



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

RECEIVED
CLERK'S OFFICE

MAY 05 2008

STATE OF ILLINOIS
Pollution Control Board

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

May 1, 2008

AC08-29

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

Re: Illinois Environmental Protection Agency v. Keister's, Inc.
IEPA File No. 65-08-AC; 1878080002—Warren 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

bcc: Susan Konzelmann, DLC #21
Mike Davison, Division of Land Pollution Control #24
Division of Land Pollution Control File Room #24 (Compliance File)
Keister's, Inc.
1878080002—Warren County
Jeb McGhee, Peoria Regional Office

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

MAY 05 2008

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
KEISTER'S, INC.,)
))
Respondent.)

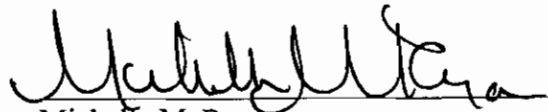
AC 08-29
(IEPA No. 65-08-AC)

NOTICE OF FILING

To: Keister's, Inc.
c/o Tonia M. Doy, Registered Agent
1348 South Main Street
P.O. Box 826
Monmouth, Illinois 61462

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: May 1, 2008

VIOLATIONS

Based upon direct observations made by Jeb McGhee during the course of his March 11, 2008 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) (2006).

- (2) That Respondent 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)(2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2006), 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 Three Thousand Dollars (\$3,000.00). 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 May 30, 2008, 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 (2006), 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) (2006), 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 (2006). 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.

Douglas P. Scott Date: 5/1/08
Douglas P. Scott, Director *G. King*
Illinois Environmental Protection Agency

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Warren LPC#: 1878080002 Region: 3 - Peoria
 Location/Site Name: Monmouth/Keister's, Inc.
 Date: 03/11/2008 Time: From 1:00 p.m. To 2:00 p.m. Previous Inspection Date: 02/05/2007
 Inspector(s): Jeb McGhee Weather: Partly Cloudy, 48 F
 No. of Photos Taken: # 16 Est. Amt. of Waste: 20 yds³ Samples Taken: Yes # No
 Interviewed: Tonia M. Doy Complaint #:
 Latitude: 40.89710 Longitude: -90.64879 Collection Point Description: -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: -

Responsible Party Mailing Address(es) and Phone Number(s):	Keister's, Inc. c/o Tonia M. Doy 1348 South Main Street, P.O. Box 826 Monmouth, IL 61462	
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	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.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	<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 OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input 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"/>

LPC # 1878080002

Inspection Date: 03/11/2008

	(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 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 type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:		<input type="checkbox"/>
16.	815.201	Failure to file an initial facility report	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- 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 references listed in 1. and 2. above.
- 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.
- 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).
- Items marked with an "NE" were not evaluated at the time of this inspection.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Tire Storage Site Inspection Checklist

County: Peoria LPC#: 1878080002 Region: 3 - Peoria

City/Facility Name: Monmouth/Keister's, Inc.

Facility Location: 1348 South Main, Monmouth, Illinois 61462 Telephone: 309-734-2151

Date: 03/11/2008 Time: From 1:00 pm To 2:00 pm Previous Inspection Date: 02/05/2007

Inspector(s): Jeb McGhee No. of Photos Taken: # 16

Weather: Partly Cloudy 48' F No. of Samples Taken:

Interviewed: Tonya Doy Complaint #:

Waste Tire Hauler Used: Elk Distributing Hauler Registration Number: T8771

Responsible Party Mailing Address(es):
 Keister's, Inc.
 c/o Tonia M. Doy, Registered Agent
 1348 South Main Street, P.O. Box 826
 Monmouth, IL 61462

