

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No.
)	(Enforcement - Air)
)	
BEHR IRON & STEEL, INC., an Illinois)	
Corporation,)	
)	
Respondent.)	


NOTICE OF FILING
(VIA ELECTRONIC FILING)

TO: See attached service list

PLEASE TAKE NOTICE that today, September 5, 2008, I have electronically filed with the Office of the Clerk of the Pollution Control Board a Complaint for Civil Penalties, a copy of which is attached and hereby served upon you.

Respectfully submitted,

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

BY: 
 LORREN NICHOLE CUNNINGHAM
 Assistant Attorney General
 Environmental Bureau
 69 W. Washington St., 18th Flr.
 Chicago, Illinois 60602
 (312) 814-3532

SERVICE LIST

Mr. Bradley P. Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

Jon S. Faletto
Hinshaw & Culbertson LLP
416 Main Street - 6th Floor
Peoria, IL 61602

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
<i>ex rel.</i> LISA MADIGAN, Attorney General)	
of the State of Illinois,)	
)	
Complainant,)	
)	
v.)	PCB No.
)	(Enforcement – Air)
)	
BEHR IRON & STEEL, INC., an Illinois)	
corporation,)	
)	
Respondent.)	

COMPLAINT FOR CIVIL PENALTIES

Complainant, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* LISA MADIGAN, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency, complains of Respondent, BEHR IRON & STEEL, INC., an Illinois corporation, as follows:

COUNT I

FAILURE TO OBTAIN CONSTRUCTION PERMIT

1. This Complaint is brought on behalf of the People of the State of Illinois *ex rel.* Lisa Madigan, Attorney General of the State of Illinois, on her own motion and at the request of the Illinois Environmental Protection Agency (“Illinois EPA”) pursuant to Section 31 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31 (2006).

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 (2006), and charged, *inter alia*, with the duty of enforcing the Act.

3. Respondent, BEHR IRON & STEEL, INC. ("Behr Iron"), is an Illinois corporation in good standing.

4. Behr Iron owns a scrap metal processing facility that engages in the purchase, sale, and processing of non-ferrous metals. The metal processing facility is operated by Behr Specialty Metals, an unincorporated division of Behr Iron, located at 208 Quaker Road in Rockford, Winnebago County, Illinois ("Facility").

5. On December 6, 2004, the Illinois EPA inspected the Facility and observed that the Respondent had been operating a Correco thermal rotary dryer, a solder reclamation unit, and a brass sorting table.

6. Prior to December 6, 2004, on a date better known to Respondent, Behr Iron constructed and operated the units identified in paragraph 5 without first obtaining construction and operating permits from the Illinois EPA.

7. On May 18, 2005, the Illinois EPA received from the Respondent an application for an operating permit that included one torit dust collector, one sweeco separator, one Babbit refining pot, one foundry sand separator, a particulate vent room, and one aeropulse jet baghouse.

8. Prior to May 18, 2005, on a date better known to Respondent, Behr Iron constructed the units identified in paragraph 7 without first obtaining a construction permit from the Illinois EPA.

9. Upon information and belief, prior to May 18, 2005, the Respondent operated the units identified in paragraph 7 without first obtaining an operating permit from the Illinois EPA.

10. The Correco thermal rotary dryer, solder reclamation unit, brass sorting

table, torit dust collector, sweeco separator, Babbit refining pot, foundry sand separator, and particulate vent room, located at the Facility emit, or are capable of emitting, particulate matter ("PM") to the atmosphere, and are capable of causing or contributing to air pollution.

11. Section 3.315 of the Act, 415 ILCS 5/3.315 (2006), provides the following definition:

"Person" is any individual, partnership, co-partnership, firm, company, limited liability company, corporation, associate, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns.

12. Behr Iron is a "person" as that term is defined in Section 3.315 of the Act.

13. Section 3.165 of the Act, 415 ILCS 5/3.165 (2006), contains the following definition:

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

14. PM is a "contaminant" as that term is defined in Section 3.165 of the Act.

15. Section 3.115 of the Act, 415 ILCS 5/3.115 (2006), provides the following definition:

"Air Pollution" is the presence in the atmosphere of one or more contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property.

16. Section 201.102 of the Illinois Pollution Control Board ("Board") Air Pollution Regulations, 35 Ill. Adm. Code 201.102 (2006), provides the following definitions:

"Emission Source": any equipment or facility of a type capable of

emitting specified air contaminants to the atmosphere.

“Air Pollution Control Equipment”: any equipment or facility of a type intended to eliminate, prevent, reduce or control the emission of specified air contaminants to the atmosphere.

