



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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DEC 21 2011

STATE OF ILLINOIS
Pollution Control Board

AC12-20

(217) 782-9817
TDD: (217) 782-9143

December 19, 2011

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

ORIGINAL

Re: Illinois Environmental Protection Agency v. Shelby and Sons, Inc.
IEPA File No.386-11-AC: 0550705030—Franklin County

Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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DEC 21 2011

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 SHELBY AND SONS, INC.,)
)
 Respondent.)

AC

12-20

(IEPA No. 386-11-AC)

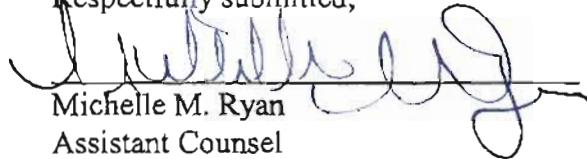
NOTICE OF FILING

ORIGINAL

To: Shelby and Sons, Inc.
 Attn: Robert Shelby, Registered Agent
 4319 State Highway 37 North
 West Frankfort, IL 62896

PLEASE TAKE NOTICE that on this date I mailed for filing 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,



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, 2011

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 SHELBY AND SONS, INC.,)
)
)
)
 Respondent.)

AC 12-20
(IEPA No. 386-11-AC)

ORIGINAL

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 (2010).

FACTS

1. That Shelby and Sons, Inc. is the current operator ("Respondent") of a facility located approximately one mile north of West Frankfort and is positioned on both the east and west sides of Route 37, Franklin County, Illinois. The land parcels associated with the west side of this site are 11-12-400-002, 11-12-400-007 and 11-12-400-012, totaling approximately 19.5 acres. The parcel on the east side of the road is 11-12-400-011. The property is commonly known to the Illinois Environmental Protection Agency as West Frankfort/Shelby and Sons, Inc.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0550705030.
3. That Respondent has operated said facility at all times pertinent hereto.

4. That on October 25, 2011, Sheila Williams of the Illinois Environmental Protection Agency's ("Illinois EPA") Marion 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.

5. That on 12-19-11, Illinois EPA sent this Administrative Citation via Certified Mail No. 7004 2510 0001 8619 1968.

VIOLATIONS

Based upon direct observations made by Sheila Williams during the course of her October 25, 2011 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 the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2010).
- (2) That Respondent caused or allowed the open dumping of waste in a manner resulting in deposition of waste in standing or flowing waters, a violation of Section 21(p)(4) of the Act, 415 ILCS 5/21(p)(4) (2010).
- (3) That Respondent caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris: or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2010).

- (4) That Respondent caused or allowed the open dumping of waste in a manner resulting in used tires, at this site, not altered, covered or otherwise prevented from accumulating water, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2010).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), Respondent is subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Six Thousand Dollars (\$6,000.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 15, 2012, 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 (2010), 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) (2010), if Respondent fails to petition or elects 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 (2010). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed 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, Interim Director
Illinois Environmental Protection Agency

Date: 12/19/2011

Prepared by: Susan E. Konzelmann, 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

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STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
SHELBY AND SONS, INC.,)
))
))
))
Respondent.)

AC 12-20
(IEPA No. 386-11-AC)

ORIGINAL

FACILITY: Shelby and Sons, Inc.
SITE CODE NO.: 0550705030
COUNTY: Franklin
CIVIL PENALTY: \$6,000.00
DATE OF INSPECTION: October 25, 2011

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.

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY)
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v.)
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Shelby and Sons, Inc.)
)
)
Respondent.)

ORIGINAL
IEPA DOCKET NO.
A 012-20

AFFIDAVIT

Affiant, Sheila Williams, being first duly sworn, voluntarily deposes and states as follows:


1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On October 25, 2011, between 11:10 a.m. and 2:55 p.m., Affiant conducted an inspection of a disposal site operated by Shelby and Sons, Inc., located in Franklin County, Illinois, and known as Shelby and Sons, Inc. by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0550705030 by the Agency.
3. Affiant inspected said Shelby and Sons, Inc. site by an on-site inspection which included walking and photographing the site.

4. As a result of the material actions 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 Shelby and Sons, Inc..



Subscribed and Sworn to before me

this 22nd day of November, 2011


Notary Public



Thomas D. Edmondson, Regional Manager
Bureau of Land, Field Operations Section
Marion Regional Office

TDE:SRW:jkb/47151/11-22-11

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Tire Storage Site Inspection Checklist

County: Franklin LPC#: 0550705030 Region: 7 - Marion

City/Facility Name: West Frankfort/ Shelby and Sons, Inc.

Facility Location: 4319 State Hwy 37 N. West Frankfort, IL 62896 Telephone: 618-932-3083

Date: 10/25/2011 Time: From 11:10 A To 2:55 P Previous Inspection Date: 11/18/2008

Inspector(s): Sherla Williams No. of Photos Taken: # 37

Weather: sunny, 65° F. No. of Samples Taken: _____

Interviewed: Robert Shelby Complaint #: _____

Waste Tire Handler Used: Martin Tire Company Hauler Registration Number: _____

Responsible Party (Mailing Address):
Shelby and Sons, Inc
Attn: Robert Shelby
4319 State Hwy 37
West Frankfort, IL 62896



375

Estimated Number of Used Tires Located At This Facility, including altered, converted and reprocessed tires.

| SECTION | DESCRIPTION | ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS |
|---------|-------------|--|
| 1 | 21(f) | FAIL OR REFUSE TO PAY ANY FEE IMPOSED UNDER THIS ACT <input checked="" type="checkbox"/> |
| 2 | 55(a)(4) | CAUSE OR ALLOW THE OPERATION OF A TIRE STORAGE SITE EXCEPT IN COMPLIANCE WITH BOARD REGULATIONS Note: Also Mark appropriate Violations of Part 848 <input checked="" type="checkbox"/> |
| 3 | 55(b-1) | NO PERSON SHALL KNOWINGLY MIX ANY USED OR WASTE TIRE, EITHER WHOLE OR CUT, WITH MUNICIPAL WASTE <input type="checkbox"/> |
| 4 | 55(c) | FAILURE TO FILE THE REQUIRED NOTIFICATION WITH THE AGENCY BY 1/1/90 OR WITHIN 30 DAYS OF COMMENCEMENT OF THE STORAGE ACTIVITY. <input checked="" type="checkbox"/> |
| 5 | 55(b)(1) | CAUSE OR ALLOW THE OPERATION OF A TIRE STORAGE SITE WHICH CONTAINS MORE THAN 50 USED TIRES WITHOUT MEETING THE FOLLOWING REQUIREMENTS BY JANUARY 1 OF EACH YEAR: i. Register the Site with the Agency ii. Certify to the Agency that the Site Complies with any Applicable Standards Adopted by the Board Pursuant to Section 55.2 iii. Report to the Agency the Number of Tires Accumulated, the Status of Vector Controls, and the Actions Taken to Handle and Process the Tires iv. Pay the Fee Required under Subsection (b) of Section 55.6 <input checked="" type="checkbox"/> |
| 6 | 55(c) | CAUSE OR ALLOW THE STORAGE, DISPOSAL, TREATMENT OR PROCESSING OF ANY USED OR WASTE TIRE IN VIOLATION OF ANY REGULATION OR STANDARD ADOPTED BY THE BOARD Note: Also Mark appropriate Violations of Part 848 <input checked="" type="checkbox"/> |
| 7 | 55(d) | ARRANGE FOR THE TRANSPORTATION OF USED OR WASTE TIRES AWAY FROM THE SITE OF GENERATION WITH A PERSON KNOWN TO OPENLY DUMP SUCH TIRES <input type="checkbox"/> |
| 8 | 55(g) | ENGAGE IN ANY OPERATION AS A USED OR WASTE TIRE TRANSPORTER EXCEPT IN COMPLIANCE WITH BOARD REGULATIONS. Note: Also Mark a Violation of Subpart F <input type="checkbox"/> |
| 9 | 55(h) | CAUSE OR ALLOW THE COMBUSTION OF ANY USED OR WASTE TIRE IN AN ENCLOSED DEVICE UNLESS A PERMIT HAS BEEN ISSUED BY THE AGENCY <input type="checkbox"/> |
| 10 | 55(i) | CAUSE OR ALLOW THE USE OF PESTICIDES TO TREAT TIRES EXCEPT AS PRESCRIBED BY <input type="checkbox"/> |

| | | | |
|--|------------|---|-------------------------------------|
| | | BOARD REGULATIONS Note: Also Mark a Violation of 848.205 | |
| 11 | 5-70.1 | FAILURE OF THE OWNER OR OPERATOR OF A TIRE STORAGE SITE TO PAY TO THE AGENCY AN ANNUAL FEE OF \$100.00 BY JANUARY 1 OF EACH YEAR | <input checked="" type="checkbox"/> |
| 12 | 5-70.2 | ANY PERSON SELLING TIRES AT RETAIL OR OFFERING TIRES FOR RETAIL SALE IN THIS STATE SHALL | |
| | (1) | Collect from Retail Customers a Fee of \$2.50 Per Tire Sold to be Paid to the Department of Revenue. | <input type="checkbox"/> |
| | (2) | Accept for Recycling Used Tires from Customers, at the Point of Transfer, in Quantity Equal to the Number of New Tires Purchased. | <input type="checkbox"/> |
| | (3) | Post in a Conspicuous Place a Written Notice at Least 8.5 by 11 Inches in Size that Includes the Universal Recycling Symbol and the Following Statements: "DO NOT put used tires in the trash.", and "State law requires us to accept used tires for recycling, in exchange for new tires purchased." | <input type="checkbox"/> |
| 13 | 7-80.1 | A PERSON WHO ACCEPTS USED TIRES FOR RECYCLING UNDER 55 8(a) SHALL NOT ALLOW THE TIRES TO ACCUMULATE FOR PERIODS OF MORE THAN 90 DAYS | <input type="checkbox"/> |
| 14 | 77.9 | RETAILERS SHALL COLLECT THE FEE FROM PURCHASER BY ADDING THE FEE TO THE SELLING PRICE OF THE TIRE. THE FEE IMPOSED SHALL BE STATED AS A DISTINCT ITEM SEPARATE AND APART FROM THE SELLING PRICE. | <input type="checkbox"/> |
| PART 848, SUBPART B: MANAGEMENT STANDARDS | | | |
| 15 | 848.202(b) | AT SITES AT WHICH MORE THAN 50 USED OR WASTE TIRES ARE LOCATED THE OWNER OR OPERATOR SHALL: | |
| | (1) | NOT Place on or Accumulate Any Used or Waste Tire in Any Pile Outside of Any Building Unless the Pile is Separated from All Other Piles by 25 Feet and Aisle Space is Maintained To Allow the Unobstructed Movement of Personnel and Equipment | <input type="checkbox"/> |
| | (2) | NOT Accumulate Any Used or Waste Tire in Any Area Located Outside of Any Building Unless the Accumulation is Separated from All Buildings, Whether on or off the Site, by 25 Feet | <input checked="" type="checkbox"/> |
| | (3) | NOT Place On or Accumulate Any Used or Waste Tire in Any Pile Which is Less than 250 Feet from any Potential Ignition Source, including Cutting and Welding Devices, and Open Fires unless all such activities are Carried Out Within A Building | <input type="checkbox"/> |
| | (4) | Drain Any Used or Waste Tire on the Day of Generation or Receipt | <input type="checkbox"/> |
| | (5) | NOT Store Any Used or Waste Tire for More Than 14 Days after Receipt Without Altering, Reprocessing, Covering, Covering or Otherwise Preventing the Tire from Accumulating Water | <input type="checkbox"/> |
| | (6) | NOT Accept Any Used or Waste Tire from a Vehicle in Which More than 20 Tires are Loaded Unless the Vehicle Displays a Placard Issued by the Agency Under Part 848, Subpart F | <input type="checkbox"/> |
| | (7) | NOT Accumulate Any Tires in an Area with a Grade Exceeding 2% Without Meeting the Requirement of 848.202(d)(3) | <input type="checkbox"/> |
| 16 | 848.202(c) | IN <u>ADDITION</u> TO THE REQUIREMENTS SET FORTH IN 848.202 (b), THE OWNER OR OPERATOR OF A SITE AT WHICH MORE THAN 500 USED OR WASTE TIRES ARE LOCATED SHALL: | |
| | (1) | Maintain a Contingency Plan Which Meets the Requirements of Section 848.203 | <input type="checkbox"/> |
| | (2) | Meet the Record Keeping and Reporting Requirements of Part 848 Subpart C Note: Also Mark a Violation of Subpart C | <input type="checkbox"/> |
| | (3) | NOT Place or Accumulate any Used or Waste Tire in Any Pile Less Than 50 Feet From Grass, Weeds, Brush Over-hanging Tree Limbs and Similar Vegetative Growth | <input type="checkbox"/> |
| | (4) | NOT Place or Accumulate any Used or Waste Tire in Any Tire Storage Unit that is More Than 20 Feet High by 250 Feet Wide by 250 Feet Long(Aisle Space Between Any Piles Within the Unit Shall Be Included in Determining the Width or Length of the Unit) | <input type="checkbox"/> |
| | (5) | NOT Place or Accumulate any Used or Waste Tires in any Tire Storage Unit Unless they meet: | <input type="checkbox"/> |