1100 Estimated Number of Used Tires Located At This Facility, including altered, converted and reprocessed tires.

SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS		
1	21(k) FAIL OR REFUSE TO PAY ANY FEE IMPOSED UNDER THIS ACT	<input 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 type="checkbox"/>
5	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: 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 type="checkbox"/>
6	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"/>
7	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"/>
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 BOARD REGULATIONS Note: Also Mark a Violation of 848.205	<input type="checkbox"/>
11	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 type="checkbox"/>
12	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"/>
13	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 checked="" type="checkbox"/>
14	55.9	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 checked="" 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 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"/>
16	848.202(c)	IN ADDITION 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: (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"/>
17	848.202(d)	IN ADDITION 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"/>
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 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			
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)	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"/>
21	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"/>
22	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			
23	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"/>
24	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			
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	848.303(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"/>
27	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 checked="" 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 checked="" type="checkbox"/>
28	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"/>
29	848.304(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 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 VEHICLES 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 checked="" type="checkbox"/>
42	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>

43	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
44	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
45	21(a)	CAUSE OR ALLOW OPEN DUMPING <input checked="" type="checkbox"/> USED TIRES <input checked="" type="checkbox"/> OTHER WASTE	<input checked="" type="checkbox"/>
46	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"/>
47	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"/>
48	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 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"/>
49	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 type="checkbox"/>
	(5)	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"/>
			<input type="checkbox"/>

Informational Notes:

- [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G, Chapter I, Subchapter m, Part 848.
- 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.
- 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.
- 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).
- Items marked with an "NE" were not evaluated at the time of this inspection .

NARRATIVE

On March 11, 2008 from 1:00 p.m. until 2:30 p.m., I conducted a Tire Storage/Open Dump Inspection at Keister's, Inc. located at 1348 South Main Street in Monmouth, Illinois. The facility is a registered tire storage site. The used tire notification form has been submitted and the annual fee has been paid. I interviewed Tonya Doy representing the facility.

I observed approximately 100 used tires open dumped outside of buildings at the facility. See photographs 1, 2, 3, 5, 6, 7, 8, and 9. No used tires open dumped outside at the facility were prevented from accumulating water. Many of the used tires were extremely large and full of ice and water. See photographs 3 and 9. The amount of water and ice in the extremely large tires suggest that they have been outside accumulating water for more than fourteen days. See photograph 9. Photographs 2, 5, 6, and 7 also showed open dumped waste mixed in and around the used tires.

I also observed evidence of open dumping and burning of waste that included wooden pallets, furniture, plastics, cardboard boxes, aluminum cans, and miscellaneous debris. The waste residue of burned material is approximately 30 feet in diameter and 2 feet deep. See photographs 10 and 11. The quantity of residue suggests that burning has been going on for an extended period of time.

I observed approximately 1,000 used tires stored inside of buildings throughout the facility. No one individual building appears to contain more the 500 used tires. See photographs 4 and 12 through 16. Many new tires are stored next to used tires.

Ms. Doy was able to produce a contingency plan, daily tire record, and an annual report that is required of facilities with more than 500 used or waste tires stored within buildings.

Elk Distributing (T8771) removes used tires from the facility by the trailer load when it gets full. See photograph 1. The trailer was empty. Ms. Doy presented receipts showing that the last trailer load removed from the site contained 1,395 used tires.

The daily tire record was not accurate. It did not reflect or account for the actual numbers of used tires located at the facility.

The following apparent violations were observed:

1. Pursuant to Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)), no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

A violation of Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)) is alleged for the following reason: **Keister's, Inc. caused or allowed the discharge or emission of contaminants into the environment so as to cause or tend to cause air pollution in Illinois.**

2. Pursuant to Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)), no person shall cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act.

A violation of Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)) is alleged for the following reason: **Keister's, Inc. caused or allowed the open burning of refuse.**

3. Pursuant to Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)) is alleged for the following reason: **Keister's, Inc. caused or allowed open dumping of waste.**

4. Pursuant to Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

A violation of Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)) is alleged for the following reason: **Keister's, Inc. conducted a waste disposal operation in violation of regulations adopted by the Illinois Pollution Control Board.**

5. Pursuant to Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: **Keister's, Inc. disposed and treated waste at a site which did not meet the requirements of the Act and Regulations.**

6. Pursuant to Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in litter.

The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.

A violation of Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)) is alleged for the following reason: **Keister's, Inc. caused or allowed the open dumping of waste in a manner which resulted in litter.**

7. Pursuant to Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in open burning.

A violation of Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)) is alleged for the following reason: **Keister's, Inc. caused or allowed the open dumping of waste in a manner which resulted in open burning.**

8. Pursuant to Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)), no person shall cause or allow the open dumping of any used or waste tire.