“Construction”: commencement of on-site fabrication, erection or installation of an emission source or of air pollution control equipment.

17. The Correco thermal rotary dryer, solder reclamation unit, brass sorting table, sweeco separator, Babbit refining pot, foundry sand separator, and particulate vent room are each an “emission source” as that term is defined by Section 201.102 of the Board Air Pollution Regulations.

18. The aeropulse jet baghouse and torit dust collector located at the Facility are “air pollution control equipment” as that term is defined by Section 201.102 of the Board Air Pollution Regulations.

19. The installation of the Correco thermal rotary dryer, solder reclamation unit, brass sorting table, sweeco separator, Babbit refining pot, foundry sand separator, and particulate vent room (hereinafter, “the emission sources”), as well as the aeropulse jet baghouse and torit dust collector (hereinafter, “the air pollution control equipment”), at the Facility constitute “construction” as that term is defined by Section 201.102 of the Board Air Pollution Regulations.

20. Section 9(b) of the Act, 415 ILCS 5/9(b) (2006), provides as follows:

No person shall:

* * *

(b) Construct, install, or operate any equipment, facility, vehicle, vessel, or aircraft capable of causing or contributing to air pollution or designed to prevent air pollution, of any type designated by Board regulations, without a permit granted by the

Agency, or in violation of any conditions imposed by such permit.

21. Section 201.142 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.142 (2004), provides the following:

Construction Permit Required

No person shall cause or allow the construction of any new emission source or any new air pollution control equipment, or cause or allow the modification of any existing emission source or air pollution control equipment, without first obtaining a construction permit from the Agency, except as provided in Sections [sic] 201.146 or Section 201.170(b) of this Part.

22. By failing to obtain a construction permit from the Illinois EPA prior to the construction of the emission sources and the air pollution control equipment at the Facility, Behr Iron violated Section 9(b) of the Act and Section 201.142 of the Board Air Pollution Regulations.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of Complainant and against Respondent, BEHR IRON & STEEL, INC., for the following relief:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent violated Section 9(b) of the Act and Section 201.142 of the Board Air Pollution Regulations;
3. Ordering Respondent to cease and desist from any further violations of Section 9(b) of the Act and Section 201.142 of the Board Air Pollution Regulations;
4. Assessing civil penalties pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2006), of Fifty Thousand Dollars (\$50,000.00) against Respondent for each violation and Ten Thousand Dollars (\$10,000.00) for each day of violation;

5. Assessing all costs against Respondent pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2006), including expert witness, consultant and attorney's fees; and
6. Granting such other relief as the Board deems appropriate.

COUNT II

FAILURE TO OBTAIN OPERATING PERMIT

1-21. Complainant realleges and incorporates by reference herein paragraphs 1 through 21 of Count I as paragraphs 1 through 21 of this Count II.

22. Section 201.143 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.143 (2006), provides the following:

Operating Permits For New Sources

No person shall cause or allow the operation of any new emission source or new air pollution control equipment of a type for which a construction permit is required by Section 201.142 without first obtaining an operating permit from the Agency, except for such testing operations as may be authorized by the construction permit. Applications for operating permits shall be made at such times and contain such information (in addition to the information required by Section 201.157) as shall be specified in the construction permit.

23. The emission sources and the air pollution control equipment at the Facility required a construction permit pursuant to Section 201.142 of the Board Air Pollution Regulations.

24. By failing to obtain an operating permit from the Illinois EPA prior to the operation of the emission sources and the air pollution control equipment, Behr Iron violated Section 9(b) of the Act and Section 201.143 of the Board Air Pollution Regulations.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of Complainant and against Respondent, BEHR IRON & STEEL, INC., for the following relief:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent violated Section 9(b) of the Act and Section 201.143 of the Board Air Pollution Regulations;
3. Ordering Respondent to cease and desist from any further violations of Section 9(b) of the Act and Section 201.143 of the Board Air Pollution Regulations;
4. Assessing civil penalties pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2006), of Fifty Thousand Dollars (\$50,000.00) against Respondent for each violation and Ten Thousand Dollars (\$10,000.00) for each day of violation;
5. Assessing all costs against Respondent pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2006), including expert witness, consultant and attorney's fees; and
6. Granting such other relief as the Board deems appropriate.

COUNT III

FAILURE TO SUBMIT COMPLETE AND ACCURATE ANNUAL EMISSION REPORTS

1-19. Complainant realleges and incorporates by reference herein paragraphs 1 through 19 of Count I as paragraphs 1 through 19 of this Count III.

