



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 • (312) 460-2800

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR


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MAY 10 2013

STATE OF ILLINOIS  
Pollution Control Board

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

May 3, 2013

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

AC13-45  
 ORIGINAL

Re: Illinois Environmental Protection Agency v. Marshall Brennan  
IEPA File No. 95-13-AC; 0990700008—LaSalle 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 *by JCR*

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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Pollution Control Board

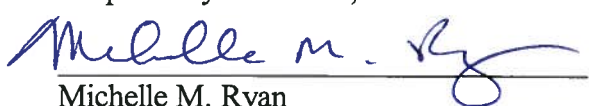
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
MARSHALL BRENNAN, )  
 )  
Respondent. )

AC 13-45  
(IEPA No. 95-13-AC)

NOTICE OF FILING

To: Marshall Brennan  
120 E 3<sup>rd</sup> Street  
Oglesby, IL 61348

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 by JBR

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

Dated: May 3, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Complainant, )  
)  
v. )  
)  
MARSHALL BRENNAN, )  
)  
)  
)  
)  
)  
Respondent. )

AC 13-45  
(IEPA No. 95-13-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 Marshall Brennan is the current owner and operator ("Respondent") of a facility located at 120 E. 3<sup>rd</sup> Street, Oglesby, LaSalle County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Oglesby/Brennan Iron & Metal.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0990700008.
3. That Respondent has owned and operated said facility at all times pertinent hereto.
4. That on March 28, 2013, Donna Shehane of the Illinois Environmental Protection Agency's ("Illinois EPA") Rockford Regional Office inspected the above-described facility. A copy of her inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 5-3-13, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 2998 5546.

#### VIOLATIONS

Based upon direct observations made by Donna Shehane during the course of her March 28, 2013 inspection of the above-named facility; the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2010).
  
- (2) That Respondent caused or allowed 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

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), Respondent is subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of 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 June 14, 2013, unless otherwise provided by order of the Illinois Pollution Control Board.

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

Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

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

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

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

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

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

*Lisa Bonnett sr. SOP*

Date:

*5/1/13*

Lisa Bonnett, Director  
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

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STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Complainant, )  
)  
v. )  
)  
MARSHALL BRENNAN, )  
)  
)  
)  
)  
)  
Respondent. )

AC 1345  
(IEPA No. 95-13-AC)

FACILITY: Oglesby/Brennan Iron & Metal  
SITE CODE NO.: 0990700008  
COUNTY: LaSalle  
CIVIL PENALTY: \$3,000.00  
DATE OF INSPECTION: March 28, 2013

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

RECEIVED  
CLERK'S OFFICE  
MAY 10 2013

STATE OF ILLINOIS  
Pollution Control Board

AFFIDAVIT

IN THE MATTER OF: )  
 )  
 Brennan Iron & Steel )  
 )  
 Respondent )

IEPA DOCKET NO.

AC13-45

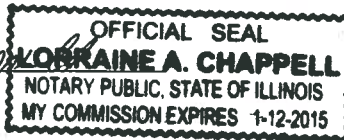
Affiant, Donna Shehane, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 28, 2013 between 12:35 pm and 1:10 pm, Affiant conducted an inspection of the Brennan Iron & Steel property located in LaSalle County, Illinois. Said site has been assigned site code number BOL# 0990700008 by the Agency.
3. Affiant inspected said 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 facility.

