



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

John J. Kim, Interim Director

RECEIVED
CLERK'S OFFICE
APR 16 2012
STATE OF ILLINOIS
Pollution Control Board

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

April 10, 2012

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

A 12-46
ORIGINAL
RETURN TO CLERK'S OFFICE

Re: Illinois Environmental Protection Agency v. Hughes Tire & Battery Company
IEPA File No. 91-12-AC; 1610655104—Rock Island 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 Used Tire Storage Exempt 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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

APR 15 2012

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 HUGHES TIRE & BATTERY COMPANY,)
)
 Respondent.)

AC

12-46

(IEPA No. 91-12-AC)

NOTICE OF FILING

To: Hughes Tire & Battery Company
 C/o James H. Hughes, Registered Agent
 120 First Avenue
 Milan, IL 61264

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 USED TIRE STORAGE EXEMPT CHECKLIST.

Respectfully submitted



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

Dated: April 10, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

APR 15 2012

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

HUGHES TIRE & BATTERY COMPANY,

Respondent.

AC

12-46

(IEPA No. 91-12-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 Hughes Tire & Battery Company is the current operator ("Respondent") of a facility located at 730 31st Avenue, Rock Island, Rock Island County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Hughes Tire & Brake.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1610655104.
3. That Respondent has operated said facility at all times pertinent hereto.
4. That on March 2, 2012 Gerald McGhee, of the Illinois Environmental Protection Agency's ("Illinois EPA") Peoria 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 4-10-12, Illinois EPA sent this Administrative Citation via Certified Mail No. 7009 2820 0001 7496 0773.

VIOLATIONS

Based upon direct observations made by Gerald McGhee during the course of his March 2, 2012 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 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 One Thousand Five Hundred Dollars (\$1,500.00). 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 May 15, 2012, 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.



John J. Kim, Interim Director
Illinois Environmental Protection Agency

Date: 4/6/12

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

RECEIVED
CLERK'S OFFICE

APR 1-6-2012

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Complainant,)
v.)
HUGHES TIRE & BATTERY COMPANY,)
Respondent.)

AC 12-46
(IEPA No. 91-12-AC)

FACILITY: Hughes Tire & Brake
SITE CODE NO.: 1610655104
COUNTY: Rock Island
CIVIL PENALTY: \$1,500.00
DATE OF INSPECTION: March 2, 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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

RECEIVED
CLERK'S OFFICE
APR 16 2012
STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT

IN THE MATTER OF

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AC12-46

IEPA DOCKET NO.

RESPONDENT

Affiant, Gerald S. McGhee, 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 March 2, 2012, between 12:15 p.m. and 12:50 p.m., Affiant conducted an inspection of the tire retail site in Rock Island County, Illinois, known as Hughes Tire & Brake, Illinois Environmental Protection Agency Site No. 1610655104.

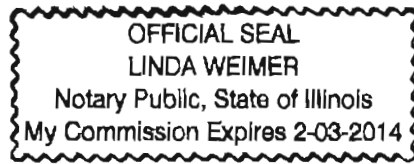
3. Affiant inspected said Hughes Tire & Brake tire retail site by an on-site inspection, which included walking and photographing the site.

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 Hughes Tire & Brake tire retail site.

Gerald S. McGhee

Subscribed and Sworn to before
me this 8th day of March 2012

Linda Weimer
Notary Public





Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Used Tire Storage Exempt Checklist

Note: This checklist is to be used for retail sites that have 250 or less used tires outside, or fewer than 1300 recyclable tires, 1300 tire carcasses and 1300 used tires stored dry.

