and Section 21(f) of the Act, 415 ILCS 5/21(f).

24. By failing to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment in an emergency, Respondent violated Section 725.135 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.135, and Section 21(f) of the Act, 415 ILCS 5/21(f).

25. By failing to conduct weekly inspections for the containers in the Bio-Hazard Room and Hazardous Waste Cage, Respondent violated Section 725.274 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.274, and Section 21(f) of the Act, 415 ILCS 5/21(f).

26. By violating Section 722.134(a)(2) and (3) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.134(a)(2)-(3), Respondent no longer qualified for the permit exemption and therefore violated Section 703.121(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.134(a)(2)-(3), and Section 21(f) of the Act, 415 ILCS 5/21(f).

PRAYER FOR RELIEF

WHEREFORE, Complainant, the People of the State of Illinois, respectfully request that the Board enter an order against the Respondent:

- 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 has violated the Act as alleged herein;
- C. Ordering the Respondent to cease and desist from any further violations of the Act;
- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2010), imposing a civil penalty of not more than the statutory maximum; and
- E. Granting such other relief as the Board may deem appropriate.

COUNT II
UNIVERSAL WASTE MANAGEMENT VIOLATIONS

1-7. Complainant realleges and incorporates by reference herein paragraphs 1 through 4 and 15 through 17 of Count I as paragraphs 1 through 7 of this Count II.

8. On September 15, 2011, four containers of batteries were located in the Hazardous Waste Cage. None of the containers of batteries were labeled "Universal Waste-Batteries," "Waste Batteries," or "Used Batteries."

9. On September 15, 2011, a letter envelope labeled "Mercury" was located in the Hazardous Waste Cage. The letter envelope contained two mercury-containing thermometers inside of a plastic bag. The envelope was able to be closed once opened.

10. Section 733.113(c)(1) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.113(c)(1), provides as follows:

- (c) Universal waste mercury-containing equipment. A small quantity handler of universal waste must manage universal waste mercury-containing equipment in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
 - (1) A small quantity handler of universal waste must place in a container any universal waste mercury-containing equipment with non-contained elemental mercury or that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed; must be structurally sound; must be compatible with the contents of the device; must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions; and must be reasonably designed to prevent the escape of mercury into the environment by volatilization or any other means.

11. Section 733.114(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.114(a), provides as follows:

- (a) Universal waste batteries (i.e., each battery) or a container in which the batteries are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste – Batteries," "Waste Batteries," or "Used Batteries".

12. Section 733.114(d)(1) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.114(d)(1), provides as follows:

- (d) Universal waste mercury-containing equipment and universal waste thermostat labeling:
 - (1) Universal waste mercury-containing equipment (i.e., each device) or a container in which the equipment is contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste –Mercury-Containing Equipment," or "Waste Mercury-Containing Equipment," or "Used Mercury-Containing Equipment."

13. By not labeling or marking the containers of batteries with the phrase "Universal Waste-Batteries," "Waste Batteries," or "Used Batteries," Respondent violated Section 733.114(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.114(a), and Section 21(f) of the Act, 415 ILCS 5/21(f).

14. By not storing universal waste mercury-containing equipment in a structurally sound container, Respondent violated Section 733.113(c)(1) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.113(c)(1), and Section 21(f) of the Act, 415 ILCS 5/21(f).

15. By not labeling or marking the universal waste mercury-containing equipment or its container with the phrase "Universal Waste-Mercury-Containing Equipment," "Waste Mercury-Containing Equipment," or "Used Mercury-Containing Equipment," Respondent violated Section 733.114(d)(1) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.114(d)(1), and Section 21(f) of the Act, 415 ILCS 5/21(f).

PRAYER FOR RELIEF

WHEREFORE, Complainant, the People of the State of Illinois, respectfully request that the Board enter an order against the Respondent:

- 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 has violated the Act as alleged herein;

- C. Ordering the Respondent to cease and desist from any further violations of the Act;
- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2010), imposing a civil penalty of not more than the statutory maximum; and
- E. Granting such other relief as the Board may deem appropriate.