| | | | |
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| | | (A) <input type="checkbox"/> Fires are separated by a Berm 1.5 times the height of the tire pile (B) <input type="checkbox"/> Separation Requirements of this part. | |
| 17 | 848.202(d) | IN ADDITION TO THE REQUIREMENTS SET FORTH IN 848.202 (b) AND (c), THE OWNER OR OPERATOR OF A SITE AT WHICH MORE THAN 10,000 USED OR WASTE TIRES ARE LOCATED SHALL | |
| | (1) | Completely Surround the Site by Fencing in Good Repair Which Is Not less than 6 Feet in Height | <input type="checkbox"/> |
| | (2) | Maintain an Entrance to the Area Where Used or Waste Tires are Located, Which is Controlled At all Times by an Attendant, Locked Entrance, Television Monitors, Controlled Roadway Access or Other Equivalent Mechanism | <input type="checkbox"/> |
| | (3) | Completely Surround the Area Where Used or Waste Tires Are Stored by an Earthen Berm or Other Structures Not Less than 2 Feet in Height Capable of Containing Runoff Resulting from Fire Fires, and Accessible by Fire Fighting Equipment, Except that the Owner or Operator Shall Provide a Means for Access through or Over the Berm or Other Structure | <input type="checkbox"/> |
| 18 | 848.203 | CONTINGENCY PLAN REQUIREMENTS FOR STORAGE SITES WITH MORE THAN 500 TIRES | |
| | (a) | The owner/operator must meet the requirements of Section 848.203 Note: Also Mark a Violation of 848.203(b), (c), (d), (e), (f), (g), or (h) | <input type="checkbox"/> |
| | (b) | The contingency plan must be designed to minimize the hazard to human health and the environment from fires and run-off of contaminants resulting from fires and from disease spreading mosquitos and other nuisance organisms which may breed in water accumulations in used or waste tires | <input type="checkbox"/> |
| | (c) | Immediately implement the contingency plan whenever there is a fire or run-off resulting from a tire fire or whenever there is evidence of mosquito production. | <input type="checkbox"/> |
| | (d) | The contingency plan must describe the actions that must be taken in response to fires, run-off resulting from the fires and mosquito breeding in used or waste tires | <input type="checkbox"/> |
| | (e) | The contingency plan must include evacuation procedures for site personnel, including signals, evacuation routes and alternate evacuation routes as well as provisions for pesticide application. | <input type="checkbox"/> |
| | (f) | The contingency plan must be maintained at the site and submitted to state and local authorities | <input type="checkbox"/> |
| | (g) | The contingency plan must be reviewed and amended within 30 days if the plan fails or the emergency coordinator changes. | <input type="checkbox"/> |
| | (h) | At all times, there must be one employee on site or on call with responsibility for coordinating emergency response procedures. The emergency coordinator must be familiar with the plan and all aspects of the site and have the authority to commit the resources to carry out the plan. | <input type="checkbox"/> |
| STORAGE OF USED AND WASTE TIRES WITHIN BUILDINGS | | | |
| 19 | 848.204(a) | FAILURE TO MEET THE REQUIREMENTS OF SECTION 848.204 Note: Also Mark a Violation of 848.204(b), (c), or (d) | <input type="checkbox"/> |
| 20 | 848.204(b) | <u>STORAGE OF LESS THAN 500 TIRES WITHIN A BUILDING ALLOWED IF</u> (1) <input type="checkbox"/> Tires Drained of All Water Prior to Placement in the Building (2) <input type="checkbox"/> All of the Building's Windows and Doors Maintained in Working Order and Secured to Prevent Unauthorized Access. (3) <input type="checkbox"/> The Building Is Maintained So That it Is Fully Enclosed and Has a Roof and Sides Which Are Impermeable to Precipitation (4) <input type="checkbox"/> The Storage of Used or Waste Tires Is not in a Single Family Home or a Residential Dwelling | <input type="checkbox"/> |
| 21 | 848.204(c) | IN <u>ADDITION</u> TO THE REQUIREMENTS SET FORTH IN SECTION 848.204(b), THE OWNER OPERATOR OF A SITE WITH 500 OR MORE USED OR WASTE TIRES STORED WITHIN BUILDINGS SHALL: | <input type="checkbox"/> |

| | | | |
|---|------------|---|--------------------------|
| | 111 | Develop a fire storage plan in consultation with fire officials meeting the requirements of: 848.204 (c)(1) (A) <input type="checkbox"/> considering the type of building to be used for the fire storage (B) <input type="checkbox"/> the plan shall include tire storage arrangement, aisle space, clearance distances between tire piles and sprinkler deflectors; and access to fire fighting personnel and equipment (C) <input type="checkbox"/> a copy of the plan shall be filed with the Agency within 60 days and implemented within 14 days of filing with the Agency | <input type="checkbox"/> |
| | 121 | Have and maintain a contingency plan which meets the requirements of Section 848.203 | <input type="checkbox"/> |
| | 131 | Meet the record keeping and reporting requirements of Subpart C Note: Also Mark a Violation of Section 848, Subpart C | <input type="checkbox"/> |
| 20 | 848.204(d) | A BUILDING THAT STORES MORE THAN 10,000 USED OR WASTE TIRES, AND WAS CONSTRUCTED AFTER 5/10/91 FOR THE PRIMARY PURPOSE OF STORING USED OR WASTE TIRES, SHALL COMPLY WITH THE NFPA 231D BUILDING STANDARD. | <input type="checkbox"/> |
| PESTICIDE TREATMENT | | | |
| 21 | 848.205 | OWNERS OR OPERATORS OF TIRE STORAGE SITES TREATING USED OR WASTE TIRES WITH PESTICIDES PURSUANT TO THIS PART OF TITLE XIV OF THE ACT (SHALL): | |
| | 101 | Use a Pesticide Labeled for Control of Mosquito Larvae Unless an Adult Mosquito Problem is Identified | <input type="checkbox"/> |
| | 111 | Maintain a record of pesticide use at the site which shall include for each application: (1) <input type="checkbox"/> Date of Pesticide Application (2) <input type="checkbox"/> Number of Used or Waste Tires Treated (3) <input type="checkbox"/> Amount of Pesticide Applied (4) <input type="checkbox"/> Type of Pesticide Used | <input type="checkbox"/> |
| | 121 | Notify the Agency of Pesticide Use Within 10 Days of Each Application. Notification shall include the information in 848.205(b) | <input type="checkbox"/> |
| 22 | 848.205(d) | Persons Applying Pesticides to Used and Waste Tires Must Comply with the Requirements of the Federal Pesticide Act (III. Rev. Stat. 1989, ch. 5, par. 801 et seq.) | <input type="checkbox"/> |
| PART 848: SUBPART C: RECORD KEEPING AND REPORTING Note: Applies to Storage Sites with More than 500 Used or Waste Tires | | | |
| 25 | 848.302(a) | The owner/operator shall keep on site a: (1) <input type="checkbox"/> Daily Tire Record (2) <input type="checkbox"/> Annual Tire Summary | <input type="checkbox"/> |
| 26 | 848.304(a) | FAILURE TO MAINTAIN A DAILY TIRE RECORD THAT INCLUDES: <input type="checkbox"/> Day of the Week <input type="checkbox"/> Date <input type="checkbox"/> Agency Site Number <input type="checkbox"/> Site Name and Address | <input type="checkbox"/> |
| 27 | 848.306(b) | FAILURE TO RECORD IN THE DAILY TIRE RECORD THE FOLLOWING INFORMATION: (1) <input type="checkbox"/> Weight or volume of used or waste tires received at the site during the operating day (2) <input type="checkbox"/> Weight or volume of used or waste tires transported from the site and the destination of the tires so transported. (3) <input type="checkbox"/> Total number of used or waste tires remaining in storage at the conclusion of the day (4) <input type="checkbox"/> Weight or volume of used or waste tires burned or combusted during the day | <input type="checkbox"/> |
| 28 | 848.304 | FAILURE TO MAINTAIN ON SITE AN ANNUAL TIRE SUMMARY FOR EACH CALENDAR YEAR THAT INCLUDES: | <input type="checkbox"/> |
| | 101 | The site number, name and address and the calendar year for which the summary applies | <input type="checkbox"/> |
| | 111 | The weight or volume of used or waste tires received at the site during the calendar year. | <input type="checkbox"/> |
| | 121 | The weight or volume of used or waste tires transported from the site during the calendar year. | <input type="checkbox"/> |
| | 131 | The total number of used or waste tires determined in PTE remaining in storage at the conclusion of the calendar year | <input type="checkbox"/> |

