



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) 814-6026

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

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

 ORIGINAL

RECEIVED
CLERK'S OFFICE

JAN 29 2014

STATE OF ILLINOIS
Pollution Control Board

January 27, 2014

AC14-31

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 Ponderosa Land Trust and Dennis R. Crites, Jr.
IEPA File No. 11-14-AC; 1990555227—Williamson 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,

Scott B. Sievers
Assistant Counsel

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD .

ADMINISTRATIVE CITATION

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JAN 29 2014

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
PONDEROSA LAND TRUST and DENNIS R.)
CRITES, JR.,)
))
Respondents.)

AC 14-31
(IEPA No. 11-14-AC)

NOTICE OF FILING

To: Ponderosa Land Trust
Attn: James Reichert, TC
P.O. Box 1
Marion, IL 62959

Dennis R. Crites, Jr.
d/b/a Crites Automotive
824 Jodi Lane
Marion, IL 62959

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 SITE INSPECTION CHECKLIST.

Respectfully submitted,



Scott B. Sievers
Assistant Counsel

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

Dated: January 27, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

JAN 29 2014

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
Complainant,)
v.)
PONDEROSA LAND TRUST and DENNIS)
R. CRITES, JR,)
Respondents.)

AC 14-31
(IEPA No. 11-14-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 (2012).

FACTS

1. That Ponderosa Land Trust is the current owner and Dennis R. Crites, Jr. is the current operator ("collectively Respondents") of a facility located at 395 ½ Carbon Street, Marion, Williamson County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Ponderosa Land Trust (Crites Automotive).
2. That said facility is designated with Site Code No. 1990555227.
3. That Respondents have owned/operated said facility at all times pertinent hereto.
4. That on December 23, 2013, Garrison Gross 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 1-27-14, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 2973 9774 - Ponderosa
7012 0470 0001 2973 9750 - Crites

VIOLATIONS

Based upon direct observations made by Garrison Gross during the course of the December 23, 2013 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 Respondents caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(6) of the Act, 415 ILCS 5/21(p)(6)(2012).
- (2) That Respondents 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) (2012).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2012), 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 Three Thousand Dollars (\$3,000.00). 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 April 1, 2014, 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 (2012), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing,

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) (2012), 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, Respondents 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 (2012). 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 Respondents.

Lisa Bonnett ^{HW}

Date:

1-22-14

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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JAN 29 2014

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
Complainant,)
v.)
PONDEROSA LAND TRUST and DENNIS)
R. CRITES, JR,)
Respondents.)

AC 14-31
(IEPA No. 11-14-AC)

FACILITY: Ponderosa Land Trust (Crites Automotive)
SITE CODE NO.: 1990555227
COUNTY: Williamson
CIVIL PENALTY: \$3,000.00
DATE OF INSPECTION: December 23, 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.

STATE OF ILLINOIS)
) SS
COUNTY OF WILLIAMSON)

RECEIVED
CLERK'S OFFICE

JAN 29 2014

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT

I, Garrison Gross, being first duly sworn upon oath, depose and state 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 23, 2013, between 9:05 A.M. - 9:15 A.M. and 11:00 A.M. - 11:30 A.M., Affiant conducted an inspection of Crites Automotive in Williamson County, Illinois, known as Ponderosa Land Trust (Crites Automotive) by the Illinois Environmental Protection Agency. Said site has been assigned site code number 1990555227 by the Agency.

3. Affiant inspected said Ponderosa Land Trust (Crites Automotive) 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 Ponderosa Land Trust (Crites Automotive).

FURTHER AFFIANT SAYETH NOT.