Donna Shehane  
Donna Shehane EPS III

Subscribed and Sworn to Before Me  
this 1<sup>st</sup> day of May, 2013

Suzanne Allington  
Notary Public





# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Tire Storage Site Inspection Checklist

County: LaSalle LPC#: 0990700008 Region: 1 - Rockford

City/Facility Name: Oglesby/Brennan Iron & Steel

Facility Location: Columbia Avenue Telephone: 815-252-3469

Date: 03/28/2013 Time: From 12:35 To 1:10 pm Previous Inspection Date: 08/05/2012  
pm

Inspector(s): Shehane No. of Photos Taken: # 43

Weather: 46 ° F; WNW @ 6 mph; clear No. of Samples Taken: \_\_\_\_\_

Interviewed: \_\_\_\_\_ Complaint #: \_\_\_\_\_

Waste Tire Hauler Used: TBD Hauler Registration Number: TBD

Responsible Party Mailing Address(es):  
Brennan Iron & Steel  
Attention: Mr. Brennan  
120 E. 3<sup>rd</sup> Street  
Oglesby, IL 61349

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STATE OF ILLINOIS  
Pollution Control Board

3500 Estimated Number of Used Tires Located At This Facility, including altered, converted and reprocessed tires.

SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>		
1	21(k) FAIL OR REFUSE TO PAY ANY FEE IMPOSED UNDER THIS ACT	<input checked="" type="checkbox"/>
2	55(a)(4) CAUSE OR ALLOW THE OPERATION OF A TIRE STORAGE SITE EXCEPT IN COMPLIANCE WITH BOARD REGULATIONS Note: Also Mark appropriate Violations of Part 848	<input checked="" type="checkbox"/>
3	55(b-1) NO PERSON SHALL KNOWINGLY MIX ANY USED OR WASTE TIRE, EITHER WHOLE OR CUT, WITH MUNICIPAL WASTE	<input type="checkbox"/>
4	55(c) FAILURE TO FILE THE REQUIRED NOTIFICATION WITH THE AGENCY BY 1/1/90 OR WITHIN 30 DAYS OF COMMENCEMENT OF THE STORAGE ACTIVITY.	<input checked="" type="checkbox"/>
5	55(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 checked="" 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"/>

LPC #:  
Date:

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 checked="" 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 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"/>
<b>PART 848, SUBPART B: MANAGEMENT STANDARDS</b>			
15	848.202(b)	AT SITES AT WHICH <b>MORE THAN 50</b> USED OR WASTE TIRES ARE LOCATED THE OWNER OR OPERATOR SHALL:	
	(1)	<b>NOT</b> Place on or Accumulate Any Used or Waste Tire in Any Pile Outside of Any Building Unless the Pile is Separated from All Other Piles by 25 Feet and Aisle Space Is Maintained To Allow the Unobstructed Movement of Personnel and Equipment	<input type="checkbox"/>
	(2)	<b>NOT</b> Accumulate Any Used or Waste Tire in Any Area Located Outside of Any Building Unless the Accumulation is Separated from All Buildings, Whether on or off the Site, by 25 Feet	<input type="checkbox"/>
	(3)	<b>NOT</b> Place On or Accumulate Any Used or Waste Tire in Any Pile Which is Less than 250 Feet from any Potential Ignition Source, including Cutting and Welding Devices, and Open Fires unless all such activities are Carried Out Within A Building	<input type="checkbox"/>
	(4)	Drain Any Used or Waste Tire on the Day of Generation or Receipt	<input type="checkbox"/>
	(5)	<b>NOT</b> 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 type="checkbox"/>
	(7)	<b>NOT</b> 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)	<b>NOT</b> 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 <u>ADDITION</u> TO THE REQUIREMENTS SET FORTH IN 848.202 (b), THE OWNER OR OPERATOR OF A SITE AT WHICH <b>MORE THAN 500</b> USED OR WASTE TIRES ARE LOCATED SHALL:	
	(1)	Maintain a Contingency Plan Which Meets the Requirements of Section 848.203	<input checked="" type="checkbox"/>
	(2)	Meet the Record Keeping and Reporting Requirements of Part 848: Subpart C Note: Also Mark a Violation of Subpart C	<input checked="" type="checkbox"/>
	(3)	<b>NOT</b> 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 checked="" type="checkbox"/>
	(4)	<b>NOT</b> 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"/>

LPC #:

Date:

	(5)	<b>NOT</b> 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)	<b>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:</b>	
	(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	<b>CONTINGENCY PLAN REQUIREMENTS FOR STORAGE SITES WITH MORE THAN 500 TIRES</b>	
	(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"/>
<b>STORAGE OF USED AND WASTE TIRES WITHIN BUILDINGS</b>			
19	848.204(a)	<b>FAILURE TO MEET THE REQUIREMENTS OF SECTION 848.204</b> Note: Also Mark a Violation of 848.204(b), (c), or (d)	<input type="checkbox"/>
20	848.204(b)	<b>STORAGE OF LESS THAN 500 TIRES WITHIN A BUILDING ALLOWED IF:</b> (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)	<b>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:</b>	<input type="checkbox"/>

LPC #:  
Date:

	(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 <b>MORE THAN 10,000</b> 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"/>
<b>PESTICIDE TREATMENT</b>			
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"/>
<b>PART 848: SUBPART C: RECORD KEEPING AND REPORTING</b> Note: Applies to Storage Sites with <b>More than 500</b> Used or Waste Tires			
25	848.302(a)	The owner/operator shall keep on site a: (1) <input checked="" type="checkbox"/> Daily Tire Record (2) <input type="checkbox"/> Annual Tire Summary	<input checked="" 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 type="checkbox"/> Total number of used or waste tires remaining in storage at the conclusion of the day. (4) <input type="checkbox"/> Weight or volume of used or waste tires burned or combusted during the day.	<input type="checkbox"/>
28	848.304	FAILURE TO MAINTAIN ON SITE AN ANNUAL TIRE SUMMARY FOR EACH CALENDAR YEAR THAT INCLUDES:	<input type="checkbox"/>
	(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"/>

LPC #:

Date:

	(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"/>
<b>PART 848: SUBPART D: FINANCIAL ASSURANCE</b>			
NOTE: Applies to Sites which have Stored <b>5000 or More</b> Used or Waste Tires			
31	848.400(b)(1)	<b>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</b> Note: Also Mark a Violation of 848.401 or 848.404	<input type="checkbox"/>
32	848.400(b)(2)	<b>AT TIRE STORAGE SITES AT WHICH TIRES ARE STORED PRIOR TO 1/1/92, FAILURE TO COMPLY WITH SUBPART D BY 1/1/92.</b> 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"/>
<b>PART 848: SUBPART F: TIRE TRANSPORTATION REQUIREMENTS</b>			
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"/>
<b>THE FOLLOWING VIOLATIONS MAY BE CITED WHEN WASTES, INCLUDING TIRES, HAVE BEEN <u>DISPOSED</u> AT A TIRE STORAGE SITE</b>			
41	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS.	<input type="checkbox"/>
42	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>

LPC #:

Date:

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 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 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 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 type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
50.		APPARENT VIOLATION OF: <input type="checkbox"/> PCB CASE NUMBER: <input type="checkbox"/> CIRCUIT COURT ORDER ENTERED ON:	<input type="checkbox"/>
	55(k)(1)	No Person shall cause or allow water to accumulate in used or waste tire.	<input checked="" type="checkbox"/>
	21(d)(1)	Waste disposal was observed at this property without a permit.	
	812.101(a)	All persons shall submit to the Agency an application for a permit to develop and operate a landfill.	

Informational Notes:

1. [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G, Chapter I, Subchapter m, Part 848.
4. 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

LPC #:

Date:

references listed in #1, #2, and #3 above.

5. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
6. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).
7. Items marked with an "NE" were not evaluated at the time of this inspection .

**0990700008 - LaSalle County  
Oglesby/Brennan Iron & Metal**

**NARRATIVE INSPECTION REPORT DOCUMENT**

On March 28, 2013, I (Donna Shehane) conducted a follow-up inspection at Brennan Iron & Steel, located in Oglesby, Illinois. The weather at the time of this inspection was 46 °F with WNW winds at 6 mph and clear skies. The purpose of this inspection was to determine the site's regulatory status and evaluate compliance with the Illinois Environmental Protection Act and Title 35 Illinois Administrative Code, Subtitle G. Records indicate that this facility was last inspected on August 15, 2012.

