

ILLINOIS POLLUTION CONTROL BOARD  
April 19, 2007

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 06-193
	)	(Enforcement – Land, Air)
RON FISHER MOTORSPORTS, INC., an	)	
Illinois corporation d/b/a F & L SALVAGE	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by A.S. Moore):

On June 29, 2006, the Office of the Attorney General, on her own motion and at the request of the People of the State of Illinois (People), filed a four-count complaint against Ron Fisher Motorsports, Inc. d/b/a F & L Salvage (Ron Fisher Motorsports). *See* 415 ILCS 5/31(c)(1) (2004); 35 Ill. Adm. Code 103.204. The People allege that Ron Fisher Motorsports violated Sections 9(a) and (c); 21(a), (e), (f), (f)(2), and (p)(3); and 55(a) and (c) of the Environmental Protection Act (Act) (415 ILCS 5/9(a) and (c); 21(a), (e), (f), (f)(2), and (p)(3); and 55(a) and (c) (2004)) and 35 Ill. Adm. Code 703.121(a), 722.111, 848.202(b). The People further allege that Ron Fisher Motorsports violated these provisions by (1) storing hazardous waste without a permit; (2) failing to make the required hazardous waste determination; (3) storing hazardous waste at a facility that did not fulfill applicable requirements; (4) causing or allowing the open dumping of waste; (5) disposing of or abandoning waste at a site that did not meet applicable requirements; (6) storing used or waste tires outside without cover and in a way that they accumulated water; (7) failing to make the required notice of tire storage activity within 30 days; (8) causing or allowing the open burning of waste; (9) causing the open burning of waste in a manner that resulted in open burning; and (10) causing, threatening, or allowing the discharge of contaminants into the environment so as to cause or tend to cause air pollution. The complaint concerns Ron Fisher Motorsports' facility on Mitchell Lane, in Washington County.

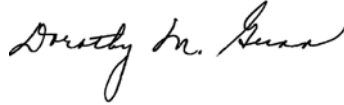
On April 16, 2007, the People and Ron Fisher Motorsports filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2004)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2004)). *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, Ron Fisher Motorsports does not admit the alleged violations but agrees to pay a civil penalty of \$7,000.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a

hearing. 415 ILCS 5/31(c)(2) (2004); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk of the Board to provide the required notice.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 19, 2007, by a vote of 3-0.

A handwritten signature in cursive script that reads "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board