

Environmental Protection Agency of the State of Illinois

IN THE MATTER OF:

Asbestos Demolition at 6001-
6169 West Dickens Ave.,
Chicago, Cook County, Illinois

SO 2025-001

RESPONDENTS:

MC Construction Group, LLC

SEAL ORDER

This matter comes before the Acting Director of the Illinois Environmental Protection Agency, James Jennings, pursuant to Section 34(b) of the Environmental Protection Act, 415 ILCS 5/34(b) (2022), for a Seal Order in this Matter.

The Illinois Environmental Protection Agency (Illinois EPA) hereby finds:

1. That there exists a commercial/industrial building located at 6001-6169 West Dickens Ave., Chicago, Cook County, Illinois. The building is proximate to residences and an elementary school.
2. That the owner and operator of the facility is MC Construction Group, LLC, 2436 N. Western Ave, Chicago, Illinois 60647. The registered agent is Veronica Sweeney. The manager is P. McCarthy.
3. That the facility contains asbestos-containing pipe insulation, duct insulation, pipe fittings, adhesives, floor tile and mastic, roofing, and window seals.
4. That on May 7, 2025, the Illinois EPA received notice from the City of Chicago (City) expressing concerns about renovation and demolition activities taking place in the facility. The City expressed that greater than 260 linear feet, 160 square feet and/or 35 cubic feet of asbestos-containing material (ACM) had been disturbed. The City also expressed concerns that numerous piles of debris were located throughout the facility and on the roof and that possible ACM was exposed to the atmosphere.
5. That in April, 2025, City inspectors heard and saw construction and demolition activities within the facility. On April 24, 2025, the City obtained laboratory results indicating the presence of ACM within the facility.

6. That on April 25, 2025, the City issued Cease and Desist and Abatement Orders to the operator of the facility. On April 28, 2025, the City issued Cease and Desist and Abatement Orders to the owner of the facility.
7. That on May 6, 2025, City inspectors and the Occupational Safety and Health Administration (OSHA) inspected the interior of the facility and took samples of suspect asbestos containing and/or contaminated materials. The inspectors observed that a portion of roofing material had fallen to the floor, and that the facility was in poor condition with broken windows and glass. The floor of the facility was dusty throughout and water was puddled in some areas. Debris piles and old metal pipes and thermal pipe insulation were observed. Broken floor tile and mastic were observed.
8. That on May 7, 2025, City inspectors observed the exterior of the facility and noted the doors were covered in oil or lubricant and that the City's Cease and Desist and Abatement Orders had been removed.
9. That exposure to asbestos fibers can be toxic and cumulative both in the atmosphere and the human body.
10. That the Illinois Pollution Control Board (Board) has determined that the uncontrolled discharge of asbestos fibers into the environment tends to severely endanger public health and welfare. The Board has further determined that control of asbestos fibers into the environment is necessary to protect members of the public who are in proximity to heavy concentrations of asbestos fibers and to safeguard the health of future generations endangered by the continuous discharge of asbestos fibers.
11. That the United States Environmental Protection Agency (USEPA) has classified asbestos as a Hazardous Air Pollutant (HAP) under Section 112 of the Clean Air Act, 42 U.S.C §7412.
12. That improper removal, handling, and disposal of ACM can cause the uncontrolled discharge of asbestos fibers into the environment. Inhalation of asbestos fibers can cause serious and fatal illnesses, including malignant lung cancer, mesothelioma, and asbestosis. There is no know safe level of exposure to asbestos.
13. That the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Asbestos, 40 CFR Part 61, Subpart M, which the Illinois EPA is authorized to enforce, specifies work practices to control asbestos emissions that must be employed if ACM may be disturbed.
14. That the NESHAP also specifies that a notification of renovation and/or demolition activities is required for certain projects involving ACM. Based on the type and amount of ACM involved, this project is subject to the notification requirements.

15. That the Illinois EPA has not received the requisite notification.
16. That the Illinois EPA has determined that an imminent and substantial endangerment to the public health, welfare, and the environment exists.
17. That the Illinois EPA should seal Respondent's facility and all dumpsters and transfer containers associated with the facility and any demolition and/or renovation activities to prevent further direct access by persons to the contamination within the facility and associated dumpsters and transfer containers, until all investigation and remediation determined necessary by the Illinois EPA has taken place, so that the area no longer constitutes an imminent and substantial endangerment to the public health, welfare and the environment.

THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN THE DIRECTOR OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY BY SECTION 34(b) OF THE ILLINOIS ENVIRONMENTAL PROTECTION ACT, I HEREBY ORDER THAT THE FOLLOWING PARCEL OF PROPERTY IS SEALED FORTHWITH:

- The facility located at 6001-6169 West Dickens Ave., Chicago, Cook County, Illinois and any dumpsters and transfer containers associated with demolition and/or renovation activities at the facility, and marked with posted signs stating that the area within is closed, pursuant to this Seal Order.

Persons authorized, in writing, by the Director of the Illinois EPA may access the sealed portion of this property to conduct removal, disposal, or associated activities consistent with the Act, regulations adopted thereunder, and any other applicable federal, State, or local law.

SAID PROPERTY SHALL REMAIN SEALED UNTIL SUCH TIME AS ANY CONTAMINATION PRESENT AT THE SITE HAS BEEN REMEDIATED TO THE SATISFACTION OF THE ILLINOIS EPA, OR SUCH TIME AS THIS SEAL ORDER HAS BEEN RESCINDED BY THE ILLINOIS EPA.

The owner and operator affected by this Seal Order may avail themselves of remedies authorized by applicable law, including the right to a hearing authorized by Section 34(d) of the Illinois Environmental Protection Act, 415 ILCS 5/34(d).

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:



James Jennings, Acting Director
Environmental Protection Agency of the State of
Illinois

Date: 5/8/25