



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

BRUCE RAUNER, GOVERNOR

LISA BONNETT, DIRECTOR

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

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DEC 22 2015

STATE OF ILLINOIS
Pollution Control Board

December 14, 2015

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

AC16-8  ORIGINAL

Re: Illinois Environmental Protection Agency v Greg Lingle d/b/a GTS, Inc., Tereasa Baker
IEPA File No. 345-15-AC; 0878555010

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 Tire Storage Site 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

ADMINISTRATIVE CITATION

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 GREG LINGLE D/B/A GTS INC., and)
 TEREASA BAKER,)
)
 Respondents.)

AC 16-8

(IEPA No. 345-15-AC)

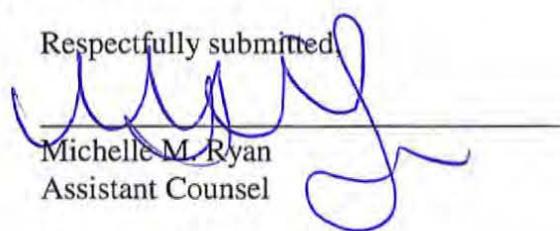
NOTICE OF FILING

To: Greg Lingle & Tereasa Baker
2070 S. Lick Creek Road
Buncombe, IL 62912

Greg Lingle d/b/a GTS, Inc.
140 Wolf Creek Road
Goreville, IL 62959

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 14, 2015

5. That on 12-14-15, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 3000 6711 - Lingle, Greg, Teresa
7012 0470 0001 3000 6704 - Lingle d/b/a GTS, Inc.

VIOLATIONS

Based upon direct observations made by Maggie Stevenson during the course of the October 28, 2015 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondents have violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents 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) (2014).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in scavenging, a violation of Section 21(p)(2) of the Act, 415 ILCS 5/21(p)(2) (2014).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2014).
- (4) That Respondents 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) (2014).

- (5) That Respondents 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) (2014).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2014), Respondents are 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 Seven Thousand Five Hundred Dollars (\$7,500.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 15, 2016, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondents elect 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 (2014), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondents 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) (2014), if Respondents fail 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, Respondents' 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, Respondents 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 Respondents 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 Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2014). If Respondents elect to contest this Administrative Citation, then Respondents 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 Respondents.

Lisa Bonnett by HP
Lisa Bonnett, Director
Illinois Environmental Protection Agency

Date: 12-11-15

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.)
)
GREG LINGLE D/B/A GTS INC, and)
TEREASA BAKER,)
)
Respondents.)

AC 16-8
(IEPA No. 345-15-AC)

FACILITY: Goreville/Lingle, Greg dba GTS Inc
SITE CODE NO.: 0878555010
COUNTY: Johnson
CIVIL PENALTY: \$7,500.00
DATE OF INSPECTION: October 28, 2015

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

STATE OF ILLINOIS)
) SS
COUNTY OF JOHNSON)

AC16-8

AFFIDAVIT

I, Maggie Stevenson, being first duly sworn upon oath, depose and state 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 28, 2015, between 2:05 p.m. and 2:40 p.m., Affiant conducted an inspection of the open dump in Johnson County, Illinois, known as Lingle, Greg dba GTS, Inc, Illinois Environmental Protection Agency Site No. 0878555010.

3. Affiant inspected said Lingle, Greg dba GTS, Inc open dump 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 Lingle, Greg dba GTS, Inc open dump.

FURTHER AFFIANT SAYETH NOT.

