



# 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, Director

(217) 782-9817

TDD: (217) 782-9143

January 23, 2013

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. Paul Williams & H S Auto Salvage  
IEPA File No.2-13-AC: 0038995011—Alexander 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

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CLERK'S OFFICE

JAN 25 2013

STATE OF ILLINOIS  
Pollution Control Board

AC13-36



ORIGINAL



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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JAN 25 2013

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
PAUL WILLIAMS and H S AUTO SALVAGE, )  
 )  
 )  
 )  
Respondents. )

AC 13-36  
(IEPA No. 2-13-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 Paul Williams is the owner and H S Auto Salvage is the operator (collectively "Respondents") of a facility located at 14027 State Highway 37, Cairo, Alexander County, Illinois. Mr. Williams owns the two southern parcels; parcel number 18-03-173-010 and parcel number 18-03-03-173-011. The property is commonly known to the Illinois Environmental Protection Agency as Cairo/Williams.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0038995011.

3. That Respondents have owned and operated said facility at all times pertinent hereto.

4. That on December 5, 2012, Sheila Williams of the Illinois Environmental Protection Agency's ("Illinois EPA") Marion 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 1-23-13, Illinois EPA sent this Administrative Citation via Certified Mail No. 7010 2780 0002 1167 5843 - Williams.  
7010 2780 0002 1167 5850 - HS Auto Salvage

#### VIOLATIONS

Based upon direct observations made by Sheila Williams during the course of the December 5, 2012 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondents have violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent's 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's 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) (2010).
- (3) That Respondent's caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris: or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2010).
- (4) That Respondent's caused or allowed water to accumulate in used/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), Respondents are 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 Six Thousand Dollars (\$6,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than February 29, 2013, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondents elect 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, Respondents 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 Respondents fail to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondents 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 Respondents 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 Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondents have 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 Respondents elect to contest this Administrative Citation, then Respondents 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, Director  
Illinois Environmental Protection Agency

Date:

1/18/2013

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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JAN 25 2013

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
PAUL WILLIAMS and H S AUTO SALVAGE )  
 )  
 )  
 )  
 )  
Respondents. )

AC

13-36

(IEPA No. 2-13-AC)

FACILITY: Cairo/Williams  
SITE CODE NO.: 0038995011  
COUNTY: Alexander  
CIVIL PENALTY: \$6,000.00  
DATE OF INSPECTION: December 5, 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.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JAN 25 2013

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY )  
 )  
Complainant, )  
 )  
 )  
v. )  
 )  
Williams )  
 )  
Respondent. )

IEPA DOCKET NO.

AC13-36

AFFIDAVIT

Affiant, Sheila Williams, being first duly sworn, voluntarily deposes and states as follows:

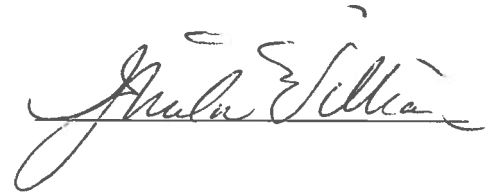
1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

)

2. On December 5, 2012, between 12:50 p.m. and 3:27 p.m., Affiant conducted an inspection of a disposal site operated by Paul Williams, located in Alexander County, Illinois, and known as Cairo/Williams by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0038995011 by the Agency.

3. Affiant inspected said Cairo/Williams site by an on-site inspection which included walking and photographing the site.

4. As a result of the material actions 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 Cairo/Williams.



Subscribed and Sworn to before me

this 14<sup>th</sup> day of January, 2013

  
Notary Public



SW:cs/50251/1-4-13

# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Open Dump Inspection Checklist

County: Alexander LPC#: 0038995011 Region: 7 - Marion

Location/Site Name: Cairo/Williams

Date: 12/5/2012 Time: From 12:50 PM To 3:27 PM Previous Inspection Date: 5/7/2012

Inspector(s): S. Williams & G. Gross Weather: sunny, ~60° F.