A violation of Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)) is alleged for the following reason: **Keister's, Inc. caused or allowed the open dumping of used or waste tires.**

9. Pursuant to Section 55(a)(4) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(4)), no person shall cause or allow the operation of a tire storage site except in compliance with Board Regulations.

A violation of Section 55(a)(4) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(4)) is alleged for the following reason: **Keister's, Inc. is operating a tire storage site that does not comply with Board Regulations.**

10. Pursuant to Section 55(a)(5) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(5)), no person shall abandon, dump or dispose of any used or waste tire on private or public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.

A violation of Section 55(a)(5) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(5)) is alleged for the following reason: **Keister's, Inc. is dumping and/or disposing of used or waste tires on private property.**

11. Pursuant to Section 55(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(e)), no person shall 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.

A violation of Section 55(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(e)) is alleged for the following reason: **Keister's, Inc. is storing used or waste tires in violation of regulations adopted by the Board.**

12. Pursuant to Section 55.8(b) of the {Illinois} Environmental Protection Act (415 ILCS 5/55.8(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.

A violation of Section 55.8(b) of the {Illinois} Environmental Protection Act (415 ILCS 5/55.8(b)) is alleged for the following reason: **Keister's, Inc. allowed used tires to accumulate for a period of more than 90 days.**

13. Pursuant to Pursuant to 35 Ill. Adm. Code 815.201, all landfills regulated under this Part shall file an initial facility report with the Agency as specified in this Subpart to provide information concerning location and disposal practices of the facility.

A violation of 35 Ill. Adm. Code 815.201 is alleged for the following reason: **Keister's, Inc. failed to file an initial facility report for the on site disposal of waste.**

14. Pursuant to 35 Ill. Adm. Code 848.202(b)(1), used or waste tires in piles shall be separated from all other piles by 25 feet and aisle space is maintained to allow unobstructed movement of personnel and equipment.

A violation of 35 Ill. Adm. Code 848.202(b)(1) is alleged for the following reason: **Keister's, Inc. is not separating piles of used or waste tires from other piles by 25 feet nor maintaining aisle space free of obstructions.**

15. Pursuant to 35 Ill. Adm. Code 848.202(b)(2), accumulations of used or waste tires located outside of any building shall be separated from all buildings, whether on or off site, by 25 feet.

A violation of 35 Ill. Adm. Code 848.202(b)(2) is alleged for the following reason: **Keister's, Inc. is not separating accumulations of used or waste tires 25 feet from buildings on or off site.**

16. Pursuant to 35 Ill. Adm. Code 848.202(b)(3), accumulations of used or waste tires in any pile shall be separated from all potential ignition sources, including cutting and welding devices, and open fires by not less than 250 feet or all such activities are carried out within a building.

A violation of 35 Ill. Adm. Code 848.202(b)(3) is alleged for the following reason:
Keister's, Inc. is not separating accumulations of used or waste tires 250 feet potential ignition sources on or off site.

17. Pursuant to 35 Ill. Adm. Code 848.202(b)(4), used or waste tires shall be drained of water on the day of generation or receipt.

A violation of 35 Ill. Adm. Code 848.202(b)(4) is alleged for the following reason:
Keister's, Inc. is not draining used or waste tires of water on the day of generation or receipt.

18. Pursuant to 35 Ill. Adm. Code 848.202(b)(5), used or waste tires received at the site shall not be stored unless within 14 days after the receipt of any used tire the used tire is altered, reprocessed, converted, covered or otherwise prevented from accumulating water. All used and waste tires received at the site before June 1, 1989, shall be altered, reprocessed, converted, covered, or otherwise prevented from accumulating water by January 1, 1992.

A violation of 35 Ill. Adm. Code 848.202(b)(5) is alleged for the following reason:
Keister's, Inc. is not altering, reprocessing, converting, covering or otherwise preventing used or waste tires from accumulating water within 14 days of receipt.