Maggie Stevenson

Subscribed and Sworn to before

me this 19th day of November, 2015

Gail Stricklin
Notary Public

MES:mes:11192015



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Tire Storage Site Inspection Checklist

County: Johnson LPC#: 0878555010 Region: 7 - Marion

City/Facility Name: Goreville/Lingle, Greg dba GTS Inc

Facility Location: 140 Wolf Creek Rd Telephone: 618-697-3456

Date: 10/28/2015 Time: From 2:05 To 2:40 Previous Inspection Date: 1/3/2013

Inspector(s): Maggie Stevenson No. of Photos Taken: # 14

Weather: 67°F, Overcast, slight breeze, damp No. of Samples Taken: 0

Interviewed: Kyle Swan, Richard Ousley and Greg Lingle Complaint #: 13-173

Waste Tire Hauler Used: Rabin (Scott City MO) Hauler Registration Number: None

Responsible Party Mailing Address(es): Greg Lingle dba GTS Inc
140 Wolf Creek Rd.
Goreville, IL 62952

Tereasa Baker
 2070 S Lick Creek Rd.
 Buncombe, IL 62912

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 STATE OF ILLINOIS
 Pollution Control Board

~100

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

SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS		
1	9(a) CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS.	<input checked="" type="checkbox"/>
2	9(c) CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>
3	21(a) CAUSE OR ALLOW OPEN DUMPING <input checked="" type="checkbox"/> USED TIRES <input checked="" type="checkbox"/> OTHER WASTE	<input checked="" type="checkbox"/>
4	21(d)(1) No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit	<input checked="" type="checkbox"/>
5	21(d)(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"/>
6	21(e) 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"/>
7	21(k) FAIL OR REFUSE TO PAY ANY FEE IMPOSED UNDER THIS ACT	<input checked="" type="checkbox"/>
8	21(p) CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING	
	(1) Litter	<input checked="" type="checkbox"/>
	(2) Scavenging	<input checked="" type="checkbox"/>
	(3) Open Burning	<input checked="" type="checkbox"/>
	(4) Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5) Proliferation of Disease Vectors	<input type="checkbox"/>
	(6) Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>
	(7) 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"/>

9	55(a)	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 checked="" type="checkbox"/>
	(5)	Abandon, Dump or Dispose of Any Used or Waste Tire on Private or Public Property	<input checked="" type="checkbox"/>
10	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"/>
11	55(b-1)	NO PERSON SHALL KNOWINGLY MIX ANY USED OR WASTE TIRE, EITHER WHOLE OR CUT, WITH MUNICIPAL WASTE	<input checked="" type="checkbox"/>
12	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 type="checkbox"/>
13	55(d)(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: <ul style="list-style-type: none"> 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"/>
14	55(e)	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"/>
15	55(f)	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"/>
16	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"/>
17	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"/>
18	55(i)	CAUSE OR ALLOW THE USE OF PESTICIDES TO TREAT TIRES EXCEPT AS PRESCRIBED BY BOARD REGULATIONS Note: Also Mark a Violation of 848.205	<input type="checkbox"/>
19	55(k)(1)	No person shall cause or allow water to accumulate in used or waste tires	<input checked="" type="checkbox"/>
20	55.6(b)	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"/>
21	55.8(a)	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"/>
22	55.8(b)	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"/>
23	55.9	RETAILERS SHALL COLLECT THE FEE FROM PURCHASER BY ADDING THE FEE TO THE SELLING	<input type="checkbox"/>

		PRICE OF THE TIRE. THE FEE IMPOSED SHALL BE STATED AS A DISTINCT ITEM SEPARATE AND APART FROM THE SELLING PRICE	
35 ILLINOIS ADMINISTRATIVE CODE: SUBTITLE G			
24	722.111	Hazardous waste determination	<input checked="" type="checkbox"/>
25	808.121	Special waste determination	<input checked="" type="checkbox"/>
26	812.101(a)	Failure to submit an application for a permit to develop and operate a landfill	<input checked="" type="checkbox"/>
27	815.201	Failure to file an initial facility report with the Agency to provide information concerning location and disposal practices of the facility.	<input checked="" type="checkbox"/>
PART 848, SUBPART B: MANAGEMENT STANDARDS			
28	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 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 checked="" type="checkbox"/>
	(4)	Drain Any Used or Waste Tire on the Day of Generation or Receipt	<input checked="" type="checkbox"/>
	(5)	NOT Store Any Used or Waste Tire for More Than 14 Days after Receipt Without Altering, Reprocessing, Converting, Covering or Otherwise Preventing the Tire from Accumulating Water	<input checked="" type="checkbox"/>
	(7)	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"/>
	(8)	NOT Accumulate Any Tires in an Area with a Grade Exceeding 2% Without Meeting the Requirements of 848.202(d)(3)	<input type="checkbox"/>
29	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, Overhanging 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: (A) <input type="checkbox"/> Tires are separated by a Berm 1.5 times the height of the tire pile (B) <input type="checkbox"/> Separation Requirements of this part.	<input type="checkbox"/>
30	848.202(d)	IN <u>ADDITION</u> TO THE REQUIREMENTS SET FORTH IN 848.202 (b) AND (c), THE OWNER OR OPERATOR AT SITES 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 Tire 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"/>
31	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 tire 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			
32	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"/>
33	848.204(b)	STORAGE OF LESS THAN 500 TIRES WITHIN A BUILDING ALLOWED IF: (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"/>
34	848.204(c)	IN ADDITION 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"/>