| | | | |
|---|---------------|---|-------------------------------------|
| | (b)(1) | The weight or volume of used or waste tires combusted during the calendar year. | <input type="checkbox"/> |
| 29 | 848.306(c) | FAILURE TO SUBMIT THE ANNUAL TIRE SUMMARY BY JANUARY 31 OF EACH YEAR | <input type="checkbox"/> |
| 30 | 848.305 | FAILURE TO RETAIN REQUIRED RECORDS ON SITE FOR 3 YEARS | <input type="checkbox"/> |
| PART 848: SUBPART D: FINANCIAL ASSURANCE | | | |
| NOTE: Applies to Sites which have Stored 5000 or More Used or Waste Tires | | | |
| 31 | 848.400(b)(1) | AT TIRE STORAGE SITES AT WHICH TIRES ARE FIRST STORED ON OR AFTER 1/1/92, FAILURE TO COMPLY WITH SUBPART D PRIOR TO STORING ANY USED OR WASTE TIRES Note: Also Mark a Violation of 848.401 or 848.404 | <input type="checkbox"/> |
| 32 | 848.400(b)(2) | AT TIRE STORAGE SITES AT WHICH TIRES ARE STORED PRIOR TO 1/1/92, FAILURE TO COMPLY WITH SUBPART D BY 1/1/92 Note: Also Mark a Violation of 848.401 or 848.404 | <input type="checkbox"/> |
| 33 | 848.401(a) | FAILURE TO MAINTAIN FINANCIAL ASSURANCE EQUAL TO OR GREATER THAN THE CURRENT COST ESTIMATE, CALCULATED PURSUANT TO SECTION 848.404 AT ALL TIMES, EXCEPT AS OTHERWISE PROVIDED BY 848.401 (b). | <input type="checkbox"/> |
| 34 | 848.401(b) | FAILURE TO INCREASE THE TOTAL AMOUNT OF FINANCIAL ASSURANCE SO AS TO EQUAL THE CURRENT COST ESTIMATE WITHIN 90 DAYS AFTER ANY OF THE FOLLOWING: (1) <input type="checkbox"/> an increase in the current cost estimate (2) <input type="checkbox"/> a decrease in the value of a trust fund (3) <input type="checkbox"/> a determination by the Agency that an owner or operator no longer meets the financial test of Section 848.415 (4) <input type="checkbox"/> notification by the owner or operator that the owner or operator intends to substitute alternative financial assurance, as specified in Section 848.406 for self-insurance | <input type="checkbox"/> |
| 35 | 848.404(a)(2) | BY JANUARY 1 OF EACH YEAR, FAILURE TO SUBMIT A WRITTEN COST ESTIMATE OF THE COST OF REMOVING ALL TIRES | <input type="checkbox"/> |
| 36 | 848.404(b) | FAILURE TO REVISE THE COST ESTIMATE WHEN COST ESTIMATES INCREASE. | <input type="checkbox"/> |
| PART 848: SUBPART F: TIRE TRANSPORTATION REQUIREMENTS | | | |
| 37 | 848.601(a) | NO PERSON SHALL TRANSPORT MORE THAN 20 USED OR WASTE TIRES IN A VEHICLE UNLESS THE FOLLOWING REQUIREMENTS ARE MET: (1) <input type="checkbox"/> the owner or operator has registered the vehicle with the Agency in accordance with Subpart F, received approval of such registration from the Agency, and such registration is current, valid and in effect (2) <input type="checkbox"/> the owner or operator displays a placard on the vehicle, issued by the Agency following registration, in accordance with the requirements of Subpart F. | <input type="checkbox"/> |
| 38 | 848.601(b) | NO PERSON SHALL PROVIDE, DELIVER OR TRANSPORT USED OR WASTE TIRES TO A TIRE TRANSPORTER FOR TRANSPORT UNLESS THE TRANSPORTER'S VEHICLE DISPLAYS A PLACARD ISSUED BY THE AGENCY UNDER SUBPART F IDENTIFYING THE TRANSPORTER AS A REGISTERED TIRE HAULER. | <input checked="" type="checkbox"/> |
| 39 | 848.606(a) | UPON APPROVAL OF A REGISTRATION AS A TIRE TRANSPORTER, THE OWNER OR OPERATOR OF ANY VEHICLE REGISTERED TO TRANSPORT USED OR WASTE TIRES SHALL PLACE A PLACARD ON OPPOSITE SIDES OF THE VEHICLE WHICH DISPLAYS A NUMBER ISSUED BY THE AGENCY FOLLOWING THE WORDS "Registered Tire Transporter, (number)." | <input type="checkbox"/> |
| 40 | 848.606(b) | REGISTERED TIRE TRANSPORTER NUMBERS AND LETTERS SHALL BE REMOVABLE ONLY BY DESTRUCTION DIRECTLY ADJACENT TO THE WORDS AND NUMBER. THE VEHICLE OWNER AND OPERATOR SHALL DISPLAY A SEAL FURNISHED BY THE AGENCY WHICH SHALL DESIGNATE THE DATE ON WHICH THE REGISTRATION EXPIRES. | <input type="checkbox"/> |
| THE FOLLOWING VIOLATIONS MAY BE CITED WHEN WASTES, INCLUDING TIRES, HAVE BEEN <u>DISPOSED</u> AT A TIRE STORAGE SITE | | | |
| 41 | 9(a) | CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS. | <input type="checkbox"/> |
| 42 | 9(c) | CAUSE OR ALLOW OPEN BURNING | <input type="checkbox"/> |

| | | | |
|---------------------------|---------------------------------------|--|-------------------------------------|
| 43 | 12(a) | CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS | <input checked="" type="checkbox"/> |
| 44 | 12(b) | CREATE A WATER POLLUTION HAZARD | <input checked="" type="checkbox"/> |
| 45 | 13(a) | CAUSE OR ALLOW OPEN DUMPING <input checked="" type="checkbox"/> USED TIRES <input checked="" type="checkbox"/> OTHER WASTE | <input checked="" type="checkbox"/> |
| 46 | 210(b)(2) | CONDUCT A WASTE STORAGE OPERATION IN VIOLATION OF ANY REGULATIONS OR STANDARDS ADOPTED BY THE BOARD UNDER THIS ACT Note: Also Mark appropriate Violations of Part 848 | <input checked="" type="checkbox"/> |
| 47 | 71(c) | DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE AT A SITE WHICH DOES NOT MEET THE REQUIREMENTS OF THIS ACT AND REGULATIONS Note: Also Mark appropriate Violations of Part 848 | <input checked="" type="checkbox"/> |
| 48 | 210(p) | CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING: | |
| | (1) | Liter | <input checked="" type="checkbox"/> |
| | (2) | Scavenging | <input type="checkbox"/> |
| | (3) | Open Burning | <input type="checkbox"/> |
| | (4) | Deposition of Waste in Standing or Flowing Waters | <input checked="" type="checkbox"/> |
| | (5) | Proliferation of Disease Vectors | <input type="checkbox"/> |
| | (6) | Standing or Flowing Liquid Discharge from the Dump Site | <input type="checkbox"/> |
| 49 | 57(c) | NO PERSON SHALL: | |
| | (1) | Cause or Allow Open Dumping of Any Used or Waste Tire | <input checked="" type="checkbox"/> |
| | (2) | Cause or Allow Open Burning of Any Used or Waste Tire | <input type="checkbox"/> |
| | (3) | Abandon, Dump or Dispose of Any Used or Waste Tire on Private or Public Property | <input checked="" type="checkbox"/> |
| OTHER REQUIREMENTS | | | |
| 50 | | APPARENT VIOLATION OF: <input type="checkbox"/> PCB CASE NUMBER; <input type="checkbox"/> CIRCUIT COURT ORDER ENTERED ON: | <input type="checkbox"/> |
| 51 | 210(p)(7) | Cause or allow the open dumping of any waste in a manner which results in any of the following: Deposition of (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b) | <input checked="" type="checkbox"/> |
| 52 | 350(k)(1) | No person shall cause or allow water to accumulate in used or waste tires. The prohibition set forth in this paragraph (1) of subsection (k) shall not apply to used or waste tires located at a residential household, as long as not more than 12 used or waste tires are located at the site | <input checked="" type="checkbox"/> |
| 53 | 812.101 | Failure to submit an application for a permit to develop and operate a landfill | <input checked="" type="checkbox"/> |
| 54 | 72.1.1 | Hazardous waste determination | <input checked="" type="checkbox"/> |
| 55 | 808.121 | Special waste determination | <input checked="" type="checkbox"/> |
| 56 | 610 Mercury Switch Removal Act (MSRA) | Vehicle recyclers, vehicle crushers, and scrap metal recyclers that remove mercury switches from end-of-life vehicles must maintain records documenting the following for each calendar quarter: (1) the number of mercury switches that are removed from end-of-life vehicles; (2) the number of end-of-life vehicles received that contain one or more mercury switches; (3) the number of end-of-life vehicles that are flattened, crushed, shredded, or otherwise processed for recycling; and (4) the make and model of each car from which one or more mercury switches was removed. Such records must be retained at the place of business for a minimum of 3 years and made available for inspection and copying by the Agency during normal business hours. | <input checked="" type="checkbox"/> |
| 57 | 610(d) MSRA | For each period of July 1 through June 30 thereafter, no later than 45 days after the close of the period vehicle recyclers, vehicle crushers, and scrap metal recyclers that remove mercury switches from end-of-life vehicles must submit to the Agency an annual report containing the following information for the period: (1) the number | <input checked="" type="checkbox"/> |

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| | | of mercury switches removed from end-of-life vehicles, (ii) the number of end-of-life vehicles received that contain one or more mercury switches, and (iii) the number of end-of-life vehicles that were flattened, crushed, shredded, or otherwise processed for recycling. Data required to be reported to the United States Environmental Protection Agency under federal law or regulation may be used in meeting requirements of this subsection (e) if the data contains the information required under items (i), (ii), and (iii) of this subsection. | |
| 58 | 15(g)(1) (MSRA) | Vehicle recyclers must remove all mercury switches from end-of-life vehicles prior to delivering the vehicles to an on-site or off-site vehicle crusher or to a scrap metal recycler, provided that a vehicle recycler is not required to remove a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the vehicle recycler's receipt of the vehicle in which case the damage must be noted in the records the vehicle recycler is required to maintain under Section 10(e) of this Act. | <input checked="" type="checkbox"/> |
| 59 | 15(g)(2) (MSRA) | No vehicle recycler, vehicle crusher, or scrap metal recycler shall flatten, crush, or otherwise process an end-of-life vehicle for recycling unless all mercury switches have been removed from the vehicle, provided that a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the vehicle recycler's or the vehicle crusher's receipt of the vehicle is not required to be removed. The damage must be noted in the records the vehicle or vehicle crusher is required to maintain under Section 10(e) of this Act. | <input checked="" type="checkbox"/> |
| 60 | 15(g)(3) (MSRA) | Notwithstanding subsection (g)(1) of Section 15 of the Illinois Mercury Switch Removal Act, a scrap metal recycler may agree to accept an end-of-life vehicle that contains one or more mercury switches and that has not been flattened, crushed, shredded, or otherwise processed for recycling provided the scrap metal recycler removes all mercury switches from the vehicle before the vehicle is flattened, crushed, shredded, or otherwise processed for recycling. Scrap metal recyclers are not required to remove a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the scrap metal recycler's receipt of the vehicle. The damage must be noted in the records the scrap metal recycler is required to maintain under Section 10(e) of this Act. | <input checked="" type="checkbox"/> |
| 61 | 733.113(d)(1) | A small quantity handler of universal waste must manage universal waste batteries in a manner that prevents releases of any universal waste or component of a universal waste to the environment, as follows: 1) A small quantity handler of universal waste must contain any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions in a container. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. | <input checked="" type="checkbox"/> |
| 62 | 733.113(d)(1) | A small quantity handler of universal waste must manage lamps in a manner that prevents releases of any universal waste or component of a universal waste to the environment, as follows: 1) A small quantity handler of universal waste lamps must contain all lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. Such containers and packages must remain closed and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. | <input checked="" type="checkbox"/> |
| 63 | 733.114(d)(1) | A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste, as follows: (d) Universal waste mercury-containing equipment and universal waste thermostat labeling. 1) Universal waste mercury-containing equipment (i.e., each device) or a container in which the equipment is contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury-Containing Equipment," or "Waste Mercury-Containing Equipment," or "Used Mercury-Containing Equipment." | <input checked="" type="checkbox"/> |
| 64 | 733.114(a) | A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste, as follows: a) Universal waste batteries (i.e., each battery) or a container in which the batteries are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Batteries," "Waste Batteries," or "Used Batteries." | <input checked="" type="checkbox"/> |
| 65 | 733.114(c) | A small quantity handler of universal waste must label or mark the universal waste to identify the type of universal waste, as follows: c) Each lamp or a container or package in which such lamps are contained must be labeled or clearly marked with one of the following phrases: "Universal Waste-Lamps," "Waste Lamps," or "Used Lamps." | <input checked="" type="checkbox"/> |
| 66 | 733.115(a) | A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) of this Section are met. | <input checked="" type="checkbox"/> |
| 67 | 733.115(c) | A small quantity handler of universal waste that accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways: 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received; 2) Marking or labeling each individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received; 3) Maintaining an on-site inventory system that identifies the date each universal waste became a waste or was received; 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received; 5) Placing the universal waste in a specific accumulation area and identifying the earliest date | <input checked="" type="checkbox"/> |

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| | | that any universal waste in the area became a waste or was received; or 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received. | |
| 68. | 633.117 | A small quantity handler of universal waste must immediately contain all releases of universal waste and other residues from universal waste. | <input checked="" type="checkbox"/> |
| 69. | 633.118(a) | A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination. | <input checked="" type="checkbox"/> |
| | | | |
| | | | |

Informational Notes

- 1 Illinois Environmental Protection Act 415 ILCS 5/1 et seq
- 2 Illinois Pollution Control Board 35 Ill. Adm. Code, Subtitle G
- 3 Illinois Pollution Control Board 35 Ill. Adm. Code, Subtitle G, Chapter I, Subchapter m, Part 848
- 4 Summary and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in the references listed in #1, #2, and #3 above.
- 5 The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 51.1 of the Act or by complaint under Section 31 of the Act.
- 6 This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act 415 ILCS 5/1(c) and (d).
- 7 Items marked with an "NI" were not evaluated at the time of this inspection.