/s/ Garrison Gross

Subscribed and Sworn to before
me this 9th day of January, 2014

Gail Stricklin
Notary Public

OFFICIAL SEAL
GAIL STRICKLIN
Notary Public, State of Illinois
My Commission Expires 08-03-14

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Tire Storage Site Inspection Checklist

County: Williamson LPC#: 1990555227 Region: 7- Marion

Facility Name: Ponderosa Land Trust (Crites Automotive)

Facility Location: 305 1/2 Carbon Street, Marion, Illinois 62959 Telephone: 618-579-4930

Date: December 23, 2013 Time: From 9:05 AM To 9:15 AM Previous Inspection Date: March 14, 2009
11:00 AM 11:30 AM

Inspector: Garrison Gross No. of Photos Taken: # 6

Weather: overcast skies, 30°F, moderate breeze No. of Samples Taken: N/A

Interviewed: Dennis Crites, Sr. Complaint #: N/A

Waste Tire Hauler Used: self-hauling less than 20 at a time Hauler Registration Number: N/A

Responsible Party Mailing Address(es):	OPERATOR Dennis R. Crites, Jr. d/b/a Crites Automotive 824 Jodi Lane Marion, Illinois 62959 618-579-4930	<div style="border: 1px solid red; padding: 5px; color: red; font-weight: bold;">RECEIVED</div> <div style="color: red; font-weight: bold;">CLERK'S OFFICE</div> <div style="color: red; font-weight: bold; font-size: 1.2em;">JAN 29 2014</div> <div style="color: red; font-weight: bold; font-size: 0.8em;">STATE OF ILLINOIS Pollution Control Board</div>	PROPERTY OWNER Ponderosa Land Trust James Reichert, TC P.O. Box 1 Marion, Illinois 62959 618-997-6431
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~360

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

SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS		
1	21(k) FAIL OR REFUSE TO PAY ANY FEE IMPOSED UNDER THIS ACT	<input 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"/>

