



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

(217) 782-9817

TDD: (217) 782-9143

August 27, 2012



AC13-10

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. Hughes Tire & Battery Company  
IEPA File No. 207-12-AC; 1610400022—Rock Island 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 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

RECEIVED  
CLERK'S OFFICE

SEP 04 2012

STATE OF ILLINOIS  
Pollution Control Board

AC 13-10

(IEPA No. 207-12-AC)

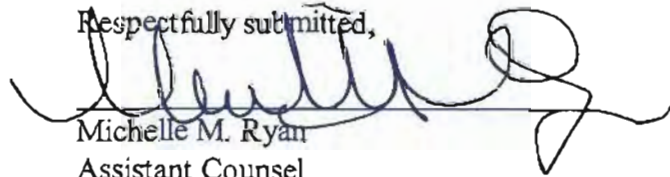
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, )  
) )  
v. )  
) )  
HUGHES TIRE & BATTERY COMPANY, )  
) )  
Respondent. )

NOTICE OF FILING

To: Hughes Tire & Battery Company  
C/o James H. Hughes, Registered Agent  
120 First Avenue  
Milan, IL 61264

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 TIRE STORAGE EXEMPT 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: August 27, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

SEP 04 2012

STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 HUGHES TIRE & BATTERY COMPANY, )  
 )  
 )  
 )  
 )  
 Respondent. )

AC **B-10**  
 (IEPA No. 207-12-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2010).

FACTS

1. That Hughes Tire & Battery Company is the current operator ("Respondent") of a facility located at 120 E. 1<sup>st</sup> Avenue, Milan, Rock Island County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Hughes Tire & Battery.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1610400022.
3. That Respondent has operated said facility at all times pertinent hereto.
4. That on July 27, 2012 Gerald McGhee, of the Illinois Environmental Protection Agency's ("Illinois EPA") Peoria Regional Office inspected the above-described facility. A copy of the inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 8-27-12, Illinois EPA sent this Administrative Citation via Certified Mail No. 7009 2820 0001 7496 1725.

#### VIOLATIONS

Based upon direct observations made by Gerald McGhee during the course of his July 27, 2012 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) (2010).

#### CIVIL PENALTY

On June 7, 2012, the Board found Hughes Tire & Battery Company in violation of Section 55(k)(1) of the Act in AC 12-47.

Because this Administrative Citation addresses a second or subsequent violation of Section 55(k)(1) of the Act, pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), Respondent is subject to a civil penalty of Three Thousand Dollars (\$3,000.00) for each violation, 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 October 15, 2012, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2010), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental

Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the Three Thousand Dollar (\$3,000.00) statutory civil penalty for each violation.

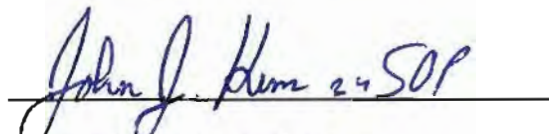
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2010), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

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

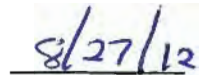
If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondent from the date payment is due up to and including the date that payment is received.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

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2010). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.

  
\_\_\_\_\_  
John J. Kim, Interim Director  
Illinois Environmental Protection Agency

Date:

  
\_\_\_\_\_  
8/27/12

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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SEP 04 2012  
STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Complainant, )  
v. )  
HUGHES TIRE & BATTERY COMPANY, )  
Respondent. )

AC 13-10  
(IEPA No. 207-12-AC)

FACILITY: Hughes Tire & Battery  
SITE CODE NO.: 1610400022  
COUNTY: Rock Island  
CIVIL PENALTY: \$3,000.00  
DATE OF INSPECTION: July 27, 2012

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

AFFIDAVIT

RECEIVED  
CLERK'S OFFICE  
SEP 04 2012  
STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF

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)  
)

IEPA DOCKET NO.

