

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

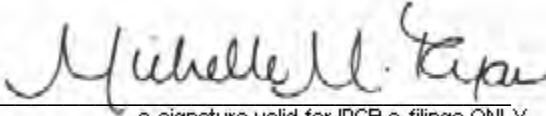
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
)	
Complainant,)	AC 2024-
)	
v.)	(IEPA No. 124-24-AC)
)	
FU ZANG LONG, LLC)	
)	
)	
Respondent.)	
)	

NOTICE OF FILING

To: Fu Zang Long, LLC
c/o Xiao Zhang, Registered Agent
305 W. Chestnut
Bondville, IL 61815

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

Respectfully submitted,



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

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

Dated: May 28, 2024

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2024-
)	
v.)	(IEPA No. 124-24-AC)
)	
FU ZANG LONG, LLC)	
)	
)	
Respondent.)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2022).

FACTS

1. That Fu Zang Long, LLC is the present owner and operator of a property located at 201 Wallace Avenue, Champaign, Champaign County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Champaign/Fu Zang Long LLC.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0190105308.
3. That Respondent has operated said facility at all times pertinent hereto.

4. That on April 9, 2024, Dustin Burger of the Illinois Environmental Protection Agency's Champaign Regional Office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Dustin Burger during the course of his April 4, 2024 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2022).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2022), Respondent is jointly and severally subject to civil penalties of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of One Thousand Five Hundred Dollars (\$1,500.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalties specified above shall be due and payable no later than July 15, 2024 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 (2022), 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) (2022), if Respondent fails to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

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

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

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2022). If Respondent elects to contest this Administrative Citation, then Respondent shall file a Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, 60 E. Van Buren Street, Suite 630, Chicago, Illinois 60605. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.



John J. Kim, Director
Illinois Environmental Protection Agency

Date : 5/28/24

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

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Complainant,) AC 2024-
v.) (IEPA No. 124-24-AC)
FU ZANG LONG, LLC)
Respondent.)

FACILITY: Champaign/Fu Zang Long, LLC SITE CODE NO.: 0190105308
COUNTY: Champaign CIVIL PENALTY: \$1,500.00
DATE OF INSPECTION: April 9, 2024

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.

Illinois Environmental Protection Agency

Bureau of Land – Field Operations Section

Inspection Report

General Facility Information

BOL ID	0190105308	Evaluation Date	4/9/2024
USEPA Id		Region	Champaign
Site Name	Fu Zang Long L.L.C.	County	Champaign
Address	201 Wallace Ave.	Phone	217-356-0648
City/State/Zip	Champaign, IL 61822	EJ Status	Both Minority and Poverty
Limited English	<input type="checkbox"/>	Primary Language	English

Observations

Time	1445-1450
Weather Conditions	Clear, wet with recent rain
Temperature	70 Fahrenheit
Photos Taken	Five (5)
Number of Tires	>90

Evaluation Type

Used Tire Program - Used Tire Storage

Owner

Fu Zang Long L.L.C.
Tahir Malik, Owner
305 W. Chestnut
Bondville, IL 61815

Operator

Fu Zang Long L.L.C.
Tahir Malik, Owner
305 W. Chestnut
Bondville, IL 61815

Inspection Participants

<u>Person</u>	<u>Affiliation</u>	<u>Phone</u>
Dustin Burger	IEPA FOS Primary Inspector	(217) 278-5827

Persons Interviewed

<u>Person</u>	<u>Phone</u>	<u>E-Mail</u>
No one interviewed		

Permit

<u>Application Date</u>	<u>Log #</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Mod/Sp #</u>	<u>Mod/Sp Date</u>
NONE					

Active Enforcement Orders

<u>CACO</u>	<u>Consent Decree</u>	<u>CAFO</u>	<u>IPCB</u>	<u>Federal Court</u>	<u>State Court</u>
NONE					

Executive Summary

I, Dustin Burger, conducted a reinspection of the property at 201 Wallace Ave., Champaign, Illinois owned by Fu Zan Long, L.L.C. on April 9, 2024. The property is used to store used vehicles before they are shipped to the southwest for resale. A previous complaint inspection on December 7, 2023, found approximately 90 tires without rims stored on the property holding water.

This inspection found fewer vehicles stored on the property, but all the tires are still present and are holding water. Live mosquito larvae were observed in some tires.

Evaluation Narrative

Initial Inspection

I received a complaint from a resident in the Wilbur Heights subdivision located east of Marketplace Mall that their cat died from consuming corrosives. The person thought the source was the property at 201 Wallace. The complainant said it had many cars, but they only rarely saw anyone at the property. The complainant thought their cat might have licked battery acid from batteries left out at the property.

