

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
vs.)
)
TERRY STAHLY,)
)
Respondent.)

COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF

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, complains of the Respondent, TERRY STAHLY, as follows:

COUNT I

DEMOLITION NOTIFICATION VIOLATIONS

1. This Complaint is brought on behalf of the People of the State of Illinois, *ex rel.* LISA MADIGAN, the 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 (2012).
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 (2012), and charged, *inter alia*, with the duty of enforcing the Act.
3. The Respondent, TERRY STAHLY, is an individual engaged in the business of dealing and distributing truck and trailer equipment, and is the owner of a facility formerly utilized

as a storage building located at 1201 East Bell Road, Bloomington, McLean County, Illinois (the "Facility").

4. On September 19, 2013, the Illinois EPA received from the Respondent an untimely and incomplete notification of demolition informing the Illinois EPA of demolition activities to be performed at 1201 East Bell Road, Bloomington, Illinois (the "Facility"), commencing on September 16, 2013. The notification lists the Respondent as the owner of the Facility.

5. Sometime on or before September 20, 2013, on a date better known to the Respondent, the Respondent instructed several workers to demolish the Facility.

6. On September 20, 2013, the Illinois EPA received a complaint alleging improper demolition activities at 1201 Bell Road, Bloomington, McLean County, Illinois.

7. On September 20, 2013, the Illinois EPA conducted an inspection of the Facility in response to the September 20, 2013 complaint. Demolition debris existed at the southeast wall of the Facility foundation. During the inspection, the Respondent stated that the Facility was demolished in order to expand the existing parking area, notification of the Facility's demolition was not submitted to the Illinois EPA, and an inspection to determine the presence and location of asbestos-containing material ("ACM") was not performed prior to commencing demolition activities.

8. On October 10, 2013, the Illinois EPA issued to the Respondent a violation notice ("VN") Violation Notice A-2013-00231 letter citing violations of the Act and the National Emission Standards for Hazardous Air Pollutants ("NESHAP") for asbestos.

9. On April 17, 2014, the Illinois EPA received a letter from the Respondent with a notification of demolition dated April 8, 2014, waste disposal receipts documenting the receipt of

waste material originating from the Facility, and a statement that the employee of the Respondent who was assigned to ensure that documents were properly prepared to facilitate the demolition of the storage building had been terminated.

10. On April 29, 2014, the Respondent told an Illinois EPA inspector in a telephonic conference call that he was unaware of notification and work practice requirements prescribed by the NESHAP for asbestos, and an inspection to determine the presence and location of asbestos-containing material within the Facility was not performed by a licensed and trained building inspector, given he did not observe suspect asbestos-containing material located within the building.

11. Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2012), provides:

(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 pursuant thereto; or
2. Construct, install, modify or operate any equipment, building, facility, source or installation which is subject to regulation under Sections 111, 112, 165 or 173 of the Clean Air Act, as now or hereafter amended, except in compliance with the requirements of such Sections and federal regulations adopted pursuant thereto, and no such action shall be undertaken (A) without a permit granted by the Agency whenever a permit is required pursuant to (i) this Act or Board regulations or (ii) Section 111, 112, 165, or 173 of the Clean Air Act or federal regulations adopted pursuant thereto or (B) in violation of any conditions imposed by such permit. Any denial of such a permit or any conditions imposed in such a permit shall be reviewable by the Board in accordance with Section 40 of this Act.

* * *

12. Section 112(d)(1) of the Clean Air Act ("CAA"), 42 U.S.C. § 7412(d)(1) (2010), provides in pertinent part as follows:

The Administrator shall promulgate regulations establishing emission standards for each category or subcategory of major sources and area sources of hazardous air pollutants listed for regulation.