County: <u>Rock Island</u>	BOL ID # <u>1610655104</u>	Region <u>Region 8 / Peoria</u>
Facility Name: <u>Hughes Tire & Brake</u>	RECEIVED CLERK'S OFFICE APR 16 2012	
Facility Address: <u>730 - 31st Avenue</u>	STATE OF ILLINOIS Pollution Control Board	
City: <u>Rock Island</u> State: <u>IL</u> Zip: <u>61201</u>	Phone: <u>309-793-4111</u>	
Date: <u>Mar 2, 2012</u> Start Time: <u>12:15 p.m.</u>	End Time: <u>12:50 p.m.</u>	
Inspector(s): <u>Jeb McGhee</u>	Previous Inspection Date: <u>Nov 2, 2011</u>	
Weather: <u>32 ° F Heavy Snow</u>	No. of Photos Taken: <u>28</u>	
Interviewed: <u>Scott Hughes and Jack Houser</u>	No. of Samples Taken: _____	
Waste Tire Hauler Used: <u>Liberty Tire Recycling</u>	Complaint #: _____	
Estimated Number of Tires at this Facility: <u>1000</u>	Hauler Reg. No.: <u>T8434</u>	

Responsible Party Information

Name: <u>Big River Enterprises, Inc.</u> Address 1: <u>c/o Thomas W. Hammar, Registered Agent</u> Address 2: <u>2300 5th Ave</u> City: <u>Rock Island</u> State: <u>IL</u> Zip Code: <u>61201</u>
Name: <u>Hughes Tire & Battery Company</u> Address 1: <u>c/o James H. Hughes, Registered Agent</u> Address 2: <u>120 First Ave</u> City: <u>Milan</u> State: <u>IL</u> Zip Code: <u>61264</u>
<input type="button" value="Add Another Address"/> <input type="button" value="Delete Last Address"/>

ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS

21(k)	Failure or refusal to pay any fee imposed under the Act. Note: Cite this violation if violation of 55.8(a)(i) or 55.9 is cited.	<input type="checkbox"/>
55(a)(3)	Except at a tire storage site that contains more than 50 used tires, cause or allow the storage of used tires unless the tires are altered, reprocessed, converted, covered or otherwise prevented from accumulating water	<input checked="" type="checkbox"/>
55(b-1)	No person shall knowingly mix any used or waste tire, either whole or cut, with municipal waste.	<input type="checkbox"/>
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. (Note: Do not mark if site always maintains 50 or less used tires.).	<input type="checkbox"/>
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.	<input type="checkbox"/>
55(h)	Cause or allow the combustion of any used or waste tire in an enclosed devise unless a permit has been issued by the Agency.	<input type="checkbox"/>
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 \$2.00 (plus \$.50) per tire sold to be paid to the IL Dept. of Revenue.	<input type="checkbox"/>
(2)	accept for recycling used tires from customers, at the point of transfer, in a 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 X 11 inches in size that includes the universal recycling symbol and the following statements: "DO NOT put used tires in the trash;" "Recycled your tires.;" and "State law requires us to accept used tires for recycling, in exchange for new tires purchased.".	<input type="checkbox"/>
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 checked="" type="checkbox"/>
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"/>
55.10	Failure to file a quarterly ST-8 tax return with the IL Dept. of Revenue.	<input type="checkbox"/>

TIRE TRANSPORTATION REQUIREMENTS

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"/>
55(g)	Engage in any operation as a used tire transporter except in compliance with Board regulations.	<input type="checkbox"/>
848.601(a)	No person shall transport more than 20 used 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"/>
848.601(b)	No person shall provide, deliver, or transport used tires to a tire transporter for transport unless the transporter's vehicle displays a placard issued by the Agency under this Subpart identifying the transporter as a registered tire hauler.	<input type="checkbox"/>

848.606(a)	Upon approval of a registration as a tire transporter, the owner or operator of any vehicle registered to transport used tires shall place a placard on opposite sides of the vehicles, which display(s) a number issued by the Agency following the words "Registered Tire Transporter: T###."	<input type="checkbox"/>
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"/>

VIOLATIONS SUBJECT TO ADMINISTRATIVE CITATIONS

55(k)	No person shall:	
(1)	Cause or allow water to accumulate in used or waste tires. The prohibition set forth in this paragraph (1) of subsection (k) shall not apply to used or waste tires located at a residential household, as long as not more than 12 used or waste tires are located at the site.	<input checked="" type="checkbox"/>
(2)	Fail to collect a fee required under Section 55.8 of this Title.	<input type="checkbox"/>
(3)	Fail to file a return required under Section 55.10 of this Title.	<input type="checkbox"/>
(4)	Transport used or waste tires in violation of the registration and vehicle placarding requirements adopted by the Board.	<input type="checkbox"/>

