

Environmental Protection Agency of the State of Illinois

IN THE MATTER OF:)	
)	
Asbestos Demolition at Kroger)	
Grocery Store; 201 East Bidwell)	
Street, Taylorville, Illinois)	SO 2022-001
)	
RESPONDENT:)	
The Kroger Co.)	
)	

SEAL ORDER

On July 29, 2022, the Illinois Environmental Protection Agency (Illinois EPA), by Seal Order, restricted access to the retail grocery building (Building) and all dumpsters and transfer containers associated with the demolition and/or renovation activities at Building, located at 201 East Bidwell Street, Taylorville, Christian County, Illinois.

This Seal Order was necessitated by the Illinois EPA’s concern for asbestos contamination within the Building and associated dumpsters and transfer containers, and its finding that there exists an imminent and substantial danger to the public health, welfare and the environment.

The Seal Order restricts access to the Building and associated dumpsters and transfer containers by all persons, including but not limited to, the owner and operator of the Building. Any person who violates this Seal Order commits a Class A misdemeanor.

The Seal Order provides that persons authorized, in writing, by the Director of the Illinois EPA may access the sealed Building and associated dumpsters and transfer containers to conduct remediation activities.

Today, the Illinois EPA authorizes the following individuals: Ryan M. LaDieu, an Illinois licensed asbestos project designer, Mike Brennan, an Illinois licensed asbestos inspector, Mark Dreher, an Illinois licensed asbestos inspector, and Gregory James, an Illinois licensed air sampling professional, True North Consultants, Inc. (True North); Ryan Feil, an Illinois licensed asbestos inspector and Charles Carter, an Illinois licensed asbestos inspector, NES Environmental (NES); Marcus Smith, Servpro Inc. (Servpro); Chuck Nelson, Keen Co. (Keen); and employees of The Kroger Co.(Kroger) under the supervision of True North to access the Building between 7 a.m. and 12 a.m. from October 5, 2022 to October 19, 2022 for the purposes conducting remediation and abatement activities in accordance with the Asbestos Abatement and Remedial Action Design Plan submitted to the Illinois EPA by True North on September 7, 2022. All persons accessing the building shall wear appropriate personal protective equipment (PPE). All NESHAP, IDPH, and OSHA regulations shall be followed. Additionally, while the 10-day notification requirement

under the Asbestos NESHAP (40 C.F.R. § 61.145(b)) may still apply, the Illinois EPA, within its enforcement discretion, believes that an exception to the 10-day notification requirement may exist in this matter considering the emergency and severity of the situation.

THE BUILDING SHALL REMAIN SEALED TO ALL PERSONS OTHER THAN RYAN M. LADIEU, MIKE BRENNAN, MARK DREHER, GREGORY JAMES, TRUE NORTH CONSULTANTS, INC., RYAN FEIL, CHARLES CARTER, NES ENVIRONMENTAL, MARCUS SMITH, SERVPRO, CHUCK NELSON, KEEN CO., AND THE KROGER CO. PURSUANT TO THE CONDITIONS NOTED ABOVE UNTIL SUCH TIME AS ANY CONTAMINATION THEREIN HAS BEEN REMEDIATED TO THE SATISFACTION OF THE ILLINOIS EPA, OR THIS SEAL ORDER HAS BEEN RESCINDED BY THE ILLINOIS EPA.

It is a Class A misdemeanor to break any seal or to operate any sealed facility until the seal is removed according to law.

Signed:



John J. Kim, Director
Environmental Protection Agency of the State of
Illinois

Date 10/4/22