19. Pursuant to 35 Ill. Adm. Code 848.303(b)(3), the owner or operator of a site at which more than 500 used or waste tires are located shall record in the Daily Tire Record the following information relative to used and waste tires: The total number of used or waste tires remaining in storage at the conclusion of the operating business day determined in terms of the passenger tire equivalent (PTE) in accordance with subsection (c).

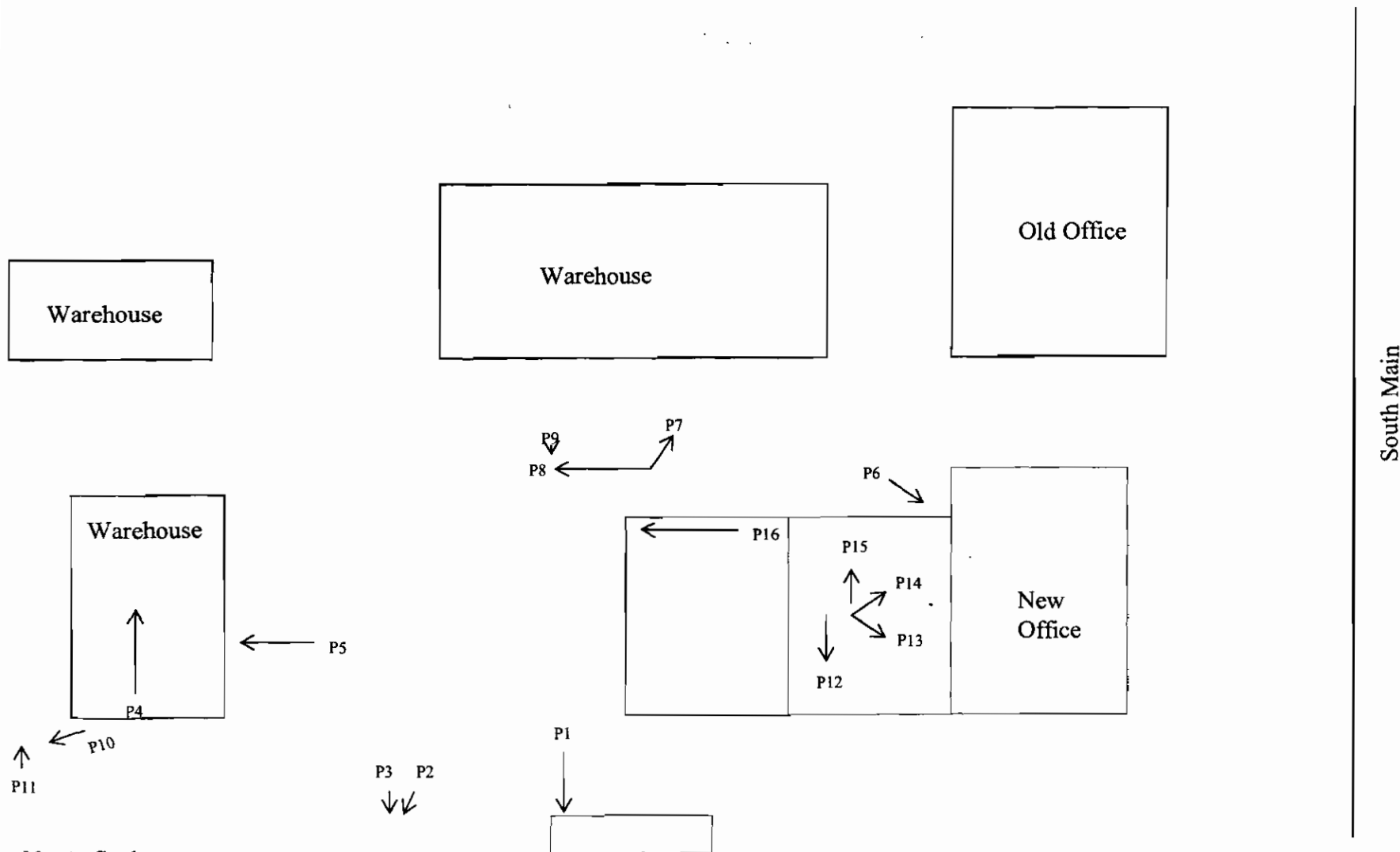
A violation of 35 Ill. Adm. Code 848.303(b)(3) is alleged for the following reason:
Keister's, Inc. did not have recorded in the daily tire record on site the total number of used or waste tires remaining in storage at the conclusion of the operating business day determined in terms of the passenger tire equivalent (PTE) in accordance with subsection (c).

