

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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MAR 21 2005

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS
by LISA MADIGAN, Attorney
General of the State of Illinois)

Complainant,)

v.)

DRAW DRAPE CLEANERS, INC., an)
Illinois corporation, AMERICAN)
DRAPERY CLEANERS & FLAMEPROOFERS,)
INC., an Illinois corporation, and)
RICHARD ZELL, an Illinois resident,)

Respondents.)

No. PCB 03-51

(Enforcement - Air)

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on the 21st day of March, 2005, I filed with the Clerk of the Illinois Pollution Control Board a Stipulation and Proposal for Settlement and a Motion to Request Relief From Hearing Requirement, copies of which are attached hereto and are hereby served upon you.

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General of the
State of Illinois

By: Paula B. Wheeler
PAULA BECKER WHEELER
Assistant Attorney General
Environmental Bureau
188 West Randolph Street, 20th Fl.
Chicago, IL 60601
312/814-1511

DATE: March 21, 2005

SERVICE LIST

Ms. Michele Rocawich
Weissberg and Associates, Ltd.
401 South LaSalle Street
Suite 403
Chicago, Il. 60605

Mr. Bradley Halloran
Chief Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street, 11th Floor
Chicago, IL 60601

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PCB 03-51

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(Enforcement - Air)

DRAW DRAPE CLEANERS, INC., an)
Illinois corporation, AMERICAN)
DRAPERY CLEANERS & FLAMEPROOFERS,)
INC., an Illinois corporation,)
and RICHARD ZELL, an Illinois)
resident,)

Respondents.)

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 DRAW DRAPE CLEANERS, INC., an Illinois corporation, AMERICAN DRAPERY CLEANERS & FLAMEPROOFERS, INC., an Illinois corporation, and RICHARD ZELL, an Illinois resident ("Respondents"), 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. The parties agree that the statement of facts contained herein represents a fair summary of the evidence and testimony which would be introduced by the

parties if a hearing were held. The parties further stipulate that this statement of facts is made and agreed upon for purposes of settlement only and that neither the fact that a party has entered into this Stipulation, nor any of the facts stipulated herein, shall be introduced into evidence in any other proceeding regarding the claims asserted in the Complaint except as otherwise provided herein. If the Board approves and enters this Stipulation, Respondents agree to be bound by the Stipulation and Board Order and not to contest their validity in any subsequent proceeding to implement or enforce their terms.

I. JURISDICTION

The Board has jurisdiction of the subject matter herein and of the parties consenting hereto pursuant to the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 *et seq.* (2002).

II. AUTHORIZATION

The undersigned representatives for each party 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.

III. STATEMENT OF FACTS

A. Parties

1. At all times relevant to the Complaint and amended Complaint, Respondents Draw Drape Cleaners, Inc. ("Draw Drape") and American Drapery Cleaners and Flameproofers, Inc. ("ADC&FI") were Illinois corporations that were authorized to transact business in the State of Illinois. At all times relevant to the amended Complaint, Respondent Richard Zell was an Illinois resident.

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).

3. On October 15, 2002, a 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(2002), against Respondent Draw Drape.

4. On February 20, 2003, the Board entered an Order striking all of Respondent Draw Drape's affirmative defenses.

5. On December 30, 2003, an amended 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(2002), against all of the Respondents.

6. On May 20, 2004, the Board entered an Order striking Respondents' affirmative defenses.

B. Site Description

1. At all times relevant to the Complaint, Respondents owned and operated a petroleum solvent dry cleaning facility located at 2235-2239 West Roscoe, Chicago, Cook County, Illinois ("facility").

2. Respondents installed Dryer #1 at its facility in 1980 and continue to operate Dryer #1. Dryer #1 is a petroleum solvent dryer, but it is not a solvent recovery dryer. Dryer #1 lacks a cartridge filter.

3. Respondents installed Dryer #2 at the facility in 1996 and continue to operate Dryer #2, albeit only for "fluffing". Dryer #2 is a petroleum solvent dryer, but it is not a solvent recovery dryer. Dryer #2 lacks a cartridge filter.

4. Respondents installed Dryer #3 in 2004. Dryer #3 is a petroleum solvent dryer, and it is also a solvent recovery dryer. Dryer #3 has a cartridge filter.

5. Dryers #1 and #3 currently emit volatile organic material ("VOM") to the environment. Dryer #2 previously emitted VOM into the environment.