No. of Photos Taken: # 13 Est. Amt. of Waste: 400 Samples Taken: Yes #      No ☒

Interviewed: Lisa & Paul Williams Complaint #: 10-235

Latitude: 37.043560 Longitude: -89.186480 Collection Point Description: Site Entrance

(Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS

Responsible Party  
Mailing Address(es)  
and Phone Number(s):

Paul Williams  
80 Stough Ln.  
Wickliffe, KY 42087

CLERK'S OFFICE

**JAN 25 2013**

**STATE OF ILLINOIS**  
**Pollution Control Board**

	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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 checked="" 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 # 0038995011

Inspection Date: 12/5/2012

	(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 checked="" type="checkbox"/>
9.	55(a)	<b>NO PERSON SHALL:</b>	
	(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 checked="" type="checkbox"/>
10.	55(k)	<b>NO PERSON SHALL:</b>	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	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"/>
15.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.	
<b>OTHER REQUIREMENTS</b>			
16.		APPARENT VIOLATION OF: ( <input type="checkbox"/> ) PCB; ( <input type="checkbox"/> ) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
	OTHER:		<input type="checkbox"/>
17.	21(k)	Fail or refuse to pay any fee imposed under this Act.	<input checked="" type="checkbox"/>
18.	55(a)(4)	No person shall cause or allow the operation of a tire storage site except in compliance with Board regulations.	<input checked="" type="checkbox"/>
19.	55(a)(5)	No person shall: 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 checked="" type="checkbox"/>
20.	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.	<input checked="" type="checkbox"/>
21.	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	<input checked="" type="checkbox"/>

LPC # 0038995011

Inspection Date: 12/5/2012

		iv. Pay the Fee Required under Subsection (b) of Section 55.6	
22.	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.	<input checked="" type="checkbox"/>
23.	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"/>
24.	733.114(a)	A small quantity handler of universal waste batteries must label or mark each battery or container of batteries with one of the following: "Universal Waste-Batteries," "Waste Batteries," or "Used Batteries".	<input checked="" type="checkbox"/>
25.	733.115(c)	A small quantity handler of universal waste that accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways: 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received; 2) Marking or labeling each individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received; 3) Maintaining an on-site inventory system that identifies the date each universal waste became a waste or was received; 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received; 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.	<input checked="" type="checkbox"/>
26.	848.202(b)(5)	At sites at which more than 50 used or waste tires are located the owner or operator shall 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"/>
27.	848.202(b)(6)	No person shall: 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 checked="" type="checkbox"/>
28.	848.202(c)(1)	In <u>ADDITION</u> 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 maintain a Contingency Plan which meets the requirements of Section 848.203.	<input checked="" type="checkbox"/>
29.	848.202(c)(2)	In <u>ADDITION</u> 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 meet the Record Keeping and Reporting Requirements of Part 848: Subpart C	<input checked="" type="checkbox"/>
30.	848.202(c)(3)	In <u>ADDITION</u> 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 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 checked="" type="checkbox"/>
31.	848.203(a)	The owner/operator must meet the requirements of Section 848.203	<input checked="" type="checkbox"/>
32.	848.203(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	<input checked="" type="checkbox"/>

LPC # 0038995011

Inspection Date: 12/5/2012

		and from disease spreading mosquitos and other nuisance organisms which may breed in water accumulations in used or waste tires.	
33.	848.203(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 checked="" type="checkbox"/>
34.	848.203(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 checked="" type="checkbox"/>
35.	848.203(f)	The contingency plan must be maintained at the site and submitted to state and local authorities.	<input checked="" type="checkbox"/>
36.	848.203(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 checked="" type="checkbox"/>
37.	848.204(a)	Failure to meet the requirements of Section 848.204	<input checked="" type="checkbox"/>
38.	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 checked="" type="checkbox"/> All of the Buildings Windows and Doors Maintained in Working Order and Secured to Prevent Unauthorized Access. (3) <input checked="" 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 checked="" type="checkbox"/>
39.	848.204(c) (1)	In <u>ADDITION</u> to the requirements set forth in Section 848.204(b), the owner or operator of a site with 500 or more used or waste tires stored within buildings shall develop a tire storage plan in consultation with fire officials meeting the requirements of: 848.204 (c)(1) (A) <input checked="" type="checkbox"/> considering the type of building to be used for the tire storage (B) <input checked="" 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 checked="" 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 checked="" type="checkbox"/>
40.	848.204(c) (2)	Have and maintain a contingency plan which meets the requirements of Section 848.203	<input checked="" type="checkbox"/>
41.	848.204(c) (3)	Meet the record keeping and reporting requirements of Subpart C	<input checked="" type="checkbox"/>
42.	848.302(a)	The owner/operator shall keep on site a: (1) <input checked="" type="checkbox"/> Daily Tire Record (2) <input checked="" type="checkbox"/> Annual Tire Summary	<input checked="" type="checkbox"/>
43.	848.303(a)	<b>FAILURE TO MAINTAIN A DAILY TIRE RECORD THAT INCLUDES:</b> <input checked="" type="checkbox"/> Day of the Week <input checked="" type="checkbox"/> Date <input checked="" type="checkbox"/> Agency Site Number <input checked="" type="checkbox"/> Site Name and Address	<input checked="" type="checkbox"/>
44.	848.303(b)	<b>FAILURE TO RECORD IN THE DAILY TIRE RECORD THE FOLLOWING INFORMATION</b> (1) <input checked="" type="checkbox"/> Weight or volume of used or waste tires received at the site during the operating day (2) <input checked="" type="checkbox"/> Weight or volume of used or waste tires transported from the site	<input checked="" type="checkbox"/>