State of Illinois Environmental Protection Agency Site Sketch



Inspector: Jeb McGhee
Date of Inspection: March 11, 2008
Site Name: Keister's, Inc.

LPC #: 1878080002
County: Warren
Time: 1:00 p.m. - 2:00 p.m.



Not to Scale



DATE: March 11, 2008

TIME: 1:07 a.m.

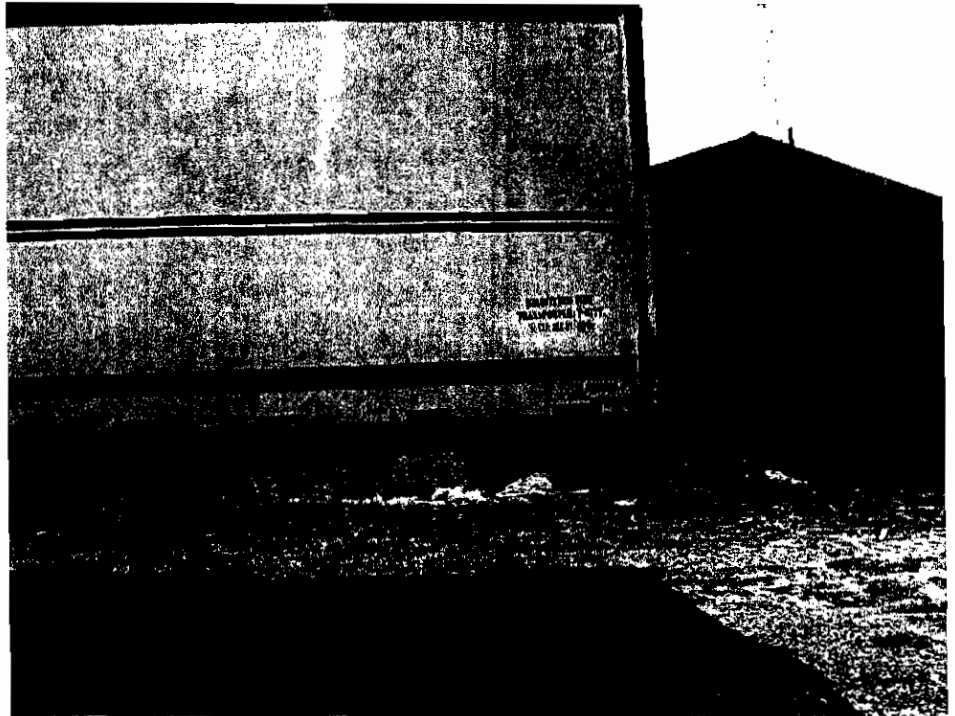
PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken toward
the South

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
1878080002~03112008-001.jpg

COMMENTS: Elk Distributing (T8771)
registered transport trailer. It is empty.



DATE: March 11, 2008

TIME: 1:07 a.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken toward
the Southwest

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
1878080002~03112008-002.jpg

COMMENTS: Used tires and waste
open dumped outside of buildings. The
used tires were not prevented from
accumulating water.



DOCUMENT FILE NAME:
1878080002~03112008.doc



DATE: March 11, 2008

TIME: 1:08 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the South

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:

1878080002~03112008-003.jpg

COMMENTS: This large tire is full of
water (ice).



DATE: March 11, 2008

TIME: 1:10 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the North

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:

1878080002~03112008-004.jpg

COMMENTS: Approximately 40 % of
these large farm tractor tires are used.



