

Protecting Our Water Environment

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Metropolitan Water Reclamation District of Greater Chicago

INDUSTRIAL WASTE DIVISION

111 EAST ERIE STREET CHICAGO, ILLINOIS 60611-2893 p: 312.751.3044 p: 312.751.3000

Edward W. Podczewinski, P.E.
Director of Monitoring and Research

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

CEASE AND DESIST ORDER

METROPOLITAN WATER RECLAMATION) VIOLATION NO. 94571
DISTRICT OF GREATER CHICAGO)
)
vs.) SANITARY SEWER
)

HELIGEAR ACQUISITION COMPANY
d/b/a NORTHSTAR AEROSPACE (CHICAGO) INC.

TO: Mr. Justin Baskin
Manager-Safety Health & Environmental Affairs
6006 West 73rd Street
Bedford Park, Illinois 60638

Investigation has revealed that you have violated Special Condition 3 of Discharge Authorization No. 27062-2, effective November 8, 2017, Appendix C of the Sewage and Waste Control Ordinance (Ordinance) of the Metropolitan Water Reclamation District of Greater Chicago (District) and the applicable Illinois law pertaining to pollution. Your violation consists of discharging an effluent with elevated levels of cyanide into the District's sanitary sewerage system.

The following table lists the violations found during a District sampling study conducted from March 5 through April 11, 2019.

Daily Maximum

<u>Date</u>	<u>Time</u>	<u>Station</u>	<u>Parameter</u>	<u>Analysis</u>	<u>Limit</u>
3/27/2019	1-Hour Composite	1C	Cyanide (total)	1.871 mg/L	1.2 mg/L

Monthly Average

<u>Date</u>	<u>Station</u>	<u>Parameter</u>	<u>Analysis</u>	<u>Limit</u>
3/5/2019 Through 3/27/2019	1A	Cyanide (total)	1.871 mg/L	0.65 mg/L

To attain compliance with this Order, you are required to do the following:

1. Conduct an immediate investigation into the nature of the violation and prepare a report of your findings.
2. Immediately implement the measures necessary to remediate the instance(s) of violation.
3. Complete a Compliance Schedule (RD-112) which must be certified by an authorized agent of the respondent, and must contain major milestone dates for implementation of remediation measures as well as an acceptable final compliance date by which the respondent will attain full compliance with the District's Ordinance. The final compliance date must be within 90 days of the date of this Order. **The RD-112, together with your report containing the findings of your investigation, must be received by the District within 15 days of your receipt of this Order.**
4. Obtain analytical results from three days of sampling for the parameter found to be in noncompliance.
5. Submit a **Final Compliance Report (RD-114) no later than 15 days after the final compliance date indicated on the RD-112.** The RD-114 must be certified by an authorized agent of the respondent, notarized, and contain the analytical results of all sampling conducted to verify that compliance has been attained.

The RD-112 and RD-114 forms are available on the District's website at www.mwrd.org, via Business With Us/Enforcement Section Forms.

Failure to attain compliance within 90 days of the date of this Order, or failure to submit all reports as required, may result in further enforcement action against your company. The company's return to compliance will be subject to verification by District inspection and sampling no earlier than the final compliance date. The attainment of compliance shall forestall further enforcement action and the consequential costs provided in Appendix F, Section I of the Ordinance.

You will be invoiced a noncompliance enforcement (NCE) charge of \$2,486.00 for the sampling and administrative costs associated with this Order. Article V, Section 10 of the Ordinance references the procedure to dispute NCE charges and lists the late filing fee schedule for a delinquent or deficient report.

Please be advised that this Order is issued in response to a significant violation of the District's Ordinance and of federal pretreatment regulations. Any company identified as a significant violator is published annually in the newspaper as significantly violating the District's Ordinance or other pretreatment requirements, in accordance with 40 CFR 403.8(f)(2)(viii).

