

Corners Partnership (Cary Corners) located at 1564 West Algonquin Road, Hoffman Estates, Illinois regarding Cary Corners site located at 300-380 Northwest Highway, Cary, McHenry County, Illinois. The stipulation and settlement agreements are incorporated by reference as though fully set forth herein.

2. Atlas shall pay a total sum of \$1,500. Payment shall be made pursuant to the following schedule:
 - a. \$300.00 within thirty (30) days from the date of this order; and
 - b. \$300.00 every thirty (30) days thereafter until payment is made in full.

Such payments shall be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund and shall be sent by first class mail to:

Illinois Environmental Protection Agency
Fiscal Services Division
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

A copy of the payment transmittal and check shall be simultaneously submitted to:

Thomas S. Gozdziaik
Assistant Attorney General
Environmental Bureau
100 West Randolph Street, 11th Floor
Chicago, Illinois 60601

The certified check or money order shall clearly indicate on its face respondent's federal employer identification number, "Payment from Atlas Dismantling Corporation - DLC file number 353-95," this case number, PCB 96-267, and that payment is directed to the Environmental Protection Trust Fund.

3. Atlas shall comply with the following reporting requirements:
 - a. The owner/operator must, in the future, provide the Agency with written notification of the demolition/renovation activities in a timely and complete as required by the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for asbestos.

- b. The owner/operator shall provide a monthly report summarizing each renovation or demolition activity that is completed during the month and state the following:
 - i. The location of the demolition or renovation activity, specifically number, street address, city, county and state;
 - ii. An estimate of the amount of regulated asbestos-containing material (RACM) in the facility; and
 - iii. The actual start and completion dates of the renovation or demolition.

The monthly report shall be submitted within fifteen days (15) after the last day of each calendar month, commencing with a report for the first full month following entry of an order in this matter.

Reports are to be sent to:

Illinois Environmental Protection Agency
Attn: Otto J. Klein
1340 North Ninth Street
Springfield, IL 62707

The monthly reports required by this paragraph shall be accompanied by the following statement of certification:

I certify that the following information contained in or accompanying this submission is true, accurate, and complete. This certification is based either on my personal preparation, review or analysis of the submission, and /or supervision of the persons, who, acting on my direct instruction, made the verification that the information is true, accurate and complete.

- c. Only demolition or renovation activities that would require Agency notification under the asbestos NESHAP need be reported under the requirement set forth in paragraph 5b. If no demolition or renovation activity occurred during the month, the report should so state. If no demolition or renovation activity occurred during the month, but notification was not required under the asbestos NESHAP, the report should state so.
- d. The owner/operator shall comply with the reporting requirement set forth in paragraph 5b for a period of one year after the filing of an order in this matter or until such times as there is a written agreement between the Agency and the owner/operator to cease with the reporting.

- e. The owner/operator shall maintain records of all notifications and reports.
4. Respondent, Cary Corners shall pay the sum of \$5,200 within 30 days of the date of this order. Such payment shall be made by certified check or money order payable to the Treasurer of the State of Illinois, designated to the Environmental Protection Trust Fund and shall be sent by first class mail to:

Illinois Environmental Protection Agency
Fiscal Services Division
2200 Churchill Road
P.O. Box 19276
Springfield, IL 62794-9276

A copy of the payment transmittal and check shall be simultaneously submitted to:

Thomas S. Gozdzik
Assistant Attorney General
Environmental Bureau
100 West Randolph Street, 11th Floor
Chicago, Illinois 60601

The certified check or money order shall clearly indicate on its face respondent's federal employer identification number, "Payment from Cary Corners Partnership - DLC file number 353-95", this case number, PCB 96-267, and that payment is directed to the Environmental Protection Trust Fund.

5. Cary Corners shall comply with the following reporting requirements:
- a. The owner/operator must, in the future, provide the Agency with written notification of the demolition/renovation activities in a timely and complete manner as required by the National Emission Standards for Hazardous Air Pollutants (NESHAPs) for asbestos.
 - b. The owner/operator shall provide a monthly report summarizing each renovation or demolition activity that is completed during the month and state the following:
 - i. The location of the demolition or renovation activity, specifically number, street address, city, county and state;
 - ii. An estimate of the amount of RACM in the facility; and

- iii. The actual start and completion dates of the renovation or demolition.

The monthly report shall be submitted within fifteen days (15) after the last day of each calendar month, commencing with a report for the first full month following entry of an order in this matter.

Reports are to be sent to:

Illinois Environmental Protection Agency
Attn: Otto J. Klein
1340 North Ninth Street
Springfield, IL 62707

The monthly reports required by this paragraph shall be accompanied by the following statement of certification:

I certify that the following information contained in or accompanying this submission is true, accurate, and complete. This certification is based either on my personal preparation, review or analysis of the submission, and /or supervision of the persons, who, acting on my direct instruction, made the verification that the information is true, accurate and complete.

- c. Only demolition or renovation activities that would require Agency notification under the asbestos NESHAP need be reported under the requirement set forth in paragraph 4b. If no demolition or renovation activity occurred during the month, the report should so state. If no demolition or renovation activity occurred during the month, but notification was not required under the asbestos NESHAP, the report should state so.
- d. The owner/operator shall comply with the reporting requirement set forth in paragraph 4b for a period of one year after the filing of an order in this matter or until such times as there is a written agreement between the Agency and the owner/operator to cease with the reporting.
- e. The owner/operator shall maintain records of all notifications and reports.

Any such penalty not paid within the time prescribed shall incur interest at the rate set forth in subsection (a) of Section 1003 of the Illinois Income Tax Act, (35 ILCS 5/1003), as now or hereafter amended, from the date payment is due until the date payment is received. Interest shall not accrue during the pendency of an appeal during which payment of the penalty has been stayed.

6. Respondents shall cease and desist from the alleged violations.

IT IS SO ORDERED.

Section 41 of the Environmental Protection Act (415 ILCS 5/41 (1994)) provides for the appeal of final Board orders within 35 days of the date of service of this order. The Rules of the Supreme Court of Illinois establish filing requirements. (See also 35 Ill. Adm. Code 101.246 "Motions for Reconsideration.")

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above supplemental order was adopted on the ____ day of _____, 1996, by a vote of _____.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board