13. Section 112(b)(1) of the CAA, 42 U.S.C. §7412(b)(1) (2010), provides in pertinent part as follows:

The Congress establishes for purposes of this section a list of hazardous air pollutants as follows:

* * *

Asbestos

14. Section 112(h)(1) of the CAA, 42 U.S.C. § 7412(h)(1) (2010), provides in pertinent part as follows:

For the purposes of this section, if it is not feasible in the judgment of the Administrator to prescribe or enforce an emission standard for control of a hazardous air pollutant or pollutants, the Administrator may, in lieu thereof, promulgate a design, equipment, work practice, operation standard, or combination thereof, which in the Administrator's judgment is consistent with the provisions of subsection (d) or (f) of this section...

15. On June 19, 1978, the Administrator determined that work practice standards rather than emission standards are appropriate in the regulation of asbestos, 43 Fed. Reg. 26372 (1978), and therefore, pursuant to Section 112 of the CAA, the Administrator of the United States Environmental Protection Agency ("USEPA") adopted the National Emission Standards for Hazardous Air Pollutants ("NESHAP") for asbestos, 40 C.F.R. Section 61, Subpart M.

16. Asbestos is regulated as a hazardous air pollutant because it is a carcinogen. Regulated asbestos-containing materials ("RACM") contain more than one percent asbestos and are generally "friable," which means such materials, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure.

17. Section 61.141 of the Asbestos NESHAP, 40 C.F.R. § 61.141, provides the following definitions:

Asbestos means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite.

* * *

Demolition means the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.

* * *

Facility means any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.

* * *

Facility component means any part of a facility including equipment.

Friable asbestos material means any material containing more than 1 percent asbestos as determined using the method specified in appendix A, subpart F, 40 C.F.R. 763 section 1, Polarized Light Microscopy, that, when dry can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

Owner or operator of a demolition or renovation activity means any person who owns, leases, operates, controls, or supervises the facility being demolished or renovated or any person who owns, leases, operates, controls, or supervises the demolition or renovation operation, or both.

Regulated asbestos-containing material (RACM) means (a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

Remove means to take out RACM or facility components that contain or are covered with RACM from any facility.

Renovation means altering a facility or one or more facility components in any way, including the stripping or removal of RACM from a facility component. Operations in which load-supporting structural members are wrecked or taken out are demolitions.

Strip means to take off RACM from any part of a facility or facility components.

18. Section 61.145(a) of the Asbestos NESHAP, 40 C.F.R. § 61.145(a), provides in pertinent part as follows:

... To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM...

19. Section 61.145(b)(1) of the Asbestos NESHAP, 40 C.F.R. § 61.145(b)(1), provides the following:

(b) *Notification requirements.* Each owner or operator of a demolition or renovation activity to which this section applies shall:

(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

20. The Facility is a "facility" as that term is defined in Section 61.141 of the Asbestos NESHAP.

21. The demolition of the Facility constituted a "demolition" as that term is defined in Section 61.141 of the Asbestos NESHAP.

22. The Respondent owned the Facility that was demolished and ordered the demolition of the Facility, and therefore is an "owner or operator" of the facility and demolition

activity performed at the Facility, as that term is defined in Section 61.141 of the Asbestos NESHAP.

23. The Respondent failed to timely provide the Illinois EPA with written notice of an intention to demolish the Facility prior to the demolition.

24. By not timely providing the Illinois EPA with written notice of an intention to demolish the Facility prior to demolition of the Facility, the Respondent violated federal regulation 40 C.F.R. § 61.145(b)(1) adopted pursuant to the Clean Air Act, and therefore violated Section 9.1(d) of the Act, 415 ILCS 5/9.1(d)(2012).