NARRATIVE INSPECTION REPORT

Date: October 25, 2011 Inspector: Sheila Williams

Site Code: 0550705030 County: Franklin

Site Name: West Frankfort/Shelby and Sons, Inc. Approx. Time: 11:10 A.M. – 2:55 P.M.

GENERAL REMARKS

On October 25, 2011 I conducted an inspection at the West Frankfort/Shelby and Sons, Inc. site. Also representing the Illinois EPA, in attendance for part of the inspection were Garrison Gross, Phil Fatka and Becky Jayne. At the onset we spoke with Robert Shelby who accompanied us through portions of the inspection. Shelby and Sons, Inc. is licensed by the Illinois Secretary of State as an auto parts recycler and a rebuilder. The business is also registered with the Illinois EPA as a tire retailer. The business is located approximately one mile north of West Frankfort and is positioned on both the east and west sides of Route 37. County records reflect that Robert Shelby receives the real estate tax bill for the property on the west side of Route 37 as well as property to the north and east of the part of the business that is on the east side of Route 37. Harold and Catherine Shelby are shown to receive the real estate tax bill for the portion of the business that is located on the east side of Route 37. Robert Shelby said Harold Shelby is deceased.

Mr. Shelby said the frequency of having crushers come to the site fluctuates. He said they use different crushers from year to year. He said they burn used oil on site, they sell antifreeze and reuse windshield washer fluid. He indicated Interstate Battery picks up the batteries they don't resale. When asked for documents concerning crushers and batteries, Mr. Shelby indicated he was not able to provide that information.

Several areas were observed throughout the site where apparent open dumping resulting in litter occurred (some examples can be seen in photos 005, 010, 011, 022-029 and 031-037). Demolition debris was observed apparently open dumped (photos 010 and 031). Some of the wastes, including but not limited to vehicles, were inundated with vegetation. This refuse appears to have been discarded at a site that does not meet the definition of a permitted landfill. Numerous items such as metal parts, vehicle seats and the interior of vehicles were exposed to the elements. It is apparent many of the items at Shelby and Sons, Inc. were not in use, useable in their current conditions and/or not being protected for future use.

This business has notified the Illinois EPA that the maximum number of tires that will be accumulated on site is 250. As such the facility would be considered exempt from the storage requirements. However, approximately 375 used/waste tires were observed. Some of the tires were holding water. A couple of vehicles were partially supported by used/waste tires. Two tires were apparently open dumped in a creek adjacent to the west side of the site. Some tires were stored outside within 25' of buildings. Because this site no longer meets the storage exemption for retailers, it should have registered with the Agency and paid the corresponding annual fee. Mr. Shelby said Martin Tire picks up their used/waste tires. He indicated he was not able to access any records pertaining to this information at that time. Agency records do not reflect any haulers by the name of Martin Tire that are approved Registered Commercial Used Tire Transporters.

Approximately 30 drums were present on the west portion of the facility. By way of either visualizing or gently tapping on the sides, they all seemed to contain unknown materials. None of the drums appeared to be labeled, one did not have a lid and one was damaged (photo 028). Black stains were present on the ground in the vicinity of many of the drums. In addition to the drums, about one dozen five gallon buckets were present. It is the responsibility of the generator to know what is in each container. For any and all containers whose contents are not known as a matter of fact, in accordance with methods set forth in Subpart C of 35 Ill. Adm. Code 721, or according to an

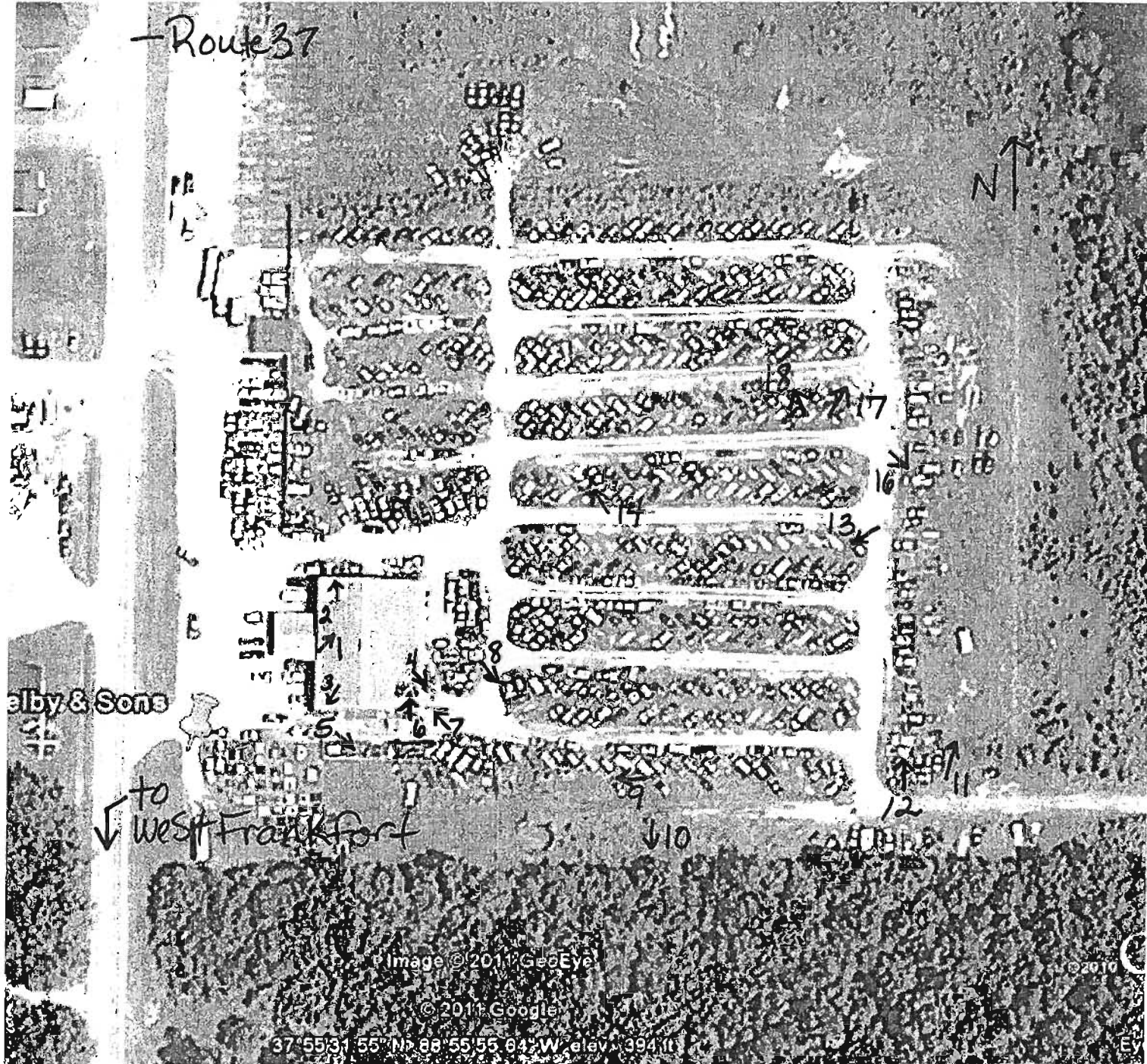
equivalent method approved by the Board under 35 Ill. Adm. Code 720.121, analytical determinations must be conducted. For any known contents, containers should either be labeled and stored in such a way that the contents cannot escape OR be transported by an approved hauler to a recycling or disposal facility that meets the requirements to receive such materials. Additionally, upon determination of the contents of all containers, contaminated soils should be removed and properly disposed of. Copies of all documentation pertaining to the above should be sent to the Illinois EPA at the Marion Regional Office.

Used/waste fluorescent light bulbs (lamps), vehicle batteries and mercury containing equipment are the three types of universal wastes generated by Shelby and Sons, Inc. The used/waste lamps are kept inside the building on the east side of Route 37. They were not in closed containers that were structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps. None of the lamps appeared to be labeled with one of the required phrases as indicated by Part 733.114(e). This facility was not able to demonstrate the length of time the fluorescent bulbs had been accumulated from the date it became a waste. When asked for records pertaining to the removal of the fluorescent light bulbs, Mr. Shelby indicated there were no records. He explained there is a man who comes to pick up the lamps and in turn, Mr. Shelby writes him a check. Mr. Shelby did not provide the man's name & seemed to not be aware of his affiliation with any universal-waste recycling, treatment or disposal facility.

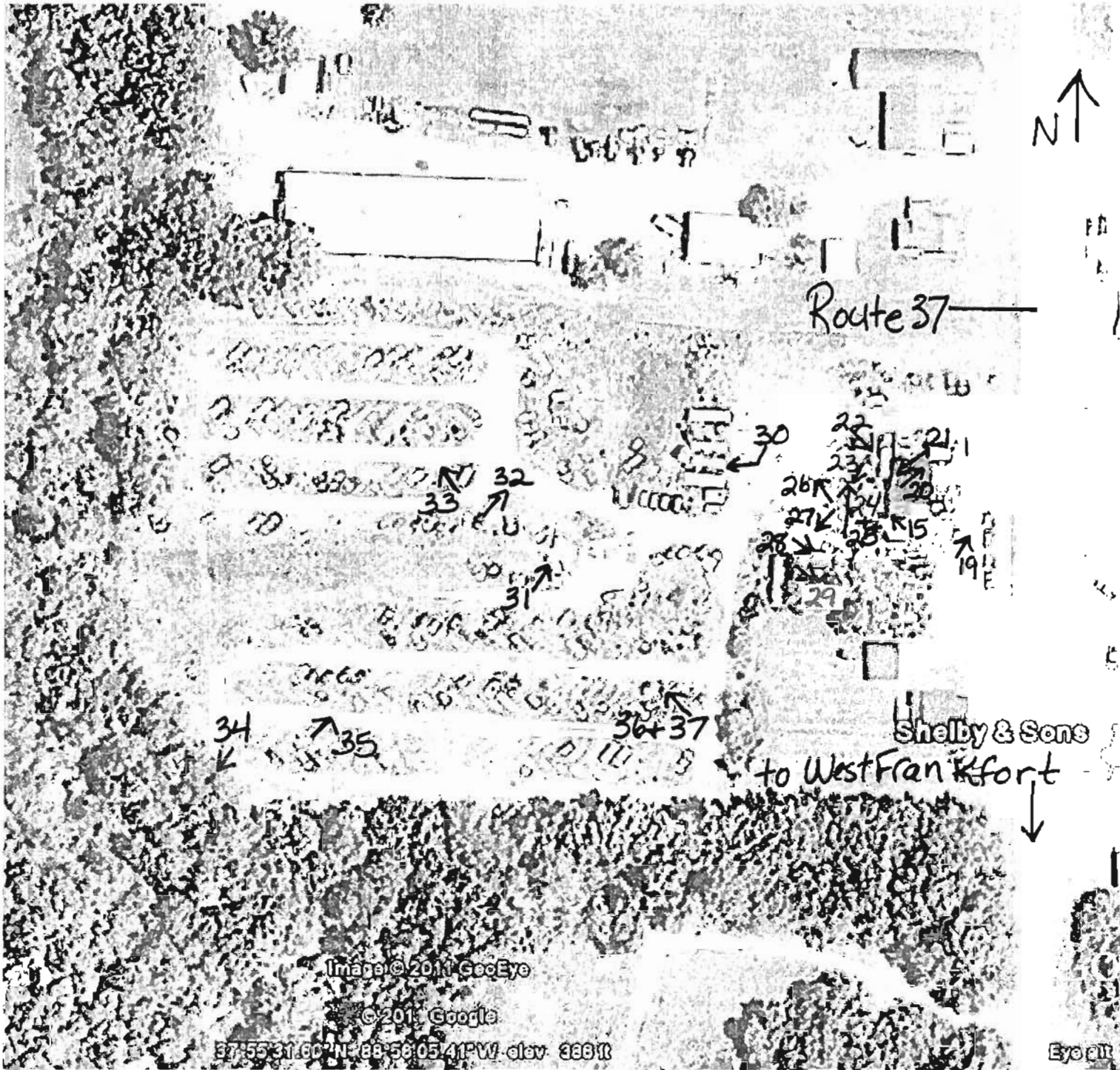
Vehicle batteries were kept in two different locations. One was in the building on the east side of Route 37 and the other was in a building on the west side of Route 37. One of the batteries in the east building showed evidence of leakage. The battery was not in a container that was closed, structurally sound and compatible with the contents of the battery. It was apparent steps were not taken to immediately contain the release from the battery because the liquid appeared to be dry and the damaged battery had not been containerized. The batteries did not appear to be labeled with one of the required phrases as indicated in Part 733.114(a). No records were provided regarding the

recycling/disposal of batteries, or the length of time that the batteries had been accumulated from the date they became wastes.

