

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

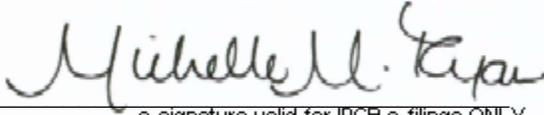
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
)	
Complainant,)	AC 2020-
)	
v.)	(IEPA No. 209-19-AC)
)	
FIELDS ITALIAN CARS, INC.)	
)	
)	
Respondent.)	
)	

NOTICE OF FILING

To: Fields Italian Cars, Inc.
c/o Sherman L. Pelinski, Registered Agent
2100 W. Frontage Road
Glencoe, IL 60022

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the
Pollution Control Board of the State of Illinois the following instrument(s) entitled
ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,



e-signature valid for IPCC e-filings ONLY

Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: December 19, 2019

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2020-
)	
v.)	(IEPA No. 209-19-AC)
)	
FIELDS ITALIAN CARS, INC.)	
)	
)	
Respondent.)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2018).

FACTS

1. That Fields Italian Cars, Inc. is the present owner and operator of a property located at 250 Skokie Valley Road, Highland Park, Lake County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Highland Park/Fields Alfa Romeo Maserati.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0970505157.
3. That Respondent has operated said facility at all times pertinent hereto.

4. That on November 5, 2019, Donna Shehane of the Illinois Environmental Protection Agency's Des Plaines Regional Office inspected the above-described facility. A copy of her inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Donna Shehane during the course of her November 5, 2019 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2018).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2018), Respondent is jointly and severally subject to civil penalties of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of One Thousand Five Hundred Dollars (\$1,500.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalties specified above shall be due and payable no later than February 8, 2020 unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2018), and if

the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2018), if Respondent fails to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondent shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondent from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2018). If Respondent elects to contest this Administrative Citation, then Respondent shall file a Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.



John J. Kim, Director
Illinois Environmental Protection Agency

Date : 12/17/19

Prepared by: Dawn A. Hollis, Legal Assistant
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2020-
)	
v.)	(IEPA No. 209-19-AC)
)	
FIELDS ITALIAN CARS, INC.)	
)	
)	
Respondent.)	

FACILITY:	Highland Park/Fields Alfa Romeo Maserati	SITE CODE NO.:	0970505157
COUNTY:	Lake	CIVIL PENALTY:	\$1,500.00
DATE OF INSPECTION:	November 5, 2019		

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attn.: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

Bureau of Land – Field Operations Section

Evaluation Report**General Facility Information**

BOL ID:	0970505157	Region:	Des Plaines
USEPA ID:	ILR000132548	County:	Lake
Site Name:	Fields Alfa Romeo Maserati	Phone:	224-505-5010
Address:	250 Skokie Valley Rd	Latitude:	42.157
City/State/Zip:	Highland Park, IL 60035	Longitude:	-87.80598
Permit No(s):	None		
Regulated As:	Used Tire Storage-Exempt		
Operational Status:	Operating		

Owner	Operator
Fields Alfa Romeo Maserati Steven Pflaumer 250 Skokie Valley Rd Highland Park, IL 60035	SAME

Evaluation Details

Evaluation Type	Used Tire Follow-Up Inspection
Evaluation Date	11/5/2019
Inspector(s)	Shehane, Donna
Person(s) Interviewed	None
Previous Inspection Date	9/17/2019

Observations

Time	9:35 - 9:37
Weather Conditions (Description)	W winds @ 14 mph; partly cloudy
Temperature (°F)	38 F
Samples Collected (Yes/No)	No
Number of Samples Collected (Count)	NA
Photos Taken (Yes/No)	Yes
Amount of Waste (Cubic Yards)	NA
Number of Tires (Count)	~ 27

Executive Summary

On November 5, 2019, I conducted a second follow-up inspection at Fields Alfa Romeo Maserati, located at 250 Skokie Valley Road, Highland Park, IL 60035. The initial inspection of this facility occurred on June 7, 2019 and resulted in a Used Tire Administrative Citation Warning Notice for storage of used or waste tires in a manner that does not prevent water accumulation.

Water accumulation was found in used or waste tires during this second follow-up inspection, which is an apparent violation of Section 55(k)(1) of the Environmental Protection Act.

Evaluation Narrative

I arrived on site at approximately 9:35 am and drove to the back of the building where used or waste tires have been observed stored during two (2) previous inspections.