C. Allegations of Non-Compliance

Complainant contends that Respondents have violated the following provisions of the Act and Board regulations:

- Count I: Air pollution in violation of Section 9(a) of the Act, 415 ILCS 5/9(a) (2002), and Section 201.141 of the Board's regulations, 35 Ill. Adm. Code 201.141.
- Count II: Failure to follow Board requirements for petroleum solvent dry cleaners in violation of 35 Ill. Adm. Code 218.607, 35 Ill. Adm. Code 218.607, and Section 9(a) of the Act, 415 ILCS 5/9(a) (2002).
- Count III: Failure to follow Board requirements for testing and monitoring petroleum solvent dry cleaners in violation of Section 218.610 of the Board's regulations, 35 Ill. Adm. Code 218.610, and Section 9(a) of the Act, 415 ILCS 5/9(a) (2002).
- Count IV: Construction of an emissions source without a permit in violation of Section 9(b) of the Act, 415 ILCS 5/9(b) (2002), and Section 201.142 of the Board's regulations, 35 Ill. Adm. Code 201.142.
- Count V: Operation of an emissions source without a permit in violation of Section 9(b) of the Act, 415 ILCS 5/9(b) (2002), and Section 201.143 of the Board's regulations, 35 Ill. Adm. Code 201.143.
- Count VI: Failure to follow Condition #5 of its Federally Enforceable State Operating Permit (FESOP) mandating compliance with Board regulations for petroleum solvent dry cleaners in violation of Section 9(b) of the Act, 415 ILCS 5/9(b) (2002). Applies to Draw Drape Cleaners, Inc. only.
- Count VII: Installation of a non solvent recovery dryer and lack of a cartridge filter for Dryer #2 in violation of Section 60.622

of Title 40 of the Code of Federal Regulations, 40 CFR 60.622, and Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2002).

Count VIII: Failure to perform an initial flow rate test for Dryer #2 in violation of Section 60.624 of Title 40 of the Code of Federal Regulations 40 CFR 60.624 and Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2002).

D. Admission of Violations

1. The Respondents neither admit nor deny the violations alleged in the Complaint filed in this matter and referenced herein.

2. On August 21, 2003, the Board entered an Order granting Complainant partial summary judgment against Respondent Draw Drape on Counts IV, V, VII, and VIII.

3. On August 19, 2004, after adding Respondents ADC&FI and Zell to the Amended Complaint, the Board entered an Order granting Complainant partial summary judgment against Respondents ADC&FI and Zell on Counts IV, V, VII, and VIII.

E. Compliance Activities to Date

1. Respondents have installed Dryer #3 at the facility which is a solvent recovery dryer.

2. Dryer #2 is now solely used for "fluffing" drapes which does not release VOM into the environment.

IV. APPLICABILITY

This Stipulation shall apply to and be binding upon the Complainant and Respondents, and any officer, director, agent, or employee of Respondents, as well as any successors or assigns of Respondents. Respondents 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.

1. No change in ownership, corporate status or operator of the facility shall in any way alter the responsibilities of Respondents under this Stipulation and Proposal for Settlement. In the event of any conveyance of title, easement or other interest in the facility, Respondents shall continue to be bound by and remain liable for performance of all obligations under this Stipulation.

2. In the event that the Respondents propose to sell or transfer any real property or operations subject to any Order accepting and adopting the terms of this Stipulation and Proposal for Settlement, Respondents shall notify the Complainant 30 days prior to the conveyance of title, ownership or other interest, including a leasehold interest in the facility or a portion

thereof. Respondents shall make the prospective purchaser or successor's compliance with any Order accepting and adopting the terms of this Stipulation a condition of any such sale or transfer and shall provide a copy of this Stipulation and any Order accepting and adopting the terms of this Stipulation to any such successor in interest. This provision does not relieve Respondents from compliance with any regulatory requirement regarding notice and transfer of applicable facility permits.

3. Respondents shall notify each contractor to be retained to perform work required by any Order accepting and adopting the terms of this Stipulation of each of the requirements of said Order relevant to the activities to be performed by that contractor, including all relevant work schedules and reporting deadlines, and shall provide a copy of this Stipulation and any Order accepting and adopting the terms of this Stipulation to each contractor already retained no later than 30 days after the date of adoption of this Stipulation. In addition, the Respondents shall provide copies of all schedules for implementation of the provisions of this Stipulation to the prime vendor(s) supplying the control technology systems and other equipment required by any Order accepting and adopting the terms of this Stipulation.