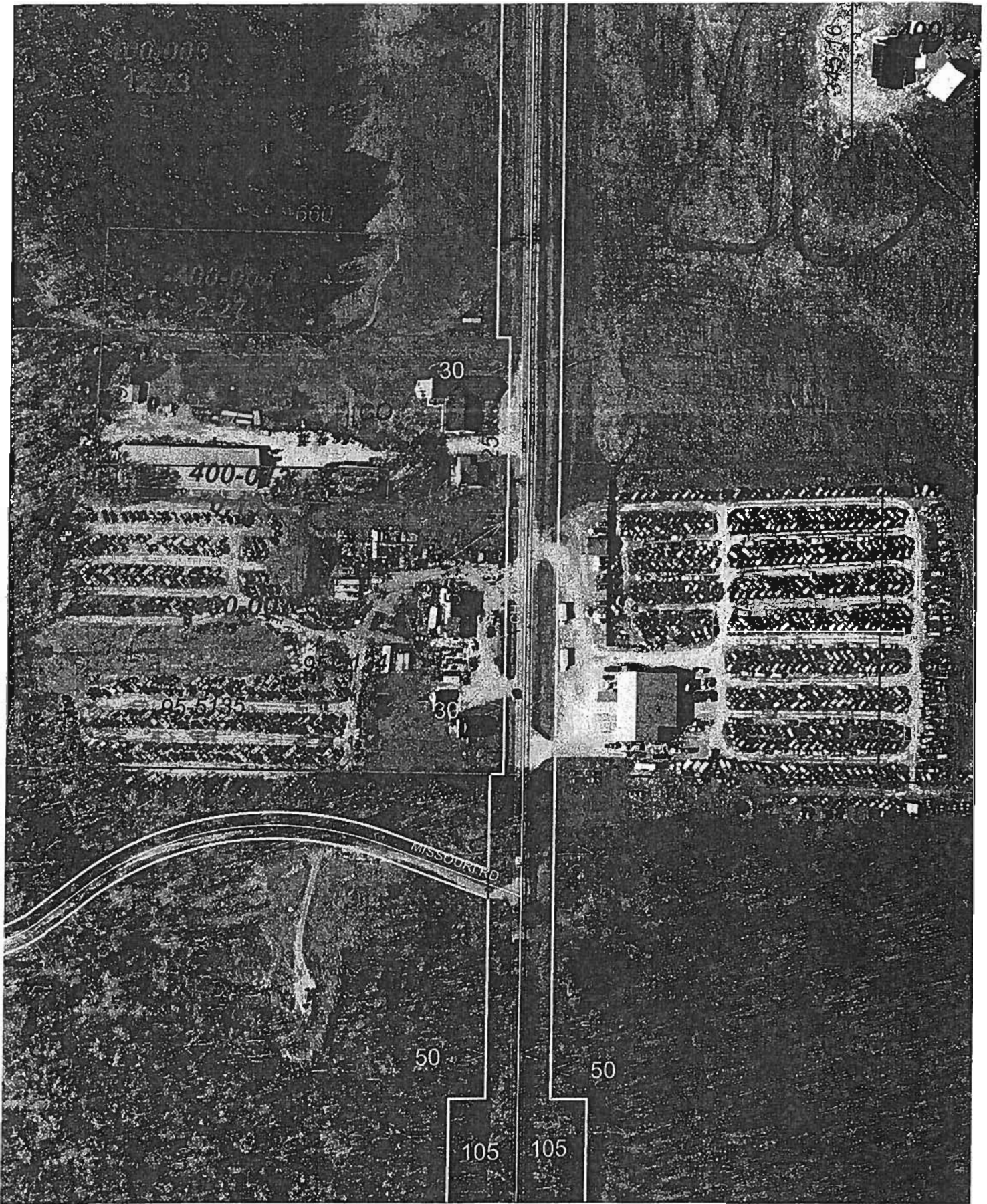
Mr. Shelby was asked whether they have been removing mercury switches from end of life vehicles. He stated that his brother handles that aspect of the business, but he was not available at the time of the inspection. Shelby and Sons have more than six end of life vehicles processed annually, and is therefore, subject to the Mercury Switch Removal Act. Mr. Shelby was not able to produce any records documenting mercury switch removal and proper handling. Automakers have set up a company to collect and recycle mercury switches from vehicle crushers, recyclers, and shredders and scrap metal facilities. Data documenting the collection and recycling can be found at <http://www.eqonline.com/services/ELVS-Mercury-Switch-Recovery-Program/state-report-all.asp>. Although this facility joined this program July of 2009, Shelby and Sons, Inc. has never sent any switches to the automakers program for recycling. Removing and properly recycling mercury switches from end of life vehicles became mandatory on September 1, 2008. Vehicle recyclers are to remove mercury switches from end of life vehicles before they are delivered to an onsite or offsite crusher or scrap metal recycler, provided that a vehicle recycler is not required to remove a mercury switch that is inaccessible due to significant damage to the vehicle in the area surrounding the mercury switch that occurred prior to the vehicle recycler's receipt of the vehicle in which case the damage must be noted in the records the vehicle recycler is required to maintain. Shelby and Sons, Inc. should not have accepted end of life vehicles containing one or more mercury switches unless all mercury switches were going to be removed prior to processing (unless damage in the area is so significant that it makes the switch inaccessible). There was nothing to suggest this type of universal waste had been placed in a container and labeled in accordance with Part 733.114(d)(1). Agency records do not reflect that annual reports have been submitted as required by Section 10(d) of the Mercury Switch Removal Act. Because of the lack of records, it was not possible to determine how long mercury containing equipment had accumulated at the site.



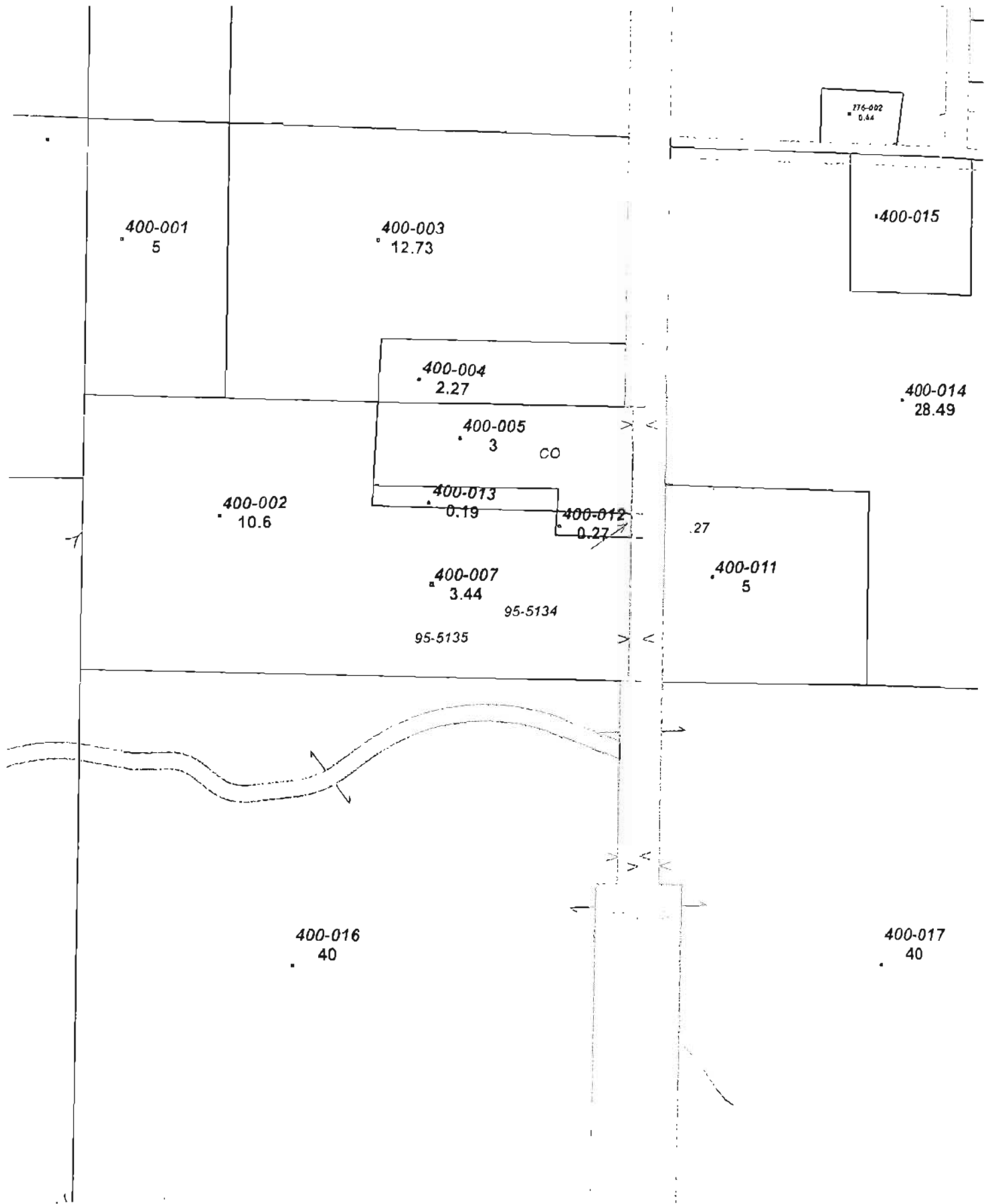
West Frankfort/Shelby and Sons, Inc.
#0550705030 - Franklin County
Not to Scale
Locations are Approximate
10/25/2011



West Frankfort/Shelby and Sons, Inc.
#0550705030 - Franklin County
Not to Scale
Locations are Approximate
10/25/2011



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CORPORATION FILE DETAIL REPORT

| | | | |
|--------------------------------------|-------------------------|-------------------------------------|---|
| Entity Name | SHELBY AND SONS, INC. | File Number | 54331525 |
| Status | ACTIVE | | |
| Entity Type | CORPORATION | Type of Corp | DOMESTIC BCA |
| Incorporation Date (Domestic) | 07/31/1986 | State | ILLINOIS |
| Agent Name | ROBERT SHELBY | Agent Change Date | 08/13/1996 |
| Agent Street Address | 4319 STATE HWY 37 NORTH | President Name & Address | ROBERT SHELBY 2339 CARDINAL DR WEST FRANKFORT 62896 |
| Agent City | WEST FRANKFORT | Secretary Name & Address | MIKE SHELBY 4424 PACIFIC DR WEST FRANKFORT 62896 |
| Agent Zip | 62896 | Duration Date | PERPETUAL |
| Annual Report Filing Date | 07/08/2011 | For Year | 2011 |

[Return to the Search Screen](#)

Purchase Certificate of Good Standing

(One Certificate per Transaction)