THE FOLLOWING VIOLATIONS MAY BE CITED WHEN WASTES, INCLUDING TIRES, HAVE BEEN IMPROPERLY DISPOSED

9(a)	Cause, threaten or allow air pollution in Illinois.	<input type="checkbox"/>
9(c)	Cause, or allow open burning.	<input type="checkbox"/>
12(a)	Cause, threaten or allow water pollution in Illinois.	<input type="checkbox"/>
12(d)	Create a water pollution hazard.	<input type="checkbox"/>
21(a)	Cause or allow open dumping of: <input type="checkbox"/> Used Tires <input type="checkbox"/> Other solid waste	<input type="checkbox"/>
21(d)(1)	No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit.	<input type="checkbox"/>
21(d)(2)	No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.	<input type="checkbox"/>
21(e)	No person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility that meets the requirements of the Act and of regulations and standards thereunder.	<input type="checkbox"/>
21(p)	Cause or allow the open dumping of any waste in any manner that results in any of the following:	
(1)	Litter	<input 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)	Proliferations of Disease Vectors	<input type="checkbox"/>
(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>
(7)	Deposition of GCDD or CCDD	<input type="checkbox"/>
55(a)	No person shall:	
(1)	cause or allow the open dumping of any used or waste tire.	<input type="checkbox"/>
(2)	cause or allow the open burning of any used or waste tire.	<input type="checkbox"/>
(5)	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 type="checkbox"/>
848.202(b)(6)	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 type="checkbox"/>
812.101(a)	Failure to submit an application for a permit to develop and operate a landfill, unless the site is specifically exempted by Section 21(d) of the Act. The application must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in Part 817.	<input type="checkbox"/>
815.201	Failure to file an initial facility report with the Agency to provide information concerning location and disposal practices of the facility.	<input type="checkbox"/>

OTHER REQUIREMENTS

	Apparent Violations of: <input type="checkbox"/> PCB CASE NUMBER: _____ <input type="checkbox"/> CIRCUIT COURT Order entered on: _____	<input type="checkbox"/>
739.122(c)(1)	Failure to properly label used oil container(s)	<input type="checkbox"/>
739.124	Improper off-site shipment/transportation of used oil	<input type="checkbox"/>

Use lines below for additional violations

		<input type="checkbox"/>
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Add Another Violation

Delete Last Violation

NARRATIVE

On March 2, 2012, I conducted a Tire Storage Inspection from 12:15 p.m. until 12:50 p.m. at Hughes Tire & Brake located at 730 31st Avenue in Rock Island, Illinois. The facility is owned by Big River Enterprises, Inc. It is operated by Hughes Tire & Battery Company as seen in the Secretary of State Corporation File Detail Report. The facility operates a low volume retread service and sells new and used tires at retail. The Used and/or Waste Tire Activity Notification Form has been submitted.

The inspection was conducted as a follow up to an Administrative Citation Warning Notice dated November 8, 2011 sent to Thomas W. Hammar, the registered agent for the owner, and James H. Hughes, the registered agent for the operator.

A compliance proposal from James H. Hughes was received by the Agency on December 2, 2011. It was rejected by the Agency on December 7, 2011. The compliance proposal was rejected because it did not agree to achieve compliance by January 10, 2012 as required in the ACWN dated November 8, 2011, or provide an alternative date at which time compliance would be achieved. A second compliance proposal from James H. Hughes was received and accepted by the Agency on December 28, 2012. The proposal committed to achieving compliance by January 10, 2012. On January 17, 2012, the agency received receipts dated December 29, 2011 for disposal of 400 used tires by Liberty Tire Recycling (T8434).

I interviewed Chuck Hughes and Jack Houser, Sales representatives of Pomp's Tire. Mr. Hughes is a former employee of Hughes Tire & Brake. He is the son of James H. Hughes. Mr. Hughes explained that he is now an employee of Pomp's Tire. He also explained that Pomp's Tire is leasing the facility and Pomp's employees are in the process of cleaning and preparing the business to open to the public. (See employee business cards).