COUNT III
WASTE MANIFEST AND REPORTING VIOLATIONS

- 1-7. Complainant realleges and incorporates by reference herein paragraphs 1 through 4 and 15 through 17 of Count I as paragraphs 1 through 7 of this Count III.
- 8. On September 15, 2011, no waste determination records, including test results, waste analyses or other determinations, were located by the Respondent for the waste streams identified on Manifest Number 008326688, dated March 1, 2011, or Manifest Number 000425311, dated January 14, 2011.
- 9. In 2009, 2010, and 2011, Respondent shipped non-hazardous special waste out of the State of Illinois for treatment, storage or disposal.
- 10. In 2009 and 2010, Respondent failed to submit an Illinois Nonhazardous Special Waste Annual Report for special waste shipped out of the State of Illinois.
- 11. Section 722.140(c) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.140(c), provides as follows:
 - (c) A generator must keep records of any test results, waste analyses, or other determinations made in accordance with Section 722.111 for at least three years from the date that the waste was last sent to on-site or off-site treatment, storage, or disposal.
- 12. Section 809.501(h) of the Board's Waste Regulations, 35 Ill. Adm. Code 809.501(h) (2010), provides as follows:
 - Every generator who delivers nonhazardous special waste via a transporter to a facility located outside Illinois shall file a report, on forms prescribed or provided by the Agency, summarizing all such activity during the preceding calendar year. Such reports shall, at a minimum,

include the information specified in subsection (i) of this Section and should be received by the Agency no later than February 1.

13. By not maintaining records of waste determinations for waste streams identified on Manifest Number 008326688 and 000425311, Respondent violated Section 722.140(c) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.140(c), and Section 21(f) of the Act, 415 ILCS 5/21(f).

14. By delivering nonhazardous special waste to a facility located outside Illinois via a transporter and not filing the requisite Agency report on an annual basis for years 2009 and 2010, Respondent violated Section 809.501(h) of the Board's Waste Regulations, 35 Ill. Adm. Code 809.501(h)(2010), and Section 21(f) of the Act, 415 ILCS 5/21(f).

PRAYER FOR RELIEF

WHEREFORE, Complainant, the People of the State of Illinois, respectfully request that the Board enter an order against the Respondent:

- 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 has violated the Act as alleged herein;
- C. Ordering the Respondent to cease and desist from any further violations of the Act;
- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2010), imposing a civil penalty of not more than the statutory maximum; and
- E. Granting such other relief as the Board may deem appropriate.

COUNT IV **FAILURE TO MAINTAIN RCRA CONTINGENCY PLAN**

1-7. Complainant realleges and incorporates by reference herein paragraphs 1 through 4 and 15 through 17 of Count I as paragraphs 1 through 7 of this Count IV.

8. On September 15, 2011, the Hospital did not have a contingency plan for the Hospital that met the requirements of 35 Ill. Adm. Code 725.152. In particular, information in the

Hospital's Emergency Management Manual, dated March 1, 2010, was missing all the requirements of 725.152 except for a hazardous materials release plan and an evacuation plan.

9. Section 725.151(a) of the Board Regulations, 35 Ill. Adm. Code 725.151(a), provides as follows:

- (a) Each owner or operator must have a contingency plan for his facility. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water.

10. Section 725.152 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.152, provides, in pertinent part, as follows:

- a) The contingency plan must describe the actions facility personnel must take to comply with Sections 725.151 and 725.156 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility.
- b) If the owner or operator has already prepared a federal Spill Prevention Control and Countermeasures (SPCC) Plan in accordance with 40 CFR 112, or some other emergency or contingency plan, it needs only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this Part. The owner or operator may develop one contingency plan that meets all regulatory requirements. USEPA has recommended that the plan be based on the National Response Team's Integrated Contingency Plan Guidance (One Plan). When modifications are made to non-RCRA provisions in an integrated contingency plan, the changes do not trigger the need for a RCRA permit modification.

- c) The plan must describe arrangements agreed to by local police department, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to Section 725.137.
- d) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see Section 725.155), and this list must be kept up to date. Where more than one person is listed one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates.

- e) The plan must include a list of all emergency equipment at the facility (such as fire extinguishing systems, spill control equipment, communications and alarm systems (internal and external), and decontamination equipment) where this equipment is required. This list must be kept up to date. In addition, the plan must include the location and a physical description of each item on the list and a brief outline of its capabilities.
- f) The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signals to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

11. By not maintaining a contingency plan for the Hospital, Respondent violated Section 725.151(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.151(a), and Section 21(f) of the Act, 415 ILCS 5/21(f).

PRAYER FOR RELIEF

WHEREFORE, Complainant, the People of the State of Illinois, respectfully request that the Board enter an order against the Respondent:

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- B. Finding that the Respondent has violated the Act as alleged herein;
- C. Ordering the Respondent to cease and desist from any further violations of the Act;
- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2010), imposing a civil penalty of not more than the statutory maximum; and
- E. Granting such other relief as the Board may deem appropriate.