	(5)	NOT Place or Accumulate any Used or Waste Tires in any Tire Storage Unit Unless they meet: (A) <input type="checkbox"/> Tires are separated by a Berm 1.5 times the height of the tire pile (B) <input type="checkbox"/> Separation Requirements of this part.	<input type="checkbox"/>
17	848.202(d)	IN <u>ADDITION</u> TO THE REQUIREMENTS SET FORTH IN 848.202 (b) AND (c), THE OWNER OR OPERATOR AT SITES AT WHICH MORE THAN 10,000 USED OR WASTE TIRES ARE LOCATED SHALL:	
	(1)	Completely Surround the Site by Fencing in Good Repair Which Is Not less than 6 Feet in Height	<input type="checkbox"/>
	(2)	Maintain an Entrance to the Area Where Used or Waste Tires are Located, Which is Controlled At all Times by an Attendant, Locked Entrance, Television Monitors, Controlled Roadway Access or Other Equivalent Mechanism	<input type="checkbox"/>
	(3)	Completely Surround the Area Where Used or Waste Tires Are Stored by an Earthen Berm or Other Structures Not Less Than 2 Feet in Height Capable of Containing Runoff Resulting from Tire Fires, and Accessible by Fire Fighting Equipment, Except that the Owner or Operator Shall Provide a Means for Access through or Over the Berm or Other Structure	<input type="checkbox"/>
18	848.203	CONTINGENCY PLAN REQUIREMENTS FOR STORAGE SITES WITH MORE THAN 500 TIRES	
	(a)	The owner/operator must meet the requirements of Section 848.203 Note: Also Mark a Violation of 848.203(b), (c), (d), (e), (f), (g), or (h)	<input type="checkbox"/>
	(b)	The contingency plan must be designed to minimize the hazard to human health and the environment from fires and run-off of contaminants resulting from fires and from disease spreading mosquitos and other nuisance organisms which may breed in water accumulations in used or waste tires.	<input type="checkbox"/>
	(c)	Immediately implement the contingency plan whenever there is a fire or run-off resulting from a tire fire, or whenever there is evidence of mosquito production.	<input type="checkbox"/>
	(d)	The contingency plan must describe the actions that must be taken in response to fires, run-off resulting from tire fires and mosquito breeding in used or waste tires.	<input type="checkbox"/>
	(e)	The contingency plan must include evacuation procedures for site personnel, including signals, evacuation routes and alternate evacuation routes as well as provisions for pesticide application.	<input type="checkbox"/>
	(f)	The contingency plan must be maintained at the site and submitted to state and local authorities.	<input type="checkbox"/>
	(g)	The contingency plan must be reviewed and amended within 30 days if the plan fails or the emergency coordinator changes.	<input type="checkbox"/>
	(h)	At all times, there must be one employee on site or on call with responsibility for coordinating emergency response procedures. The emergency coordinator must be familiar with the plan and all aspects of the site, and have the authority to commit the resources to carry out the plan.	<input type="checkbox"/>
STORAGE OF USED AND WASTE TIRES WITHIN BUILDINGS			
19	848.204(a)	FAILURE TO MEET THE REQUIREMENTS OF SECTION 848.204 Note: Also Mark a Violation of 848.204(b), (c), or (d)	<input type="checkbox"/>
20	848.204(b)	<u>STORAGE OF LESS THAN 500</u> TIRES WITHIN A BUILDING ALLOWED IF: (1) <input type="checkbox"/> Tires Drained of All Water Prior to Placement in the Building (2) <input type="checkbox"/> All of the Building=s Windows and Doors Maintained in Working Order and Secured to Prevent Unauthorized Access. (3) <input type="checkbox"/> The Building Is Maintained So That it Is Fully Enclosed and Has a Roof and Sides Which Are Impermeable to Precipitation (4) <input type="checkbox"/> The Storage of Used or Waste Tires Is not in a Single Family Home or a Residential Dwelling	<input type="checkbox"/>