	(1)	Develop a tire 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 tire 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"/>
	(2)	Have and maintain a contingency plan which meets the requirements of Section 848.203	<input type="checkbox"/>
	(3)	Meet the record keeping and reporting requirements of Subpart C Note: Also Mark a Violation of Section 848, Subpart C	<input type="checkbox"/>
35	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			
36	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):	
	(a)	Use a Pesticide Labeled for Control of Mosquito Larvae Unless an Adult Mosquito Problem is Identified	<input type="checkbox"/>
	(b)	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"/>
	(c)	Notify the Agency of Pesticide Use Within 10 Days of Each Application. Notification shall include the information in 848.205(b).	<input type="checkbox"/>
37	848.205(d)	Persons Applying Pesticides to Used and Waste Tires Must Comply with the Requirements of the Illinois Pesticide Act (Ill. 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			
38	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	848.303(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"/>
39	848.303(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"/>
40	848.304	FAILURE TO MAINTAIN ON SITE AN ANNUAL TIRE SUMMARY FOR EACH CALENDAR YEAR THAT INCLUDES:	<input type="checkbox"/>
	(a)	The site number, name and address and the calendar year for which the summary applies.	<input type="checkbox"/>
	(b)(1)	The weight or volume of used or waste tires received at the site during the calendar year.	<input type="checkbox"/>
	(b)(2)	The weight or volume of used or waste tires transported from the site during the calendar year.	<input type="checkbox"/>
	(b)(3)	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)(4)	The weight or volume of used or waste tires combusted during the calendar year.	<input type="checkbox"/>
41	848.304(c)	FAILURE TO SUBMIT THE ANNUAL TIRE SUMMARY BY JANUARY 31 OF EACH YEAR	<input type="checkbox"/>
42	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			
43	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"/>
44	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"/>
45	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"/>
46	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"/>
47	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"/>
48	848.404(b)	FAILURE TO REVISE THE COST ESTIMATE WHEN COST ESTIMATES INCREASE.	<input type="checkbox"/>
PART 848: SUBPART F: TIRE TRANSPORTATION REQUIREMENTS			
49	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"/>
50	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"/>
51	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 VEHICLES WHICH DISPLAYS A NUMBER ISSUED BY THE AGENCY FOLLOWING THE WORDS "Registered Tire Transporter: (number)."	<input type="checkbox"/>
52	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"/>

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 1, Subchapter m, Part 848.
4. Statutory 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 31.1 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 5/4(c) and (d).
7. Items marked with an "NE" were not evaluated at the time of this inspection .



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

Narrative Inspection Report

To: Bureau of Land File

Date of Inspection: October 28, 2015

Subject: LPC 0878555010- Johnson County
Goreville/Lingle, Greg dba GTS Inc
FOS File

Inspector: Maggie Stevenson

Summary: This inspection was a response to a complaint (C-13-173) received by this office. The site is located at 140 Wolf Creek Road in rural Goreville, Illinois as indicated on the attached site map. The inspection began at approximately 2:05 p.m. and concluded around 2:40 p.m. Fourteen pictures were taken at the site. Evidence of open burning in a pit, open dumping, improper storage of used/waste tires and improper handling of automotive fluids were observed.