Mr. Hughes and Mr. Houser both explained that the facility was not open to the public at the time of inspection. Mr. Hughes also explained that Hughes Tire & Brake is continuing to have Liberty Tire Recycling (T8434) remove used tires left over from the their business.

I observed about 75 used tires stored inside of the main building as seen in photographs 5, 6, 8, 9, 10, 11, and 12.

I observed about 600 used tires stored in buildings and a trailer located on the south side of the site as seen in photographs 20 through 24.

I observed approximately 225 used tires stored outside of buildings that are not prevented from accumulating water. (See photographs 13, 17, 18, 19, 25, 26, 27, and 28). Used tires outside were holding water and organic material as seen in photographs 19 and 27. Many of the used tires stored inside and outside have been stored on site longer than 90 days.

The following continuing apparent violations found in a previous inspection conducted on November 2, 2011 and cited in an Administrative Citation Warning Notice dated November 8, 2011 were observed:

1. Pursuant to Section 55(a)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(3)), no person shall, except at a tire storage site which contains more than 50 used tires, cause or allow the storage of any used tire unless the tire is altered, reprocessed, converted, covered, or otherwise prevented from accumulating water.

A violation of Section 55(a)(3) is alleged for the following reason: **Big River Enterprises, Inc. as owner and Hughes Tire & Battery Company as operator d/b/a Hughes Tire & Brake allowed the storage of used tires that were not prevented from accumulating water.**

2. Pursuant to Section 55.8(b) of the {Illinois} Environmental Protection Act (415 ILCS 5/55.8(b)), a person who accepts used tires for recycling under subsection (a) shall not allow the tires to accumulate for periods of more than 90 days.

A violation of Section 55.8(b) of the {Illinois} Environmental Protection Act (415 ILCS 5/55.8(b)) is alleged for the following reason: **Big River Enterprises, Inc. as owner and Hughes Tire & Battery Company as operator d/b/a Hughes Tire & Brake allowed used tires to accumulate for more than 90 days.**

3. Pursuant to Section 55(k)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(k)(1)), no person shall cause or allow water to accumulate in used or waste tires.

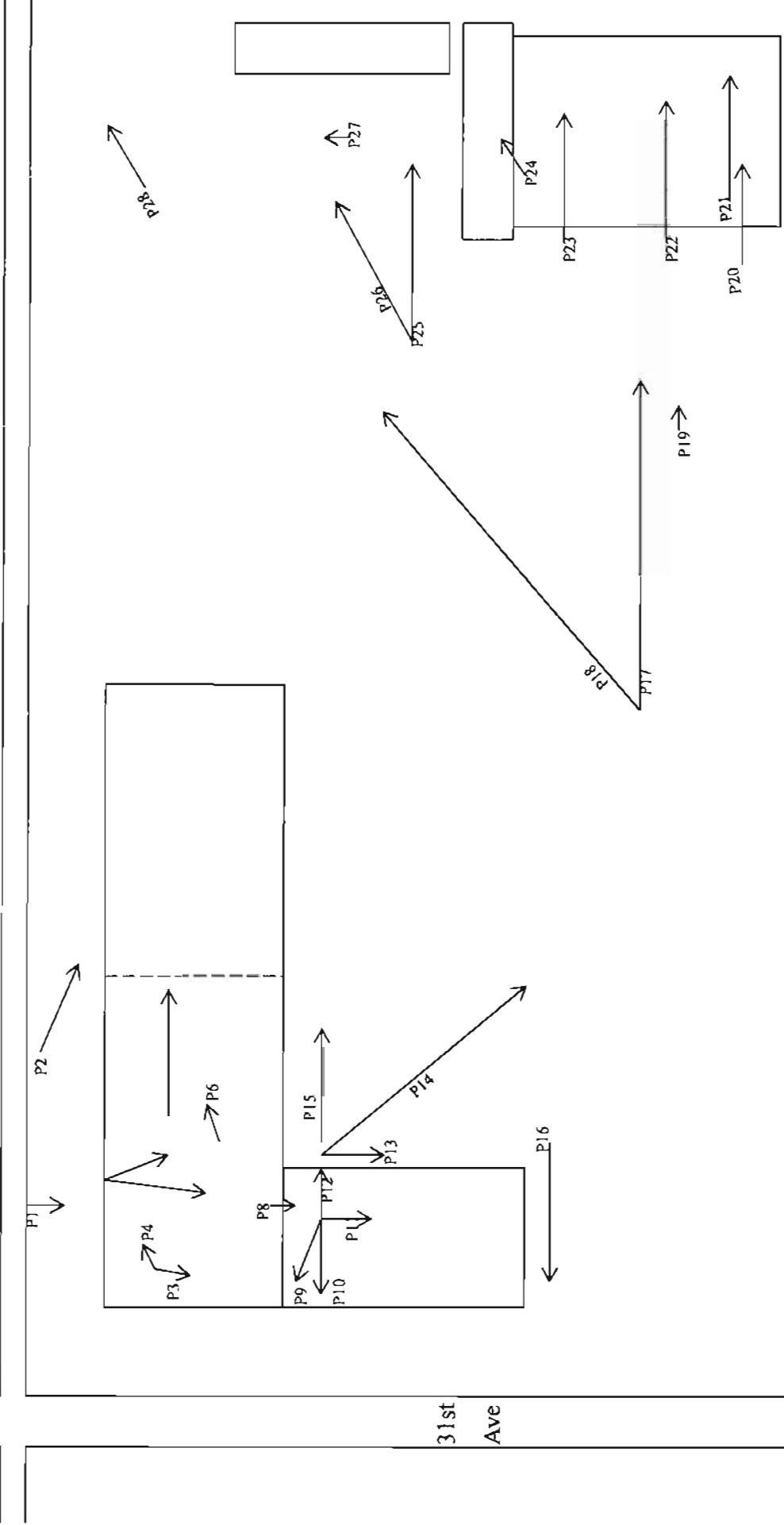
The prohibitions specified in this subsection (k) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act.

