



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

AUG 22 2011

CERTIFIED MAIL #7001 0320 0006 1559 1466
RETURN RECEIPT REQUESTED

REPLY TO THE ATTENTION OF:
LR-8J

Mr. Richard Zell
American Drapery Cleaners
2235-39 West Roscoe
Chicago, Illinois 60618

RUST-05-2011-0020

BA# 275/06M023

Re: Notice of Violation and Compliance Order/Settlement Agreement for the American Drapery Cleaners facility, 2235-39 West Roscoe, Chicago, Illinois

Dear Mr. Zell:

On February 28, 2011 the U.S. Environmental Protection Agency, Underground Storage Tank (UST) Section issued a Notice of Violation and a Compliance Order/Settlement Agreement concerning UST violations (i.e., piping corrosion protection, release detection, and spill prevention), found at the American Drapery Cleaners facility, 2235-39 West Roscoe, Chicago, Illinois. This letter is to inform you that we have received your signed copies of the Settlement Agreement, dated March 4, 2011. In August of 2011, we received your supporting documentation stating that the UST violations were addressed. In addition, we received your check transaction (#3927) for a total of \$1260 in penalties.

The Settlement Agreement states that it is effective upon EPA's final approval. This is to inform you that I have enclosed a signed and dated copy of the approved Settlement Agreement. The original Settlement Agreement will remain in the EPA's files. We also have accepted and processed your check as part of the settlement process. If you have any further questions, please feel free to contact Arturo Cisneros, of my staff, at 312/886-7447.

Sincerely,

Mary S. Setnicar
Acting Chief, RCRA Branch
Land and Chemicals Division

Enclosure

cc: Shelly Bradley, OSFM

U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) REGION 5
77 West Jackson Boulevard (LR-8J), Chicago, Illinois 60604-3590
UNDERGROUND STORAGE TANK (UST) FIELD CITATION FORM FOR EXPEDITED SETTLEMENT NO. R5-UST-11-004-AC

PART I: INSPECTION SUMMARY

On: 01/28/2011 Time: 09:00 AM

At: American Drapery Cleaners
 Address: 2239 W. Roscoe
Chicago, IL 60618

 (Name of Site Representative if not the Owner or Operator)

Name and address of the UST Owner

Name: Mr. Richard Zell
 Address: 2239 W. Roscoe
Chicago, IL 60618

A duly designated officer, employee, or representative of the EPA or a duly designated officer or employee of the State or Tribe inspected this facility. EPA has reviewed the inspection report and other relevant materials and has identified the following violation(s) of the UST regulations promulgated or approved by EPA under Subtitle I of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. § 6991 et seq).

1. Violation: Failure to use a spill prevention system and an overflow prevention system
 Cite: 40 CFR 280.20(c) Proposed Penalty: \$420

2. Violation: Failure to Install any cathodic protection for metal piping upgrade requirements
 Cite: 40 CFR 280.21(c) Proposed Penalty: \$420

3. Violation: Failure to monitor tanks at least every 30 days, if appropriate
 Cite: 40 CFR 280.41(a) Proposed Penalty: \$420

4. Violation:
 Cite: 40 CFR Proposed Penalty:

TOTAL PROPOSED PENALTY: \$1260

EPA finds the Owner or Operator in violation of the above referenced UST regulations.

[Signature] 3-3-11
 (Signature of EPA Inspector) (Date)

Part II: SETTLEMENT AGREEMENT/COMPLIANCE ORDER

A. Settlement Agreement: The Owner or Operator by signing this Settlement Agreement (or by having an authorized representative sign it) agrees to settle the violations identified in Part I, subject to the following terms and conditions:

The Owner or Operator certifies, subject to civil and criminal penalties for making a false submission to the U. S. Government, that he or she has corrected the violations, submitted true and accurate documentation of their correction, and submitted payment to the U.S. Treasury for the amount of **\$1260** in payment of the full proposed penalty amount, as described in Part I of this Form.

The Owner or Operator agrees to comply with the terms of the Compliance Order in Part II.B. Without admitting liability for the violations cited in Part I, the Owner or Operator signing below waives any objections to EPA's jurisdiction with respect to the Compliance Order and this Settlement Agreement, and consents to EPA's final approval of this Settlement Agreement without further notice. The Owner or Operator waives the opportunity for a public hearing pursuant to RCRA section 9006.

Once EPA signs the Settlement Agreement, EPA will take no further enforcement action against the Owner or Operator for the civil violations described in Part I, provided the violations have been timely corrected and the penalty has been paid. EPA does not waive its right to enforce against the Owner or Operator for any other violations not described in Part I and violations of the UST requirements or other requirements listed in Part I that were not corrected in a timely manner.

This Settlement Agreement and Compliance Order will become effective once signed by EPA and is binding on EPA and the Owner or Operator upon signature by both parties. Final approval of the Settlement Agreement and Compliance Order is in the sole discretion of the Regional Administrator, Region 5, EPA, or his or her authorized delegate. Upon final approval, EPA shall mail a copy of this document to the Owner or Operator signing below.

SIGNATURE BY OWNER, OPERATOR, OR AUTHORIZED REPRESENTATIVE:

X Name (Print): RICHARD ZELL
 X Title (Print): VP
 X Signature: [Signature] Date: 4 Mar 11

B. Compliance Order: This Compliance Order is issued under the authority of RCRA section 9006 to resolve the civil violations identified in Part I. The Owner or Operator is ordered to correct the violations, submit true and accurate documentation that the violations were corrected, and pay the total penalty amount listed in Part I of this Form. This Compliance Order shall become final and enforceable only upon signature by an EPA official with the authority to sign this document.

Name (Print): MARY S. SEMICAR
 Title (Print): ACTING CHIEF, RCRA BRANCH
 Signature: [Signature] Date: 8/15/11

Notes:

RECEIVED

AUG 22 2011

RUST-05-2011-0020

2751106M023

**REGIONAL HEARING CLERK
 U.S. ENVIRONMENTAL
 PROTECTION AGENCY**

BP#

RUST-05-2011-0020

BD# 2751106 M023

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

US EPA, Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) _____ B. Date of Delivery _____

C. Signature _____ Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below: _____

3. Service Type Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number 7001 0320 0006 1559 1510 Domestic Return Receipt 102595-01-M-1424
(Transfer from services label)

PS Form 3811, March 2001

77 WEST JACKSON BOULEVARD
REGION 5
CHICAGO, IL 60604-3590

AMERICAN DRAPERY CLEANERS & FLAMEPROOFERS, INC

PH. 773-472-4086
2239 W. ROSCOE ST.
CHICAGO, IL 60618-8238

06-01

3927

2-50719 IL 94389

DATE

11/11

\$ 1260.00

DOLLARS

Signature: *[Handwritten Signature]*



PAY TO THE ORDER OF



FOR

⑆003927⑆ ⑆071000505⑆ 00580031899⑆

RECEIVED

AUG 22 2011

REGIONAL HEARING CLERK
U.S. ENVIRONMENTAL
PROTECTION AGENCY

CERTIFIED MAIL



7001 0320 0006 1559 1510
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(Domestic Mail Only; No Insurance Coverage Provided)

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Sent To US EPA, Fines and Penalties
Cincinnati Finance Center
PO Box 979077
St. Louis, MO 63197-9000

PS Form 3800, January 2001 See Reverse for Instructions