Illinois Environmental Protection Agency · 2200 Churchill Road, Springfield, IL 62706

EPA Region 5 Records Ctr.
291407

217/782-5544

July 22, 1983

Certified Mail
Return Receipt Requested

Associates Engraving Company, Inc.
2731 North Dirksen Parkway
Springfield, Illinois 62708

Attn: James Hess, Production Manager
ILD005172663

Dear Mr. Hess:

Laws of both the Federal Government and the State of Illinois require an owner or operator of each hazardous waste management facility to provide assurance that funds will be available for properly closing, and in the case of a disposal facility, for maintaining and monitoring facilities after closure. Such financial responsibility assurances have been found necessary by the numerous instances of environmental damage resulting from the abandonment of facilities and other failure for closure and post-closure care in a timely manner.

Proof of financial responsibility as discussed above was to have been supplied to the Director of the Illinois Environmental Protection Agency. However, it appears that a hazardous waste management facility in your organization has failed to comport with the law by failing to submit the required financial assurances to the Illinois Environmental Protection Agency. The name of the facility in question is Associates Engraving Company, Inc., located at 2731 North Dirksen Parkway, Springfield, Illinois 62708.

Failure to supply the required proof of financial responsibility is a violation of 35 Ill. Adm. Code Subpart H (see particularly Sections 725.243 and 725.245). Additionally, failure to submit proof of financial responsibility violates Sections 21(e), 21(f)(2), and 21 (i) of the Illinois Environmental Protection Act (Ill. Rev. Stat., Ch. 111-1/2, pars. 1021(e), 1021(f)(2), and 1021(i)). Finally, failure to submit proof of financial responsibility is a violation of the Code of Federal Regulations. (See 40 CFR Subpart H).

Please take notice that a violation of the Illinois Environmental Protection Act or any regulations adopted thereunder may subject the violator to a civil penalty not to exceed $10,000 for said violation and an additional penalty not to exceed $1,000 for each day during which the violation continues. Furthermore, certain violations of the Illinois

Environmental Protection Act, including Sections 21(f) and 21(i), may subject the violator to a civil penalty not to exceed $25,000 per day, each day the violation continues (see Illinois Environmental Protection Act at Section 42 for potential civil penalties and Section 44 for potential criminal sanctions).

You are hereby advised that documentation demonstrating compliance with the applicable proof of financial responsibility must be submitted to the Illinois Environmental Protection Agency no later than ten (10) working days after receipt of this communication. The Director of this Agency has designated Mr. Andrew Vollmer as the Agency employee responsible for accepting and filing proof of financial responsibility. Therefore, your submissions should be made directly to Mr. Andrew Vollmer, Illinois Environmental Protection Agency, Division of Land Pollution Control, 2200 Churchill Road, Springfield, Illinois 62706.

Please take notice that failure to supply the required proof of financial responsibility will cause this Agency to refer the matter to the Illinois Attorney General's Office for prosecution. Additionally, the Agency will formally refer the matter to the United States Environmental Protection Agency.

Failure to comply with the financial assurance requirements specified under the law is viewed by this Agency as an inexcusable and serious deviation from laws designed to protect our environment for future generations. Any referral for prosecution resulting from continued failure to comply with the law will be accompanied by this Agency's recommendation that the prosecuting agency seek the maximum penalties allowable under law.

In the very near future, the Illinois Environmental Protection Agency will be releasing a list of all hazardous waste management facilities that failed to submit required proof of financial responsibility. Your prompt and satisfactory response to this communication is urged.

Sincerely,

Mr. Robert G. Kuykendall
Manager
Division of Land Pollution Control

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