

U.S. ENVIRONMENTAL
PROTECTION AGENCY-REG.11
MAR 27 P 2:47
REGIONAL HEARING
CLERK

United States Environmental Protection Agency, Region 2

Expedited Settlement Agreement
for Violations of the Clean Air Act's Dry Cleaning Regulations

1. The purpose of this Expedited Settlement Agreement (ESA) is to settle alleged civil violations of the Clean Air Act (CAA) and its implementing regulations by Mr. Young Geun Cho (Mr. Cho), the owner/operator of Monarch Cleaners. The alleged violation is listed in Section 1 below and was documented during the United States Environmental Protection Agency (EPA) investigations described in Section 2 below.
2. Mr. Cho neither admits nor denies that it has committed the violation listed in Section 1 and neither admits nor denies the facts described in Section 2. However, Mr. Cho admits that EPA – through the official identified below in the “Signatures” section of this ESA – has the jurisdiction and the authority to seek civil penalties from Mr. Cho for the alleged violation, as well as the authority to resolve this alleged violation by executing this ESA.
3. To settle the alleged violation and avoid litigation, Mr. Cho agrees to: (a) take the corrective actions listed in Section 3 below, and (b) pay the civil penalty identified in Section 4 below by following the payment instructions contained in Section 4.
4. By signing this ESA, Mr. Cho certifies under penalty of perjury that he has completed the action(s) described in Section 3. In addition, Mr. Cho also: (a) expressly waives any right to contest the alleged violations; (b) expressly waives any right to a hearing concerning the alleged violations; (c) admits that EPA, through the EPA Region 2 Regional Judicial Officer, has the authority and jurisdiction to issue the attached Final Order; (d) agrees that EPA can issue the attached Final Order; (e) expressly waives any right to challenge the attached Final Order once it has been signed; and (f) expressly agrees to be bound by this ESA.
5. After Mr. Cho takes the action(s) listed in Section 3, signs this ESA, and mails the signed agreement and the required payment to EPA, EPA will sign the agreement and the attached Final Order and will return a copy to Mr. Cho. Together, the signed agreement and signed Final Order will commence and conclude EPA’s CAA Section 113(d) civil administrative penalty proceeding against Mr. Cho.
6. If Mr. Cho fails to pay the civil penalty required by this ESA in full and on time, or fails to take the action(s) specified in Section 3, EPA may refer this matter to the United States Department of Justice and/or the United States Department of Treasury.
7. Each person signing this ESA certifies under penalty of perjury that he or she is duly authorized by the party whom he or she represents to enter into this agreement and bind that party to it.

8. Nothing in this ESA excuses Mr. Cho or Monarch Cleaners from complying with all applicable laws and regulations.

Signatures

For the EPA:



Dore F. LaPosta, Director
Division of Enforcement and
Compliance Assistance
United States Environmental
Protection Agency, Region 2

Date 2/26/13

For Mr. Young Geun Cho:

KIM, Kyoung Youn



Young Geun Cho

Date 02/11/2013

Enclosures:

- (1) Sections 1-4
- (2) Final Order