A violation of Section 55(k)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(k)(1)) is alleged for the following reason: **Big River Enterprises, Inc. as owner and Hughes Tire & Battery Company as operator d/b/a Hughes Tire & Brake allowed used or waste tires to accumulate water.**

State of Illinois Environmental Protection Agency Site Sketch



Inspector: Jeb McGhee
Date of Inspection: March 2, 2012
Site Name: Hughes Tire & Brake
LPC #: 1610655104
County: Rock Island
Time: 12:15 p.m. - 12:50 p.m.



Not to Scale



1610655104 - Rock Island County
Hughes Tire & Brake
FOS

Site Photographs
Page 1 of 14

DATE: March 2, 2012

TIME: 12:22 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the west northwest

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
1610655104-03022012-001.jpg

COMMENTS: Hughes Tire &
Brake



DATE: March 2, 2012

TIME: 12:22 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southwest

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
1610655104-03022012-002.jpg

COMMENTS: All bays closed
and a view toward the back lot that
is fenced in.



DOCUMENT FILE NAME:
1610655104-03022012.doc



DATE: March 2, 2012

TIME: 12:24 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
1610655104-03022012-003.jpg

COMMENTS: The facility
appears to be going through a clean
up.



DATE: March 2, 2012

TIME: 12:24 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
1610655104-03022012-004.jpg

COMMENTS: The tire rack is
empty.



DOCUMENT FILE NAME:
1610655104-03022012.doc



DATE: March 2, 2012

TIME: 12:24 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the northwest

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
1610655104-03022012-005.jpg

COMMENTS: A rack of used
tires and some used tires beyond the
door opening.



DATE: March 2, 2012

TIME: 12:24 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southwest

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
1610655104-03022012-006.jpg

COMMENTS: A used tire. No
new or used tires on the rack
system.



DOCUMENT FILE NAME:
1610655104-03022012.doc



DATE: March 2, 2012

TIME: 12:25 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
1610655104~03022012-007.jpg

COMMENTS: No new or used
tires on the rack system.



DATE: March 2, 2012

TIME: 12:26 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
1610655104~03022012-008.jpg

COMMENTS: A used tire. The
racks have a few used tires above.



DOCUMENT FILE NAME:
1610655104~03022012.doc



DATE: March 2, 2012

TIME: 12:27 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the north northeast

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:
1610655104-03022012-009.jpg

COMMENTS: An empty rack
system for tires inside the building.