21	848.204(c)	IN <u>ADDITION</u> 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)(4)	The weight or volume of used or waste tires combusted during the calendar year.	<input type="checkbox"/>
29	848.304(c)	FAILURE TO SUBMIT THE ANNUAL TIRE SUMMARY BY JANUARY 31 OF EACH YEAR	<input type="checkbox"/>
30	848.305	FAILURE TO RETAIN REQUIRED RECORDS ON SITE FOR 3 YEARS	<input type="checkbox"/>
PART 848: SUBPART D: FINANCIAL ASSURANCE			
NOTE: Applies to Sites which have Stored 5000 or More Used or Waste Tires			
31	848.400(b)(1)	AT TIRE STORAGE SITES AT WHICH TIRES ARE FIRST STORED ON OR AFTER 1/1/92, FAILURE TO COMPLY WITH SUBPART D PRIOR TO STORING ANY USED OR WASTE TIRES Note: Also Mark a Violation of 848.401 or 848.404	<input type="checkbox"/>
32	848.400(b)(2)	AT TIRE STORAGE SITES AT WHICH TIRES ARE STORED PRIOR TO 1/1/92, FAILURE TO COMPLY WITH SUBPART D BY 1/1/92. Note: Also Mark a Violation of 848.401 or 848.404	<input type="checkbox"/>
33	848.401(a)	FAILURE TO MAINTAIN FINANCIAL ASSURANCE EQUAL TO OR GREATER THAN THE CURRENT COST ESTIMATE CALCULATED PURSUANT TO SECTION 848.404 AT ALL TIMES, EXCEPT AS OTHERWISE PROVIDED BY 848.401 (b).	<input type="checkbox"/>
34	848.401(b)	FAILURE TO INCREASE THE TOTAL AMOUNT OF FINANCIAL ASSURANCE SO AS TO EQUAL THE CURRENT COST ESTIMATE WITHIN 90 DAYS AFTER ANY OF THE FOLLOWING: (1) <input type="checkbox"/> an increase in the current cost estimate (2) <input type="checkbox"/> a decrease in the value of a trust fund (3) <input type="checkbox"/> a determination by the Agency that an owner or operator no longer meets the financial test of Section 848.415 (4) <input type="checkbox"/> notification by the owner or operator that the owner or operator intends to substitute alternative financial assurance, as specified in Section 848.406 for self-insurance	<input type="checkbox"/>
35	848.404(a)(2)	BY JANUARY 1 OF EACH YEAR, FAILURE TO SUBMIT A WRITTEN COST ESTIMATE OF THE COST OF REMOVING ALL TIRES.	<input type="checkbox"/>
36	848.404(b)	FAILURE TO REVISE THE COST ESTIMATE WHEN COST ESTIMATES INCREASE.	<input type="checkbox"/>
PART 848: SUBPART F: TIRE TRANSPORTATION REQUIREMENTS			
37	848.601(a)	NO PERSON SHALL TRANSPORT MORE THAN 20 USED OR WASTE TIRES IN A VEHICLE UNLESS THE FOLLOWING REQUIREMENTS ARE MET: (1) <input type="checkbox"/> the owner or operator has registered the vehicle with the Agency in accordance with Subpart F, received approval of such registration from the Agency, and such registration is current, valid and in effect (2) <input type="checkbox"/> the owner or operator displays a placard on the vehicle, issued by the Agency following registration, in accordance with the requirements of Subpart F.	<input type="checkbox"/>
38	848.601(b)	NO PERSON SHALL PROVIDE, DELIVER OR TRANSPORT USED OR WASTE TIRES TO A TIRE TRANSPORTER FOR TRANSPORT UNLESS THE TRANSPORTER'S VEHICLE DISPLAYS A PLACARD ISSUED BY THE AGENCY UNDER SUBPART F IDENTIFYING THE TRANSPORTER AS A REGISTERED TIRE HAULER.	<input type="checkbox"/>
39	848.606(a)	UPON APPROVAL OF A REGISTRATION AS A TIRE TRANSPORTER, THE OWNER OR OPERATOR OF ANY VEHICLE REGISTERED TO TRANSPORT USED OR WASTE TIRES SHALL PLACE A PLACARD ON OPPOSITE SIDES OF THE VEHICLES WHICH DISPLAYS A NUMBER ISSUED BY THE AGENCY FOLLOWING THE WORDS "Registered Tire Transporter: (number)."	<input type="checkbox"/>
40	848.606(b)	REGISTERED TIRE TRANSPORTER NUMBERS AND LETTERS SHALL BE REMOVABLE ONLY BY DESTRUCTION. DIRECTLY ADJACENT TO THE WORDS AND NUMBER, THE VEHICLE OWNER AND OPERATOR SHALL DISPLAY A SEAL FURNISHED BY THE AGENCY WHICH SHALL DESIGNATE THE DATE ON WHICH THE REGISTRATION EXPIRES.	<input type="checkbox"/>
THE FOLLOWING VIOLATIONS MAY BE CITED WHEN WASTES, INCLUDING TIRES, HAVE BEEN <u>DISPOSED</u> AT A TIRE STORAGE SITE			
41	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS.	<input type="checkbox"/>
42	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>