RESPONDENT

)

Affiant, Gerald S. McGhee, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On July 27, 2012, between 10:35 a.m. and 11:00 a.m., Affiant conducted an inspection of the tire retail site in Rock Island County, Illinois, known as Hughes Tire & Battery, Illinois Environmental Protection Agency Site No. 1610400022.

3. Affiant inspected said Hughes Tire & Battery tire retail 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 Hughes Tire & Battery tire retail site.



Merald S. McArthur

Subscribed and Sworn to before  
me this 7<sup>th</sup> day of August 2012

Joann Randolph  
Notary Public





# Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

## Used Tire Storage Exempt Checklist

Note: This checklist is to be used for retail sites that have 250 or less used tires outside, or fewer than 1300 recyclable tires, 1300 tire carcasses and 1300 used tires stored dry.

County: Rock Island BOL ID # 1610400022 Region Region 3 - Peoria

Facility Name: Hughes Tire & Battery

Facility Address: 120 E. 1st Avenue

City: Milan State: IL Zip: 61264 Phone: 309-793-4111

Date: Jul 27, 2012 Start Time: 10:35 a.m. End Time: 11:00 a.m.

Inspector(s): Jeb McGhee Previous Inspection Date: Mar 2, 2012

Weather: 82 ° F Sunny No. of Photos Taken: 11

Interviewed: Scott Hughes No. of Samples Taken: \_\_\_\_\_

Waste Tire Hauler Used: Liberty Tire Recycling Complaint #: \_\_\_\_\_

Estimated Number of Tires at this Facility: 200 Hauler Reg. No.: T8434

**RECEIVED**  
**CLERK'S OFFICE**  
**SEP 04 2012**  
**STATE OF ILLINOIS**  
**Pollution Control Board**

### Responsible Party Information

Name: Hughes Tire & Battery Company

Address 1: Attn: James H. Hughes

Address 2: 120 First Ave

City: Milan State: IL Zip Code: 61264

Add Another Address

Delete Last Address

**ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS**

21(k)	Failure or refusal to pay any fee imposed under the Act. Note: Cite this violation if violation of 55.8(a)(i) or 55.9 is cited.	<input type="checkbox"/>
55(a)(3)	Except at a tire storage site that contains more than 50 used tires, cause or allow the storage of used tires unless the tires are altered, reprocessed, converted, covered or otherwise prevented from accumulating water	<input checked="" type="checkbox"/>
55(b-1)	No person shall knowingly mix any used or waste tire, either whole or cut, with municipal waste.	<input type="checkbox"/>
55(c)	Failure to file the required notification with the Agency by 1/1/1990 or within 30 days of commencement of storing used tires. (Note: Do not mark if site always maintains 50 or less used tires.).	<input type="checkbox"/>
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.	<input type="checkbox"/>
55(h)	Cause or allow the combustion of any used or waste tire in an enclosed devise unless a permit has been issued by the Agency.	<input type="checkbox"/>
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 \$2.00 (plus \$.50) per tire sold to be paid to the IL Dept. of Revenue.	<input type="checkbox"/>
(2)	accept for recycling used tires from customers, at the point of transfer, in a 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 X 11 inches in size that includes the universal recycling symbol and the following statements: "DO NOT put used tires in the trash;" "Recycled your tires.;" and "State law requires us to accept used tires for recycling, in exchange for new tires purchased."	<input type="checkbox"/>
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"/>
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"/>
55.10	Failure to file a quarterly ST-8 tax return with the IL Dept. of Revenue.	<input type="checkbox"/>

**TIRE TRANSPORTATION REQUIREMENTS**

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"/>
55(g)	Engage in any operation as a used tire transporter except in compliance with Board regulations.	<input type="checkbox"/>
848.601(a)	No person shall transport more than 20 used 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"/>
848.601(b)	No person shall provide, deliver, or transport used tires to a tire transporter for transport unless the transporter's vehicle displays a placard issued by the Agency under this Subpart identifying the transporter as a registered tire hauler.	<input type="checkbox"/>