LPC # 0038995011

Inspection Date: 12/5/2012

		<p>and the destination of the tires so transported.</p> <p>(3) <input checked="" type="checkbox"/> Total number of used or waste tires remaining in storage at the conclusion of the day.</p> <p>(4) <input checked="" type="checkbox"/> Weight or volume of used or waste tires burned or combusted during the day.</p>	
45.	848.304(a)	Failure to maintain on site an annual tire summary for each calendar year that includes the site number, name and address and the calendar year for which the summary applies.	<input checked="" type="checkbox"/>
46.	848.304(b) (1)	The weight or volume of used or waste tires received at the site during the calendar year.	<input checked="" type="checkbox"/>
47.	848.304(b) (2)	The weight or volume of used or waste tires transported from the site during the calendar year.	<input checked="" type="checkbox"/>
48.	848.304(b) (3)	The total number of used or waste tires determined in PTE (passenger tire equivalent) remaining in storage at the conclusion of the calendar year	<input checked="" type="checkbox"/>
49.	848.304(b) (4)	The weight or volume of used or waste tires combusted during the calendar year.	<input checked="" type="checkbox"/>
50.	848.304(c)	Failure to submit the Annual Tire Summary by January 31 of each year	<input checked="" type="checkbox"/>
51.	848.305	Failure to retain required records on site for 3 years.	<input checked="" type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. 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.
4. The provisions of subsection (p) of Section 21 and subsection (k) of Section 55 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.
5. 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).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

# **NARRATIVE INSPECTION REPORT**

Date: December 5, 2012 Inspector: Sheila Williams

Site Code: 0038995011 and 0038995012

Site Name: Cairo/H S Auto Salvage and Cairo/Williams

County: Alexander Time: 12:50 P.M. – 3:27 P.M.

## **GENERAL REMARKS**

On December 5, 2012 Garrison Gross and I conducted an inspection at the Cairo/H S Auto Salvage site and Cairo/Williams site along Route 37 just north of Cairo, IL. H S Auto Salvage has a Certificate of Authority through the Secretary of State as an Auto Parts Recycler. According to the Alexander Supervisor of Assessments Office, property ownership has not changed since the previous inspection. Sally Showalter, apparent owner of H S Auto Salvage, receives the real estate tax bill for two parcels of property that total 14.16 acres. The parcels are designated as 05-02-11-006-025 and 05-02-11-006-032. The two parcels directly to the south of Ms. Showalter's property are known as 18-03-03-173-010 and 18-03-03-173-011. Paul Williams of Wickliffe, KY receives the real estate tax bill for these parcels. Paul Williams and Lisa Williams, wife of Paul Williams and daughter of Sally Showalter, were present during the inspection. Lisa Williams oversees the operations of the business office. It is apparent all four parcels are used in the course of business for H S Auto Salvage. Both Mr. & Mrs. Williams have made references to this. As a result, the same narrative, and similar site sketch and photos will be used for both sites. Only Photos 001 and 024-035 will apply to the Cairo/Williams site.

After going to the office to tell Mrs. Williams we were there to conduct an inspection, we went to an area on Mr. Williams' property where open burning was observed. Two workers, as well as Mr. Williams, were in the vicinity of the burn pile. Mr. Williams appeared to be

utilizing a bulldozer to push dirt toward the burn area. The pile consisted of dirt with small debris mixed in it. Among the items in the burn area, which was still smoldering, were wood, metal, a cable, ash, and a tire wheel with the wires around it.

It was apparent open burning had also taken place as seen in Photos 002-004. Like the first area, there was a lot of debris mixed with dirt. Demolition wood, a cable, tires and another charred tire wheel were present. Also, a charred tree was next to the debris. Mr. Williams followed me in the bulldozer to this area. When I mentioned the charred tire rim, he said he thought all of the tires were out and he thought he was only burning tree debris and logs when he started the fire. Mr. Williams said every time he digs through the dirt in this area, more tires show up. He indicated they have collected hundreds of tires from the "ditch". The ditch seems to reference a lengthy portion of the western side of the Showalter property which abuts an agricultural field. Mr. Williams said they have a 53' trailer he is filling with tires which Liberty will eventually come to collect. Photo 005 depicts some of the previously observed waste in this area has been removed. As seen in Photos 006-008, the ground was littered with debris such as tires, foam padding, and metal. Photo 007 shows a tire holding water.