I arrived on site at 12:35 pm. No one was present on the property at the time of this inspection. I walked along the entranceway to the site, inventorying the number of used or waste tires present at the facility. I also accessed that portion of the property that had previously been blocked off by a large pile of metal. Photo # 1 was taken toward the south of three used tires present. Photos # 2, # 3, # 4, # 5, # 6, # 7, # 8, and # 9 were taken along both sides of the entrance road of used tires. Photos # 10, # 11, and # 12 were taken of used tires near a dilapidated building. Photo # 13 was taken of used tires located inside this building. Photo # 14 was taken to the west of used tires and dumped debris that I observed after turning south around the dilapidated building, as was photo # 15. Larger vehicle tires (off-rim) were taken in photos # 16. These tires were observed to contain water (See photos # 17 and # 18). Photo # 19 depicts an off-rim used tire with vegetation all around/in it. Photo # 20 was taken of more used tires.

I then came upon a semi-trailer almost full of used tires (See photo # 21). Beyond this trailer to the west, I took photo # 22 of still more scattered used tires. Photo # 23 depicts a pile of used tires, containing both on- and off-rim tires. Upon closer examination, I observed water accumulation in some of these tires (See photos # 24, # 25, # 26, and # 27). Photo # 28 was taken toward the east near the site's border with a residential property. It shows scattered litter on the ground, including lumber, a plastic bucket, cans, fencing, paper, etc.

To the northwest of photo # 28, I observed more used tires on the ground containing water accumulation (See photos # 29 and # 30). Photo # 31 reveals cans, paper, and smaller pieces of metal debris.

Photo # 32 was taken toward the southwest of additional used tires. I next came upon a pile of used tires in vegetation, some of which were off-rim (See photo # 33) and some of which contained water (See photo # 34).

I continued walking to the west and north through a forested portion of the property and observed more used or waste tires (See photos # 35 and # 36). Additional used tires were



observed partially buried beneath vegetation (See photo # 37). Another pile of tires can be seen in photo # 38.

I then walked toward the north, leaving the very western portion of the site uninspected at this time. Photos # 39 and # 40 reveal more off-rim used tires with some water accumulation (See photo # 41).

Photo # 42, taken toward the southeast, depicts additional used or waste tires, and window or door frames.

Photo # 43 shows a pile of mixed metal debris and lumber scattered on the site.