PENALTIES FOR NON COMPLIANCE WITH ANY PROVISION OF THE ORDINANCE SHALL BE NOT LESS THAN \$1,000.00 NOR MORE THAN \$10,000.00 BY ORDER OF THE BOARD OF COMMISSIONERS. EACH DAY'S CONTINUANCE OF NON COMPLIANCE SHALL CONSTITUTE A SEPARATE OFFENSE. THE IMPOSED PENALTIES PLUS REASONABLE ATTORNEY'S FEES, COURT COSTS AND OTHER EXPENSES OF LITIGATION, COSTS FOR INSPECTION, SAMPLING, ANALYSIS, AND ADMINISTRATION RELATED TO THE ENFORCEMENT ACTION, BEGINNING WITH THE ISSUANCE OF THIS CEASE AND DESIST ORDER, ARE RECOVERABLE BY THE DISTRICT IN A CIVIL ACTION.

Direct inquiries regarding this Order should be made to Mr. Brian Pikelny, Environmental Specialist, at (312) 751-3017 or brian.pikelny@mwr.org.

Witnessed: May 13, 2019
Metropolitan Water Reclamation
District of Greater Chicago
Brian A. Perkovich
Executive Director

BY:


Gregory Yatnik
Supervising Environmental Specialist
Industrial Waste Division

GY:BAP:mjb

Certified No. 7018 0360 0000 0877 8168

cc: Mr. David R. Brady, Village of Bedford Park

U27062/EA94571/#0410



Metropolitan Water Reclamation District of Greater Chicago

LOCKBOX 98429
CHICAGO, IL 60693

MONITORING & RESEARCH (312) 751-3000
FINANCE (312) 751-6538

Enforcement Number: 94571

Reference: 27062-2019-D-006

Initial Invoice-NCE Charge

Date: 06/07/2019

Billing Address

HELIGEAR ACQUISITION CO., D/B/A NORTHSTAR
AEROSPACE (CHICAGO) INC.
6006 WEST 73RD STREET

BEDFORD PARK, IL 60638

Facility Address

HELIGEAR ACQUISITION CO., D/B/A
NORTHSTAR AEROSPACE (CHICAGO) INC.
6006 W 73RD STREET

BEDFORD PARK, IL 60638

Noncompliance Enforcement (NCE) Charge, pursuant to Appendix F
of the Sewage & Waste Control Ordinance, for C&D- 2 weeks
sampling + administrative

Amount

User: 27062 Year: 2019 Charge: 006

\$2,486.00

Contact: Brian Pikelný, Environmental Specialist

Phone: 3127513017

This is written notice of the NCE Charge assessed based on the non-compliance violation above. You have 30 days from the receipt of this notice to request a conference with the Executive Director's designee to discuss or dispute the appropriateness of the assessed Charge. Unless you request, in writing, a conference with the designee of the Executive Director, you waive your right to a conference and the District may impose a lien on your property for the amount of the unpaid charge. Questions regarding the NCE Charge should be directed to the contact person listed above.

BALANCE: \$2,486.00

Please detach this portion and return with your payment.

HELIGEAR ACQUISITION CO., D/B/A
NORTHSTAR AEROSPACE (CHICAGO) INC.
6006 W 73RD STREET

Industry ID : 27062

Reference Number : 27062-2019-D-006

BEDFORD PARK, ~~Payable To:~~

Metropolitan Water Reclamation District
Lockbox 98429
Chicago, IL 60693

FOR DISTRICT USE ONLY

Check # _____

Pmnt Amt: _____

Post Date: _____

Dep Date: _____

Batch # _____

This amount is due by: 7/22/2019
PAY THIS AMOUNT: \$2,486.00

HELIGEAR ACQUISITION CO., D/B/A NORTHSTAR
AEROSPACE (CHICAGO) INC.
6006 WEST 73RD STREET

BEDFORD PARK, IL 60638



June 21, 2019

MWRDGC
Brian Pikelny
Environmental Specialist
100 East Erie Street
Chicago, IL 60611

RE: Conference Request for Cease and Desist Order Violation No. 94571 and associated fee

Mr. Brian Pikelny

On May 16, 2018, MWRD sent a Cease and Desist Order No. 94571 to Heligear Acquisition Co., d/b/a Northstar Aerospace (Chicago) alleging a noncompliance with the daily discharge limit on March 3rd, 2019 through March 27th, 2019. Further MWRD alleges a noncompliance with the monthly average discharge limit for cyanide for the month of March 2019. MWRD has assessed an NCE charge of \$2486.00 for these alleged violations. Initial Invoice – NCE Charge (Reference: 27062-2019-D-006) dated 6/7/2019, received 6/10/2019. Heligear Acquisition Co., d/b/a Northstar Aerospace (Chicago) would like to formally request a conference to discuss the appropriateness of the violation and assessed charge as provided in the invoice. Please contact Justin Baskin at jbaskin@nsaero.com or by phone at 708-2506829 at your convenience.