State of Illinois
ENVIRONMENTAL PROTECTION AGENCY
Narrative Inspection Report

Site #: 1990555227 – Williamson County
Site Name: Ponderosa Land Trust (Crites Automotive)
Date of Inspection: December 23, 2013
Inspector: Garrison Gross

Subject: Tire Storage Site Inspection at Ponderosa Land Trust (Crites Automotive)

General Remarks: A Tire Storage Site Inspection was conducted on Monday, December 23, 2013 at Crites Automotive. The inspection was conducted by Garrison Gross representing the Illinois EPA Bureau of Land. The site is located at 305 1/2 Carbon Street in Marion, Illinois. The inspection was performed as a follow-up to a previous inspection conducted on March 14, 2013. Weather conditions at the time of the inspection were overcast skies, 30° F, with a moderate breeze. Surface conditions were wet to frozen.

Inspection Findings: The inspection began at approximately 9:05 A.M. Numerous tires were observed from Carbon Street and they did not appear to be protected from accumulating water. I entered the site and attempted to make contact with someone at the business. The office door was locked and no one answered when I knocked on the door. I continued the inspection by walking and photographing the site.

Tire Storage / Tire Disposal: A business sign was constructed with used / waste tires (photo 001). Approximately 90 used / waste tires were stored outside along the north side of the garage building (photo 002). All of the tires were off the rim and most of them had accumulated water (photo 003). Some of the water had started to change to ice due to the cold temperatures. Approximately 120 used / waste tires were stored on a flat-bed truck located east of the garage (photo 004). Some of the tires on the flat-bed truck were covered with a tarp. The tarp had several rips and appeared to be deteriorated. All of the visible tires were off the rim. All of the tires on the back of the truck that were visible from the ground had accumulated water and ice. Approximately 50 used / waste tires were stored outside along the east side of the garage building (photo 005). All of the tires were off the rim and most had accumulated water and ice. Used / waste tires were being stored closer than 25 feet to a building. It should also be noted that the used / waste tires were being stored less than 40 feet from an active railroad and railroad spur where railcars are staged. I left the site at approximately 9:15 A.M.

I returned to the business at approximately 11:00 A.M. and found Dennis Crites, Sr. working at the site. I identified myself and explained the reason for the inspection. Mr. Crites remembered me from the previous inspection and explained that his son, Dennis Crites, Jr., was the business owner. He said he was trying to keep the business running for his son. He said his son was in poor health and needed a liver transplant. He said he expected to close the business within a month or so.

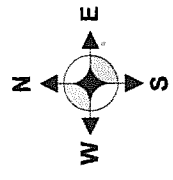
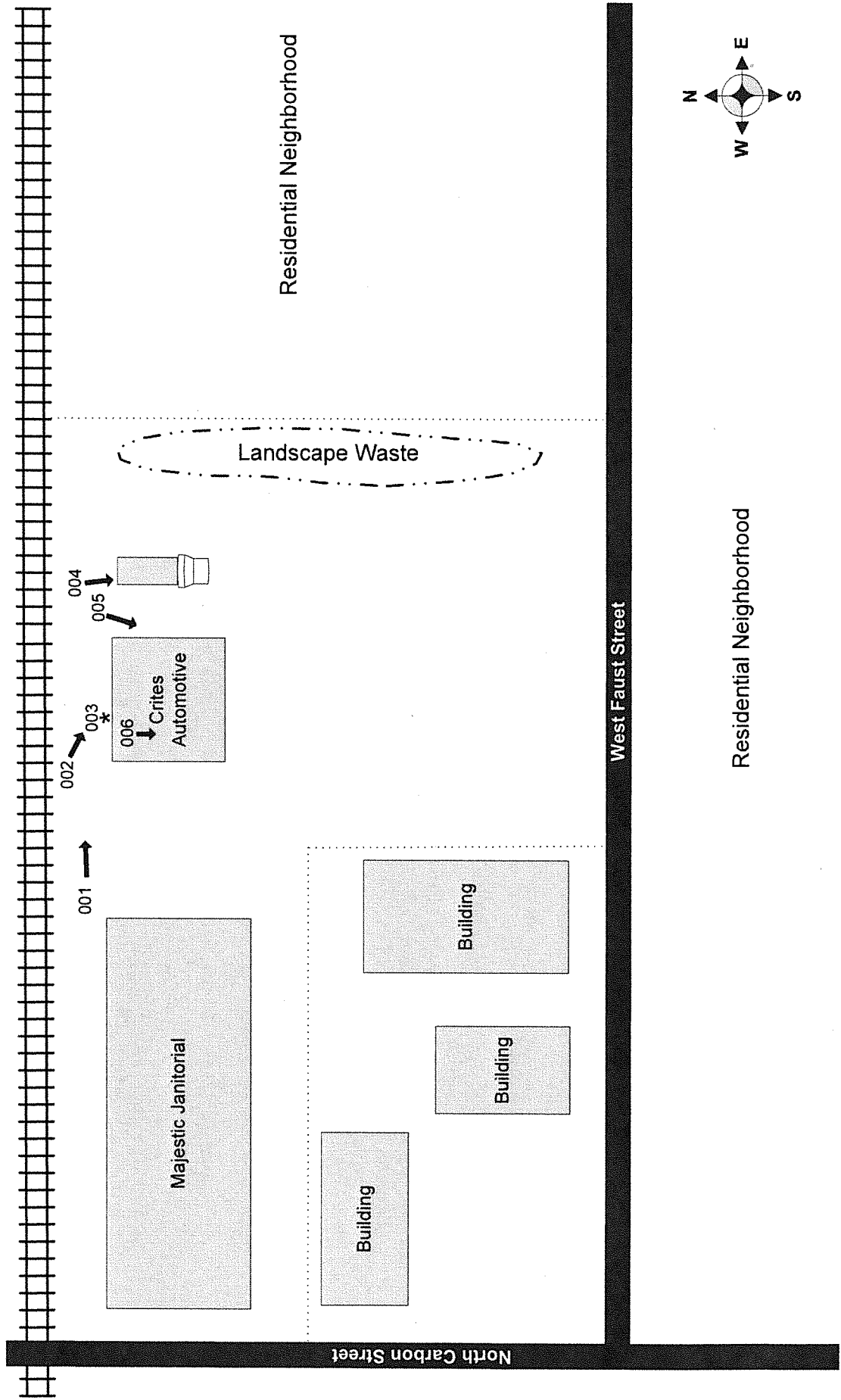
Mr. Crites explained that most of the tires were located at the site when they moved in. He told me that Guy Bloodworth left the tires at the site when he moved out. Mr. Crites said he found tires in the overgrown brush and moved them away from the rail road tracks to the flat-bed truck. Several tires