DOCUMENT FILE NAME:

1878080002~03112008.doc



DATE: March 11, 2008

TIME: 1:11 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

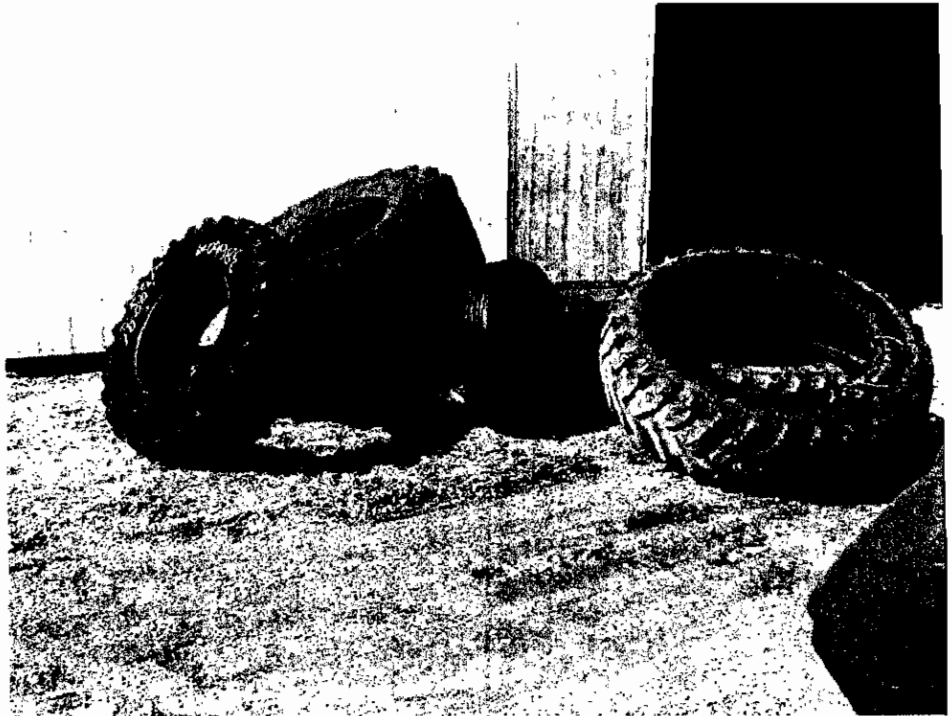
DIRECTION: Photograph taken toward
the West

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:

1878080002-03112008-005.jpg

COMMENTS: Used tires open dumped
outside of buildings and not prevented
from accumulating water.



DATE: March 11, 2008

TIME: 1:12 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

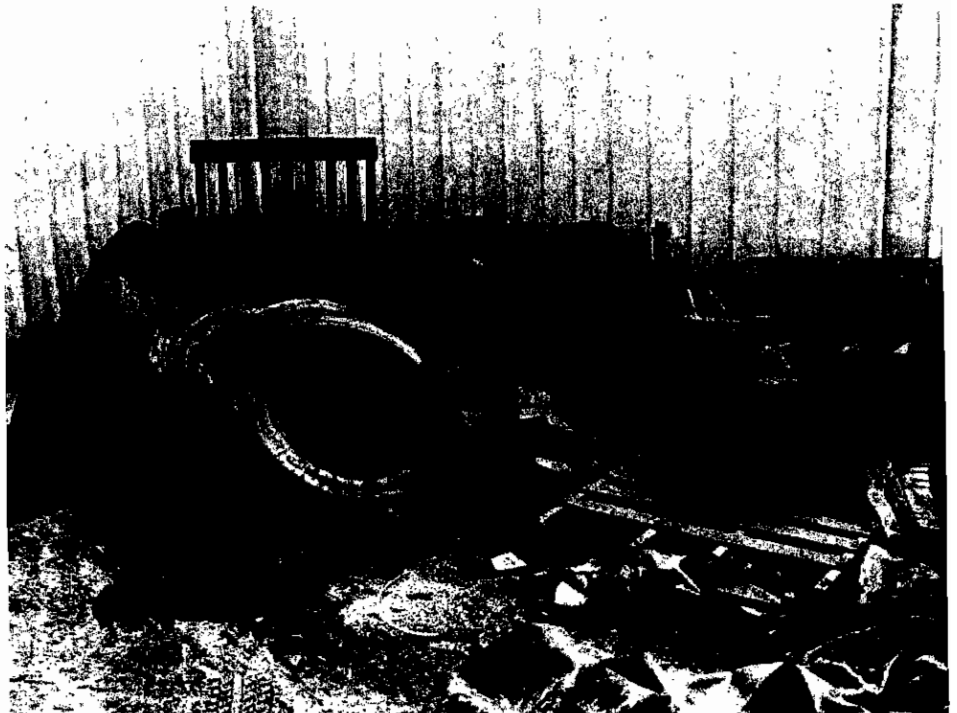
DIRECTION: Photograph taken toward
the Southeast