Inspection Findings: Open burning was taking place in a pit approximately 27' X 12' X 12' (photos 001 - 005). Waste being staged in the pit for burning included at least one tire, tubes of hi-temp lubricant with residue, various filters, Styrofoam, cardboard, landscape waste, plastics bottles, tin cans, dimensional lumber, rubber hoses, furniture, various metals, at least one truck seat, plastic buckets with transmission fluid residue, oil containers with residue, plastic bucket with tractor hydraulic fluid residue, foil, plastic wrapping, domicile waste, trash bags of unknown waste, food containers, at least one metal drum and miscellaneous waste. Charred remains of previous burns in the pit were evident under the new waste (photos 003, 004). Stacked on the edge of the pit were a metal cart, two microwaves, a metal box, lamp, rubber mat, various metals, and other miscellaneous waste (photo 001).

At the northern end of the property were at least 20 derelict semi-tractors in various stages of deterioration, exposed to the elements and not being cared for in manner to preserve value. All appeared to have been wrecked and have missing parts such as windows, doors, hoods, engines, etc. (photos 006-008). There were at least two pieces of heavy equipment, several fuel tanks and an oil tank (photo 008) among the semi-tractors. Photo 009 shows at least five 55-gallon drums, partially filled and unmarked. Other 55-gallon drums were scattered throughout the site. Also shown in photo 009 is evidence of automotive fluid spillage. Two areas contained hay bales, similar to the material noted as landscape waste in the open burn pit (photos 009, 012). Rusted metals and vehicle parts were scattered throughout the site (photos 009, 013, 014).

Photos 010, 012, 013 and 014 show at least four semi-tractor hoods, approximately 85 waste tires, pallets, hoses, cylinders, automotive fluid spillage, various metals, rusted vehicle parts, waste tarps for semi-trailers and miscellaneous waste. Tires were holding water and dead vectors were visible on the water surface (photo 011).

Two employees approached me and were interviewed, Kyle Swan and Richard Ousley. When asked about the open burn pit they said it was only paper products and cardboard. I stated what was observed in the pit and both employees said those materials were not supposed to be in the pit. We discussed open burning and

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Goreville/Lingle, Greg dba GTS Inc

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that the activities taking place at the site were against the ACT. As we walked to the shop and office, Greg Lingle, one of the property owners, joined us. Shortly after his arrival, the two employees went into the building and left Mr. Lingle to discuss the condition of the site. During the discussion, Mr. Lingle said he did not know he could not burn, even on his own property. He stated that they burn paper, cardboard, and coated metals; his example was truck seats, so they can recover the metal for recycling. It was also mentioned that employees contribute to the burn pit. Once all the recoverable metals are removed from the pit and it is full, the ash is covered.

When asked about his waste tires, he stated that IEPA had paid him a visit several years ago. I told him I observed between 80 and 100 waste tires on the site, being stored improperly and holding water with vectors. He was not able to provide a date for his last tire disposal but he said he uses Rabin Tire out of Scott City, Missouri and they come and pick through the tires, sometimes leaving the shredded tires. He stated he pays for them to take all the tires but they do not. Mr. Lingle stated he did not sell tires, used or new, at retail. I did not enter the building and count the used tires being stored inside. Mr. Lingle said his trucking company goes through a lot of tires and truck parts. I mentioned that he had plenty of semi-trailers not in use that could be used as storage units for his truck parts and waste tires. He said that some of them are already holding vehicle parts.

We moved on to the handling of automotive fluids and he stated that he uses his waste oil in his oil heater for his shop and he recycles his antifreeze himself by cleaning it and reusing it. He uses totes, placed outside, to store his waste oil. We discussed that UV radiation will deteriorate the totes so they have to be replaced more often. That discussion lead to containment issues for drums and totes left outside and the purchase of concrete containments if he is going to continue to store his automotive fluids outside. We also talked about the semi-tractors and semi-trailers on the property that appeared to be derelict and waste vehicles. He said that he uses them for parts because his employees were always wrecking his trucks and trailers. The manner in which the vehicles and trailers are being stored, on the ground surrounded by weeds and exposed to the elements through missing windows, doors, hoods, etcetera is considered waste and litter.

