



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

JUL 19 2007

REPLY TO THE ATTENTION OF:

SC-6J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Martin Cosentino, President
C.G. & S. Provision Company, Inc.
159 North Carpenter Street
Chicago, IL 60607

Re: C.G. & S. Provision Company, Inc., Chicago, Illinois, Consent Agreement and Final Order, Docket Nos: CERCLA-05-2007-0015 EPCRA-05-2007-0028 MM-05-2007-0008

Dear Mr. Cosentino:

Enclosed please find a fully executed Consent Agreement and Final Order (CAFO) in resolution of the above case. The U.S. EPA has filed the other original CAFO with the Regional Hearing Clerk on JUL 19 2007.

Please pay the CERCLA civil penalty in the amount of \$3,000 plus interest, in the manner prescribed in paragraphs 80, 81, and 82, and reference your checks with the billing document number 2750798B001 and the docket number CERCLA-05-2007-0015.

Please pay the EPCRA civil penalty in the amount of \$24,000 plus interest, in the manner prescribed in paragraphs 80, 81, and 83, and reference your checks with the billing document number 2750764E002 and the docket number EPCRA-05-2007-0028.

Paragraph 81 identifies the 18 month payment plan with the due dates and amount owed.

Please feel free to contact James Entzminger at (312) 886-4062 if you have any questions regarding the enclosed documents. Please direct any legal questions to Padmavati G. Bending, Associate Regional Counsel, at (312) 353-8917. Thank you for your assistance in resolving this matter.

Sincerely yours,

Mark J. Horwitz, Chief
Chemical Emergency Preparedness
and Prevention Section

Enclosure

cc: Regional Hearing Clerk
U.S. EPA Region 5

Padmavati G. Bending (w/ enclosure)

Jon England, Legal Counsel (w/ enclosure)
Kathy Allen
Illinois SERC

Marcy Toney
Regional Judicial Officer

Donald S. Rothchild, Attorney (w/ enclosure)
Goldstine, Skrodzki, Russian, Menec and Hoff, Ltd.
The Prairie Building
835 McClintock Drive, Second Floor
Burr Ridge, IL 60527-0860 (certified)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

CERCLA-05-2007-0015

EPCRA-05-2007-0028

MM-05-2007-0008

IN THE MATTER OF:

C.G. & S. Provision Company, Inc.
Chicago, Illinois,

Respondent.

) Docket No.)
)
) Proceeding to Assess a Civil
) Penalty under Section 109(b) of the
) Comprehensive Environmental Response,
) Compensation, and Liability Act, and
) 325(b)(2) and 325(c) of the Emergency
) Planning and Community Right-to-Know Act
) of 1986.
)

Consent Agreement and Final Order
Preliminary Statement

1. This is an administrative action commenced and concluded under Section 109(b) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, 42 U.S.C. § 9609(b), Sections 325(b)(2), (c)(2), of the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA), 42 U.S.C. § 11045(b)(2), (c)(2), and Sections 22.13(b) and 22.18(b)(2) and (3) of the "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits" (Consolidated Rules) as codified at 40 C.F.R. Part 22 (2005).
2. The Complainant is, by lawful delegation, the Chief, Emergency Response Branch 1, Superfund Division, Region 5, United States Environmental Protection Agency (U.S. EPA).
3. The Respondent is C.G. & S. Provision Company, Inc., a corporation doing business in Illinois.
4. Where the parties agree to settle one or more causes of action before the filing of a Complaint, the administrative action may be commenced and concluded simultaneously by the issuance of a Consent Agreement and Final Order (CAFO). 40 C.F.R. § 22.13(b) (2005).

5. The parties agree that settling this action without the filing of a Complaint or the adjudication of any issue of fact or law is in their interest and in the public interest.
6. Respondent consents to entry of this CAFO and the assessment of the specified civil penalty, and agrees to comply with the terms of the CAFO.