20. Since at least December 6, 2004 to the present, Behr Iron has not submitted to the Illinois EPA complete and accurate annual emission reports ("AERs") that document emissions generated by the unpermitted emission sources and air pollution

control equipment.

21. Section 9(a) of the Act, 415 ILCS 5/9(a) (2006), provides as follows:

No person shall:

(a) Cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act;

22. Section 201.102 of the Board Air Pollution Regulations, 35 Ill. Adm.

Code 201.102 (2006), provides the following definition:

“Owner or Operator”: any person who owns, leases, controls or supervises an emission source or air pollution control equipment.

23. Behr Iron is an “owner or operator” of emission sources and air pollution control equipment as those terms are defined in Section 201.102 of the Board Air Pollution Regulations.

24. Section 201.302(a) of Board Air Pollution Regulations, 35 Ill. Adm. Code 201.302(a) (2006), provides the following:

The owner or operator of any emission unit or air pollution control equipment, unless specifically exempted in this Section, shall submit to the Agency as a minimum, annual reports detailing the nature, specific emission units and total annual quantities of all specified air contaminant emissions; provided, however, that the Agency may require more frequent reports where necessary to accomplish the purposes of the Act and this Chapter.

25. By failing to timely submit complete and accurate annual AERs to the Illinois EPA, Behr Iron violated Section 9(a) of the Act and Section 201.302 of the Board Air Pollution Regulations.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS,

respectfully requests that the Board enter an order in favor of Complainant and against Respondent, BEHR IRON & STEEL, INC., for the following relief:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent violated Section 9(a) of the Act and Section 201.302 of the Board Air Pollution Regulations;
3. Ordering Respondent to cease and desist from any further violations of Section 9(a) of the Act and Section 201.302 of the Board Air Pollution Regulations;
4. Assessing civil penalties pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2006), of Fifty Thousand Dollars (\$50,000.00) against Respondent for each violation and Ten Thousand Dollars (\$10,000.00) for each day of violation;
5. Assessing all costs against Respondent pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2006), including expert witness, consultant and attorney's fees; and
6. Granting such other relief as the Board deems appropriate.

COUNT IV

FAILURE TO SUBMIT SITE-SPECIFIC TEST PLANS AND CONDUCT PERFORMANCE TESTING PURSUANT TO NESHP

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

5. On December 27, 1999, the Illinois EPA issued to the Respondent construction permit number 99090077, and revised lifetime operating permit number 85030079 allowing the construction and operation of one aluminum sweat furnace with an afterburner and one holding furnace.

6. From some time in the year 2000 through December 2, 2004, Behr Iron operated the aluminum sweat furnace with an after burner to facilitate scrap aluminum melting operations and the production of cast aluminum.

7. Pursuant to Section 112 of the federal Clean Air Act ("CAA"), 42 U.S.C. § 7412, the U.S. EPA promulgated National Emissions Standards for Hazardous Air Pollutants ("NESHAP") for new and existing sources at secondary aluminum production facilities, 40 C.F.R. Part 63, Subpart RRR, (hereinafter, "NESHAP for secondary aluminum production") requiring that secondary aluminum production facilities meet emission standards reflecting the application of maximum achievable control technology ("MACT").

8. Section 9.1(d)(1) of the Act, 415 ILCS 5/9.1(d)(1) (2006), provides as follows:

(d) No person shall:

(1) violate any provisions of Sections 111, 112, 165 or 173 of the Clean Air Act, as now or hereafter amended, or federal regulations adopted thereto;

9-10. Complainant realleges and incorporates by reference herein paragraphs 11 and 12 of Count I as paragraphs 9 and 10 of this Count IV.

11. Section 63.1503 of the NESHAP for secondary aluminum production, 40 C.F.R. § 63.1503, provides the following definitions:

Dioxins and furans means tetra-, penta-, hexa-, and octachlorinated dibenzo dioxins and furans.

Emission unit means a group 1 furnace or in-line fluxer at a secondary aluminum production facility.

Group one furnace means a furnace of any design that melts, holds, or processes aluminum that contains paint, lubricants, coatings, or

other foreign materials with or without reactive fluxing, or processes clean charge with reactive fluxing.

PM means, for the purposes of this subpart, emissions of particulate matter that serve as a measure of total particulate emissions and as a surrogate for metal HAPs contained in the particulates, including but not limited to, antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, mercury, nickel, and selenium.