Unmarked drums of liquid were located on the north side of the building on pallets along with batteries. No receipts for the proper disposal of any waste were supplied during the inspection. Mr. Lingle said that he also has a business in Paducah, Kentucky, where he spends a considerable amount of time. He admitted that the site had gotten a little out-of-hand.

Additional Remarks: According to the Illinois EPA Used Tire Database, Lingle, Greg dba GTS Inc has not completed an annual tire activity notification form or paid the annual \$100 fee for a tire storage site since 2012, after the last site inspection. Satellite images from October 2009, May 2011, November 2011, April 2012 and May 2015 indicate that burn pits have been dug in several adjacent areas to the current pit since 2009. Property ownership was verified with Johnson County Tax Assessor for Parcel 01-18-103-000.

Estimated Waste:

1. ~100 truck tires X 34 lbs = 3400 lbs /100 lbs = 34 CY
2. ~15 tire rims X 20 lbs = 300 lbs/150 = 2 CY
3. ~1 pickup trucks X 18 CY = 18 CY

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Goreville/Lingle, Greg dba GTS Inc

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4. ~miscellaneous waste = 100 CY
5. ~12 55-gallon drums full = 660 gallons X 7lbs/gallon = 4620 lbs
6. ~6 55-gallon drums empty X 4 CY = 24 CY
7. ~6 330-gallon tote (54" height) = 1980 Gallons X 7lbs/gallon = 13,860 lbs
8. ~16 transfer trailer (semi) empty X 110 CY = 1760 CY
9. ~20 Semi-tractors X 100 CY = 2000
10. ~27' X 12' X 12' waste pile divided by 27 = 144 CY

The total amount of waste on-site is estimated at 4082 cubic yards and 18,480 pounds of various liquids.

Summary of Alleged Violations:

During the inspection, apparent violations were observed:

Illinois Environmental Protection Act: **9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(k), 21(p)(1), 21(p)(2), 21(p)(3), 21(p)(7), 55(a)(1), 55(a)(2), 55(a)(5), 55(a)(4), 55(b-1), 55(d)(1), 55(e), 55(k)(1), 55.6(b); and**

35 Illinois Administrative Code, Subtitle G: **722.11, 808.121, 812.101(a), 815.201, 848.202(b)(3), 848.202(b)(4), 848.202(b)(5), 848.606(a).**

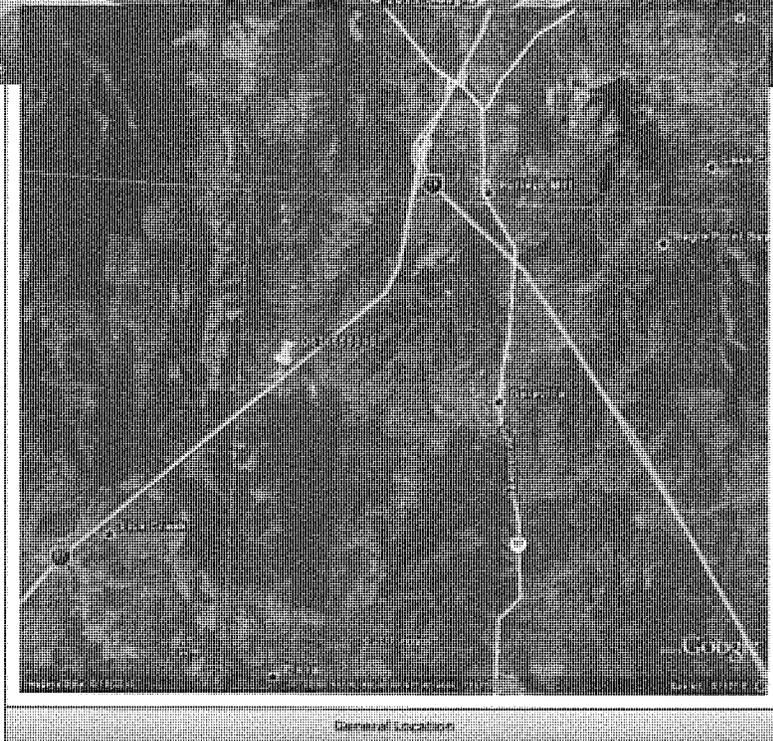
Additional information is provided in the attached checklist.