V. COMPLIANCE WITH OTHER LAWS AND REGULATIONS

This Stipulation in no way affects the responsibilities of Respondents to comply with any other federal, state or local laws or regulations including, but not limited to, the Act and the Board regulations, 35 Ill. Adm. Code, Subtitles A through H.

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

Section 33(c) of the Act, 415 ILCS 5/33(c) (2002), 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 state the following:

1. Complainant alleges that the environment was threatened and the Illinois EPA's information gathering responsibilities were hindered by the Respondents' violations.

2. There is social and economic benefit to the facility.

3. Operation of the site was suitable for the area in which it occurred.

4. Compliance with the Act, the Board's regulations, the Code of Federal Regulations, and the terms of Respondents' FESOP was both technically practicable and economically reasonable.

5. Respondents have subsequently complied with the Act, the Board's regulations, the Code of Federal Regulations, and the terms of Respondents' FESOP.

VII. CONSIDERATION OF SECTION 42(h) FACTORS

Section 42(h) of the Act, 415 ILCS 5/42(h) (2002), 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; and
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.

In response to these factors, the parties state as follows:

1. Respondents emitted VOM into the environment for a period of several years in violation of the Act, Board regulations, federal regulations, and Respondents' FESOP. The violations began in 1996, and were resolved once Respondents began to use Dryer #2 only for "fluffing" and once Respondents installed Dryer #3.

2. Respondents were diligent in attempting to come back into compliance with the Act, the Board regulations, the Code of Federal Regulations, and their FESOP, once the Illinois EPA notified Respondents of their noncompliance.

3. Respondents achieved an economic benefit by failing to install a solvent recovery dryer until 2003. Complainant believes that the economic benefit of such delay is abated by the \$7,500 penalty provided for herein.

4. Complainant has determined, based upon the specific facts of this matter, that a penalty of seven thousand five-hundred dollars (\$7,500.00) 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.

VIII. TERMS OF SETTLEMENT

A. Penalty Payment

1. Respondents shall pay a civil penalty in the sum of seven thousand five-hundred dollars. Respondents shall pay five thousand dollars (\$5,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation. Respondents shall then pay two thousand five hundred dollars (\$2,500.00) within ninety (90) days from the date the Board adopts and accepts this Stipulation. Respondents stipulate that payment

will be tendered to Respondents' attorney of record in this matter in a form acceptable to that attorney. Further, Respondents stipulate that said attorney has been directed to make the penalty payment on behalf of Respondents, \$5,000 within 30 days and \$2,500 within 90 days from the date the Board adopts and accepts this Stipulation, in a manner prescribed below. The penalty described in this Stipulation shall be paid by certified checks, money orders or electronic funds transfers payable to the Illinois EPA, designated to the Illinois Environmental Protection Trust Fund. Certified checks or money orders shall be submitted to:

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

The name and number of the case and Respondent Draw Drape's Federal Employer Identification Number (FEIN), 36-2421949, shall appear on the checks. If submitting an electronic funds transfer to the Illinois EPA, the electronic funds transfer shall be made in accordance with specific instructions to be timely provided to Defendant prior to the date of the entry of the Consent Order. A copy of the certified checks, money orders or record of electronic funds transfers and any transmittal letters shall be sent to:

Joel J. Sternstein
Assistant Attorney General
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601

and

Maureen Wozniak
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

2. Pursuant to Section 42(g) of the Act, 415 ILCS 5/42(g) (2002), interest shall accrue on any payment not paid within the time period prescribed above at the maximum rate allowable under Section 1003(a) of the Illinois Income Tax Act, 35 ILCS 5/1003 (2002). Interest on any unpaid payment shall begin to accrue from the date the payment is due and continue to accrue until the date payment is received. When partial payment(s) are made, such partial payment shall be first applied to any interest on unpaid payment then due and owing. All interest on payment owed shall be paid by certified check, money order or electronic funds transfer, payable to the Illinois EPA, designated to the Illinois Environmental Protection Trust Fund and delivered to the address and in the manner described above.