COUNT V
TRAINING VIOLATIONS

1-7. Complainant realleges and incorporates by reference herein paragraphs 1 through 4 and 15 through 17 of Count I as paragraphs 1 through 7 of this Count V.

8. On September 15, 2011, the Hospital did not have written job titles, job descriptions, training descriptions, and training records for all employees in positions related to hazardous waste management as required under Section 725.116(d).

9. Also on that date, the Hospital had records that certain pharmacy personnel were provided hazardous waste training on October 7, 2009. No training records existed for laboratory personnel and other hospital personnel that manage hazardous waste.

10. The Hospital's pharmacy personnel did not receive hazardous waste refresher training in 2010.

11. On September 15, 2011, the Hospital had a Hazardous Materials and Utilities Plan ("Plan"). The Plan lacked complete training information on the subjects of emergency or contingency procedures, emergency equipment, emergency systems, communications, alarm systems, and responses to fires and explosions.

12. Section 725.116(a) of the Board Regulations, 35 Ill. Adm. Code 725.116(a), provides as follows:

(a) Personnel training program.

- (1) Facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this part. The owner or operator must ensure that this program includes all the elements described in the document required under subsection (d)(3) of this Section.
- (2) This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed.
- (3) At a minimum, the training program must be designed to ensure that facility personnel are able to respond effectively to emergencies by familiarizing them with emergency procedures, emergency equipment and emergency systems, including the following where applicable:

- (A) Procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment;
 - (B) Key parameters for automatic waste feed cut-off systems;
 - (C) Communications or alarm systems;
 - (D) Response to fires or explosions;
 - (E) Response to groundwater contamination incidents; and
 - (F) Shutdown of operations.
- (4) For facility employees that receive emergency response training pursuant to the federal Occupational Safety and Health Administration (OSHA) regulations at 29 CFR 1910.120(p)(8) and 1910.120(q), the facility is not required to provide separate emergency response training pursuant to this section, provided that the overall facility OSHA emergency response training meets all the requirements of this Section.

13. Section 725.116(c) of the Board Regulations, 35 Ill. Adm. Code 725.116(c), provides as follows:

- (c) Facility personnel must take part in an annual review of the initial training required in subsection (a) of this Section.

14. Section 725.116(d) of the Board Regulations, 35 Ill. Adm. Code 725.116(d), provides as follows:

- (d) The owner or operator must maintain the following documents and records at the facility:
 - (1) The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;
 - (2) A written job description for each position listed under subsection (d)(1) of this Section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the requisite skill, education, or other qualifications and duties of facility personnel assigned to each position;

- (3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under subsection (d)(1) of this Section;
- (4) Records that document that the training or job experience required under subsections (a), (b), and (c) of this Section has been given to and completed by facility personnel.

15. By not ensuring that all personnel in positions related to hazardous waste management completed an initial program of training in hazardous waste management procedures, including emergency or contingency procedures, Respondent violated Section 725.116(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.116(a), and Section 21(f) of the Act, 415 ILCS 5/21(f) (2010).

16. By not ensuring that the Pharmacy personnel took part in an annual review of their initial training required by 35 Ill. Adm. Code 725.116(a), Respondent violated Section 725.116(c) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.116(c), and Section 21(f) of the Act, 415 ILCS 4/21(f) (2010).

17. By not maintaining documentation and records on job titles, job descriptions, training descriptions, and training records for all employees in positions related to hazardous waste management, Respondent violated Section 725.116(d) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.116(d), and Section 21(f) of the Act, 415 ILCS 5/21(f) (2010).

PRAYER FOR RELIEF

WHEREFORE, Complainant, the People of the State of Illinois, respectfully request that the Board enter an order against the Respondent:

- 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 has violated the Act as alleged herein;
- C. Ordering the Respondent to cease and desist from any further violations of the Act;

D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2010), imposing a civil penalty of not more than the statutory maximum; and

E. Granting such other relief as the Board may deem appropriate.

COUNT VI
FAILURE TO MAINTAIN SPILL CONTROL EQUIPMENT

1-7. Complainant realleges and incorporates by reference herein paragraphs 1 through 4 and 15 through 17 of Count I as paragraphs 1 through 7 of this Count VI.