1990555227 – Williamson County
Ponderosa Land Trust (Crites Automotive)
December 23, 2013

Summary of Apparent Violations:

21(k)	55.8(a)(1)	55(a)(1)
55(a)(4)	848.202(b)(2)	55(k)(1)
55(c)	21(a)	55(k)(2)
55(d)(1)	21(d)(1)	55(k)(3)
55(e)	21(e)	
55.6(b)	21(p)(1)	

Date: December 23, 2013
 BOL ID #: 199055227 – Williamson County
 Site Name: Ponderosa Land Trust (Crites Automotive)
 Inspector: Garrison Gross
 Not Drawn to Scale: *All Locations Are Approximate*





DIGITAL PHOTOGRAPHS



Date: 12/23/2013
Time: 9:08 A.M.
Direction: east
Photo by: Garrison Gross
Exposure #: 001
Comments: offsite
photograph; tires stored
less than 40 feet from rail
road



Date: 12/23/2013
Time: 9:08 A.M.
Direction: southeast
Photo by: Garrison Gross
Exposure #: 002
Comments: used / waste
tires stored outside; most
tires off rim were holding
water and ice

File Names: 1990555227~12232013-[001-006].jpg



DIGITAL PHOTOGRAPHS



Date: 12/23/2013
Time: 9:08 A.M.
Direction: down
Photo by: Garrison Gross
Exposure #: 003
Comments: water and ice
in tire



Date: 12/23/2013
Time: 9:09 A.M.
Direction: south
Photo by: Garrison Gross
Exposure #: 004
Comments: used / waste
tires; some stored on
flatbed truck under tarp;
others stored outside
without cover; water and
ice in tires that were
visible from the ground

File Names: 1990555227~12232013-[001-006].jpg



DIGITAL PHOTOGRAPHS



Date: 12/23/2013
Time: 9:09 A.M.
Direction: south
Photo by: Garrison Gross
Exposure #: 005
Comments: used / waste
tires stored outside; all
tires off rim and most
were holding water and
ice



Date: 12/23/2013
Time: 11:11 A.M.
Direction: south
Photo by: Garrison Gross
Exposure #: 006
Comments: used / waste
tires stored inside the
building

File Names: 1990555227~12232013-[001-006].jpg

PROOF OF SERVICE

I hereby certify that I did on the 27th day of January 2014, 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 SITE INSPECTION CHECKLIST

RECEIVED
CLERK'S OFFICE

JAN 29 2014

To: Ponderosa Land Trust
Attn: James Reichert, TC
P.O. Box 1
Marion, IL 62959

Dennis R. Crites, Jr.
d/b/a Crites Automotive
824 Jodi Lane
Marion, IL 62959

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

Scott B. Sievers
Assistant Counsel

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