The property is identified on the Champaign County GIS as Parcel Number 25-15-31-353-001. The owner is listed as Fu Zang Long, L.L.C. at 305 West Chestnut, Bondville, IL. 61815. The Registered Agent for Fu Zang Long L.L.C. is listed on the Secretary of State's website as Xiao Zhang, 305 W. Chestnut, Bondville, IL.

I inspected the site on December 7, 2023. No one was present when I knocked on the door, so I placed a business card in the door. The site is a garage building with many used cars parked outside as if for sale. I found no batteries or corrosives outside, but did find over 90 tires stored outside and holding water.

Tamir Malik called me on Monday, December 12th, 2023, and identified himself as the owner. He said he uses the property to stage used vehicles he buys locally and then ships them to Phoenix, Arizona, to sell. He said the tires were illegally dumped on his property. He said he gave the surveillance video to the police, who identified the dumper as a man from Decatur. Mr. Malik said if he cannot get the dumped to remove the tires, then he realizes he will have to pay to remove them and then try to collect from the dumper. The tires must either be removed by a registered tire transporter, or kept in a way that they do not retain water.

April 9, 2024, Inspection.

I reinspected the site on April 9, 2024. There were less cars at the property, but all the tires seen during the first inspection were still present. I counted over 90 tires, all without rims and most holding water. I observed mosquito larvae that were alive and active in two separate tires. I photographed three tires with water inside (photos 1, 4 and 5), but most of the tires on the property had water inside.

The tires must either be removed by a registered tire transporter, or kept in a way that they do not retain water.

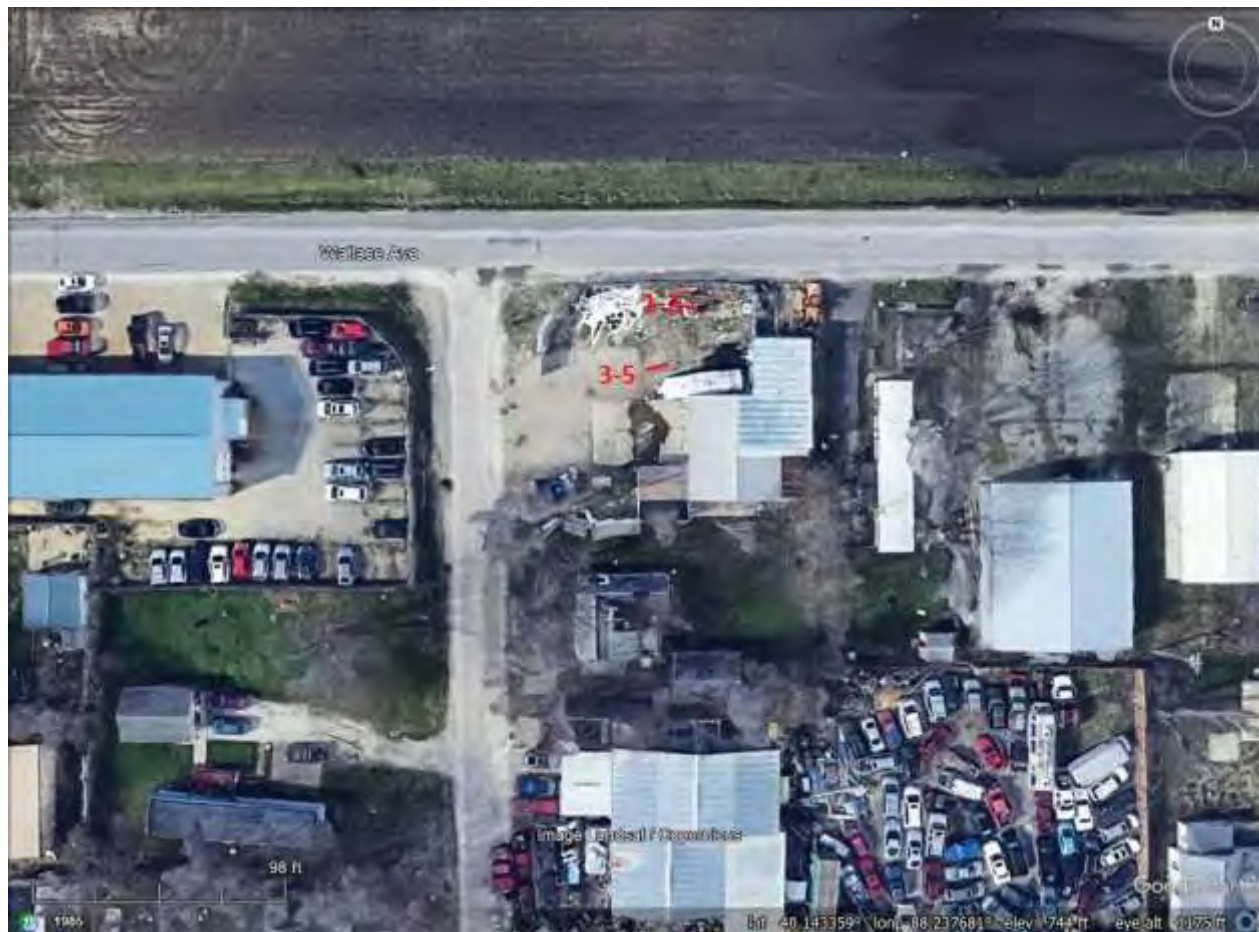
Summary of Apparent Violation(s)