PRAYER FOR RELIEF

WHEREFORE, the Complainant, the People of the State of Illinois, respectfully requests that this Court grant the following relief:

A. Authorizing a hearing in this matter at which time the Respondents will be required to answer the allegations herein;

B. Finding that the Respondent has violated Sections 9.1(d) of the Act, 415 ILCS 9.1(d)(2012), and 40 C.F.R. § 61.145(b)(1) as alleged herein;

C. Ordering that the Respondent cease and desist from further violations of the Act, 415 ILCS 9.1(d)(2012), and regulations promulgated thereunder;

D. Assessing upon the Respondent a civil penalty of not more than Fifty Thousand Dollars (\$50,000) for each violation of the Act with an additional penalty of Ten Thousand Dollars (\$10,000) for each day of violation; and

E. Granting such other and further relief as the Court deems appropriate.

COUNT II

FAILURE TO SUBMIT ASBESTOS FEE

1-23. Plaintiff realleges and incorporates herein by reference paragraphs 1 through 23 of Count I as paragraphs 1 through 23 of this Count II.

24. Section 9.13 of the Act, 415 ILCS 5/9.13 (2012), provides:

- (a) For any site for which the owner or operator must file an original 10-day notice of intent to renovate or demolish pursuant to 40 C.F.R. § 61.145(b) (part of the federal asbestos National Emission Standard for Hazardous Air Pollutants or NESHAP), the owner or operator shall pay to the Agency with the filing of each 10-day Notice a fee of \$150.
- (b) If demolition or renovation of a site has commenced without proper filing of the 10-day Notice, the fee is double the amount otherwise due. This doubling of the fee is in addition to any other penalties under this Act, the federal NESHAP, or otherwise, and does not preclude the Agency, the Attorney General, or other authorized persons from pursuing an enforcement action against the owner or operator for failure to file a 10-day Notice prior to commencing demolition or renovation activities.
- (c) In the event that an owner or operator makes a fee payment under this Section from an account with insufficient funds to cover the amount of the fee payment, the 10-day Notice shall be deemed improperly filed. The Agency shall so notify the owner or operator within 60 days of receiving the notice of insufficient funds. Failure of the Agency to so notify the owner or operator does not excuse or alter the duty of the owner or operator to comply with the requirements of this Section.
- (d) Where asbestos remediation or demolition activities have not been conducted in accordance with the asbestos NESHAP, in addition to the fees imposed by this Section, the Agency may also collect its actual costs incurred for asbestos-related activities at the site, including without limitation costs of sampling, sample analysis, remediation plan review, and activity oversight for demolition or renovation.
- (e) Fees and cost recovery amounts collected under this Section shall be deposited into the Environmental Protection Permit and Inspection Fund.

25. The Respondent failed to timely provide the Illinois EPA with the notice fees prior to the demolition of the Facility, as required under Section 9.13 of the Act, 415 ILCS 5/9.13 (2012).

26. By failing to provide the Illinois EPA with notice fees prior to demolition of the Facility, the Respondent violated Section 9.13 of the Act, 415 ILCS 5/9.13(2012).

PRAYER FOR RELIEF

WHEREFORE, the Complainant, the People of the State of Illinois, respectfully requests that this Court grant the following relief:

A. Authorizing a hearing in this matter at which time the Respondents will be required to answer the allegations herein;

B. Finding that the Respondent has violated Sections 9.13 of the Act, 415 ILCS 9.13(2012), and 40 C.F.R. § 61.145(b)(1) as alleged herein;

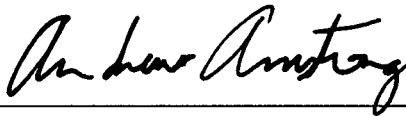
C. Ordering that the Respondent cease and desist from further violations of the Act, 415 ILCS 9.13(2012), and regulations promulgated thereunder;

D. Assessing upon the Respondent a civil penalty of not more than Fifty Thousand Dollars (\$50,000) for each violation of the Act with an additional penalty of Ten Thousand Dollars (\$10,000) for each day of violation; and

E. Granting such other and further relief as the Court deems appropriate.

Respectfully submitted,

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

BY: 

ANDREW ARMSTRONG, Chief
Environmental Bureau
Assistant Attorney General

Of Counsel:

BRIAN J. CLAPPIER
500 South Second Street
Springfield, Illinois 62706
217/782-9034
Dated: May 18, 2015
ARDC #: 6307721

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
vs.)	PCB NO.
)	(Enforcement)
TERRY STAHLY, an individual)	
)	
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 TERRY STAHLY ("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 National Emissions Standards for Hazardous Air Pollutants ("NESHAP"), and the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 *et seq.* (2012), 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. Simultaneously filed with this Stipulation, 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 (2012), 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 (2012).