3. For purposes of payment and collection, Respondents' attorney may be reached at the following address:

Michele Rocawich
Weissberg & Associates, Ltd.
401 S. LaSalle Street, Suite 403
Chicago, IL 60605

4. In the event of default of this Section VIII.A, the Complainant shall be entitled to all available relief including, but not limited to, reasonable costs of collection and reasonable attorney's fees.

B. Compliance Plan

1. Effective immediately, Respondents shall never again use Dryer #2 for any purpose that results in the emission of VOM into the environment.

2. Effective immediately, Respondents shall operate Dryers #1 and #3 in accordance with the Act, Board regulations, federal regulations, and Respondents' FESOP.

3. Effective immediately, with respect to Dryers #1 and #3, Respondents shall keep complete and accurate records on site, available for inspection on site, which document:

- i. VOM emissions,
- ii. inspections,
- iii. operating practices,
- iv. leaks and repair of leaks,
- v. testing,
- vi. monitoring, and

vii. any other items required to be documented by the Act, Board regulations, federal regulations, and/or Respondents' FESOP.

C. Stipulated Penalties

1. If Respondents fail to complete any activity or fails to comply with any response or reporting requirement by the date specified in Section VIII.B ("Compliance Plan") of this Stipulation, Respondents shall provide notice to the Complainant of each failure to comply with this Stipulation. In addition, Respondents shall pay to the Complainant, for payment into the EPTF, stipulated penalties per violation for each day of violation in the amount of one-hundred dollars (\$100.00) until such time that compliance is achieved.

2. Following the Complainant's determination that Respondents have failed to complete performance of any task or other portion of work, failed to provide a required submittal, including any report or notification, Complainant may make a demand for stipulated penalties upon Respondents for their noncompliance with this Stipulation. Failure by Respondents to make this demand shall not relieve Respondents of the obligation to pay stipulated penalties.

3. All penalties owed the Complainant under this section of this Stipulation that have not been paid shall be payable

within thirty (30) days of the date Respondents know or should have known of its noncompliance with any provision of this Stipulation.

4. a. All stipulated penalties shall be paid by certified check, money order or electronic funds transfer, payable to the Illinois EPA for deposit into the EPTF and shall be sent by first class mail, unless submitted by electronic funds transfer, and delivered to:

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

If the payment of stipulated penalties is being submitted by electronic funds transfer, such transfer shall be done as previously stated in Section VIII.A.1 above.

b. The name and number of the case and the Respondents' FEINs shall appear on the face of the check. A copy of the certified check, money order or record of electronic funds transfer and any transmittal letter shall be sent to:

Joel J. Sternstein
Assistant Attorney General (or other designee)
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601

5. The stipulated penalties shall be enforceable by Respondents and shall be in addition to, and shall not preclude

the use of, any other remedies or sanctions arising from the failure to comply with this Stipulation.

D. Future Use

Notwithstanding any other language in this Stipulation to the contrary, and in consideration of the mutual promises and conditions contained in this Stipulation, including the Release from Liability contained in Section VIII.F, below, Respondents hereby agree that this Stipulation may be used against Respondents in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations promulgated thereunder for all violations alleged in the Complaint in this matter, for purposes of Section 39(a) and (i) and/or 42(h) of the Act, 415 ILCS 5/39(a) and(i) and/or 5/42(h) (2002). Further, Respondents agree to waive any rights to contest, in any subsequent enforcement action or permit proceeding, any allegations that these alleged violations were adjudicated.

E. Cease and Desist

Respondents shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint as outlined in Section III.C ("Allegations of Non-Compliance") of this Stipulation.

F. Release from Liability

In consideration of Respondents' payment of the \$7,500.00 penalty and any specified costs and accrued interest, completion of all activities required hereunder, to Cease and Desist as contained in Section VIII.E and upon the Pollution Control Board's acceptance and approval of the terms of this Stipulation and Proposal for Settlement, the Complainant releases, waives and discharges Respondents from any further liability or penalties for 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 on October 15, 2002 and Complainant's amended Complaint filed on December 30, 2003. The Complainant reserves, and this Stipulation is without prejudice to, all rights of the State of Illinois against Respondents 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 Respondents' 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 or the Illinois EPA may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315, or entity other than Respondents.