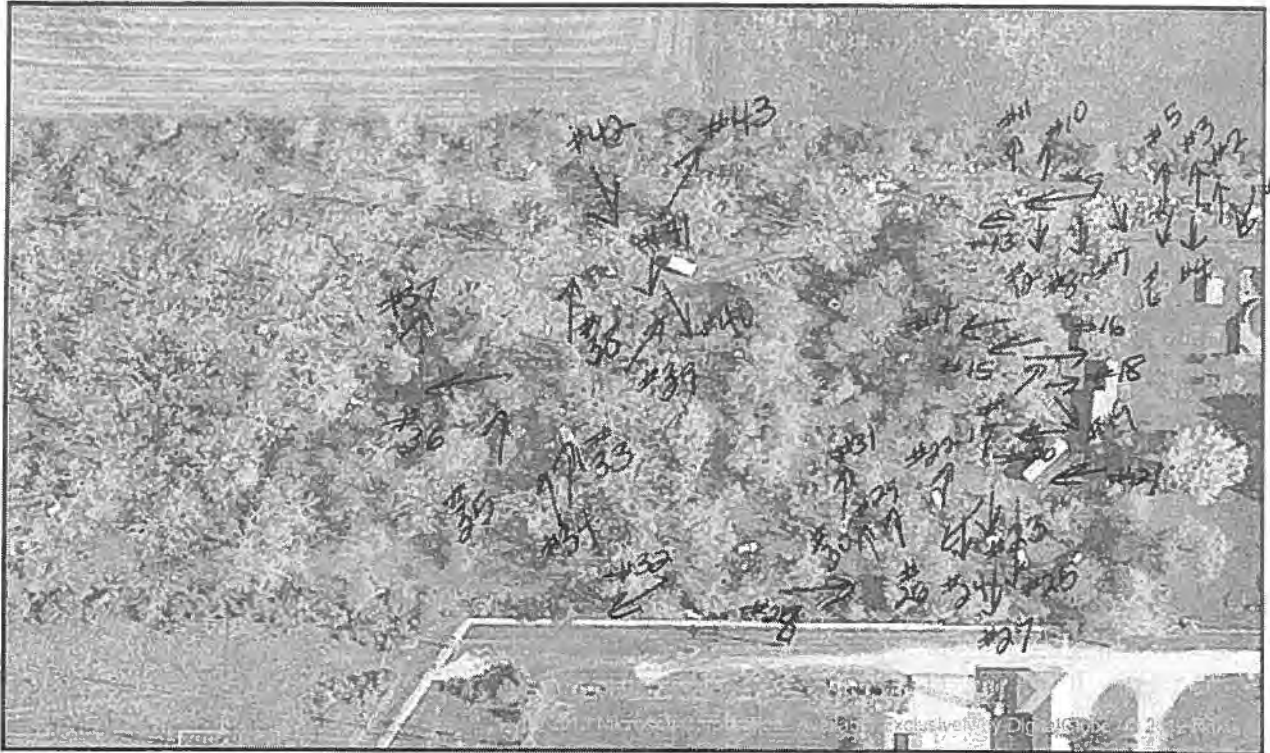
As I was leaving the property, Mr. Brennan pulled up and parked. I introduced myself to him and he briefly stated that he had inherited the site from his father and was continuing cleanup.

Brennan Iron & Metal was found to be out of compliance at the time of this inspection. Apparent violations noted:

1. Section 21(a) of the [Illinois] Environmental Protection Act ("Act").
2. Section 21(d)(1) of the Act.
3. Section 21(d)(2) of the Act.
4. Section 21(e) of the Act.
5. Section 21(p)(1) of the Act.
6. Section 812.101(a) of 35 IAC Subtitle G.
7. Section 21(k) of the Act.
8. Section 55(c) of the Act.
9. Section 55(d)(1) of the Act.
10. Section 55.6(b) of the Act.
11. Section 55(k)(1) of the Act.
12. Section 55(a)(4) of the Act.
13. Section 55(e) of the Act.
14. Section 848.202(c)(1) of 35 IAC Subtitle G.
15. Section 848.202(c)(2) of 35 IAC Subtitle G.
16. Section 848.202(c)(3) of 35 IAC Subtitle G.
17. Section 848.302(a) of 35 IAC Subtitle G.

END NARRATIVE BY DONNA SHEHANE

Print this page in a more readable format: Click Print next to the upper-right corner of the map.



State of Illinois  
 Environmental Protection Agency  
 Site Sketch

Date: 3/28/2013

County: LaSalle

Site Code: 0990700008

Inspector: Shehane

Site Name: Benham  
Iron + Steel

Time: 12:35 - 1:10 pm

0990700008 ~ 032813-001-043  
NOT TO SCALE



## DIGITAL PHOTOGRAPHS

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:37 pm  
Direction: S  
Photo by: Shehane  
Exposure #: 001  
Comments: used  
tires at the site



Date: 03/28/2013  
Time: 12:39 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 002  
Comments: used tire  
and debris on the  
ground



## DIGITAL PHOTOGRAPHS

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:39 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 003  
Comments: used tire  
and dumped solid  
waste



Date: 03/28/2013  
Time: 12:40 pm  
Direction: S  
Photo by: Shehane  
Exposure #: 004  
Comments: used  
tires



*DIGITAL PHOTOGRAPHS*

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:41 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 005  
Comments: used  
tires