Regards,

A handwritten signature in black ink, appearing to read "Justin Baskin", written over a horizontal line.

Justin Baskin
Manager – Safety, Health & Environmental Affairs
Heligear Acquisition Co
d/b/a Northstar Aerospace, Inc
cell – 708-642-1697

Heligear Acquisition Co.

d/b/a Northstar Aerospace Inc.

6006 West 73rd Street • Bedford Park • Illinois • 60638

Tel: 708.728.2000 • Fax: 708.728.2078 • Web: www.nsaero.com

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Metropolitan Water Reclamation District of Greater Chicago

INDUSTRIAL WASTE DIVISION

111 EAST ERIE STREET CHICAGO, ILLINOIS 60611-2893 p: 312.751.3044 p: 312.751.3000

Edward W. Podczerwinski, P.E.
Director of Monitoring and Research

July 3, 2019

Mr. Justin Baskin
Manager-Safety, Health & Environmental Affairs
Heligear Acquisition Company,
d/b/a Northstar Aerospace (Chicago) Inc.
6006 West 73rd Street
Bedford Park, Illinois 60638

Dear Mr. Baskin:

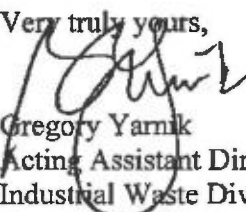
Subject: Appeal of the 2019 Noncompliance Enforcement Charges in the Amount
of \$2,486.00 for Cease and Desist Order No. 94571

The Metropolitan Water Reclamation District of Greater Chicago (District) acknowledges receipt of your letter, dated June 21, 2019, regarding the subject Noncompliance Enforcement Charges (NCE) and a request for a conference to discuss the appropriateness of the NCE charges.

The District has scheduled the conference for July 23, 2019, at 11:00 a.m., at the offices of the Industrial Waste Division, 111 East Erie Street, Seventh Floor, Chicago, Illinois.

If you have any questions, please contact Mr. Brian Pikelnny, Environmental Specialist, at (312) 751-3017 or brian.pikelnny@mwr.org.

Very truly yours,


Gregory Yarnik
Acting Assistant Director of Monitoring and Research
Industrial Waste Division

GY:BAP:mjb
Certified No. 7018 0360 0000 0877 7819
U27062/EA94571/#0562

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Metropolitan Water Reclamation District of Greater Chicago

INDUSTRIAL WASTE DIVISION

111 EAST ERIE STREET CHICAGO, ILLINOIS 60611-2893 p: 312.751.3044 p: 312.751.3000

Edward W. Podczerwinski, P.E.
Director of Monitoring and Research

July 30, 2019

Mr. Justin Baskin
Manager-Safety, Health & Environmental Affairs
Heligear Acquisition Co., d/b/a Northstar
Aerospace (Chicago) Inc.
6006 West 73rd Street
Bedford Park, Illinois 60638

Dear Mr. Baskin:

Subject: Appeal of the 2019 Noncompliance Enforcement Charges for Cease and Desist
Order No. 94571 for the Facility Located at 6006 West 73rd Street, Bedford Park,
Illinois 60638

The Metropolitan Water Reclamation District of Greater Chicago (District) makes reference to the meeting of July 23, 2019, regarding the subject appeal. In attendance at the meeting representing Heligear Acquisition Co. (Heligear) were you, Mr. Jason Hicks, and your consultant, Mr. Jeffrey Zak, of Scientific Control Laboratories, Inc. (SCL). Representing the District were Messrs. Gregory Yarnik, Amjad Kawash, Brian Pikelnny, Pawel Grunwald, James Barnes, Francis Wambi-Buesso and Ms. Tiffany Poole and Kara Gavin.