8. On September 15, 2011, no spill control equipment was located in or near the Hazardous Waste Cage.

9. Section 725.132 of the Board Regulations, 35 Ill. Adm. Code 725.132, provides as follows:

All facilities must be equipped with the following, unless none of the hazards posed by waste handled at the facility could require a particular kind of equipment specified below:

- (a) An internal communications or alarm system capable of providing immediate emergency instruction (voice or signal) to facility personnel;
- (b) A device, such as a telephone (immediately available at the scene of operations) or a hand-held two-way radio, capable of summoning emergency assistance from local police departments, fire departments, or State or local emergency response teams;
- (c) Portable fire extinguishers, fire control equipment (including special extinguishing equipment, such as that using foam, inert gas, or dry chemicals), spill control equipment and decontamination equipment; and
- (d) Water at adequate volume and pressure to supply water hose streams or foam producing equipment or automatic sprinklers or water spray systems.

10. By failing to maintain spill control equipment for the Hazardous Waste Cage, Respondent violated Section 725.132 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.132, and Section 21(f) of the Act, 415 ILCS 5/21(f).

PRAYER FOR RELIEF

WHEREFORE, Complainant, the People of the State of Illinois, respectfully request that the Board enter an order against the Respondent:

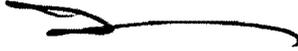
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- D. Pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2010), imposing a civil penalty of not more than the statutory maximum; and
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Respectfully submitted,

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:



THOMAS DAVIS, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel

RACHEL R. MEDINA

#6297171

500 South Second Street

Springfield, Illinois 62706

217/782-9031

Dated: 11/26/13

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Complainant,)	
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ORDER OF ST. FRANCIS, an Illinois)	
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Respondent.)	

MOTION FOR RELIEF FROM HEARING REQUIREMENT

NOW COMES Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 31(c)(2) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(c)(2) (2012), moves that the Illinois Pollution Control Board grant the parties in the above-captioned matter relief from the hearing requirement imposed by Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2012). In support of this motion, Complainant states as follows:

1. A Complaint and Stipulation and Proposal for Settlement are being filed simultaneously with the Illinois Pollution Control Board ("Board") in this matter.
2. The parties have reached agreement on all outstanding issues in this matter.
3. This agreement is presented to the Board in a Stipulation and Proposal for Settlement, filed contemporaneously with this motion.
4. All parties agree that a hearing on the Stipulation and Proposal for Settlement is not necessary, and respectfully request relief from such a hearing as allowed by Section 31(c)(2) of the Act, 415 ILCS 5/31(c)(2) (2012).

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, hereby requests that the Board grant this motion for relief from the hearing requirement set forth in Section 31(c)(1) of the Act, 415 ILCS 5/31(c)(1) (2012).

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
ATTORNEY GENERAL

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

BY: 
THOMAS DAVIS, Chief
Environmental Bureau
Assistant Attorney General

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: November 27, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO.
)	(Enforcement-Land)
ST. ELIZABETH'S HOSPITAL OF THE)	
HOSPITAL SISTERS OF THE THIRD ORDER)	
OF ST. FRANCIS, an Illinois nonprofit)	
corporation,)	
)	
Respondent.)	

STIPULATION AND PROPOSAL FOR SETTLEMENT

Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, the Illinois Environmental Protection Agency ("Illinois EPA"), and ST. ELIZABETH'S HOSPITAL OF THE HOSPITAL SISTERS OF THE THIRD ORDER OF ST. FRANCIS, a nonprofit corporation, ("Respondent") ("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.* (2010), 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, the Complaint was filed 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 upon the request of the Illinois EPA, pursuant to Section 31 of the Act, 415 ILCS 5/31 (2010), 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 (2010).

3. At all times relevant to the Complaint, Respondent was and is a nonprofit corporation that is authorized to transact business in the State of Illinois. At all times relevant to the Complaint, Respondent owned and operated St. Elizabeth's Hospital ("Hospital") located at 211 S. Third Street, Belleville, St. Clair County, Illinois.

4. The Hospital generates non-hazardous waste, hazardous waste, and, incompatible hazardous waste. Hazardous pharmacy waste and incompatible hazardous waste are stored in the Bio-Hazard Room. In addition, the Hospital's Laboratory generates spent solvents. The spent solvents are stored in an accumulation area within the Hospital known as the Hazardous Waste Cage. The Hazardous Waste Cage is located in the basement of the parking garage.

B. Allegations of Non-Compliance

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

Count I: Hazardous Waste Management Violations

By failing to mark the 178 one-gallon plastic bottles containing spent reagent alcohol, xylene, and/or methanol with a label containing the words "Hazardous Waste," Respondent violated Section 725.134(a)(3) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.134(a)(3), and Section 21(f) of the Act, 415 ILCS 5/21(f).