Date: 03/28/2013  
Time: 12:42 pm  
Direction: S  
Photo by: Shehane  
Exposure #: 006  
Comments: used tire



*DIGITAL PHOTOGRAPHS*

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:42 pm  
Direction: SE  
Photo by: Shehane  
Exposure #: 007  
Comments: used tire



Date: 03/28/2013  
Time: 12:43 pm  
Direction: S  
Photo by: Shehane  
Exposure #: 008  
Comments: used tires



*DIGITAL PHOTOGRAPHS*

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:44 pm  
Direction: W  
Photo by: Shehane  
Exposure #: 009  
Comments:  
Used tires



Date: 03/28/2013  
Time: 12:44 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 010  
Comments: used tire



*DIGITAL PHOTOGRAPHS*

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:44 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 011  
Comments:  
Used tire and  
dumped litter



Date: 03/28/2013  
Time: 12:45 pm  
Direction: S  
Photo by: Shehane  
Exposure #: 012  
Comments: used tire





*DIGITAL PHOTOGRAPHS*

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:46 pm  
Direction: W  
Photo By: Shehane  
Exposure #: 013  
Comments: used  
tires



Date: 03/28/2013  
Time: 12:47 pm  
Direction: W  
Photo by: Shehane  
Exposure #: 014  
Comments: used  
tires



*DIGITAL PHOTOGRAPHS*

File Names: 0990700008~032813



Date: 03/28/2013  
Time: 12:48 pm  
Direction: W  
Photo By: Shehane  
Exposure #: 015  
Comments: used  
tires



Date: 03/28/2013  
Time: 12:48 pm  
Direction: E  
Photo By: Shehane  
Exposure #: 016  
Comments: off-rim  
used tires stored  
without prevention  
of water  
accumulation



**DIGITAL PHOTOGRAPHS**

**File Names: 0990700008~032813**



**Date: 03/28/2013  
Time: 12:49 pm  
Direction: NE  
Photo By: Shehane  
Exposure #: 017  
Comments: water  
accumulation in used  
tire**



**Date: 03/28/2013  
Time: 12:49 pm  
Direction: E  
Photo By: Shehane  
Exposure #: 018  
Comments:  
Water accumulation in  
used tire**



Date: 03/28/2013  
Time: 12:49 pm  
Direction: SE  
Photo By: Shehane  
Exposure #: 019  
Comments:  
Vegetation on used tire



Date: 03/28/2013  
Time: 12:50 pm  
Direction: W  
Photo By: Shehane  
Exposure #: 020  
Comments:  
Additional used tires



**Date: 03/28/2013**  
**Time: 12:51 pm**  
**Direction: W**  
**Photo By: Shehane**  
**Exposure #: 021**  
**Comments: truckload full of used tires**



**Date: 03/28/2013**  
**Time: 12:52 pm**  
**Direction: N**  
**Photo By: Shehane**  
**Exposure #: 022**  
**Comments: used tires**

**DIGITAL PHOTOGRAPHS**

**File Names: 0990700008~032813**



**Date: 03/28/2013  
Time: 12:53 pm  
Direction: S  
Photo By: Shehane  
Exposure #: 023  
Comments: pile of used tires; some off-rim**



**Date: 03/28/2013  
Time: 12:53 pm  
Direction: S  
Photo By: Shehane  
Exposure #: 024  
Comments: Used tire with water accumulation**



**DIGITAL PHOTOGRAPHS**

**File Names: 0990700008~032813**



**Date: 03/28/2013  
Time: 12:53 pm  
Direction: S  
Photo By: Shehane  
Exposure #: 025  
Comments: water  
accumulation**



**Date: 03/28/2013  
Time: 12:54 pm  
Direction: SW  
Photo By: Shehane  
Exposure #: 026  
Comments: water  
accumulation in used  
tire**



**Date: 03/28/2013**  
**Time: 12:54 pm**  
**Direction: S**  
**Photo By: Shehane**  
**Exposure #: 027**  
**Comments: used tire with water accumulation**