Jurisdiction and Waiver of Right to Hearing

7. C.G. & S. Provision Company, Inc. admits the jurisdictional allegations in this CAFO and neither admits nor denies the factual allegations in this CAFO.
8. C.G. & S. Provision Company, Inc. waives its right to request a hearing as provided at 40 C.F.R. § 22.15(c), any right to contest the allegations in this CAFO, and its right to appeal this CAFO.

Statutory and Regulatory Background

9. Section 103(a) of CERCLA, 42 U.S.C. § 9603(a), requires any person in charge of a facility to immediately notify the National Response Center (NRC) as soon as that person has knowledge of any release of a hazardous substance from the facility in an amount equal to or greater than the hazardous substance's reportable quantity.
10. Section 304(a)(1) of EPCRA, 42 U.S.C. § 11004(a)(1), requires that the owner or operator of a facility must immediately provide notice, as described in Section 304(b) of EPCRA, 42 U.S.C. § 11004(b), if a release of an extremely hazardous substance in quantities equal to or greater than a reportable quantity occurs from a facility at which hazardous chemicals are produced, used, or stored and such release requires notice under Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).

11. Under Section 304(b) of EPCRA, 42 U.S.C. § 11004(b), notice required under 304(a) of EPCRA, 42 U.S.C. § 11004(a), must be given immediately after the release by the owner or operator of a facility to the community emergency coordinator for the local emergency planning committee (LEPC) for any area likely to be affected by the release and to the state emergency planning commission (SERC) of any state likely to be affected by a release.

12. Section 304(c) of EPCRA, 42 U.S.C. § 11004(c), requires that, as soon as practicable after a release which requires notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a), the owner or operator of the facility must provide written follow-up emergency notice setting forth and updating the information required under Section 304(b), 42 U.S.C. § 11004(b).

13. Section 312(a) of EPCRA, 42 U.S.C. § 11022(a), and its implementing regulations at 40 C.F.R. Part 370 require the owner or operator of a facility, which is required by the Occupational Safety and Health Act (OSHA) to prepare or have available a material safety data sheet (MSDS) for a hazardous chemical, to submit to the state emergency response commission (SERC), appropriate local emergency planning committee (LEPC) and fire department with jurisdiction over the facility by March 1, 1988, and annually thereafter, a completed Emergency and Hazardous Chemical Inventory Form (Tier 1 or Tier II as described in 40 C.F.R. Part 370). The form must contain the information required by Section 312(d) of EPCRA, covering all hazardous chemicals present at the facility at any one time during the preceding year in amounts equal to or exceeding 10,000 pounds and all extremely hazardous chemicals present at the facility at any one time in amounts equal to or greater than 500 pounds or the threshold planning quantity designated by U.S. EPA at 40 C.F.R. Part 355, Appendices A and B, whichever is lower.

14. Under 29 C.F.R. § 1910.1200(b)(1), all employers are required to provide information to their employees about the hazardous chemicals to which they are exposed including, but not limited to, MSDS.
15. Under 29 C.F.R. § 1910.1200(d)(3), chemicals listed in 29 C.F.R. § 1910, subpart Z are hazardous.
16. Under Section 109(b) of CERCLA, 42 U.S.C. § 9609(b), Section 325(b) of EPCRA, 42 U.S.C. § 11045(b), and Section 325(c)(1) of EPCRA, 42 U.S.C. § 11045(c)(1), the U.S. EPA Administrator may assess a civil penalty of up to \$25,000 per day of violation of CERCLA Section 103, and/or of EPCRA Section 304 and/or of EPCRA Section 312. The Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701, and its implementing regulations at 40 C.F.R. Part 19 increased these statutory maximum penalties to \$27,500 per day of violation that occurred from January 31, 1997 through March 15, 2004, and to \$32,500 per day of violation for violations that occurred after March 15, 2004.

Factual Allegations and Violations

17. Respondent is a "person" as that term is defined under Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).
18. Respondent is a "person" as that term is defined under Section 329(7) of EPCRA, 42 U.S.C. § 11049(7).
19. At all times relevant to this CAFO, Respondent was an owner or operator of the Facility located at 159 North Carpenter Street, Chicago, Illinois (Facility).
20. At all times relevant to this CAFO, Respondent was an employer at the Facility.
21. At all time relevant to this CAFO, Respondent was in charge of the Facility.

