

ILLINOIS POLLUTION CONTROL BOARD  
June 3, 2004

PEOPLE OF THE STATE OF ILLINOIS, )  
)  
Complainant, )  
)  
v. ) PCB 04-100  
) (Enforcement - Air)  
MARC REALTY, INC., an Illinois )  
corporation, 11 EAST ADAMS, L.L.C., an )  
Illinois limited liability corporation, and )  
ROBERTS ENVIRONMENTAL CONTROL, )  
INC., an Illinois corporation, )  
)  
Respondents. )

ORDER OF THE BOARD (by J.P. Novak):

On December 22, 2003, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a complaint against Marc Realty, Inc., 11 East Adams, L.L.C., and Roberts Environmental Control, Inc. (respondents). *See* 415 ILCS 5/31(c)(1) (2002); 35 Ill. Adm. Code 103.204. The People allege that the respondents violated Section 9(a) and 9.1(d) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and 9.1(d) (2002)); 35 Ill. Adm. Code 201.141; and 40 C.F.R. 61.145(a), (b), (c)(1), (c)(6), and (c)(8), as enforceable under Section 9.1(d) of the Act (415 ILCS 5/9.1(d) (2002)). The People further allege that the respondents violated these provisions by failure to comply with standards applicable to removal of asbestos-containing materials and the emission of asbestos during the course of building renovations. The complaint concerns the 16th floor office building at 11 East Adams Street, Chicago, Cook County.

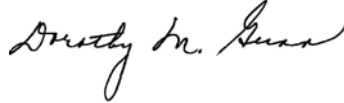
On May 25, 2004, the People and respondents Marc Realty, Inc. and 11 East Adams, L.L.C. (Marc Realty and 11 East Adams) filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2002)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2002)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Marc Realty and 11 East Adams neither admit nor deny the alleged violations but agree to pay a civil penalty of \$55,000. Respondent Roberts Environmental Control, Inc. did not join in the proposed stipulation and settlement agreement.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a

hearing. 415 ILCS 5/31(c)(2) (2000); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on June 3, 2004, by a vote of 5-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board