Secondary aluminum production facility means any establishment using clean charge, aluminum scrap, or dross from aluminum production, as the raw material and performing one or more of the following processes: . . . furnace operations (i.e., melting, holding, sweating, refining, fluxing, or alloying)

Sweat furnace means a furnace used exclusively to reclaim aluminum from scrap that contains substantial quantities of iron by using heat to separate the low-melting point aluminum from the scrap while the higher melting-point iron remains in solid form.

12. Section 63.2 of the NESHAP for secondary aluminum production, 40

C.F.R. § 63.2, provides the following definitions:

Owner or operator means any person who owns, leases, operates, controls, or supervises a stationary source.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Area source means any stationary source of hazardous air pollutants that is not a major source as defined in this part.

New source means any affected source the construction or reconstruction of which is commenced after the Administrator first proposes a relevant emission standard under this part establishing an emission standard applicable to such source.

Hazardous air pollutant means any air pollutant listed in or pursuant to section 112(b) of the Act.

Major source means any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air

pollutants, unless the Administrator establishes a lesser quantity, or in the case of radionuclides, different criteria from those specified in this sentence.

Affected source, for the purposes of this part, means the collection of equipment, activities, or both within a single contiguous area and under common control that is included in a section 112(c) source category or subcategory for which a section 112(d) standard or other relevant standard is established pursuant to section 112 of the Act. . .

13. Section 63.1500 of the NESHAP for secondary aluminum production, 40

C.F.R. § 63.1500, provides, in pertinent part, as follows:

(a) The requirements of this subpart apply to the owner or operator of each secondary aluminum production facility as defined in § 63.1503.

* * *

(c) The requirements of this subpart pertaining to dioxin and furan (D/F) emissions and associated operating, monitoring, reporting, and recordkeeping requirements apply to the following affected sources, located at a secondary aluminum production facility that is an area source of HAPs as defined in §63.2:

* * *

(3) Each new and existing sweat furnace;

14. Behr Iron is the "owner or operator" of a "secondary aluminum production facility" that utilized a sweat furnace, constructed after February 11, 1999, to facilitate aluminum melting operations using raw materials that include aluminum scrap.

15. The aluminum sweat furnace operated at the Facility was an "emission unit" that emitted particulate matter ("PM") and dioxin and furan ("D/F") emissions.

16. While the aluminum sweat furnace was operated, the Facility was an "area source" of hazardous air pollutants.

17. Upon information and belief, the aluminum sweat furnace was a "new

affected source.”

18. Section 63.1511(a) & (b) of the NESHAP for secondary aluminum production, 40 C.F.R. §§ 63.1511(a) & (b), provides as follows:

(a) Site-specific test plan. Prior to conducting any performance test required by this subpart, the owner or operator must prepare a site-specific test plan which satisfies all of the requirements, and must obtain approval of the plan pursuant to the procedures, set forth in § 63.7(c).

(b) Initial performance test. Following approval of the site-specific test plan, the owner or operator must demonstrate initial compliance with each applicable emission, equipment, work practice, or operational standard for each affected source and emission unit, and report the results in the notification of compliance status report as described in § 63.1515(b). The owner or operator of any existing affected source for which an initial performance test is required to demonstrate compliance must conduct this initial performance test no later than the date for compliance established by § 63.1501(a). The owner or operator of any new affected source for which an initial performance test is required must conduct this initial performance test within 90 days after the date for compliance established by § 63.1501(b). Except for the date by which the performance test must be conducted, the owner or operator must conduct each performance test in accordance with the requirements and procedures set forth in § 63.7(c). Owners or operators of affected sources located at facilities which are area sources are subject only to those performance testing requirements pertaining to D/F. Owners or operators of sweat furnaces meeting the specifications of § 63.1505(f)(1) are not required to conduct a performance test.

19. Section 63.1501(b) of the NESHAP for secondary aluminum production, 40 C.F.R. § 63.1501(b), provides, in pertinent part, as follows:

The owner or operator of a new affected source that commences construction or reconstruction after February 11, 1999 must comply with the requirements of this subpart by March 23, 2000 or upon startup, whichever is later.

20. As a new affected source, Behr Iron was required to submit a site-specific test plan and conduct performance testing within 90 days after the March 23, 2000

compliance deadline.