848.606(a)	Upon approval of a registration as a tire transporter, the owner or operator of any vehicle registered to transport used tires shall place a placard on opposite sides of the vehicles, which display(s) a number issued by the Agency following the words "Registered Tire Transporter: T###."	<input type="checkbox"/>
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"/>

### VIOLATIONS SUBJECT TO ADMINISTRATIVE CITATIONS

55(k)	No person shall:	
(1)	Cause or allow water to accumulate in used or waste tires. The prohibition set forth in this paragraph (1) of subsection (k) shall not apply to used or waste tires located at a residential household, as long as not more than 12 used or waste tires are located at the site.	<input checked="" type="checkbox"/>
(2)	Fail to collect a fee required under Section 55.8 of this Title.	<input type="checkbox"/>
(3)	Fail to file a return required under Section 55.10 of this Title.	<input type="checkbox"/>
(4)	Transport used or waste tires in violation of the registration and vehicle placarding requirements adopted by the Board.	<input type="checkbox"/>

### THE FOLLOWING VIOLATIONS MAY BE CITED WHEN WASTES, INCLUDING TIRES, HAVE BEEN IMPROPERLY DISPOSED

9(a)	Cause, threaten or allow air pollution in Illinois.	<input type="checkbox"/>
9(c)	Cause, or allow open burning.	<input type="checkbox"/>
12(a)	Cause, threaten or allow water pollution in Illinois.	<input type="checkbox"/>
12(d)	Create a water pollution hazard.	<input type="checkbox"/>
21(a)	Cause or allow open dumping of: <input type="checkbox"/> Used Tires <input type="checkbox"/> Other solid waste	<input type="checkbox"/>
21(d)(1)	No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit.	<input type="checkbox"/>
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.	<input type="checkbox"/>
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 that meets the requirements of the Act and of regulations and standards thereunder.	<input type="checkbox"/>
21(p)	Cause or allow the open dumping of any waste in any manner that results in any of the following:	
(1)	Litter	<input type="checkbox"/>
(2)	Scavenging	<input type="checkbox"/>
(3)	Open Burning	<input type="checkbox"/>
(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
(5)	Proliferations of Disease Vectors	<input type="checkbox"/>
(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>
(7)	Deposition of GCDD or CCDD	<input type="checkbox"/>
55(a)	No person shall:	
(1)	cause or allow the open dumping of any used or waste tire.	<input type="checkbox"/>
(2)	cause or allow the open burning of any used or waste tire.	<input type="checkbox"/>
(5)	Abandon, dump or dispose of any used or waste tire on any private or public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.	<input type="checkbox"/>
848.202(b)(6)	Abandon, dump or dispose of any used or waste tire on any private or public property, except in a sanitary landfill approved by the Agency pursuant to regulations adopted by the Board.	<input type="checkbox"/>
812.101(a)	Failure to submit an application for a permit to develop and operate a landfill, unless the site is specifically exempted by Section 21(d) of the Act. The application must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in Part 817.	<input type="checkbox"/>
815.201	Failure to file an initial facility report with the Agency to provide information concerning location and disposal practices of the facility.	<input type="checkbox"/>

**OTHER REQUIREMENTS**

	Apparent Violations of: <input type="checkbox"/> PCB CASE NUMBER: _____ <input type="checkbox"/> CIRCUIT COURT Order entered on: _____	<input type="checkbox"/>
739.122(c)(1)	Failure to properly label used oil container(s)	<input type="checkbox"/>
739.124	Improper off-site shipment/transportation of used oil	<input type="checkbox"/>

Use lines below for additional violations

		<input type="checkbox"/>
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Add Another Violation

Delete Last Violation

### NARRATIVE

On July 27, 2012, I conducted a Tire Storage Inspection from 10:35 a.m. until 11:00 a.m. at Hughes Tire & Battery located at 120 E. 1<sup>st</sup> Avenue in Milan, Illinois. The facility is owned by James H. and Trudy A. Hughes Trust. James H. Hughes is the Trustee. It is operated by Hughes Tire & Battery Company. The facility generates used tires by selling new and used tires at retail. The Used and/or Waste Tire Activity Notification Form has been submitted. The required written notice under Section 55.8(a)(3) of the Act was posted.