DATE: March 2, 2012

TIME: 12:27 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:
1610655104-03022012-010.jpg

COMMENTS: A few used tires.



DOCUMENT FILE NAME:
1610655104-03022012.doc



DATE: March 2, 2012

TIME: 12:27 p.m.

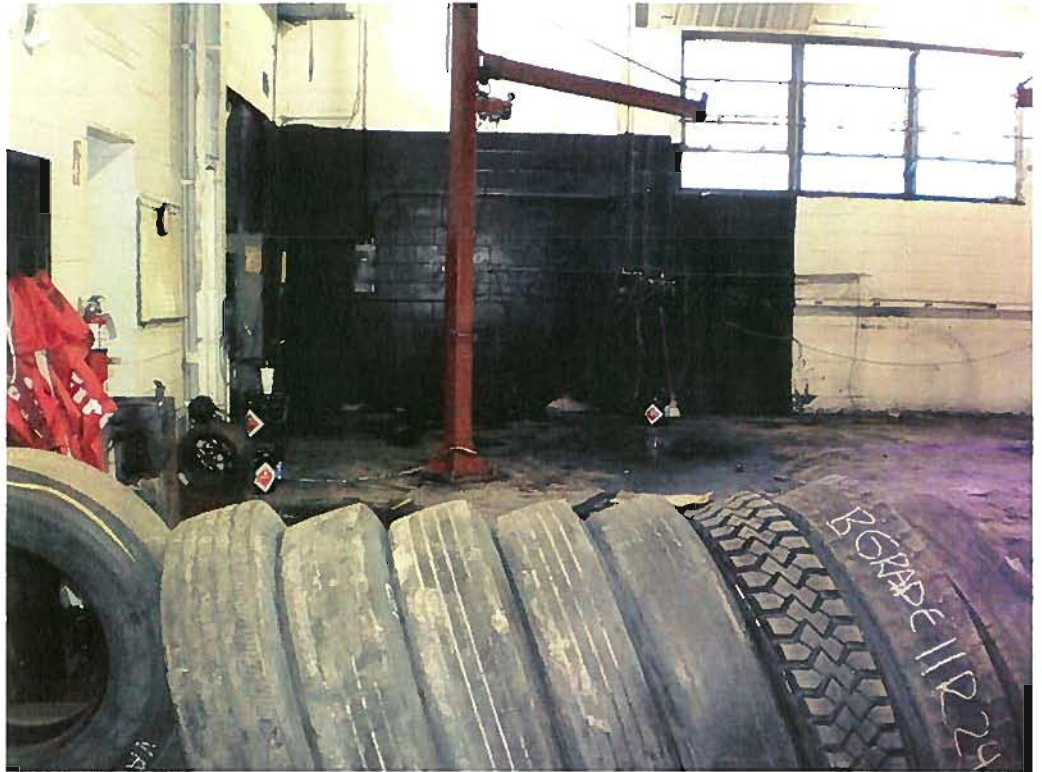
PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
1610655104-03022012-011.jpg

COMMENTS: some used tires



DATE: March 2, 2012

TIME: 12:27 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
1610655104-03022012-012.jpg

COMMENTS: About 50 used
tires includes those observed in
photograph 11.





DATE: March 2, 2012

TIME: 12:28 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
1610655104-03022012-013.jpg

COMMENTS: A couple used tires
outside not prevented from
accumulating water.



DATE: March 2, 2012

TIME: 12:28 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southwest

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:
1610655104-03022012-014.jpg

COMMENTS: Used tire
previously stored outside along the
fence are no longer present.



DOCUMENT FILE NAME:
1610655104-03022012.doc



DATE: March 2, 2012

TIME: 12:28 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:
1610655104~03022012-015.jpg

COMMENTS: Used tires are
stored inside and outside near the
building/sheds/trailers in beyond
the truck.



DATE: March 2, 2012

TIME: 12:28 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the north northwest

PHOTOGRAPH NUMBER: 16

PHOTOGRAPH FILE NAME:
1610655104~03022012-016.jpg

COMMENTS: Clear of used tires.