G. Right of Entry

In addition to any other authority, the Illinois EPA, its employees and representatives, and the Attorney General, her agents and representatives, shall have the right of entry into and upon the Respondents' facility which is the subject of this Stipulation, at all reasonable times for the purposes of carrying out inspections. 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.

H. Correspondence, Reports and Other Documents

Any and all correspondence, reports and any other documents required under this Stipulation, except for payments pursuant to

Sections VIII.A ("Penalty Payment") and C ("Stipulated Penalties") of this Stipulation shall be submitted as follows:

As to the Complainant

Joel J. Sternstein
Assistant Attorney General (or other designee)
Environmental Bureau
188 W. Randolph St., 20th Floor
Chicago, Illinois 60601

and

Maureen Wozniak
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

As to the Respondents

Michele Rocawich
Weissberg & Associates, Ltd.
401 S. LaSalle Street, Suite 403
Chicago, IL 60605

I. Modification of Stipulation

The parties may, by mutual written consent, agree to extend any compliance dates or modify the terms of this Stipulation. A request for any modification shall be made in writing and submitted to the contact persons identified in Section VIII.H. Any such request shall be made by separate document, and shall not be submitted within any other report or submittal required by this Stipulation. Any such agreed modification shall be in writing, signed by authorized representatives of each party, and then accompany a joint motion to the Illinois Pollution Control

Board seeking a modification of the prior order approving and accepting the Stipulation to approve and accept the Stipulation as amended.

J. Enforcement of Board Order

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

2. Respondents agree that notice of any subsequent proceeding to enforce the Board Order approving and accepting this Stipulation and Proposal for Settlement may be made by mail and waives any requirement of service of process.

3. The parties agree that, if the Board does not approve and accept this Stipulation and Proposal for Settlement, then neither party is bound by the terms herein.

4. It is the intent of the Complainant and Respondents that the provisions of this Stipulation and Proposal for Settlement and any Board Order accepting and approving such shall be severable, and should any provision be declared by a court of competent jurisdiction to be inconsistent with state or federal law, and therefore unenforceable, the remaining clauses shall remain in full force and effect.

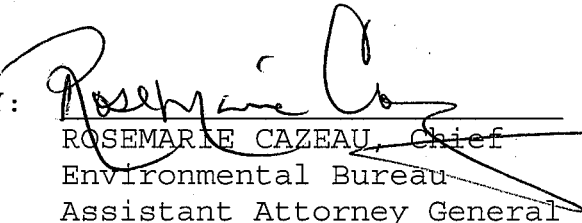
WHEREFORE, Complainant and Respondents request that the Board adopt and accept the foregoing Stipulation and Proposal for Settlement as written.

PEOPLE OF THE STATE OF ILLINOIS,

LISA MADIGAN
Attorney General
State of Illinois

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

BY:



ROSEMARIE CAZEAU, Chief
Environmental Bureau
Assistant Attorney General

DATE:

3/16/05

ILLINOIS ENVIRONMENTAL PROTECTION
AGENCY

BY:

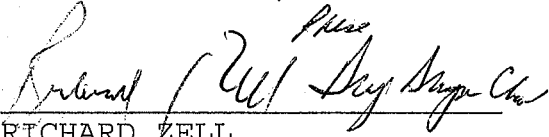

WILLIAM D. INGERSOLL
Acting Chief Legal Counsel

DATE:

March 14, 2005

DRAW DRAPE CLEANERS, INC.

BY:


RICHARD ZELL
President

DATE:

17 Mar 05

AMERICAN DRAPERY CLEANERS AND
FLAMEPROOFERS, INC.

BY: *Richard Zell*
RICHARD ZELL
President

DATE: *17 Mar 05*

RICHARD ZELL

BY: *Richard Zell*

DATE: *17 Mar 05*

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CLERK'S OFFICE

MAR 21 2005

STATE OF ILLINOIS
Pollution Control Board

ORIGINAL
~~CERTIFICATE OF SERVICE~~

I, PAULA BECKER WHEELER, an Assistant Attorney General in this case, do certify that I caused to be served this 21st day of March, 2005, the foregoing Stipulation and Proposal for Settlement, Motion to Request Relief From Hearing Requirement and Notice of Filing upon the persons listed on said Notice by depositing same in an envelope, first class postage prepaid, with the United States Postal Service at 188 West Randolph Street, Chicago, Illinois, at or before the hour of 5:00 p.m.



PAULA BECKER WHEELER