Photo # 1 was taken to the southeast of used or waste tires (about 27 of them) still stored outside. An effort had been made to cover some of the stacks with a piece of plywood, but it was ineffective, as water was observed in the tire stacks under the plywood. During the first follow-up inspection conducted on September 17, 2019, I had spoken to Mr. Steven Pflaumer about the ineffectiveness of this method and he stated he would work on it.

Photos # 2, # 3, # 4, and # 5 were taken of water accumulation in some of the used tires.

An apparent violation of Section 55(k)(1) for water accumulation in used or waste tires was observed and cited.

Summary of Apparent Violation(s)

Status	Date Cited	Violation	Narrative
New	11/5/2019	55(k)(1)	Cause or allow water to accumulate in used or waste tires
Continuing	6/7/2019	55(a)(3)	Except at a tire storage site containing >50 used tires, cause or allow storage of used tires unless tires are altered, reprocessed, converted, covered, or otherwise prevented from accumulating water

Attachment Listing

ID	Type	Description
No Attachments		

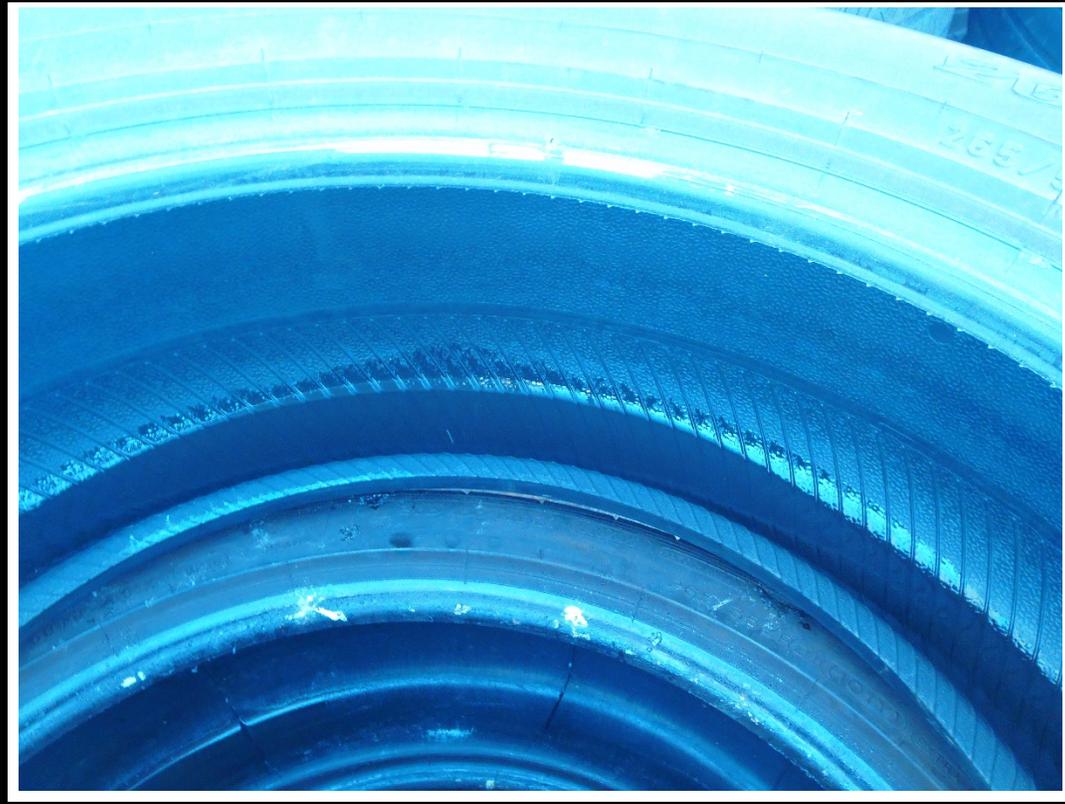
Digital Photographs



Site: Fields Alfa Romeo
Maserati (0970505157)
Lake County

Photo ID: 1
Photo Date: 11/5/2019
Photo Time: 09:36:00
Direction: SE
Taken By: Donna Shehane

Used or waste tires stored
behind the building



Site: Fields Alfa Romeo
Maserati (0970505157)
Lake County

Photo ID: 2
Photo Date: 11/5/2019
Photo Time: 09:36:09
Direction: NE
Taken By: Donna Shehane