DATE: March 2, 2012

TIME: 12:29 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 17

PHOTOGRAPH FILE NAME:
1610655104~03022012-017.jpg

COMMENTS: Used tires are
stored outside and not prevented
from accumulating water.



DATE: March 2, 2012

TIME: 12:29 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 18

PHOTOGRAPH FILE NAME:
1610655104~03022012-018.jpg

COMMENTS: The south side of
the lot has a dumpster full of used
tires and used tires stored outside
that are not prevented from
accumulating water.



DOCUMENT FILE NAME:
1610655104~03022012.doc



DATE: March 2, 2012

TIME: 12:29 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 19

PHOTOGRAPH FILE NAME:
1610655104~03022012-019.jpg

COMMENTS: Many of the used
tires stored outside are holding
water like this one.



DATE: March 2, 2012

TIME: 12:29 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 20

PHOTOGRAPH FILE NAME:
1610655104~03022012-020.jpg

COMMENTS:



DOCUMENT FILE NAME:
1610655104~03022012.doc



DATE: March 2, 2012

TIME: 12:29 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 21

PHOTOGRAPH FILE NAME:
1610655104-03022012-021.jpg

COMMENTS: This is a better
view of the contents of the building
observed in photograph 20. It
contains about 150 used tires.



DATE: March 2, 2012

TIME: 12:30 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south southwest

PHOTOGRAPH NUMBER: 22

PHOTOGRAPH FILE NAME:
1610655104-03022012-022.jpg

COMMENTS: This building
contains about 600 used tires. Also
see the next photograph (23).



DOCUMENT FILE NAME:
1610655104-03022012.doc



DATE: March 2, 2012

TIME: 12:30 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south southeast

PHOTOGRAPH NUMBER: 23

PHOTOGRAPH FILE NAME:
1610655104~03022012-023.jpg

COMMENTS: This building
contains about 600 used tires. Also
see the previous photograph (22).



DATE: March 2, 2012

TIME: 12:30 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 24

PHOTOGRAPH FILE NAME:
1610655104~03022012-024.jpg

COMMENTS: The orange trailer
contains about 200 used tires.



DOCUMENT FILE NAME:
1610655104~03022012.doc



DATE: March 2, 2012

TIME: 12:31 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 25

PHOTOGRAPH FILE NAME:
1610655104-03022012-025.jpg

COMMENTS: A pile of used tires
stored outside next to the orange
trailer mentioned in the previous
photograph. Used tires stored
outside are not prevented from
accumulating water.



DATE: March 2, 2012

TIME: 12:31 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 26

PHOTOGRAPH FILE NAME:
1610655104-03022012-026.jpg

COMMENTS: A pile of used tires
stored outside and not prevented
from accumulating water.





DATE: March 2, 2012

TIME: 12:31 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 27

PHOTOGRAPH FILE NAME:
1610655104~03022012-027.jpg

COMMENTS: Many used tires
outside contain water like this one.
This one also contains organic
material that can provide nutrients
for larval mosquitoes.



DATE: March 2, 2012

TIME: 12:31 p.m.

PHOTOGRAPHED BY:
Jeb McGhee

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 28

PHOTOGRAPH FILE NAME:
1610655104~03022012-028.jpg

COMMENTS: A dumpster
containing used tires that are not
prevented from accumulating water.



DOCUMENT FILE NAME:
1610655104~03022012.doc

RECEIVED
CLERK'S OFFICE

APR 16 2012

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

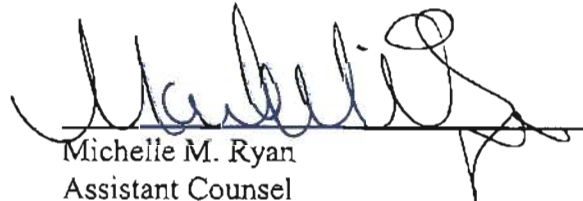
I hereby certify that I did on the 10th day of April 2010, send by Certified Mail, Return Receipt

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 USED TIRE STORAGE EXEMPT CHECKLIST

To: Hughes Tire & Battery Company
C/o James H. Hughes, Registered Agent
120 First Avenue
Milan, IL 61264

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