The District issued Cease and Desist (C&D) Order No. 94571 on May 13, 2019, for a cyanide violation that occurred on March 27, 2019. The District acknowledges receipt of your Compliance Schedule (RD-112) and investigation report on June 14, 2019. In both the meeting and in the report, you stated that prior to any batch discharge, Heligear provides a sample to SCL for analysis. You stated that the analysis of that sample revealed that Heligear was in compliance for cyanide prior to the discharge. You also stated that analysis of a split sample collected during District sampling also showed that Heligear was in compliance.

Mr. Zak stated that Heligear wishes to have a dialogue as to how the District's cyanide analysis is performed and requested that simultaneous sampling and analysis by District and SCL personnel be performed at such time as when Heligear schedules the next batch discharge. SCL also requested that they be allowed to witness the cyanide analysis methodology at the District's Stickney Analytical Laboratory in order that they might compare methodologies.

Currently, Heligear's RD-112 compliance date is August 9, 2019. Mr. Zak stated that Heligear may require an extension of the compliance date prior to any simultaneous sampling.

July 30, 2019

Subject: Appeal of the 2019 Noncompliance Enforcement Charges for Cease and Desist
Order No. 94571 for the Facility Located at 6006 West 73rd Street, Bedford Park,
Illinois 60638

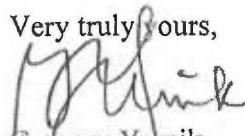
The District finds your requests to be reasonable. If an extension of the compliance date is needed, please contact Mr. Pikelnny in writing with your request. When Heligear is prepared to conduct the next batch discharge, also contact Mr. Pikelnny to make arrangements for District personnel to conduct simultaneous sampling of the batch discharge. If SCL personnel wishes to witness performance of the cyanide analysis at the Stickney Analytical Laboratory, please contact Mr. Pawel Grunwald at (708) 588-4050 or grunwaldp@mwr.org.

Based on the submitted documentation and the discussion at the appeal meeting, the District has determined that the violation is valid and C&D 94571 stands as issued. This closes the subject appeal.

In accordance with Article V, Section 10 of the District's Sewage and Waste Control Ordinance, if Heligear does not agree with the determination of this office, the company may petition the District's Board of Commissioners (Board) for a hearing. Any such request for a hearing by the Board shall be made within 30 days after receipt of this letter.

If you have any questions, please contact Mr. Pikelnny at (312) 751-3017 or brian.pikelnny@mwr.org.

Very truly yours,



Gregory Yarnik
Acting Assistant Director of Monitoring & Research
Industrial Waste Division

GY:BAP:dt

Certified No. 7017 0190 0000 6802 9112

U27062/EA94571/#0613

cc: Mr. Jeff Zak, Scientific Control Labs
Mr. Pawel Grunwald, Stickney Laboratory
Mr. James Barnes, Stickney IWD

DIRECTOR OF M&R

2019 SEP -5 AM 11:47

OF CTR. CHGO.



2

August 30, 2019

MWRDGC
Edward Podczerwinski
Director of Monitoring and Research
100 East Erie Street
Chicago, IL 60611

USER CHARGE &
TECHNICAL SERVICES
2019 SEP -5 AM 11:13
MEL MAIL REC DIST

RE: Board Hearing Request for Cease and Desist Order Violation No. 94571

Mr. Edward Podczerwinski

On May 16, 2019, MWRD sent Cease and Desist Order No. 94571 to Heligear Acquisition Co., d/b/a Northstar Aerospace (Chicago) alleging noncompliance with the daily discharge limit on March 3rd, 2019 through March 27th, 2019. Further MWRD alleges noncompliance with the monthly average discharge limit for cyanide for the month of March 2019. Heligear Acquisition Co., d/b/a Northstar Aerospace (Chicago) had a conference on July 23, 2019 with Greg Yarnik and it was determined the NCE charges will stand. Heligear Acquisition Co., d/b/a Northstar Aerospace (Chicago) would like to formally request a hearing with the Board in this matter as conflicting analytical data has been presented by both parties. Please contact Justin Baskin at jbaskin@nsaero.com or by phone (708-250-6829) at your convenience.

Regards,

Justin Baskin
Manager – Safety, Health & Environmental Affairs
Heligear Acquisition Co
d/b/a Northstar Aerospace, Inc
cell – 708-642-1697

Heligear Acquisition Co.
d/b/a Northstar Aerospace Inc.

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