The inspection was conducted as a follow up to an Administrative Citation Warning Notice dated November 8, 2011 sent to James H. Hughes as trustee for the owner and James H. Hughes, registered agent of Hughes Tire & Battery Company.

A compliance proposal from James H. Hughes was received by the Agency on December 2, 2011. It was rejected by the Agency on December 7, 2011. The compliance proposal was rejected because it did not agree to achieve compliance by January 10, 2012 as required in the ACWN dated November 8, 2011, or provide an alternative date at which time compliance would be achieved. A second compliance proposal from James H. Hughes was received and accepted by the Agency on December 28, 2012. The proposal committed to achieving compliance by January 10, 2012. On January 17, 2012, the agency received receipts dated December 26, 2011 for disposal of several loads of used tires by Liberty Tire Recycling (T8434).

On March 2, 2012, a follow up inspection was conducted. On April 10, 2012, the Agency sent Hughes Tire and Battery Company an Administrative Citation because used or waste tires stored on site continued to be allowed to accumulate water.

On April 18, 2012, the Agency sent Hughes Tire & Battery Company a Notice of Corrective Actions Required for Used Tire Facilities. The Notice contained a compliance deadline to immediately prevent used or waste tires from accumulating water. An additional compliance deadline to remove used or waste tires stored on site longer than 90 days was June 25, 2012.

On June 19, 2012, the Agency received receipts from James H. Hughes for disposal of used or waste tires from the site.

I interviewed Scott Hughes, Vice President of Retail Operations. Mr. Hughes produced receipts for disposal of two separate loads of used or waste tires in July of 2012 by Liberty Tire Recycling (T8434).

I observed about 25 used or waste tires stored inside the main building as seen in photograph 2.

I observed approximately 25 used or waste tires stored outside that are not prevented from accumulating water. (See photographs 3, 4, 5, 6, 7, 8, and 9). Several of the used or waste tires outside were holding water like the ones seen in photographs 6 and 7. Mr. Hughes explained that it rained the night before.

I observed about 150 used tires stored inside two trailers located on the west side of the building. (See photographs 5, 10, and 11).

The facility has returned to compliance with the apparent violation of Section 55.8(b) of the Act.

The following continuing apparent violations found in a previous inspections conducted on November 2, 2011 and March 2, 2012, and cited in an Administrative Citation Warning Notice dated November 8, 2011, and also cited in an Administrative Citation dated April 10, 2012 were observed:

1. Pursuant to Section 55(a)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(3)), no person shall, except at a tire storage site which contains more than 50 used tires, cause or allow the storage of any used tire unless the tire is altered, reprocessed, converted, covered, or otherwise prevented from accumulating water.

A violation of Section 55(a)(3) is alleged for the following reason: **Hughes Tire & Battery Company as operator allowed the storage of used tires that were not prevented from accumulating water.**

2. Pursuant to Section 55(k)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(k)(1)), no person shall cause or allow water to accumulate in used or waste tires.

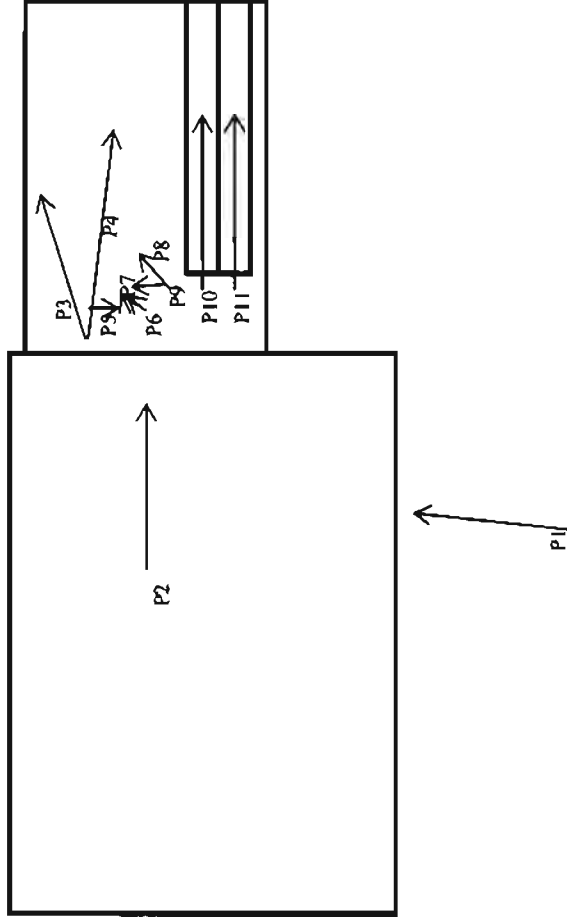
*The prohibitions specified in this subsection (k) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act.*