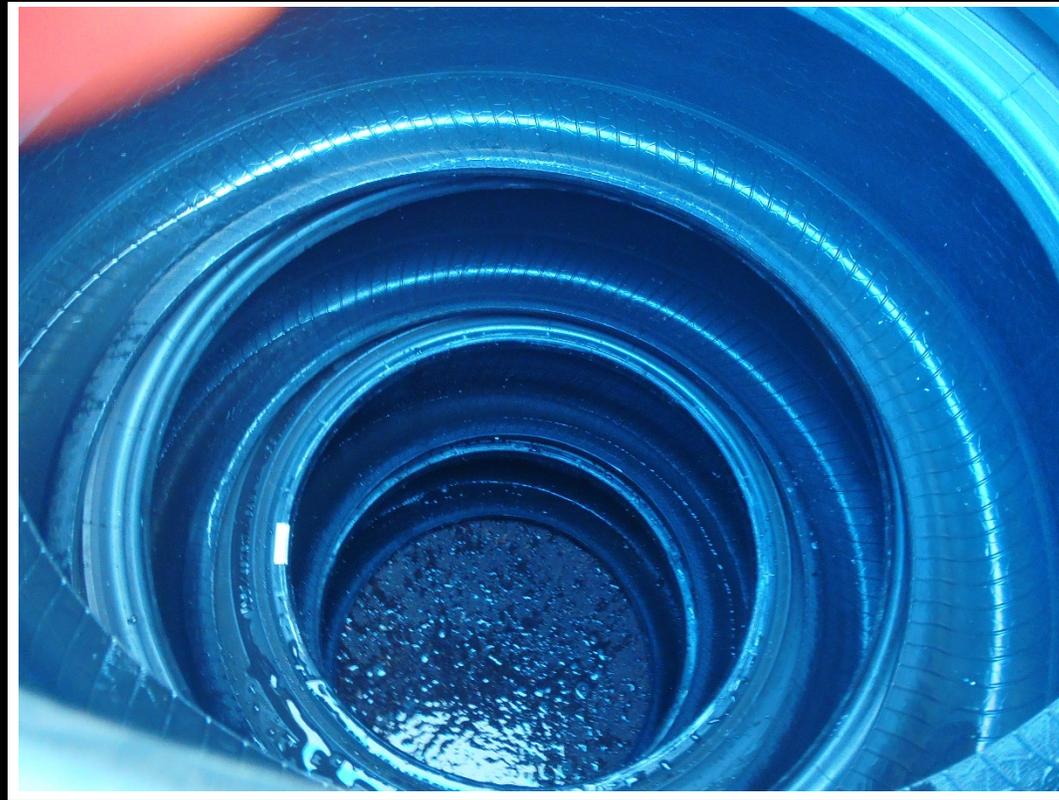
Water accumulation in used
tires



Site: Fields Alfa Romeo
Maserati (0970505157)
Lake County

Photo ID: 3
Photo Date: 11/5/2019
Photo Time: 09:36:22
Direction: NE
Taken By: Donna Shehane

Water accumulation in used
tires



Site: Fields Alfa Romeo
Maserati (0970505157)
Lake County

Photo ID: 4
Photo Date: 11/5/2019
Photo Time: 09:36:31
Direction: NE
Taken By: Donna Shehane