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:

1878080002-03112008-006.jpg

COMMENTS: Used tires and waste
open dumped outside of buildings. The
used tires were not prevented from
accumulating water.



DOCUMENT FILE NAME:

1878080002-03112008.doc



DATE: March 11, 2008

TIME: 1:14 a.m.

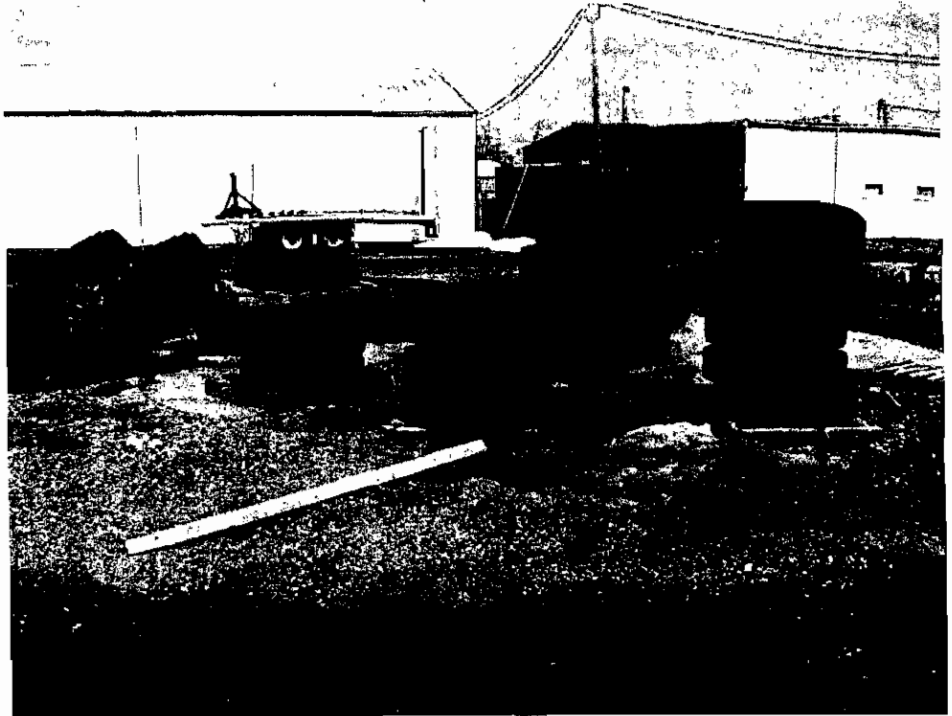
PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken toward
the Northeast

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
1878080002~03112008-007.jpg

COMMENTS: Used tires and waste
open dumped outside of buildings. The
used tires were not prevented from
accumulating water.



DATE: March 11, 2008

TIME: 1:14 a.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken toward
the West

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
1878080002~03112008-008.jpg

COMMENTS: Used tires open dumped
outside of buildings and not prevented
from accumulating water.





DATE: March 11, 2008

TIME: 1:14 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the South

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:

1878080002~03112008-009.jpg

COMMENTS: The large used tires seen
in photograph 8 are full of water (ice) as
they are not prevented from accumulating
water.



DATE: March 11, 2008

TIME: 1:17 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the Southwest

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:

1878080002~03112008-010.jpg

COMMENTS: A 30 foot in diameter
burn pile with furniture, metal cans, wood
pallets, card board, plastic material and
countless metal nails and scraps.