By failing to mark the 178 one-gallon plastic bottles containing spent reagent alcohol, xylene, and/or methanol, and a 2-gallon container of incompatible waste, with an accumulation date,

Respondent violated Section 725.134(a)(2) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.134(a)(2), and Section 21(f) of the Act, 415 ILCS 5/21(f).

By failing to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment in an emergency, Respondent violated Section 725.135 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.135, and Section 21(f) of the Act, 415 ILCS 5/21(f).

By failing to conduct weekly inspections for the containers in the Bio-Hazard Room and Hazardous Waste Cage, Respondent violated Section 725.274 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.274, and Section 21(f) of the Act, 415 ILCS 5/21(f).

By violating Section 722.134(a)(2) and (3) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.134(a)(2)-(3), Respondent no longer qualified for the permit exemption and therefore violated Section 703.121(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.134(a)(2)-(3), and Section 21(f) of the Act, 415 ILCS 5/21(f).

Count II: Universal Waste Management Violations

By not labeling or marking the containers of batteries with the phrase "Universal Waste-Batteries," "Waste Batteries," or "Used Batteries," Respondent violated Section 733.114(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.114(a), and Section 21(f) of the Act, 415 ILCS 5/21(f).

By not storing universal waste mercury-containing equipment in a structurally sound container, Respondent violated Section 733.113(c)(1) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.113(c)(1), and Section 21(f) of the Act, 415 ILCS 5/21(f).

By not labeling or marking the universal waste mercury-containing equipment or its container with the phrase "Universal Waste-Mercury-Containing Equipment," "Waste Mercury-Containing Equipment," or "Used Mercury-Containing Equipment," Respondent violated Section 733.114(d)(1) of the Board's Waste Regulations, 35 Ill. Adm. Code 733.114(d)(1), and Section 21(f) of the Act, 415 ILCS 5/21(f).

Count III: Waste Manifest and Reporting Violations

By not maintaining records of waste determinations for waste streams identified on Manifest Number 008326688 and 000425311, Respondent violated Section 722.140(c) of the Board's Waste Regulations, 35 Ill. Adm. Code 722.140(c), and Section 21(f) of the Act, 415 ILCS 5/21(f).

By delivering nonhazardous special waste to a facility located outside Illinois via a transporter and not filing the requisite Agency report on an annual basis for years 2009 and 2010, Respondent violated Section 809.501(h) of the Board's Waste Regulations, 35 Ill. Adm. Code 809.501(h)(2010), and Section 21(f) of the Act, 415 ILCS 5/21(f).

Count IV: Failure to Maintain RCRA Contingency Plan

By not maintaining a contingency plan for the Hospital, Respondent violated Section 725.151(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.151(a), and Section 21(f) of the Act, 415 ILCS 5/21(f).

Count V: Training Violations

By not ensuring that all personnel in positions related to hazardous waste management completed an initial program of training in hazardous waste management procedures, including emergency or contingency procedures, Respondent violated Section 725.116(a) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.116(a), and Section 21(f) of the Act, 415 ILCS 5/21(f) (2010).

By not ensuring that the Pharmacy personnel took part in an annual review of their initial training required by 35 Ill. Adm. Code 725.116(a), Respondent violated Section 725.116(c) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.116(c), and Section 21(f) of the Act, 415 ILCS 5/21(f) (2010).

By not maintaining documentation and records on job titles, job descriptions, training descriptions, and training records for all employees in positions related to hazardous waste management, Respondent violated Section 725.116(d) of the Board's Waste Regulations, 35 Ill. Adm. Code 725.116(d), and Section 21(f) of the Act, 415 ILCS 5/21(f) (2010).

Count VI: Failure to Maintain Spill Control Equipment

By failing to maintain spill control equipment for the Hazardous Waste Cage, Respondent violated Section 725.132 of the Board's Waste Regulations, 35 Ill. Adm. Code 725.132, and Section 21(f) of the Act, 415 ILCS 5/21(f).

C. Non-Admission of Violations

The Respondent neither admits nor denies the violation(s) alleged in the Complaint filed in this matter and referenced herein.