**Date: 03/28/2013**  
**Time: 12:55 pm**  
**Direction: E**  
**Photo By: Shehane**  
**Exposure #: 028**  
**Comments: litter and refuse scattered on the ground**





**Date:** 03/28/2013  
**Time:** 12:55 pm  
**Direction:** NW  
**Photo By:** Shehane  
**Exposure #:** 029  
**Comments:** stack of used tires



**Date:** 03/28/2013  
**Time:** 12:56 pm  
**Direction:** NW  
**Photo By:** Shehane  
**Exposure #:** 030  
**Comments:** water accumulation in used tires



**Date: 03/28/2013  
Time: 12:57 pm  
Direction: N  
Photo By: Shehane  
Exposure #: 031  
Comments: scattered debris on the ground**



**Date: 03/28/2013  
Time: 12:59 pm  
Direction: SW  
Photo By: Shehane  
Exposure #: 032  
Comments: additional used tires**



**Date: 03/28/2013**  
**Time: 1:00 pm**  
**Direction: N**  
**Photo By: Shehane**  
**Exposure #: 033**  
**Comments: used tire pile with some off-rim tires**



**Date: 03/28/2013**  
**Time: 1:00 pm**  
**Direction: NW**  
**Photo By: Shehane**  
**Exposure #: 034**  
**Comments: water accumulation in used tire**



**Date:** 03/28/2013  
**Time:** 1:01 pm  
**Direction:** N  
**Photo By:** Shehane  
**Exposure #:** 035  
**Comments:** used tires



**Date:** 03/28/2013  
**Time:** 1:01 pm  
**Direction:** W  
**Photo By:** Shehane  
**Exposure #:** 036  
**Comments:** used tires



**Date: 03/28/2013**  
**Time: 1:02 pm**  
**Direction: N**  
**Photo By: Shehane**  
**Exposure #: 037**  
**Comments: used tires and dumped litter in disarray**



**Date: 03/28/2013**  
**Time: 1:03 pm**  
**Direction: N**  
**Photo By: Shehane**  
**Exposure #: 038**  
**Comments: used tire pile on vegetative growth**



**DIGITAL PHOTOGRAPHS**

**File Names: 0990700008~032813**



**Date: 03/28/2013**  
**Time: 1:05 pm**  
**Direction: NE**  
**Photo By: Shehane**  
**Exposure #: 039**  
**Comments: another used tire pile on vegetative growth**



**Date: 03/28/2013**  
**Time: 1:06 pm**  
**Direction: SE**  
**Photo By: Shehane**  
**Exposure #: 040**  
**Comments: More off-rim used tires**



**Date: 03/28/2013**  
**Time: 1:06 pm**  
**Direction: S**  
**Photo By: Shehane**  
**Exposure #: 041**  
**Comments: water accumulation in used tire**



**Date: 03/28/2013**  
**Time: 1:07 pm**  
**Direction: SE**  
**Photo By: Shehane**  
**Exposure #: 042**  
**Comments: used tires in vegetative growth and scattered litter and refuse**

**DIGITAL PHOTOGRAPHS**

**File Names: 0990700008~032813**



**Date: 03/28/2013**  
**Time: 1:07 pm**  
**Direction: N**  
**Photo By: Shehane**  
**Exposure #: 043**  
**Comments: pile of**  
**rusted debris and some**  
**used tires**



## PROOF OF SERVICE

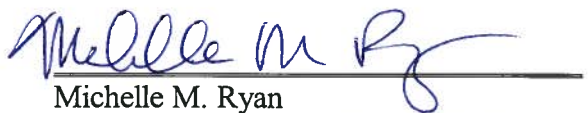
I hereby certify that I did on the 3rd day of May 2013, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Marshall Brennan  
120 E 3<sup>rd</sup> Street  
Oglesby, IL 61348

RECEIVED  
CLERK'S OFFICE  
MAY 10 2013  
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  
by JLR

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