A violation of Section 55(k)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(k)(1)) is alleged for the following reason: **Hughes Tire & Battery Company as operator allowed used or waste tires to accumulate water.**

State of Illinois Environmental Protection Agency Site Sketch



Inspector: Jeb McGhee  
Date of Inspection: July 27, 2012  
Site Name: Hughes Tire & Battery  
LPC #: 1610400022  
County: Rock Island  
Time: 10:35 a.m. - 11:00 a.m..



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East First Ave.

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Not to Scale





**DATE:** July 27, 2012

**TIME:** 10:39 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the south

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**

1610400022~07272012-001.jpg

**COMMENTS:** Hughes Tire and  
Battery



**DATE:** July 27, 2012

**TIME:** 10:45 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

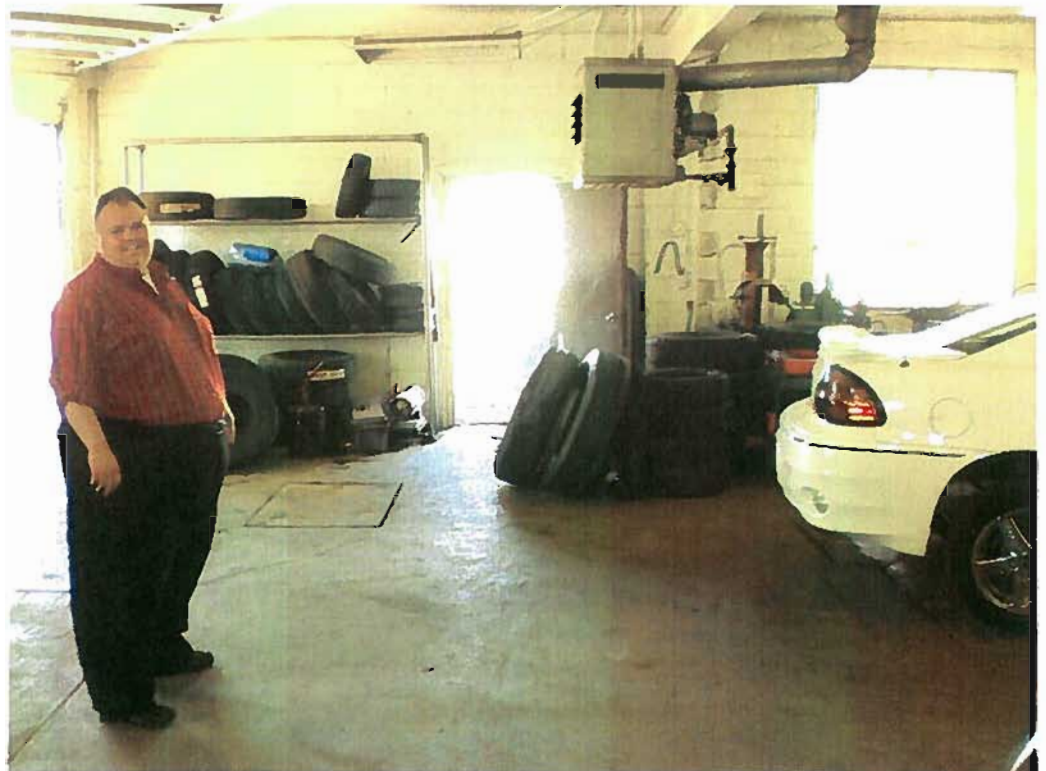
**DIRECTION:** Photograph taken  
toward the west