RECEIVED

NOV 16 2011

IEPA/BOL



Close

Shelby & Sons

13001 Park
 Highway 13
 Detroit, MI 48213
 (481) 932-3083
 Phone: (481) 932-3083
 Contact: Robert Shelby
 Email: shelbyandsons@meondsl.com
 Address:
 country: No
 Date Recd?:
 Date: 11/09/09
 Contact:

| Item Name | Quantity |
|---------------------------------|----------|
| Light Switches | 0 |
| Ignition Switches | 0 |
| Ignition Key Switches | 0 |
| Accepted: | |
| Light Switches Accepted | 0 |
| Ignition Switches Accepted | 0 |
| Total Switches Accepted: | 0 |
| Weight of Mercury Accepted | 0.00 lbs |

Parcel Information Report

Franklin County

11-12-400-002

| | | | | | | |
|-------------------------|--|---------------|----------------|----------------------|-----------------|---------------------|
| Parcel Number | Township | Tax Code | Property Class | Land Use | 1977 Base Value | Senior Freeze Year |
| 11-12-400-002 | DENNING | 72228 | 0011 | | 2.590 | 0 |
| Alternate Parcel Number | Homesite Acres | Farm Acres | Gross Acres | TIF Base | EZone Parcel | Senior Freeze Value |
| 1-72-068-04 | 0.0000 | 15.7700 | 15.7700 | 0 | NO | 0 |
| Parcel Status | Activation Year | Lot Dimension | | Level Activated | | |
| Active | 1998 | | | Prior Year Equalized | | |
| Owner Name and Address | SHELBY ROBERT E 4319 HWY 37 NORTH WEST FRANKFORT, IL 62896 | | | | | |

Alternate Name and Address

Parcel Sales

Site Address

Legal Description SEC 12 TWP 07 RNG 02
 PT S 1/2 NW SE

| <u>2011</u> | <u>1st Installment</u> | <u>2nd Installment</u> | <u>Totals</u> |
|------------------------|------------------------|------------------------|---------------|
| <i>Tax Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Penalty Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Cost Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Drainage Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Amount Paid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Unpaid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Date Paid</i> | | | |
| <i>Batch Number</i> | | | |
| <i>Receipt No.</i> | | | |
| <i>Cashier Code</i> | | | |
| <i>TPA</i> | | | |
| <i>Paid by</i> | | | |
| <i>Status</i> | | | |

Parcel Information Report
Franklin County
11-12-400-007

| | | | | | | |
|--------------------------------|--|----------------------|-----------------------|------------------------|------------------------|----------------------------|
| Parcel Number | Township | Tax Code | Property Class | Land Use | 1977 Base Value | Senior Freeze Year |
| 11-12-400-007 | DENNING | 72228 | 0070 | | 0 | 0 |
| Alternate Parcel Number | Homesite Acres | Farm Acres | Gross Acres | TIF Base | EZone Parcel | Senior Freeze Value |
| 1-72-068-08 | 0.0000 | 0.0000 | 3.4400 | 0 | NO | 0 |
| Parcel Status | Activation Year | Lot Dimension | | Level Activated | | |
| Active | 1998 | | | Prior Year Equalized | | |
| Owner Name and Address | SHELBY ROBERT E 4319 HWY 37 NORTH WEST FRANKFORT, IL 62898 | | | | | |

Alternate Name and Address

Parcel Sales

Site Address

Legal Description SEC 12 TWP 07 RNG 02
 PT S 1/2 NW SE

| <u>2011</u> | <u>1st Installment</u> | <u>2nd Installment</u> | <u>Totals</u> |
|------------------------|------------------------|------------------------|---------------|
| <i>Tax Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Penalty Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Cost Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Drainage Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Amount Paid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Unpaid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Date Paid</i> | | | |
| <i>Batch Number</i> | | | |
| <i>Receipt No.</i> | | | |
| <i>Cashier Code</i> | | | |
| <i>TPA</i> | | | |
| <i>Paid by</i> | | | |
| <i>Status</i> | | | |

Parcel Information Report
Franklin County
11-12-400-012

| | | | | | | |
|--------------------------------|--|----------------------|-----------------------|------------------------|------------------------|----------------------------|
| Parcel Number | Township | Tax Code | Property Class | Land Use | 1977 Base Value | Senior Freeze Year |
| 11-12-400-012 | DENNING | 72228 | 0030 | | 0 | 0 |
| Alternate Parcel Number | Homesite Acres | Farm Acres | Gross Acres | TIF Base | EZone Parcel | Senior Freeze Value |
| 1-72-069-01 | 0.0000 | 0.0000 | 0.2700 | 0 | NO | 0 |
| Parcel Status | Activation Year | Lot Dimension | | Level Activated | | |
| Active | 1998 | | | Prior Year Equalized | | |
| Owner Name and Address | SHELBY ROBERT 4319 HWY 37 NORTH WEST FRANKFORT, IL 62896 | | | | | |

Alternate Name and Address

Parcel Sales

Site Address

Legal Description SEC 12 TWP 07 RNG 02
 PT S 1/2 NW SE DOC 95-5134

| <u>2011</u> | <u>1st Installment</u> | <u>2nd Installment</u> | <u>Totals</u> |
|------------------------|------------------------|------------------------|---------------|
| <i>Tax Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Penalty Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Cost Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Drainage Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Amount Paid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Unpaid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Date Paid</i> | | | |
| <i>Batch Number</i> | | | |
| <i>Receipt No.</i> | | | |
| <i>Cashier Code</i> | | | |
| <i>TPA</i> | | | |
| <i>Paid by</i> | | | |
| <i>Status</i> | | | |

Parcel Information Report
Franklin County
11-12-400-011

| | | | | | | |
|--------------------------------|------------------------|----------------------|-----------------------|------------------------|------------------------|----------------------------|
| Parcel Number | Township | Tax Code | Property Class | Land Use | 1977 Base Value | Senior Freeze Year |
| 11-12-400-011 | DENNING | 72228 | 0070 | | 0 | 0 |
| Alternate Parcel Number | Homesite Acres | Farm Acres | Gross Acres | TIF Base | EZone Parcel | Senior Freeze Value |
| 1-72-068-10 | 0.0000 | 0.0000 | 5.0000 | 0 | NO | 0 |
| Parcel Status | Activation Year | Lot Dimension | | Level Activated | | |
| Active | 1998 | | | Prior Year Equalized | | |

Owner Name and Address SHELBY HAROLD E
 4319 HWY 37 N
 WEST FRANKFORT, IL 62896

SHELBY CATHERINE
 4319 HWY 37 N
 WEST FRANKFORT, IL 62896

Alternate Name and Address

Parcel Sales

Site Address

Legal Description SEC 12 TWP 07 RNG 02
 5 ACRES IN SW COR NE SE
 COMMERCIAL BLDG.

| <u>2011</u> | <u>1st Installment</u> | <u>2nd Installment</u> | <u>Totals</u> |
|------------------------|------------------------|------------------------|---------------|
| <i>Tax Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Penalty Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Cost Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Drainage Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| Total Billed | \$0.00 | \$0.00 | \$0.00 |
| <i>Amount Paid</i> | \$0.00 | \$0.00 | \$0.00 |
| Total Unpaid | \$0.00 | \$0.00 | \$0.00 |
| <i>Date Paid</i> | | | |
| <i>Batch Number</i> | | | |
| <i>Receipt No.</i> | | | |
| <i>Cashier Code</i> | | | |
| <i>TPA</i> | | | |
| <i>Paid by</i> | | | |
| <i>Status</i> | | | |

Parcel Information Report
Franklin County
11-12-400-014

| | | | | | | |
|--------------------------------|--|----------------------|-----------------------|------------------------|------------------------|----------------------------|
| Parcel Number | Township | Tax Code | Property Class | Land Use | 1977 Base Value | Senior Freeze Year |
| 11-12-400-014 | DENNING | 72228 | 0021 | | 0 | 0 |
| Alternate Parcel Number | Homesite Acres | Farm Acres | Gross Acres | TIF Base | EZone Parcel | Senior Freeze Value |
| 1-72-068-02 | 0.0000 | 28.4900 | 28.4900 | 0 | NO | 0 |
| Parcel Status | Activation Year | Lot Dimension | | Level Activated | | |
| Active | 1998 | | | Prior Year Equalized | | |
| Owner Name and Address | SHELBY ROBERT E 4319 HWY 37 NORTH WEST FRANKFORT, IL 62896 | | | | | |

Alternate Name and Address

Parcel Sales

Site Address

Legal Description SEC 12 TWP 07 RNG 02
 NE SE
 EX 5 AC SW COR &
 EX COM NE COR S 1/2 NE SE W 561.51' POB
 W 295.16' S 345.16' E 295.16' N 345.16'

| <u>2011</u> | <u>1st Installment</u> | <u>2nd Installment</u> | <u>Totals</u> |
|----------------------------|------------------------|------------------------|---------------|
| <i>Tax Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Penalty Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Cost Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Drainage Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Billed</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Amount Paid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Total Unpaid</i> | \$0.00 | \$0.00 | \$0.00 |
| <i>Date Paid</i> | | | |
| <i>Batch Number</i> | | | |
| <i>Receipt No.</i> | | | |
| <i>Cashier Code</i> | | | |
| <i>TPA</i> | | | |
| <i>Paid by</i> | | | |
| <i>Status</i> | | | |

Shelby & Sons Inc.
 4319 State Hwy 37 N.
 West Frankfort, IL 62896
 618-932-3083 Fax: 618-932-2459

| | |
|------------------|------------------|
| Reference Number | Date |
| 91084 | 10/20/2011 15:13 |
| PO Number | CustomerNumber |
| | 1 |

| | | | |
|----------------------------|-----------------|----------------------------|------|
| S O L D T O | BURRELL , IL | S H I P T O | CASH |
|----------------------------|-----------------|----------------------------|------|

| | | | | |
|-------------|-------------------|-------------|----------|------|
| Salesperson | Order Type | Tax ID/Code | Ship Via | Page |
| I - I RES | COUNTER DUPLICATE | IL | | 1 |

| Quantity | Description | Unit Price | Ext Price |
|----------|--|------------|-----------|
| 2 | 585.GM8C00 1U-TIRES Requested: 2000 TAHOE 53L; Q:144876 | \$119.99 | \$239.98 |
| 2 | ILL.STATE TIRE TAX Q:144876 | \$2.50 | \$5.00 |
| 2 | LABOR Q:144876 | \$10.00 | \$20.00 |

Notes: 2657016 CASCADE II

NO RETURNS ON ELECTRICAL PARTS.NO CASH RETURNS

| | | |
|----------------|----------------|-----------|
| Payment Totals | Payment Notes: | Totals |
| Charge | 2008 | Freight |
| Cash | | Discount |
| Check | \$279.98 | Taxable |
| Credit Card | | Non Tax |
| Debit Card | | Total Tax |
| PayPal | | |

Received by: Invoice Amt \$279.98

Illinois Department of Revenue
ST-8 Tire User Fee

RECEIVED
 NOV 0 12011
 IL Environmental Protection Agency,
 MARION REGIONAL OFFICE

IBT no.: 1932-4146

This form is for January 1 - March 31, 2010

REV 01 FORM 090

Due by: April 20, 2010

E S / /
 NS ED CA RC

Do not write above this line.
 F-01-004557

#BYNLFJS
 #X1J1 XJ36 XNJ1 9518#
 SHELBY & SONS INC
 4319 STATE HIGHWAY 37
 WEST FRANKFORT IL 62896-4200

You must round your figures to whole dollars (see instructions).