Status	Date	Violation	Narrative
Continuing	12/7/2023	55(a)(1)	Cause or allow open dumping of any used or waste tire
Continuing	12/7/2023	55(k)(1)	Cause or allow water to accumulate in used or waste tires
Resolved	12/7/2023	739.122(c)	Failure to label tanks or containers storing used oil, or their fill pipes, with the words "Used Oil".

Attachment Listing

Type	Description
NONE	

Site Diagram



Digital Photographs



Bureau Id: 0190105308
Photo No.: 1
Photo Date: 4/9/2024
Photo Time: 2:48:59 PM
Direction: East
Taken By: Dustin Burger

Water in tire. Mosquito larvae present



Bureau Id: 0190105308
Photo No.: 2
Photo Date: 4/9/2024
Photo Time: 2:49:05 PM
Direction: East
Taken By: Dustin Burger

Tires without rims containing water



Bureau Id: 0190105308
Photo No.: 3
Photo Date: 4/9/2024
Photo Time: 2:49:20 PM
Direction: East
Taken By: Dustin Burger

Tires without rims with water



Bureau Id: 0190105308
Photo No.: 4
Photo Date: 4/9/2024
Photo Time: 2:49:26 PM
Direction: East
Taken By: Dustin Burger

Water in tire



Bureau Id: 0190105308

Photo No.: 5

Photo Date: 4/9/2024

Photo Time: 2:49:36 PM

Direction: East

Taken By: Dustin Burger

Water in tires



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:

IEPA DOCKET NO.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Complainant

vs.

Fu Zang Long LLC, Respondent

AFFIDAVIT

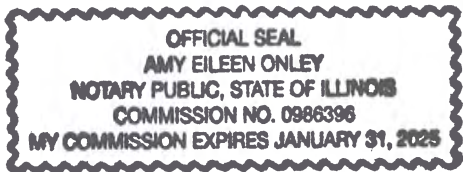
Affiant, Dustin Burger, being first duly sworn, voluntarily deposes and states as follows:

- 1. Affiant is a field inspector employed by the Bureau of Land of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On April 09, 2024, between 2:45 and 2:50 P.M., Affiant conducted an inspection of the site in Champaign County, Illinois, known as Fu Zang Long LLC, located at 201 Wallace, Champaign, IL and designated Bureau of Land Site # 0190105308.
3. Affiant inspected said site by an on-site inspection, which included walking the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report 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 the site.

Subscribed and Sworn to before me this 13 day of May,

Dustin Burger signature and name

Amy Eileen Onley signature and Notary Public title



2125 S. First Street, Champaign, IL 61820 (217) 278-5800
115 S. LaSalle Street, Suite 2203, Chicago, IL 60603
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000

595 S. State Street, Elgin, IL 60123 (847) 608-3131
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

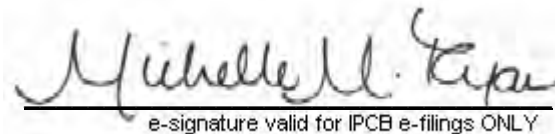
PROOF OF SERVICE

I hereby certify that I did on the 28th day of May 2024, serve by Certified Mail, Return Receipt Requested, with postage thereon prepaid, by depositing in a United States Post Office box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Fu Zang Long, LLC
c/o Xiao Zhang, Registered Agent
305 W. Chestnut
Bondville, IL 61815

and the original via electronic filing on May 28, 2024

To: Don Brown, Clerk
Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, Illinois 60605



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

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