There were several areas where metal items were present, but appeared to have been there for an extended period. Photo 009 depicts small motorized equipment – perhaps riding lawn mowers and a rototiller – inundated with vegetation. Photo 010 shows a mound of metal estimated to be at least 10' high along a fence and a pile of vehicle parts. Photo 011 shows a variety of metal with vegetation grown around it. Each of these areas were set back from where the main salvaging operations appear to take place.

Several vehicles were propped up off of the ground with tires. Vehicles storing tires can be seen in Photo 012. The window was open in at least one of them, thus not preventing the tires from collecting water. Dumpsters and torn plastic bags had aluminum cans spilling onto the ground as shown in Photo 015.

It is apparent most of the collected vehicle fluids are being kept in labeled drums under a roof. A small container of what appeared to be oil was observed in this area

with no label and no lid. Photo 018 shows a vehicle in the process of having its fluids drained. This was being done over a concrete pad with a slight depression in the middle of it. Mrs. Williams provided documentation showing that First American Recovery and Recycle collected 1,765 gallons of used oil on June 9, 2012.

A previously observed pile of demolition debris with a trailer bed and boat on it were still present on Mr. Williams' property. This material was neither in use nor being protected for future use. A mound of aluminum cans, a truck bed, and a boat are shown in Photo 026. Photo 028 depicts a variety of debris on the ground and open to the elements. Items include, but are not limited to, tires, vehicle parts, a wooden spool, and general refuse. Water was seen in the tire shown in Photo 029. Metal, demolition debris, and painted concrete blocks can be seen in Photo 032. Demolition debris was observed in this area during the previous inspection.

About two dozen vehicle batteries were stored inside, see Photo 033. The batteries were not individually labeled or in a container labeled with "Universal Waste – Batteries", "Waste Batteries" or "Used Batteries" as required. Also, it did not appear the length of time the batteries had been accumulated had been tracked.

Approximately 945 tires were present on the Showalter property and 790 were on the Williams property. Agency records do not reflect Mrs. Showalter/H S Salvage nor Mr. Williams have notified or registered with the Agency as tire storage sites. As previously mentioned, some tires were kept outside. A building where some tires were stored did not appear it could prevent unauthorized access nor did it appear to be impermeable to precipitation. Nothing suggested they had consulted with fire officials regarding the storage of tires in the buildings. Mr. Williams indicated, as time and effort allowed, tires were being removed from the buildings to the trailer for Liberty to collect. It was apparent many of these tires had been allowed to accumulate for more than 90 days. Mrs. Williams shared that they no longer sell tires. No Contingency Plan, Daily Tire Record or Annual Tire Summary were available.

The National Vehicle Mercury Switch Program shows H S Auto Salvage joined the program in July of 2006. However, it does not appear any additional activity has taken

place. Mrs. Williams said they have not been filling out the Illinois Automotive Mercury Switch Removal Log For Scrap Metal Processors, Shredders, Vehicle Crushers, and Vehicle Recyclers. Also, nothing suggested they have been collecting the mercury switches.

On December 13, 2012, a Tire Notification & Registration form, a Daily Tire Record form, Department of Revenue Tire User Fee information, an NPDES NOI, and a Recycling Mercury Switches in Illinois Guide were mailed to H S Auto Salvage.



Cairo/H S Auto Salvage #0038995012

Cairo/Williams #0038995011

Alexander County

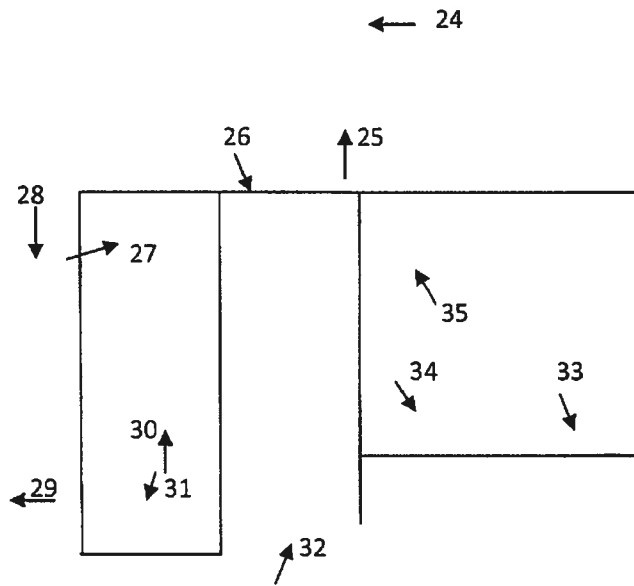
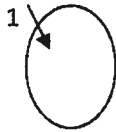
Not to Scale