cc: DLPC/FOS-Marion Region

e cc: James Kropid, Division of Legal Council



FILENAME	Map Key	DESCRIPTION
AC Site Map	All locations are approximate/Not drawn to scale Photo/Direction... Down... 2	LPC # 0878555010 - Johnson County Goreville/Jingle, Greg dba GTS inc 10/28/2015



General Location



DIGITAL PHOTOGRAPHS

File Names: 0878555010~ 11282015-[001 - 014].jpg



Date: 11/28/2015
Time: 2:09 p.m.
Direction: SW
Photo by: M. Stevenson
Exposure #: 001
Comments: waste in hole
for open burning, metal
cart, microwave, lamp,
rubber mat, and
miscellaneous waste.



Date: 11/28/2015
Time: 2:10 p.m.
Direction: Down
Photo by: M. Stevenson
Exposure #: 002
Comments: tire, tubes of hi-
temp lubricant, filter,
Styrofoam, cardboard,
landscape waste, plastics,
cans, dimensional lumber,
rubber hose, couch, metals,
miscellaneous waste.

0878555010~ 11282015.docx



DIGITAL PHOTOGRAPHS

File Names: 0878555010~ 11282015-[001 - 014].jpg



Date: 11/28/2015
Time: 2:10 p.m.
Direction: E
Photo by: M. Stevenson
Exposure #: 003
Comments: plastic buckets with transmission fluid residue, oil containers with oil residue, plastics, cans, couch, cardboard, paper, hose, truck seat, foil, Styrofoam, plastic wrapping, charred waste, and miscellaneous waste.



Date: 11/28/2015
Time: 2:10 p.m.
Direction: Down
Photo by: M. Stevenson
Exposure #: 004
Comments: plastic buckets with residue, domicile waste, trash bags of unknown waste, paper, cardboard, food containers, Styrofoam, metal drum, charred waste, and miscellaneous waste.

0878555010~ 11282015.docx



DIGITAL PHOTOGRAPHS

File Names: 0878555010~ 11282015-[001 - 014].jpg



Date: 11/28/2015
Time: 2:10 p.m.
Direction: Down
Photo by: M. Stevenson
Exposure #: 005
Comments: plastic buck with tractor hydraulic fluid residue, trash bags, cardboard, paper, Styrofoam, metal drum, and miscellaneous waste.



Date: 11/28/2015
Time: 2:11 p.m.
Direction: NE
Photo by: M. Stevenson
Exposure #: 006
Comments: Semi-tractors in various states of deterioration.

0878555010~ 11282015.docx



DIGITAL PHOTOGRAPHS

File Names: 0878555010~ 11282015-[001 - 014].jpg



Date: 11/28/2015
Time: 2:12 p.m.
Direction: SE
Photo by: M. Stevenson
Exposure #: 007
Comments: semi-tractors and heavy equipment in various states of deterioration, pickup truck, tires, and miscellaneous waste.



Date: 11/28/2015
Time: 2:12 p.m.
Direction: E
Photo by: M. Stevenson
Exposure #: 008
Comments: tires, heavy equipment in disrepair, oil tank, semi-tractor partial cab.

0878555010~ 11282015.docx

PROOF OF SERVICE

I hereby certify that I did on the 14th day of December 2015, 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 TIRE STORAGE SITE INSPECTION CHECKLIST

To: Greg Lingle & Tereasa Baker
2070 S. Lick Creek Road
Buncombe, IL 62912

Greg Lingle d/b/a GTS, Inc.
140 Wolf Creek Road
Goreville, IL 62959

RECEIVED
CLERK'S OFFICE
DEC 22 2015
STATE OF ILLINOIS
Pollution Control Board

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by send by Certified Mail, Return Receipt Requested, 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

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