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**

1610400022~07272012-002.jpg

**COMMENTS:** A few new and  
some used tires on the rack and  
floor.



**DOCUMENT FILE NAME:**

1610400022~07272012.doc



**DATE:** July 27, 2012

**TIME:** 10:46 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the northwest

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**  
1610400022-07272012-003.jpg

**COMMENTS:** Some new tires on  
the rack. The big tire is also new.  
The ones behind the big one are  
used.



**DATE:** July 27, 2012

**TIME:** 10:46 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the west northwest

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**  
1610400022-07272012-004.jpg

**COMMENTS:** Some used tires  
stored outside, off rims, and not  
prevented from accumulating water.



**DOCUMENT FILE NAME:**  
1610400022-07272012.doc



**DATE:** July 27, 2012

**TIME:** 10:48 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the north northwest

**PHOTOGRAPH NUMBER:** 5

**PHOTOGRAPH FILE NAME:**

1610400022~07272012-005.jpg

**COMMENTS:** Used tires stored  
outside off rims that are not  
prevented from accumulating water.



**DATE:** July 27, 2012

**TIME:** 10:48 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

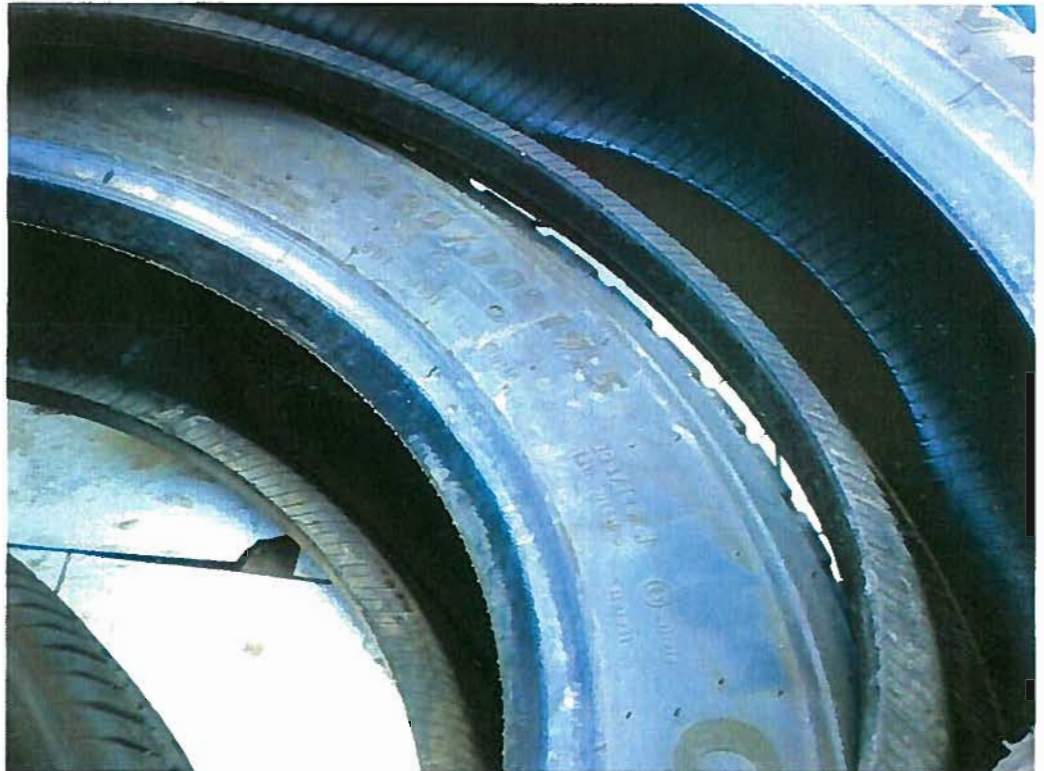
**DIRECTION:** Photograph taken  
toward the southwest