DOCUMENT FILE NAME:

1878080002~03112008.doc



DATE: March 11, 2008

TIME: 1:17 a.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken toward
the North

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
1878080002~03112008-011.jpg

COMMENTS: A 30 foot in diameter
burn pile with furniture, metal cans, wood
pallets, card board, plastic material and
countless metal nails and scraps.



DATE: March 11, 2008

TIME: 1:26 a.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken toward
the South

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
1878080002~03112008-012.jpg

COMMENTS: Used tires stored inside.





DATE: March 11, 2008

TIME: 1:26 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

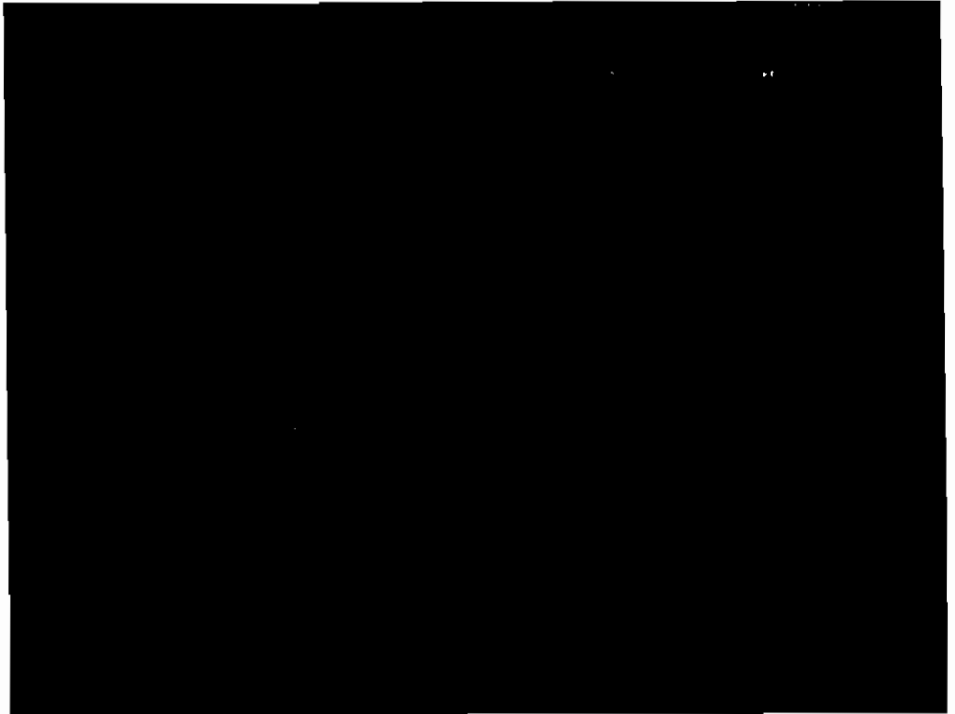
DIRECTION: Photograph taken toward
the Southeast

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:

1878080002~03112008-013.jpg

COMMENTS: Used tires stored inside.



DATE: March 11, 2008

TIME: 1:26 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the Northeast

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:

1878080002~03112008-014.jpg

COMMENTS: Used tires stored inside.



DOCUMENT FILE NAME:

1878080002~03112008.doc



DATE: March 11, 2008

TIME: 1:26 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the North

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:

1878080002~03112008-015.jpg

COMMENTS: Used tires stored inside.



DATE: March 11, 2008

TIME: 1:27 a.m.

PHOTOGRAPHED BY:

Jeb McGhee

DIRECTION: Photograph taken toward
the West

PHOTOGRAPH NUMBER: 16

PHOTOGRAPH FILE NAME:

1878080002~03112008-016.jpg

COMMENTS: Used tires stored inside
along the wall go down the approximately
100 feet to the end of the building.

New tires fill the rest of the building.



DOCUMENT FILE NAME:

1878080002~03112008.doc

PROOF OF SERVICE

I hereby certify that I did on the 1st day of May 2008, 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: Keister's, Inc.
c/o Tonia M. Doy, Registered Agent
1348 South Main Street
P.O. Box 826
Monmouth, Illinois 61462

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
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