21. By failing to submit a site-specific test plan and conduct performance testing by the deadlines established in Sections 63.1511(a) & (b) and 63.1501(b) of the NESHAP, Behr Iron violated Section 9.1(d)(1) of the Act and Sections 63.1511(a) & (b) and 63.1501(b) of the NESHAP for secondary aluminum production.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of Complainant and against Respondent, BEHR IRON & STEEL, INC., for the following relief:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent violated Section 9.1(d)(1) of the Act and Sections 63.1511(a) & (b) and 63.1501(b) of the NESHAP for secondary aluminum production;
3. Ordering Respondent to cease and desist from any further violations of Section 9.1(d)(1) of the Act and Sections 63.1511(a) & (b) and 63.1501(b) of the NESHAP for secondary aluminum production;
4. Assessing civil penalties pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2006), of Fifty Thousand Dollars (\$50,000.00) against Respondent for each violation and Ten Thousand Dollars (\$10,000.00) for each day of violation;
5. Assessing all costs against Respondent pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2006), including expert witness, consultant and attorney's fees; and
6. Granting such other relief as the Board deems appropriate.

COUNT V

**FAILURE TO SUBMIT NOTICE OF COMPLIANCE STATUS REPORT
PURSUANT TO NESHAP**

1-20. Complainant realleges and incorporates by reference herein paragraphs 1 through 20 of Count IV as paragraphs 1 through 20 of this Count V.

21. Section 63.1515(b) of the NESHAP for secondary aluminum production, 40 CFR § 63.1515(b), provides, in pertinent part, as follows:

Notification of compliance status report. . . . Each owner or operator of a new affected source must submit a notification of compliance status report within 90 days after conducting the initial performance test required by § 63.1511(b), or within 90 days after the compliance date established by § 63.1501(b) if no initial performance test is required. . . .

22. Behr Iron's notification of compliance status was due to the Illinois EPA 90 days after conducting the initial performance test required by Section 63.1511(b) of the NESHAP for secondary aluminum production.

23. Behr Iron did not submit a notification of compliance status report to the Illinois EPA.

24. By failing to submit a notification of compliance status report to the Illinois EPA, Behr Iron violated Section 9.1(d)(1) of the Act and Section 63.1515(b) of the NESHAP for secondary aluminum production.

WHEREFORE, Complainant, PEOPLE OF THE STATE OF ILLINOIS, respectfully requests that the Board enter an order in favor of Complainant and against Respondent, BEHR IRON & STEEL, INC., for the following relief:

1. Authorizing a hearing in this matter at which time Respondent will be required to answer the allegations herein;
2. Finding that Respondent violated Section 9.1(d)(1) of the Act and Section

63.1515(b) of the NESHAP for secondary aluminum production;

3. Ordering Respondent to cease and desist from any further violations of Section 9.1(d)(1) of the Act and Section 9.1(d)(1) of the Act and Section 63.1515(b) of the NESHAP for secondary aluminum production;

4. Assessing civil penalties pursuant to Section 42(a) of the Act, 415 ILCS 5/42(a) (2006), of Fifty Thousand Dollars (\$50,000.00) against Respondent for each violation and Ten Thousand Dollars (\$10,000.00) for each day of violation;

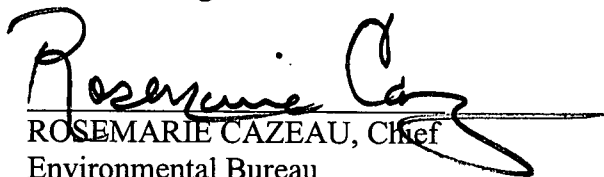
5. Assessing all costs against Respondent pursuant to Section 42(f) of the Act, 415 ILCS 5/42(f) (2006), including expert witness, consultant and attorney's fees; and

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

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:

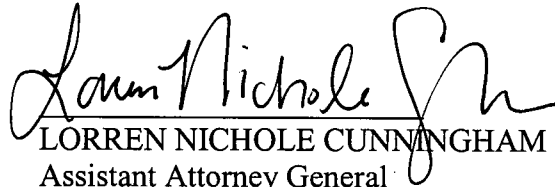

ROSEMARIE CAZEAU, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:

L. NICHOLE CUNNINGHAM
Assistant Attorney General
Environmental Bureau
69 W. Washington, Suite 1800
Chicago, Illinois 60602
(312) 814-3532

CERTIFICATE OF SERVICE

I, Lorren Nichole Cunningham, Assistant Attorney General, do certify that on the 5th day of September, 2008, I caused to be served upon Respondent Behr Iron & Steel, Inc., the foregoing Complaint for Civil Penalties and Notice of Filing by depositing the same at the United States Postal Service facility located at 100 W. Randolph, Chicago, Illinois.



LORREN NICHOLE CUNNINGHAM
Assistant Attorney General
Environmental Bureau
69 W. Washington St., 18th Flr.
Chicago, Illinois 60602
(312) 814-3532