D. Compliance Activities to Date

The Respondent has updated all labeling and containers in the Hazardous Waste Cage and in the Bio-Hazard Waste Room, and materials have been rearranged to allow for proper aisle space. Waste is now collected in a 35 gallon container at the point of use in the lab. The Hazardous Waste Cage and Bio-Hazard Room have also been updated with spill containment kits and a Preparedness and Prevention two-way radio communication. Weekly inspections have been implemented. Manifests are being collected and retained in the Environmental Services Department. Waste analysis were submitted to Illinois EPA as requested. And, Special Waste Annual Reports were submitted for 2009 and 2010.

The hospital contingency plan has been updated and now identifies the designated Emergency Coordinator. The contingency plan has also been sent to local responders. Job titles and descriptions related to hazardous waste management have been updated. Finally, 72 hospital personnel completed a Hazardous Materials and Waste Handling course and training on the hospital's Contingency Plan. In addition, 1,359 personnel completed training regarding the proper handling and emergency procedures consistent with the Hospital's updated Contingency Plan.

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 (2010).

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

Section 33(c) of the Act, 415 ILCS 5/33(c)(2010), 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. Human health and the environment were threatened and the Illinois EPA's information gathering responsibilities hindered by the Respondent's violations.
2. There is social and economic benefit to the Hospital.
3. Operation of the Hospital's Hazardous Waste Cage was suitable for the area in which it is located.
4. Management of hazardous waste materials, and related reporting requirements and training, in compliance with the Act and Board regulations are 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)(2012), 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. The Respondent failed to 1) properly mark hazardous and universal waste containers, 2) maintain aisle space in the Hazardous Waste Cage, 3) conduct weekly inspections, 4) maintain waste manifests and file requisite special waste reports, 5) maintain the contingency plan for the Hospital, 6) ensure all personnel completed training in hazardous waste management procedures and maintain training records, and 7) maintain spill control equipment. The violations were observed by Illinois EPA during an inspection on September 15, 2011, and occurred during 2009, 2010, and 2011. The violations were individually resolved at various times in the following year.

2. Respondent was diligent in attempting to come back into compliance with the Act, Board regulations and applicable federal regulations, once the Illinois EPA notified it of its noncompliance.

3. The economic benefit of noncompliance here is nominal and is recovered by the civil penalty herein.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of Ten Thousand (\$10,000.00) 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 issued in this matter.

V. TERMS OF SETTLEMENT

A. Penalty Payment

1. The Respondent shall pay a civil penalty in the sum of Ten Thousand Dollars (\$10,000.00) 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

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, IL 62794-9276

The name, case number and the Respondent's federal tax identification number shall appear on the face of the certified check or money order. A copy of the certified check or money order and any transmittal letter shall be sent to:

Rachel R. Medina
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

D. Future Compliance

1. Respondent shall at all times comply with the Act and Board regulations in the handling and storage of waste generated by the Respondent.
2. In addition to any other authorities, the Illinois EPA, its employees and representatives, and the Attorney General, her 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, her employees and representatives, may take photographs, samples, and collect information, as they deem necessary.
3. 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 Regulations.
4. 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 \$10,000.00 penalty, its commitment to cease and desist as contained in Section V.D. above, completion of all activities required hereunder, 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, or entity other than the Respondent.

F. Enforcement and Modification of Stipulation

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.

G. 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,

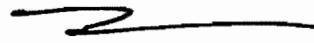
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

LISA MADIGAN
Attorney General
State of Illinois

LISA BONNETT
Director

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

BY: 
JOHN J. KIM
Chief Legal Counsel

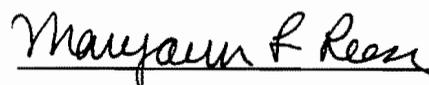
BY: 
THOMAS DAVIS, Chief
Environmental Bureau
Assistant Attorney General

DATE: 10/28/13

DATE: 11/26/13

ST. ELIZABETH'S HOSPITAL OF THE
HOSPITAL SISTERS OF THE THIRD
ORDER OF ST. FRANCIS

DATE: 10-3-13

BY: 
Name: Maryann F. Reese
Title: President + CEO

CERTIFICATE OF SERVICE

I hereby certify that I did on November 27, 2013, cause to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING, COMPLAINT, MOTION FOR RELIEF FROM HEARING REQUIREMENT and STIPULATION AND PROPOSAL FOR SETTLEMENT upon the persons listed below.

To: St. Elizabeth's Hospital
c/o William H. Roach, Jr.
4936 Laverna Road
Springfield, IL 62707

St. Elizabeth's Hospital
c/o Maryann L. Reese, President CEO
211 S. Third Street
Belleville, Illinois 62220



THOMAS DAVIS, Chief
Assistant Attorney General