22. Respondent's Facility consists of buildings, structures, installation, equipment, pipes or pipelines, storage containers, or any site or area where a hazardous substance has been deposited, stored, or placed, or otherwise come to be located.
23. Respondent's Facility is a "facility" as that term is defined under Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).
24. Respondent's Facility consists of buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites, and which are owned or operated by the same person.
25. Respondent's Facility is a "facility" as that term is defined under Section 329(4) of EPCRA, 42 U.S.C. § 11049(4).
26. Anhydrous ammonia (CAS #7664-41-7) is a "hazardous substance" as that term is defined under Section 101(14) of CERCLA, 42 U.S.C § 9601(14).
27. Anhydrous ammonia (CAS #7664-41-7) has a reportable quantity of 100 pounds, as indicated at 40 C.F.R. Part 302, Table 302.4.
28. Anhydrous ammonia (CAS #7664-41-7) is listed under OSHA regulations at 29 C.F.R. § 1910, subpart Z, § 1910.1000, Table Z-1.
29. Anhydrous ammonia (CAS #7664-41-7) is a "hazardous chemical" within the meaning of Section 311(e) of EPCRA, 42 U.S.C. §11021(e), and 29 C.F.R. §1910.1200(c).
30. At all times relevant to this CAFO, anhydrous ammonia was produced, used or stored at the Facility.
31. Anhydrous ammonia (CAS #7664-41-7) has a minimum threshold level of 500 pounds, as provided in 40 C.F.R. Part 370.

32. Anhydrous ammonia (CAS #7664-41-7) is an “extremely hazardous substance” according to Section 302(a)(2) of EPCRA, 42 U.S.C. § 11002(a)(2).
33. Anhydrous ammonia (CAS #7664-741-7) has a reportable quantity of 100 pounds, as indicated at 40 C.F.R. Part 355, Appendix A.
34. During at least one period of time in calendar year 2002, anhydrous ammonia was present at the Facility in an amount equal to or greater than the minimum threshold level.
35. During at least one period of time in calendar year 2003, anhydrous ammonia was present at the Facility in an amount equal to or greater than the minimum threshold level.
36. During at least one period of time in calendar year 2004, anhydrous ammonia was present at the Facility in an amount equal to or greater than the minimum threshold level.
37. During at least one period of time in calendar year 2005, anhydrous ammonia was present at the Facility in an amount equal to or greater than the minimum threshold level.
38. OSHA requires Respondent to prepare, or have available, an MSDS for anhydrous ammonia.
39. Respondent was required to submit to the SERC and fire department on or before March 1, 2003, the completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2002.
40. Respondent was required to submit to the SERC and fire department on or before March 1, 2004, the completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2003.

41. Respondent was required to submit to the SERC and fire department on or before March 1, 2005, the completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2004.
42. Respondent was required to submit to the SERC and fire department on or before March 1, 2006, the completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2005.
43. On August 11, 2005, at or about 10:30 a.m., a release occurred from Respondent's Facility of approximately 600 pounds of anhydrous ammonia (the release).
44. In a 24 hour time period, the release of anhydrous ammonia exceeded 100 pound RQ.
45. During the release, approximately 600 pounds spilled, leaked, emitted, discharged, or escaped into the ambient air.
46. The release is a "release" as that term is defined under Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).
47. The release is a "release" as that term is defined under Section 329(8) of EPCRA, 42 U.S.C. § 11049(8).
48. Respondent had knowledge of the release on August 11, 2005, at approximately 10:30 a.m.
49. The release was one for which notice was required under Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).
50. The release required notice under Section 304(a) of EPCRA, 42 U.S.C. § 11004(a).
51. The release was likely to affect Illinois.