Step 1: Figure the net amount due

| | | |
|---|---|---------------|
| 1 Total number of tires sold | 1 | <u>43</u> |
| 2 Total number of deductible tires | 2 | <u>0</u> |
| 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.) | 3 | <u>43</u> |
| 4 Gross amount of tire fee collected (Multiply Line 3 by \$2.50.) | 4 | <u>107.50</u> |
| 5 Collection allowance you keep (Multiply Line 3 by 10 cents (\$0.10)) | 5 | <u>10.75</u> |
| 6 Prior overpayment (See instructions.) | 6 | <u>0.00</u> |
| 7 Total subtractions (Add Lines 5 and 6.) | 7 | <u>10.75</u> |
| 8 Net amount due (Subtract Line 7 from Line 4.) | 8 | <u>96.75</u> |

Step 3: Figure your payment due

| | | |
|--|----|--------------|
| 12 Excess tire fee collected (See instructions.) | 12 | <u>0.00</u> |
| 13 Total tire fee, penalty, and interest (Add Lines 8, 11, and 12.) | 13 | <u>96.75</u> |
| 14 Credit memorandum (See instructions.) | 14 | <u>0.00</u> |
| 15 Payment due (Subtract Line 14 from Line 13.) | 15 | <u>96.75</u> |

Make your check payable to the "Illinois Department of Revenue"

Step 2: Figure your penalty and interest

If you filed after the due date, see instructions.

| | | |
|--|----|-------------|
| 9 Penalty | 9 | <u>0.00</u> |
| 10 Interest | 10 | <u>0.00</u> |
| 11 Total penalty and interest (Add Lines 9 and 10.) | 11 | <u>0.00</u> |

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct and complete. The information in this return is taken from the records of the business for which it is filed.

Taxpayer's signature _____ Phone _____ Date / /
Carol Janner 618)993-6193 04/19/2010
 Paid preparer's signature _____ Phone _____ Date _____

This form is authorized by the Environmental Protection Act. Disclosure of this information is REQUIRED. Failure to provide information could result in a penalty. This form has been approved by the Forms Management Center, IL 492-3192



Do not detach.

ST-8
 (R-7/09)

Write the amount you are paying from Line 15 here.

\$ 96.75

Due by: April 20, 2010

IBT no.: 1932-4146

Mail this return and any payment you owe to:
 ATTNTIRE USER FEE
 ILLINOIS DEPARTMENT OF REVENUE
 SPRINGFIELD IL 62776-0001

SHELBY & SONS INC
 4319 STATE HIGHWAY 37
 WEST FRANKFORT IL 62896-4200



Illinois Department of Revenue

ST-8 Tire User Fee

Account ID: 1932-4146 Reporting Period: April 01, 2010 - June 30, 2010

REV 2 FORM 90

E S / /

NS DP CA RC

Do not write above this line.

#BWNKMGV
#CNXX XX84 1961 28X4#
SHELBY & SONS INC
4319 STATE HIGHWAY 37
W FRANKFORT IL 62896-4200



Due date: July 20, 2010



You must round your figures to whole dollars. See instructions.

Step 1: Figure your tires subject to tire fee

- 1 Total number of tires - Write the total number of new and used tires you sold or delivered at retail during the reporting period.
- 2 Number of tires exempt from the tire fee (deductible tires). See instructions.
- 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.)

| | |
|---|-----------|
| 1 | <u>36</u> |
| 2 | <u>0</u> |
| 3 | <u>36</u> |

Step 2: Figure your collection allowance and net amount due

- 4 Gross amount of tire fee (Multiply Line 3 by \$2.50.)
- 5 If you filed and paid by the due date, multiply Line 3 by 10 cents (\$0.10).
- 6 Net amount due (Subtract Line 5 from Line 4.)
- 7 Excess tire fee collected
- 8 Total tire fee due (Add Line 6 and Line 7.)

| | |
|------|--------------|
| 4 \$ | <u>90.00</u> |
| 5 \$ | <u>3.60</u> |
| 6 \$ | <u>86.40</u> |
| 7 \$ | <u>0.00</u> |
| 8 \$ | <u>86.40</u> |

Step 3: Figure your payment due

- 9 Credit amount
- 10 Payment due (Subtract Line 9 from Line 8.)
Make your check payable to "Illinois Department of Revenue".

| | |
|-------|-------------------|
| 9 \$ | <u> </u> |
| 10 \$ | <u>86.40</u> |

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct, and complete.

| | | |
|----------------------|-----------------------|-----------------|
| Taxpayer's signature | Phone | Date |
| <u>Carlos Tanner</u> | <u>(618) 993-6193</u> | <u>07/09/10</u> |
| Preparer's signature | Phone | Date |

Mail your completed return and payment to:
TIRE USER FEE
ILLINOIS DEPARTMENT OF REVENUE
SPRINGFIELD IL 62776-0001

Illinois Department of Revenue
ST-8 Tire User Fee

Account ID: 1932-4146 Reporting Period: July 01, 2010 - September 30, 2010

REV 2 FORM 90
 E S 1 / 1
 NS DP CA RC
Do not write above this line.

 #BWNKMGV
 _____ #CNXX X166 5688 2563#
 _____ SHELBY & SONS INC
 _____ 4319 STATE HIGHWAY 37
 W FRANKFORT IL 62896-4200



Due date: October 20, 2010



You must round your figures to whole dollars. See instructions.

Step 1: Figure your tires subject to tire fee

- 1 Total number of tires - Write the total number of new and used tires you sold or delivered at retail during the reporting period.
- 2 Number of tires exempt from the tire fee (deductible tires). See instructions.
- 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.)

1 44
 2 0
 3 44

Step 2: Figure your collection allowance and net amount due

- 4 Gross amount of tire fee (Multiply Line 3 by \$2.50.)
- 5 If you filed and paid by the due date, multiply Line 3 by 10 cents (\$0.10).
- 6 Net amount due (Subtract Line 5 from Line 4.)
- 7 Excess tire fee collected
- 8 Total tire fee due (Add Line 6 and Line 7.)

4 \$ 110.00
 5 \$ 4.40
 6 \$ 105.60
 7 \$ 0.00
 8 \$ 105.60

Step 3: Figure your payment due

- 9 Credit amount
- 10 Payment due (Subtract Line 9 from Line 8.)
 Make your check payable to "Illinois Department of Revenue".

9 \$ _____
 10 \$ 105.60

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct, and complete.

Taxpayer's signature: Carlos Tanner Phone: 618) 993-6193 Date: 10/16/10
 Preparer's signature: _____ Phone: _____ Date: _____

Mail your completed return and payment to:
TIRE USER FEE
ILLINOIS DEPARTMENT OF REVENUE
SPRINGFIELD IL 62776-0001





Illinois Department of Revenue

ST-8 Tire User Fee

Account ID: 1932-4146 Reporting Period: October 01, 2010 - December 31, 2010

REV 2 FORM 90
E S / /
NS DP CA RC
Do not write above this line

#BWNKMGV

#CNXX X164 6162 3681#

SHELBY & SONS INC

4319 STATE HIGHWAY 37

WFRANKFORT IL 62896-4200



Due date: January 20, 2011



You must round your figures to whole dollars. See instructions.

Step 1: Figure your tires subject to tire fee

- 1 Total number of tires - Write the total number of new and used tires you sold or delivered at retail during the reporting period.
- 2 Number of tires exempt from the tire fee (deductible tires). See instructions.
- 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.)

1 64
2 0
3 64

Step 2: Figure your collection allowance and net amount due

- 4 Gross amount of tire fee (Multiply Line 3 by \$2.50.)
- 5 If you filed and paid by the due date, multiply Line 3 by 10 cents (\$0.10).
- 6 Net amount due (Subtract Line 5 from Line 4.)
- 7 Excess tire fee collected
- 8 Total tire fee due (Add Line 6 and Line 7.)

4 \$ 160.00
5 \$ 6.40
6 \$ 153.60
7 \$ -
8 \$ 153.60

Step 3: Figure your payment due

- 9 Credit amount
- 10 Payment due (Subtract Line 9 from Line 8.)
Make your check payable to "Illinois Department of Revenue".

9 \$ -
10 \$ 153.60

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct, and complete.

| | | |
|------------------------|-----------------------|-------------------|
| Taxpayer's signature | Phone | Date |
| <u>Carlos Tanner</u> | <u>(618) 993-6193</u> | <u>01/18/2011</u> |
| Proprietor's signature | Phone | Date |

Mail your completed return and payment to:

**TIRE USER FEE
ILLINOIS DEPARTMENT OF REVENUE
SPRINGFIELD IL 62778-0001**





Illinois Department of Revenue
ST-8 Tire User Fee

Account ID: 1932-4146 Reporting Period: January 01, 2011 - March 31, 2011

REV 2 FORM 90
E S 1 / 1
NS DP CA RC
Do not write above this line.

#BWVKMGV

#CNXX X118 9183 52X6#

SHELBY & SONS INC

4319 STATE HIGHWAY 37

W FRANKFORT IL 62896-4200



Due date: April 20, 2011



You must round your figures to whole dollars. See instructions.

Step 1: Figure your tires subject to tire fee

- 1 Total number of tires - Write the total number of new and used tires you sold or delivered at retail during the reporting period.
- 2 Number of tires exempt from the tire fee (deductible tires). See instructions.
- 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.)

1 65
2 _____
3 65

Step 2: Figure your collection allowance and net amount due

- 4 Gross amount of tire fee (Multiply Line 3 by \$2.50)
- 5 If you filed and paid by the due date, multiply Line 3 by 10 cents (\$0.10)
- 6 Net amount due (Subtract Line 5 from Line 4.)
- 7 Excess tire fee collected
- 8 Total tire fee due (Add Line 6 and Line 7.)

4 \$ 163
5 \$ 7
6 \$ 156
7 \$ 0
8 \$ 156

Step 3: Figure your payment due

- 9 Credit amount
- 10 Payment due (Subtract Line 9 from Line 8.)
Make your check payable to "Illinois Department of Revenue".

9 \$ _____
10 \$ 156

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct, and complete.

Taxpayer's signature: Carlos Tanner Phone: (618) 993-6193 Date: 04/19/11
Preparer's signature: _____ Phone: _____ Date: _____

Mail your completed return and payment to:

**TIRE USER FEE
ILLINOIS DEPARTMENT OF REVENUE
SPRINGFIELD IL 62778-0001**



file

Illinois Department of Revenue
ST-8 Tire User Fee

Account ID: 1932-4146 Reporting Period: April 01, 2011 - June 30, 2011

REV 2 FORM 90
E S / /
NS DP CA RC
Do not write above this line.

#BWNKMGV

#CNXX XX14 6613 7921#

SHELBY & SONS INC

4319 STATE HIGHWAY 37
W FRANKFORT IL 62896-4200



Due date: July 20, 2011



You must round your figures to whole dollars. See instructions.

Step 1: Figure your tires subject to tire fee

- 1 Total number of tires - Write the total number of new and used tires you sold or delivered at retail during the reporting period. 1 52
- 2 Number of tires exempt from the tire fee (deductible tires). See instructions. 2
- 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.) 3 52

Step 2: Figure your collection allowance and net amount due

- 4 Gross amount of tire fee (Multiply Line 3 by \$2.50.) 4 \$ 130
- 5 If you filed and paid by the due date, multiply Line 3 by 10 cents (\$0.10). 5 \$ 5
- 6 Net amount due (Subtract Line 5 from Line 4.) 6 \$ 125
- 7 Excess tire fee collected 7 \$ 0
- 8 Total tire fee due (Add Line 6 and Line 7.) 8 \$ 125

Step 3: Figure your payment due

- 9 Credit amount 9 \$
- 10 Payment due (Subtract Line 9 from Line 8.) 10 \$ 125
Make your check payable to "Illinois Department of Revenue".

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct, and complete.

| | | |
|--|------------------------|--------------------|
| Taxpayer's signature <i>Carlos Janner</i> | Phone 618) 993-6193 | Date 07/14/2011 |
| Preparer's signature | Phone | Date |

Mail your completed return and payment to:
TIRE USER FEE
ILLINOIS DEPARTMENT OF REVENUE
SPRINGFIELD IL 62776-0001





Illinois Department of Revenue

ST-8 Tire User Fee

Account ID: 1932-4146 Reporting Period: July 01, 2011 - September 30, 2011

REV 2 FORM 90
E S / /
NS DP CA RC
Do not write above this line.