3. At all times relevant to the Complaint, Respondent owned and operated a truck and trailer equipment distribution facility located at 1201 East Bell Road, Bloomington, McLean County, Illinois (the "Facility").

B. Allegations of Non-Compliance

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

- Count 1: Demolition Notification Violations
Section 9.1(d) of the Act, 415 ILCS 5/9.1(d) (2012), and
40 CFR § 61.145(b)(1). Failure to timely submit a notification of
demolition to the Illinois EPA prior to demolition activities at the Facility.
- Count 2: Failure to Submit Asbestos Fee
415 ILCS 5/9.13 (2012).

C. Admission of Violations

The Respondent admits to the violation(s) alleged in the Complaint filed in this matter and referenced within Section I.B herein.

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, the federal Clean Air Act and the NESHAP for asbestos, 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 (2012).

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

Section 33(c) of the Act, 415 ILCS 5/33(c)(2012), 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 Facility when it is owned and operated in compliance with the Act and the accompanying regulations.
3. Operation of the Facility was suitable for the area in which it occurred.
4. Submitting notification and the corresponding fee prior to demolition at the Facility was both technically practicable and economically reasonable.
5. Respondent has subsequently complied with the Act and the NESHAP for asbestos.

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 submit a notification and fees for demolition activities prior to beginning demolition activities at the Facility. The violations began on or around September 16, 2013, on a date better known to the Respondent when demolition activities began, and continued until September 20, 2013. Additionally, the Respondent delayed submitting to the Illinois EPA the requisite asbestos fee payment until April 11, 2014.
2. Respondent has complied with the Act and the NESHAP for asbestos, once the Illinois EPA notified it of its noncompliance.
3. Any economic benefit attributable to the noncompliance would be minimal.
4. Complainant has determined, based upon the specific facts of this matter that a penalty of Fifteen Thousand Dollars (\$15,000.00) will serve to deter further violations and aid in future voluntary compliance with the Act and the NESHAP for asbestos.
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. On October 10, 2013, pursuant to Section 31(a) of the Act, the Complainant sent Violation Notice A-2013-00231 to the Respondent. The Illinois EPA did not issue a Compliance Commitment Agreement ("CCA").

V. TERMS OF SETTLEMENT

A. Penalty Payment

The Respondent shall pay a civil penalty in the sum of Fifteen Thousand Dollars (\$15,000.00) within thirty (30) days from the date the Board adopts and accepts this Stipulation.

B. Stipulated Penalties, 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:

Brian Clappier
Environmental Bureau
Illinois Attorney General's Office
500 South Second Street
Springfield, Illinois 62706

D. Future Compliance

1. The Respondent shall cease and desist from future violations of the Act and the NESHAP for asbestos that were the subject matter of the Complaint.

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 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.

E. Release from Liability

In consideration of the Respondent's payment of the \$15,000.00 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 the NESHAP for asbestos 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 simultaneously 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

1. 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, LISA MADIGAN Attorney General State of Illinois	ILLINOIS ENVIRONMENTAL PROTECTION AGENCY LISA BONNETT, Director Illinois Environmental Protection Agency
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BY: _____
MATTHEW J. DUNN, Chief
Environmental Enforcement/
Asbestos Litigation Division

BY: _____
JOHN J. KIM
Chief Legal Counsel

DATE: _____

DATE: _____

RESPONDENT

BY: _____
TERRY STAHLY

DATE: 4/21/2015