52. At all times relevant to this CAFO, the Illinois State Emergency Response Commission was the state emergency response commission (SERC) for Illinois, under Section 301(a) of EPCRA, 42 U.S.C. § 11001(a).
53. The release was likely to affect the city of Chicago, Illinois.
54. At all times relevant to this CAFO, the City of Chicago Fire Department was the local emergency planning committee (LEPC) for Chicago, Illinois, under Section 301(c) of EPCRA, 42 U.S.C. § 11001(c).
55. At all times relevant to this CAFO, the Chicago Fire Department was the fire department with jurisdiction over the Facility.
56. Respondent notified the NRC of the release on August 11, 2005, at 3:00 p.m.
57. Complainant alleges that Respondent did not immediately notify the NRC as soon as Respondent had knowledge of the release.
58. Complainant alleges that Respondent's failure to immediately notify the NRC of the release is a violation of Section 103(a) of CERCLA, 42 U.S.C. § 9603(a).
59. Respondent notified the SERC of the release on August 11, 2005, at 3:00 p.m.
60. Complainant alleges that Respondent did not immediately notify the SERC after Respondent had knowledge of the release.
61. Complainant alleges that Respondent's failure to immediately notify the SERC of the release is a violation of Section 304(a) of EPCRA, 42 U.S.C. § 11004(a).
62. Respondent provided written follow-up emergency notice of the release to the SERC on September 15, 2005.

63. Respondent did not provide the SERC written follow-up emergency notice of the release as soon as practicable after the release occurred.

64. Each day Respondent failed to provide written follow-up emergency notice to the SERC as soon as practicable after the release occurred is a violation of Section 304(c) of EPCRA, 42 U.S.C. § 11004(c).

65. On May 3, 2006, Respondent provided written follow-up emergency notice of the release to the LEPC.

66. Respondent did not provide the LEPC written follow-up emergency notice of the release as soon as practicable after the release occurred.

67. Each day Respondent failed to provide written follow-up emergency notice of the release to the LEPC as soon as practicable after the release occurred is a violation of Section 304(c) of EPCRA, 42 U.S.C. § 11004(c).

68. On May 2, 2006, Respondent submitted to the SERC or the local fire department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2002.

69. Each day Respondent failed to submit to the SERC or the local fire department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia between March 1, 2003 and May 2, 2006, for calendar year 2002 is a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a).

70. On May 2, 2006, Respondent submitted to the SERC or the local fire department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2003.

71. Each day Respondent failed to submit to the SERC or the local fire department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia between March 1, 2004 and May 2, 2006, for calendar year 2003 is a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a).
72. On May 2, 2006, Respondent submitted to the SERC a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2004.
73. Each day Respondent failed to submit to the SERC a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia between March 1, 2005 and May 2, 2006, for calendar year 2004 is a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a).
74. On May 2, 2006, Respondent submitted to the Chicago, Illinois Fire Department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2004.
75. Each day Respondent failed to submit to the Chicago, Illinois Fire Department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia between March 1, 2005 and May 2, 2006, for calendar year 2004 is a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a).
76. On May 2, 2006, Respondent submitted to the SERC a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2005.
77. Each day Respondent failed to submit to the SERC a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia between March 1, 2006 and

May 2, 2006, for calendar year 2005 is a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a).

78. On May 2, 2006, Respondent submitted to the Chicago, Illinois Fire Department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia for calendar year 2005.

79. Each day Respondent failed to submit to the Chicago, Illinois Fire Department a completed Emergency and Hazardous Chemical Inventory Form including anhydrous ammonia between March 1, 2006 and May 2, 2006, for calendar year 2005 is a violation of Section 312(a) of EPCRA, 42 U.S.C. § 11022(a).

Civil Penalty

80. In consideration of Respondent's cooperation on this matter, Respondent's willingness to settle prior to Complainant filing a Complaint in this matter, and Respondent's limited ability to pay a penalty as demonstrated through Respondent's filed U.S. tax returns and Respondent's financial statements, U.S. EPA has determined that an appropriate civil penalty to settle this action is \$27,000 to be paid in 18 monthly installments of \$1,500 plus applicable interest. The current interest rate for federal debts is 4.0 percent, 71 Fed. Reg. 61539 (October 18, 2006).