Locations are Approximate

12/5/2012



H S Auto Salvage



approximate  
boundary of  
Paul Williams  
property

Route 37

Cairo/Williams

#0038995011 – Alexander County

Not to Scale

Locations are Approximate

12/5/2012



**DIGITAL PHOTOGRAPHS**



**Date: 12/5/2012  
Time: 1:00 P.M.  
Direction: southeast  
Photo by: S. Williams  
Exposure #: 001  
Comments: burn pile  
with smoldering  
wheel with tire wires  
around it**



**Date: 12/5/2012  
Time: 1:49 P.M.  
Direction: west  
Photo by: S. Williams  
Exposure #: 024  
Comments: previously  
noted boat, trailer  
bed, and demolition  
debris**

**File Names: 0038995012~12052012 (13 total)**



**DIGITAL PHOTOGRAPHS**



**Date: 12/5/2012  
Time: 1:50 P.M.  
Direction: north  
Photo by: S. Williams  
Exposure #: 025  
Comments: tires  
being kept in trailer**



**Date: 12/5/2012  
Time: 1:54 P.M.  
Direction: southeast  
Photo by: S. Williams  
Exposure #: 026  
Comments: mound of  
aluminum cans, truck  
bed, boat and  
demolition debris**

**File Names: 0038995012~12052012 (13 total)**



**DIGITAL PHOTOGRAPHS**



**Date: 12/5/2012  
Time: 1:55 P.M.  
Direction: northeast  
Photo by: S. Williams  
Exposure #: 027  
Comments: number of  
tires has been  
reduced in this area**



**Date: 12/5/2012  
Time: 1:55 P.M.  
Direction: south  
Photo by: S. Williams  
Exposure #: 028  
Comments: tires,  
general refuse, and a  
variety of vehicle  
parts**

**File Names: 0038995012~12052012 (13 total)**



**DIGITAL PHOTOGRAPHS**



**Date: 12/5/2012  
Time: 1:57 P.M.  
Direction: west  
Photo by: S. Williams  
Exposure #: 029  
Comments: water in  
tire**



**Date: 12/5/2012  
Time: 1:57 P.M.  
Direction: north  
Photo by: S. Williams  
Exposure #: 030  
Comments: tires in  
building**

**File Names: 0038995012~12052012 (13 total)**



**DIGITAL PHOTOGRAPHS**



**Date: 12/5/2012  
Time: 1:58 P.M.  
Direction: southwest  
Photo by: S. Williams  
Exposure #: 031  
Comments: tires in building**



**Date: 12/5/2012  
Time: 1:59 P.M.  
Direction: northeast  
Photo by: S. Williams  
Exposure #: 032  
Comments: metal, demolition debris, and painted concrete blocks**

**File Names: 0038995012~12052012 (13 total)**



## DIGITAL PHOTOGRAPHS



Date: 12/5/2012  
Time: 2:10 P.M.  
Direction: southeast  
Photo by: S. Williams  
Exposure #: 033  
Comments: universal  
waste batteries with  
no labels and  
apparently nothing  
which demonstrates  
the length of time  
batteries have  
accumulated



Date: 12/5/2012  
Time: 2:16 P.M.  
Direction: southeast  
Photo by: S. Williams  
Exposure #: 034  
Comments: tires

File Names: 0038995012~12052012 (13 total)



**DIGITAL PHOTOGRAPHS**



**Date: 12/5/2012  
Time: 2:16 P.M.  
Direction: northwest  
Photo by: S. Williams  
Exposure #: 035  
Comments: tires**

**File Names: 0038995012~12052012 (13 total)**

RECEIVED  
CLERK'S OFFICE

JAN 25 2013

STATE OF ILLINOIS  
Pollution Control Board

**PROOF OF SERVICE**

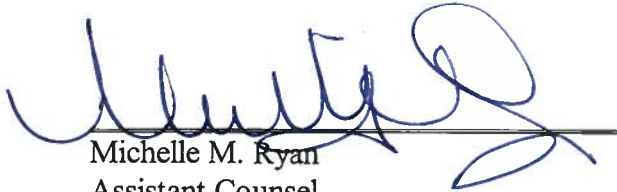
I hereby certify that I did on the 23rd day of January 2013, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Paul Williams  
80 Stough Ln.  
Wickliffe, KY 42087

Sally Showalter, owner H S Auto Salvage  
2521 Old Villa Ridge Road  
Villa Ridge, IL 62996

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

THIS FILING SUBMITTED ON RECYCLED PAPER