**PHOTOGRAPH NUMBER:** 6

**PHOTOGRAPH FILE NAME:**

1610400022~07272012-006.jpg

**COMMENTS:** Used tires stored  
outside contain water like these.



**DOCUMENT FILE NAME:**

1610400022~07272012.doc



**DATE:** July 27, 2012

**TIME:** 10:49 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the west

**PHOTOGRAPH NUMBER:** 7

**PHOTOGRAPH FILE NAME:**  
1610400022-07272012-007.jpg

**COMMENTS:** Used tires stored  
outside contain water like this one.



**DATE:** July 27, 2012

**TIME:** 10:50 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the southwest

**PHOTOGRAPH NUMBER:** 8

**PHOTOGRAPH FILE NAME:**  
1610400022-07272012-008.jpg

**COMMENTS:** Used tires are  
stored outside and not prevented  
from accumulating water.



**DOCUMENT FILE NAME:**  
1610400022-07272012.doc



**DATE:** July 27, 2012

**TIME:** 10:50 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the south southwest

**PHOTOGRAPH NUMBER:** 9

**PHOTOGRAPH FILE NAME:**  
1610400022~07272012-009.jpg

**COMMENTS:** Used tires are  
stored outside and not prevented  
from accumulating water.



**DATE:** July 27, 2012

**TIME:** 10:52 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the west

**PHOTOGRAPH NUMBER:** 10

**PHOTOGRAPH FILE NAME:**  
1610400022~07272012-010.jpg

**COMMENTS:** About 100 used  
tires on the left side of the trailer on  
racks are prevented from  
accumulating water. Some new  
tires on the right side.



**DOCUMENT FILE NAME:**  
1610400022~07272012.doc



**DATE:** July 27, 2012

**TIME:** 10:53 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the west

**PHOTOGRAPH NUMBER:** 11

**PHOTOGRAPH FILE NAME:**

1610400022-07272012-011.jpg

**COMMENTS:** Mostly new on the  
left and some used on the right.  
They are prevented from  
accumulating water.



**DOCUMENT FILE NAME:**

1610400022-07272012.doc



**Follow-up Inspection**

Date: July 27, 2012

To: Kathy Thomlinson  
Compliance Unit Regional Coordinator

From: Jeb McGhee

3 - Peoria

Subject: 1610400022  
IEPA ID #  
Hughes Tire & Battery  
Facility Name

Region, DLPC/FOS  
Rock Island  
County

USEPA ID #  
FOS File

Date of relevant previous inspection: 11/02/2011

A follow-up inspection on 07/27/2012 has resolved the following violations:			
55.8(b)			

[Check all applicable box(es)]

- All continuing violations from relevant previous inspection resolved.
- Continuing violations remaining.
- New violations cited; new VN attached.

Comments: 55(a)(3), and 55(k)(1) are continuing violations

cc: BOL Records Unit #24  
 BOL/FOS-Peoria

## PROOF OF SERVICE

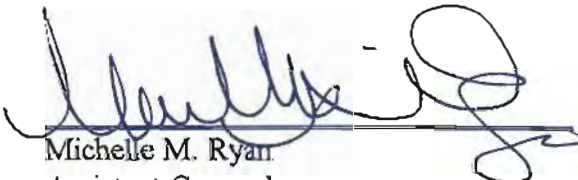
I hereby certify that I did on the 27th day of August 2012, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and TIRE STORAGE EXEMPT CHECKLIST

To: Hughes Tire & Battery Company  
C/o James H. Hughes, Registered Agent  
120 First Avenue  
Milan, IL 61264

RECEIVED  
CLERK'S OFFICE  
SEP 04 2012  
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 Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

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

  
Michelle M. Ryan  
Assistant Counsel

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