81. Respondent must pay the 18 monthly installments of \$1,500 plus interest in the following amounts on the following dates:

Date	Principal	Interest	Payment
July 2, 2007	\$27,000	\$0	\$ 1,500
August 1, 2007	\$25,500	\$ 83.84 (30 days)	\$ 1,583.84
September 4, 2007	\$24,000	\$ 92.05 (35 days)	\$ 1,592.05
October 1, 2007	\$22,500	\$ 64.11 (26 days)	\$ 1,564.11
November 1, 2007	\$21,000	\$ 71.34 (31 days)	\$ 1,571.34
December 3, 2007	\$19,500	\$ 70.52 (33 days)	\$ 1,570.52

January 2, 2008	\$18,000	\$ 59.18 (30 days)	\$ 1,559.18
February 1, 2008	\$16,500	\$ 54.25 (30 days)	\$ 1,554.25
March 3, 2008	\$15,000	\$ 50.96 (31 days)	\$ 1,550.96
April 1, 2008	\$13,500	\$ 42.90 (29 days)	\$ 1,542.90
May 1, 2008	\$12,000	\$ 39.45 (30 days)	\$ 1,539.45
June 2, 2008	\$10,500	\$ 36.82 (32 days)	\$ 1,536.82
July 1, 2008	\$ 9,000	\$ 28.60 (29 days)	\$ 1,528.60
August 1, 2008	\$ 7,500	\$ 25.48 (31 days)	\$ 1,525.48
September 2, 2008	\$ 6,000	\$ 21.04 (32 days)	\$ 1,521.04
October 1, 2008	\$ 4,500	\$ 14.30 (29 days)	\$ 1,514.30
November 3, 2008	\$ 3,000	\$ 11.18 (34 days)	\$ 1,511.18
December 1, 2008	\$ 1,500	\$ 4.60 (28 days)	\$ 1,504.60

82. Respondent must pay the July 1, 2007 and August 1, 2007 payments as described in Paragraphs 80 and 81, above by sending a cashier's or certified check, payable to "EPA Hazardous Substance Superfund," to:

U.S. EPA - Region 5
P. O. Box 371531
Attn: Superfund Receivables
Pittsburgh, PA 15251-7531

Each check must note the case title of this matter: In the Matter of C. G. & S. Provision Company, Inc., the docket number of this CAFO, and the billing document number provided by U.S. EPA in the transmittal letter transmitting the executed copy of this CAFO.

83. Respondent must pay all payments after the August 1, 2007 payment as described in Paragraphs 80 and 81, above by sending a cashier's or certified check, payable to the "Treasurer, United States of America," to:

U.S. EPA - Region 5
P. O. Box 371531
Attn: Finance
Pittsburgh, PA 15251-7531

Each check must note the case title of this matter: In the Matter of C. G. & S. Provision Company, Inc., the docket number of this CAFO, and the billing document number provided by U.S. EPA in the transmittal letter transmitting the executed copy of this CAFO.

84. A transmittal letter, stating the case title, Respondent's complete address, the case docket number and the billing document number must accompany the payment. Respondent must send a copy of the checks and transmittal letter to:

Regional Hearing Clerk, (E-13J)
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

James Entzminger, (SC-6J)
Chemical Emergency Preparedness
and Prevention Section
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

Padmavati G. Bending, (C-14J)
Office of Regional Counsel
U.S. Environmental Protection Agency, Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

85. This civil penalty is not deductible for federal tax purposes.

86. If Respondent does not timely pay any installment of the civil penalty, U.S. EPA may bring an action to collect any unpaid portion of the penalty with interest, handling charges, nonpayment penalties and the United States' enforcement expenses for the collection action. The validity, amount and appropriateness of the civil penalty are not reviewable in a collection action.

