

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION**

**ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY** )  
)  
)  
**Complainant,** )  
)  
**vs.** )  
)  
**FU ZANG LONG LLC.** )  
)  
**Respondent,** )  
)  
**TAHIR MALIK** )  
)  
**Intervener.** )

**AC 2024-  
(IEPA No. 124-24-AC)**

**RECEIVED**  
CLERKS OFFICE  
**JUN 25 2024**  
STATE OF ILLINOIS  
Pollution Control Board

**NOTICE OF FILING**

**TO: Illinois Pollution Control Board  
60 E. Van Buren Street  
Suite 360  
Chicago, Illinois 60605**

**IEPA Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276**

Take notice that this day of June 17, 2024 I have filed with the Clerk of the Illinois Pollution Control Board the following documents:

- PETITION FOR REVIEW
- NOTICE OF FILING
- NOTICE OF APPEARANCE
- CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

I, the undersigned attorney, certify that on June 17, 2024, I delivered via certified mail the above Entry of Appearance to the Clerk of the Illinois Pollution Control Board at 60 E. Van Buren Street, Suite 630, Chicago 60605 and to the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, IL 62794.

/s/ Scott Anderson Jr.  
Scott Anderson, Jr.

Prepared by:  
Scott Anderson, Jr.  
Attorney for Intervener Malik  
Dodson, Piraino and Associates  
501 W. University Avenue  
Champaign, IL 61820  
Phone: (217)-359-8200



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**PETITION FOR REVIEW**

Intervener Tahir Malik, by and through his attorney Scott Anderson, Jr. of Dodson, Piraino & Associates LLC, contests the Administrative Citation issued to the property located at 201 Wallace Avenue, Champaign County, Illinois on May 28, 2024, and states the following:

**FACTS**

1. Fu Zang Long, LLC is the present title owner of the property located at 201 Wallace Avenue, Champaign County, Illinois (the "Property").
2. Tahir Malik ("Malik") is the contract purchaser of the Property and operator of the business on the Property (the "Business").
3. Malik's Business uses the Property to stage used vehicles purchased locally before shipping them to Arizona.
4. Malik discovered that approximately 90 tires had been illegally dumped without his permission or knowledge on his property.

5. Malik reported this incident to the Champaign Police Department.
6. A Sheriff with the Champaign Police Department spoke with Malik and identified the unknown dumper as a person whose first name as "Reggie" ("Reggie") and noted that he was from Decatur, Illinois.
7. The Sheriff told Malik that Reggie is known to them for illegally dumping tires on others' property as he had done in this case.
8. Neither Reggie nor anyone other individual had either permission or authority from Malik or Fu Zang Long, LLC to dump any materials on the Property.
9. On or about December 7, 2023, Dustin Burger, an Illinois Environmental Protection Agency (IEPA) Primary Inspector (the "Inspector"), visited the Property in response to a local complaint that erroneously alleged that there were corrosives lying exposed outside of the Business.
10. On or about December 7, 2023 the Inspector observed the approximately 90 tires stored outside of the Business, some of which contained sitting water.
11. For most of the period between inspections, Malik was out of state and unable to have the tires moved or stored differently.
12. On or about April 9, 2024 the Inspector conducted a second in-person inspection of the property and observed that the approximately 90 tires had not been moved.
13. On or about April 9, 2024 the Inspector claimed to have observed two tires with alive and active mosquito larvae inside of them.
14. For most of the period between inspections, mosquitoes were inactive due to cold weather conditions and natural spawning cycles.

15. On or about April 9, 2023 the Inspector determined that the presence of the tires constituted a violation of Section 55(k)(1) of the Illinois Environmental Protection Act (the "Act").

16. On or about May 28, 2024 the IEPA issued a citation to the Property located at Fu Zang Long, LLC for the alleged violation of the Act.

17. On or about May 28, 2024 the IEPA assessed a \$1,500.00 civil penalty to the Property for the alleged violation of the Act.

18. Malik neither caused nor intentionally allowed the open dumping of used or waste tires, nor allowed water to accumulate in them.

19. On or about June 13, 2024 Malik paid \$256.00 to have the tires properly removed and recycled by Norris Tire and Auto. Attached is the receipt for the disposal services, labeled as Exhibit A.

#### REQUEST FOR REVIEW

Intervener Malik demands that petition for review be granted in respect to the administrative citation given to the Property and an adjudicatory hearing be conducted by the IEPA and Illinois Pollution Control Board to determine whether the civil penalty can be removed.

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DATED: June 17

SUBMITTED BY:

**DODSON, PIRAINO & ASSOCIATES, LLC**

By:   
Attorney for Tahir Malik

Prepared by:  
Scott Anderson, Jr.  
Attorney for Intervener Malik  
Dodson, Piraino and  
Associates  
501 W. University Avenue  
Champaign, IL 61820  
Phone: (217)-359-8200  
Fax: (217)-359-9088



INTERVENER'S EXHIBIT A



Norris Tire and Auto  
702 North Country Fair Drive  
Champaign Illinois 61821  
Phone: 217-359-0103  
Email: norristire@leftlaneautoc.com

Invoice

Bill To: Matontopda Matic  
IL

Phone: (217) 991-2026  
Email:

Invoice # 165377  
Work Order # 224386  
Service Advisor Tyler  
Technician Tyler L

Plate IL SGRAP TIRE  
Description  
VIN  
Odometer 1

Invoice Date: 01/13/2024 2:38 PM

Total Parts	80.00
Total Labor	80.00
Total Before Taxes & Miscellaneous Charges	80.00
(1) Tire Disposal Fee*	256.00
Grand Total	336.00

Thank you for your business!

I acknowledge receipt of the vehicle and the indebtedness indicated herein.  
Buyer agrees to pay total amount above according to cardholder's agreement with issuer.

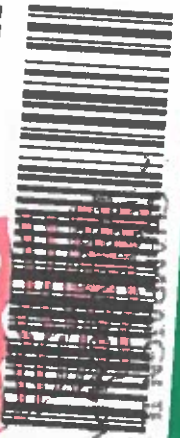
Invoice Signature Signed on 01/13/2024 2:38 PM

Customer Signature: \_\_\_\_\_

LAW  
OFFICES  
OF  
**Scott Anderson, Jr.**  
**Dodson, Piraino & Associates**  
501 W. University Ave.  
Champaign, IL 61820

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, SOLD AT DOTTED LINE  
**CERTIFIED MAIL**<sup>®</sup>

7020 1810 0001 0296 7750



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**\$008.93**<sup>2</sup>  
06/17/2024 ZIP 61820  
044K33224345

US POSTAGE

Clerk of the Illinois Pollution Control Board  
60 E. Van Buren Street  
Suite 360,  
Chicago, IL 60605

60605-124199