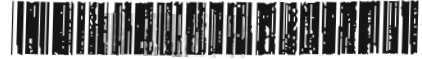
#BWNKMGV

#CNXX XX81 X951 2XX4#

SHELBY & SONS INC

4319 STATE HIGHWAY 37

WFRANKFORT IL 62896-4200



Due date: October 20, 2011



You must round your figures to whole dollars. See instructions.

Step 1: Figure your tires subject to tire fee

- 1 Total number of tires - Write the total number of new and used tires you sold or delivered at retail during the reporting period.
- 2 Number of tires exempt from the tire fee (deductible tires). See instructions.
- 3 Number of tires subject to tire fee (Subtract Line 2 from Line 1.)

1 40
2 _____
3 40

Step 2: Figure your collection allowance and net amount due

- 4 Gross amount of tire fee (Multiply Line 3 by \$2.50.)
- 5 If you filed and paid by the due date, multiply Line 3 by 10 cents (\$0.10).
- 6 Net amount due (Subtract Line 5 from Line 4.)
- 7 Excess tire fee collected
- 8 Total tire fee due (Add Line 6 and Line 7.)

4 \$ 100
5 \$ 4
6 \$ 96
7 \$ 0
8 \$ 96

Step 3: Figure your payment due

- 9 Credit amount
- 10 Payment due (Subtract Line 9 from Line 8.)
Make your check payable to "Illinois Department of Revenue".

9 \$ _____
10 \$ 96

Step 4: Sign below

Under penalties of perjury, I state that I have examined this return and, to the best of my knowledge, it is true, correct, and complete.

| | | |
|----------------------|----------------|------------|
| | Phone | Date |
| <i>Carlos Turner</i> | (618) 993-6193 | 10/19/2011 |
| Taxpayer's signature | Phone | Date |
| | | |
| Preparer's signature | Phone | Date |

Mail your completed return and payment to:

**TIRE USER FEE
ILLINOIS DEPARTMENT OF REVENUE
SPRINGFIELD IL 62776-0001**





DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 11:36 A.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 001
Comments: apparent
fluid has leaked from
at least one of the
batteries**



**Date: 10/25/2011
Time: 11:38 A.M.
Direction: north
Photo by: S. Williams
Exposure #: 002
Comments: used
fluorescent bulbs**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 10/25/2011
Time: 11:42 A.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 003
Comments: used
florescent bulbs



Date: 10/25/2011
Time: 11:53 A.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 004
Comments: water in
used/waste tire

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 12:04 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 005
Comments:
vegetation growing
around vehicle parts
on the ground**



**Date: 10/25/2011
Time: 12:07 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 006
Comments: water in
used/waste tires**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 12:09 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 007
Comments:
used/waste tires &
vehicle parts**



**Date: 10/25/2011
Time: 12:10 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 008
Comments:
approximately 105
used/waste tires**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 10/25/2011
Time: 12:14 P.M.
Direction: west
Photo by: S. Williams
Exposure #: 009
Comments:
dilapidated vehicle
seats, foam padding &
rusted metal



Date: 10/25/2011
Time: 12:20 P.M.
Direction: south
Photo by: S. Williams
Exposure #: 010
Comments:
demolition wood,
pallet & plastics

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 12:29 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 011
Comments: cloth
vehicle seats amongst
vegetation**



**Date: 10/25/2011
Time: 12:32 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 012
Comments:
used/waste tires,
vehicle seat & rusted
metal**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 12:37 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 013
Comments: back of
vehicle propped up
with used/waste tires**



**Date: 10/25/2011
Time: 12:40 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 014
Comments:
used/waste tires in
vehicle**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 10/25/2011
Time: 12:49 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 015
Comments: used oil tank is labeled



Date: 10/25/2011
Time: 1:33 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 016
Comments: rusted vehicle parts, plastics & a pallet

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 1:50 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 017
Comments: vehicle parts & interior of vehicle exposed to the elements**



**Date: 10/25/2011
Time: 1:50 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 018
Comments: vehicle parts exposed to the elements**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 10/25/2011
Time: 2:13 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 019
Comments: ~35
used/waste tires,
wood & vehicle parts



Date: 10/25/2011
Time: 2:13 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 020
Comments: vehicle
batteries

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:15 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 021
Comments: table with
reservoir to catch
vehicular fluids**



**Date: 10/25/2011
Time: 2:20 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 022
Comments: apparent
leak in area of two
metal drums**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:21 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 023
Comments: stained
blackened ground at
location of multiple
drums**



**Date: 10/25/2011
Time: 2:22 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 024
Comments: vehicle
parts exposed to the
elements**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:23 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 025
Comments: scattered
debris adjacent to
drums that appear to
have leaked**



**Date: 10/25/2011
Time: 2:23 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 026
Comments: multiple
five gallon buckets &
numerous vehicle
parts**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:25 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 027
Comments: multiple
drums & various
vehicle parts on the
ground**



**Date: 10/25/2011
Time: 2:26 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 028
Comments: the wall
of a drum appears to
have been torn which
has exposed the
contents, some of
which appears to
have spilled onto the
ground**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:27 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 029
Comments: multiple
drums & vehicle parts**



**Date: 10/25/2011
Time: 2:28 P.M.
Direction: west
Photo by: S. Williams
Exposure #: 030
Comments: about six
tires & various vehicle
parts stored in a bus**

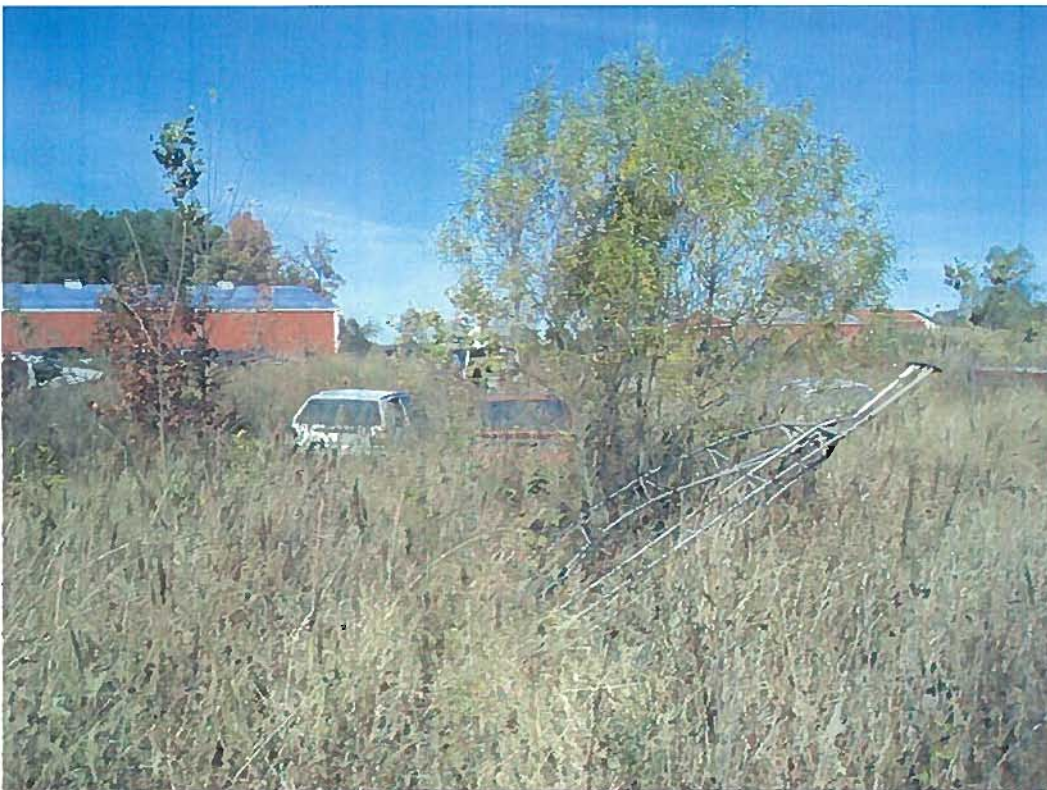
File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:31 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 031
Comments: vehicles &
demolition debris
amongst vegetation**



**Date: 10/25/2011
Time: 2:33 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 032
Comments: vehicles &
metal amongst
vegetation**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 10/25/2011
Time: 2:33 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 033
Comments: numerous vehicles surrounded by vegetation

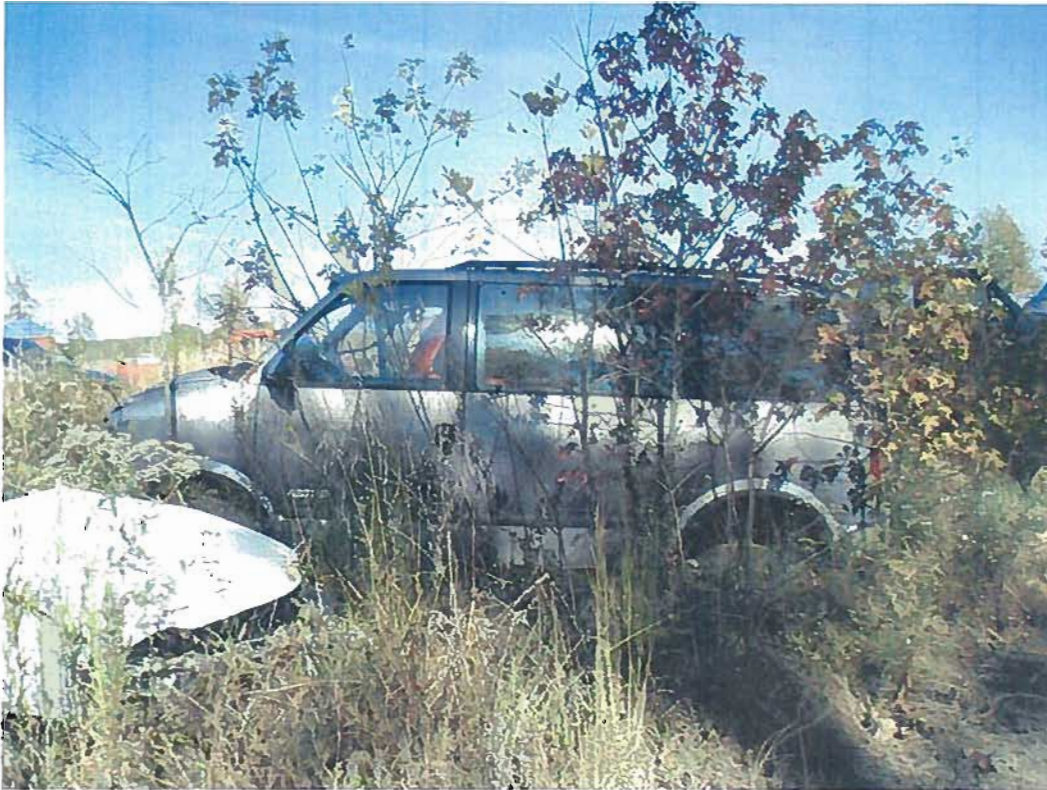


Date: 10/25/2011
Time: 2:36 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 034
Comments: waste is on an embankment that leads to a creek with tires & other debris

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:37 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 035
Comments: van with
small trees growing
around it**



**Date: 10/25/2011
Time: 2:40 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 036
Comments: vehicles
with trees & other
vegetation growing
around them**

File Names: 0550705030~10252011- [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/25/2011
Time: 2:41 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 037
Comments:
vegetation
encompassing
vehicles**

RECEIVED
CLERK'S OFFICE
DEC 21 2011
STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

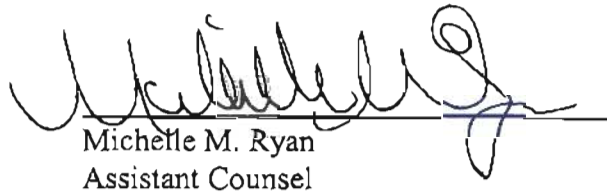
I hereby certify that I did on the 19th day of December 2011, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Shelby and Sons, Inc.
Attn: Robert Shelby, Registered Agent
4319 State Highway 37 North
West Frankfort, IL 62896

2 ORIGINAL

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

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


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