87. Interest will accrue on any amount overdue from the date the payment was due at a rate established pursuant to 31 U.S.C. § 3717. Respondent must pay a \$15 handling charge each

month that any portion of the penalty is more than 30 days past due.

88. This CAFO resolves only Respondent's liability for federal civil penalties for the violations alleged in the CAFO.

89. This CAFO does not affect the right of the U.S. EPA or the United States to pursue appropriate injunctive or other equitable relief or criminal sanctions for any violations of law.

90. This CAFO does not affect Respondent's responsibility to comply with CERCLA, EPCRA, and other applicable federal, state and local laws, and regulations.

91. This CAFO is a "final order" for purposes of U.S. EPA's Enforcement Response Policy for Section 103 of CERCLA, and Sections 304 and 312 of EPCRA.

92. The terms of this CAFO bind Respondent and its successors, and assigns.

93. Each person signing this consent agreement certifies that he or she has the authority to sign this consent agreement for the party whom he or she represents and to bind that party to its terms.

94. Each party agrees to bear its own costs and fees, including attorneys' fees, in this action.

This CAFO constitutes the entire agreement between the parties.

U.S. Environmental Protection Agency, Region 5, Complainant

Date: 7-11-07

By: Thomas Jusled for
William J. Bolen, Chief
Emergency Response Branch 1
Superfund Division
U.S. EPA Region 5

Date: 7/11/07

By: Shamus Shook, for
Richard C. Karl, Director
Superfund Division
U.S. EPA Region 5

C.G. & S. Provision Company, Inc., Respondent

Date: 6/19/07

By: Marty Cosentino
Marty Cosentino, President
C.G. & S. Provision Company, Inc.

Consent Agreement and Final Order
IN THE MATTER OF:
C.G. & S. Provision Company, Inc.
Chicago, Illinois

Docket Nos. CERCLA-05-2007-0015 EPCRA-05-2007-0028 MM-05-2007-0008

Consent Agreement and Final Order
IN THE MATTER OF:
C.G. & S. Provision Company, Inc.
Chicago, Illinois
Docket Nos. CERCLA-05-2007-0015

EPCRA-05-2007-0028 MM-05-2007-0008

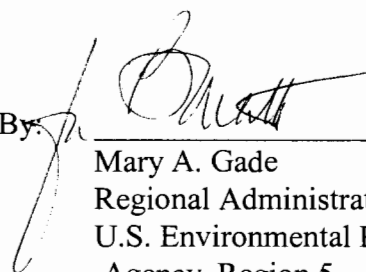
FINAL ORDER

This Consent Agreement and Final Order, as agreed to by the parties, shall become effective immediately upon filing with the Regional Hearing Clerk. IT IS SO ORDERED.

Date: _____

7-18-07

By: _____



Mary A. Gade
Regional Administrator
U.S. Environmental Protection
Agency, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

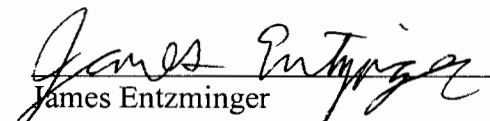
Certificate of Service

I, James Entzminger, certify that I hand delivered the original of the Consent Agreement and Final Order, docket numbers CERCLA-05-2007-0015 EPCRA-05-2007-0028 MM-05-2007-0008 to the Regional Hearing Clerk, Region 5, United States Environmental Protection Agency, personally served a copy on the Regional Judicial Officer, via interoffice mail, and mailed correct copies by first-class, postage prepaid, certified mail, return receipt requested, to C.G. & S. Provision Company, Inc.'s Counsel by placing them in the custody of the United States Postal Service addressed as follows:

Donald S. Rothschild
Goldstine, Skrodzki, Russian, Nemec and Hoff, Ltd.
The Prairie Building
835 McClintock Drive, Second Floor
Burr Ridge, IL 60527-0860

Martin Cosentino, President
C.G. & S. Provision Company, Inc.
159 North Carpenter Street
Chicago, IL 60607

on the 19 day of July, 2007.


James Entzminger
U.S. Environmental Protection Agency
Region 5