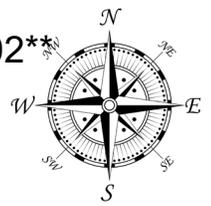
Water accumulation in used
tires



Site: Fields Alfa Romeo
Maserati (0970505157)
Lake County

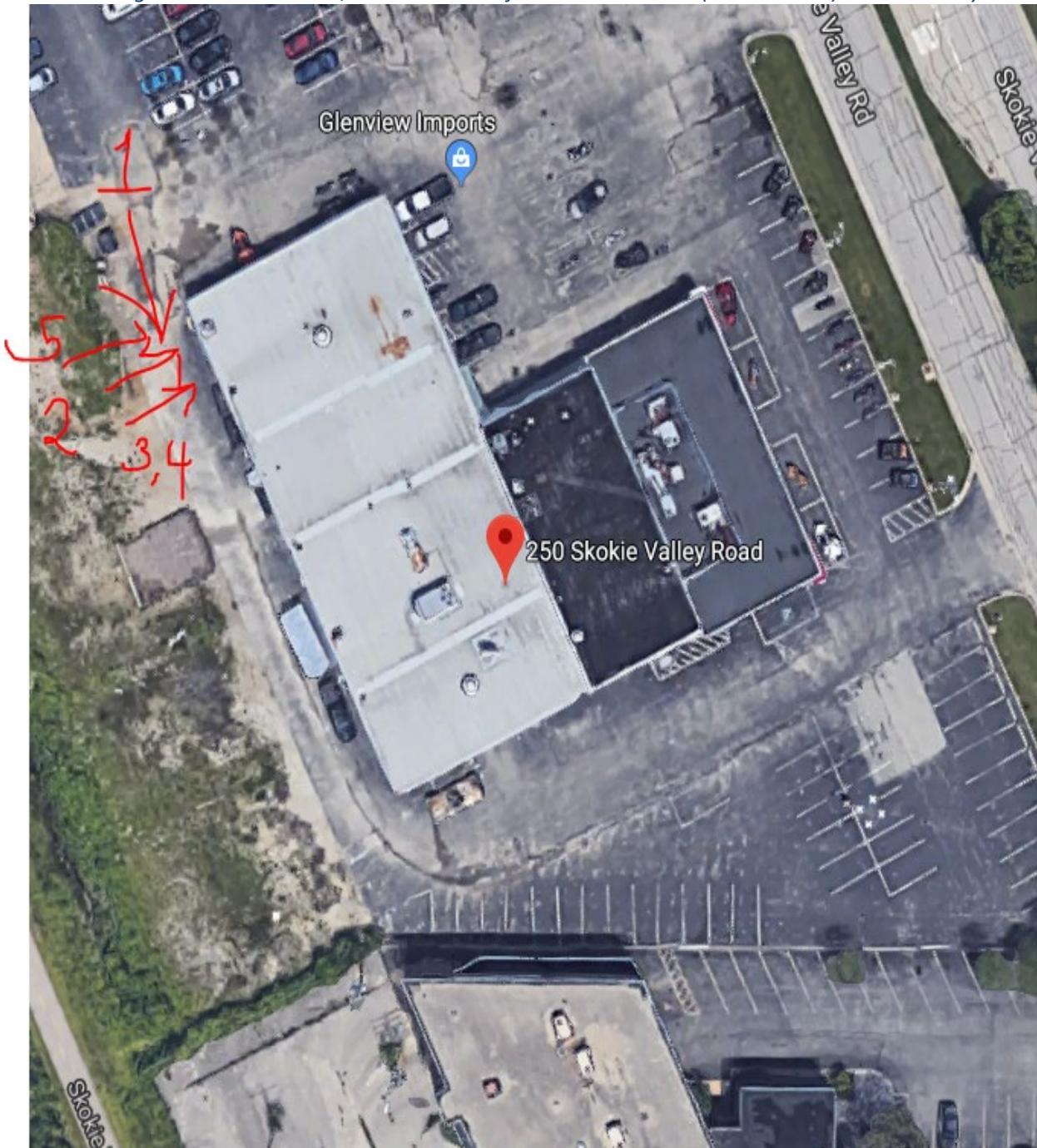
Photo ID: 5
Photo Date: 11/5/2019
Photo Time: 09:36:57
Direction: NE
Taken By: Donna Shehane

Water accumulation in used
tires



Site Diagram(s)

Site Diagram 1: November 5, 2019 • Fields Alfa Romeo Maserati (0970505157) • Lake County



Indicates photo # and direction

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:)
)
Fields Italian Cars, Inc.,)
)
Respondent)

IEPA DOCKET NO.

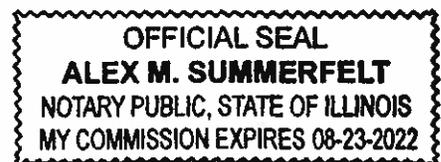
Affiant, Donna Shehane, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Environmental Protection Agency Bureau of Land and has been so employed at all times pertinent hereto.
2. On November 5, 2019 between 9:35 am and 9:40 am, Affiant conducted an inspection of the facility located at 250 Skokie Valley Road, Highland Park, Illinois, 60035 located in Lake County, Illinois. Said site has been assigned site code number BOL # 0970505157 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said facility.

Donna Shehane
Donna Shehane EPS III

Subscribed and Sworn to Before Me
this 21st day of November, 2019

Alex M. Summerfelt
Notary Public



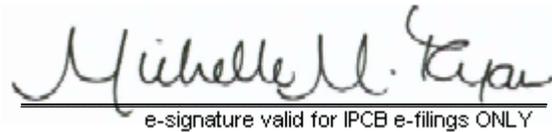
PROOF OF SERVICE

I hereby certify that I did on the 19th day of December 2019, serve by Certified Mail, Return Receipt Requested, with postage thereon prepaid, by depositing in a United States Post Office box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Fields Italian Cars, Inc.
c/o Sherman L. Pelinski, Registered Agent
2100 W. Frontage Road
Glencoe, IL 60022

and the original via electronic filing on December 19, 2019

To: Don Brown, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544