



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, INTERIM DIRECTOR

(217) 782-9817

TDD: (217) 782-9143

December 14, 2012

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. Wabzz Realty, LLC and Best One Tire & Service of Marion, Inc.

IEPA File No.286-12-AC: 1990555066—Williamson County

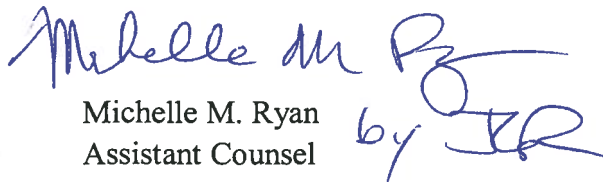
Dear Mr. Therriault:

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,


Michelle M. Ryan
Assistant Counsel

Enclosures

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STATE OF ILLINOIS
Pollution Control Board

ORIGINAL
RETURN TO CLERK'S OFFICE

AC 13 - 24

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

WABZZ REALTY, LLC and BEST ONE
TIRE & SERVICE OF MARION, INC.,

Respondents.

AC

(IEPA No. 286-12-AC)

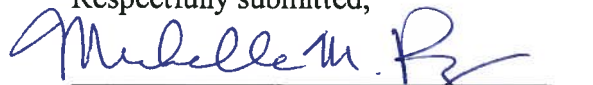
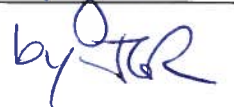
NOTICE OF FILING

To: Wabzz Realty, LLC
Bruce A. Piper, Registered Agent
1001 N. Court Street
Marion, IL 62959

Best One Tire & Service of Marion, Inc.
Bruce A. Piper, Registered Agent
507 East Street
Mt. Carmel, IL 62863

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,


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: December 14, 2012

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.)
)
WABZZ REALTY, LLC, and BEST ONE)
TIRE & SERVICE OF MARION, INC.,)
)
)
Respondents.)

AC 13-24
(IEPA No. 286-12-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 Wabzz Realty, LLC. is the current owner and Best One Tire & Service of Marion, Inc., is the current operator ("Respondents") of a facility which is divided into two divisions: one for retail tire sales and the other for commercial accounts. The retail operation is located at 1001 North Court Street, Marion, Williamson County, Illinois. The commercial operation is located at 1101 North Railroad Street, which is east of (behind) the retail store. Because the buildings are adjacent to one another and share aspects of their operations, the Illinois Environmental Protection Agency has considered the business to be one site. The property is commonly known to the Illinois Environmental Protection Agency as Best One Tire & Service of Marion, Inc.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1990555066.

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

4. That on October 23, 2012, Thomas Edmondson and 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 12-14-12, Illinois EPA sent this Administrative Citation via Certified Mail No. 7016 2780 0002 1167 5317 - Best One Tire
7010 2780 0002 1167 5294 - Wabzz Realty, LLC
VIOLATIONS

Based upon direct observations made by Thomas Edmondson and Garrison Gross during the course of the October 23, 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 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) (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 One Thousand Five Hundred Dollars (\$1,500.00). 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 January 15, 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.

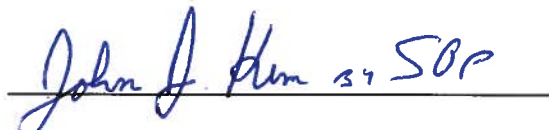
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2010), if Respondents fail to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall 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 Respondents.


John J. Kim, Interim Director
Illinois Environmental Protection Agency

Date:

12/13/2013

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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STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.)
)
WABZZ REALTY, LLC, and BEST ONE)
TIRE & SERVICE OF MARION, INC.,)
)
)
)
Respondents.)

AC 13-24
(IEPA No. 286-12-AC)

FACILITY: Best One Tire & Service of Marion, Inc.
SITE CODE NO.: 1990555066
COUNTY: Williamson
CIVIL PENALTY: \$1,500.00
DATE OF INSPECTION: October 23, 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.

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STATE OF ILLINOIS
Pollution Control Board

STATE OF ILLINOIS)
) SS
COUNTY OF WILLIAMSON)

AC13-24

AFFIDAVIT

I, Thomas Edmondson, 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 October 23, 2012, between 9:15 a.m. and 10:40 a.m., Affiant conducted an inspection of Best One Tire & Service of Marion, Inc. in Williamson County, Illinois, known as Best One Tire & Service of Marion, Inc. by the Illinois Environmental Protection Agency. Said site has been assigned site code number 1990555066 by the Agency.

3. Affiant inspected said Best One Tire & Service of Marion, Inc. 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 Best One Tire & Service of Marion, Inc.

FURTHER AFFIANT SAYETH NOT.

/s/ 

Subscribed and Sworn to before
me this 27th day of October, 2012


Notary Public



STATE OF ILLINOIS)
) SS
COUNTY OF WILLIAMSON)

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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 October 23, 2012, between 9:15 a.m. and 10:40 a.m., Affiant conducted an inspection of Best One Tire & Service of Marion, Inc. in Williamson County, Illinois, known as Best One Tire & Service of Marion, Inc. by the Illinois Environmental Protection Agency. Said site has been assigned site code number 1990555066 by the Agency.
3. Affiant inspected said Best One Tire & Service of Marion, Inc. 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 Best One Tire & Service of Marion, Inc.

FURTHER AFFIANT SAYETH NOT.

/s/ Garrison Gross

Subscribed and Sworn to before
me this 29th day of October, 2012

Gail Stricklin
Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Tire Storage Site Inspection Checklist

County: Williamson LPC#: 1990555066 Region: 7- Marion

Facility Name: Best One Tire & Service of Marion, Inc.

Facility Location: 1001 North Court Street, Marion, Illinois Telephone: 618-993-8136

Date: October 23, 2012 Time: From 9:15 a.m. To 10:40 a.m. Previous Inspection Date: August 14, 2008

Inspector: Garrison Gross No. of Photos Taken: # 23

Weather: partly cloudy skies, 68° F, moderate breeze No. of Samples Taken: N/A

Interviewed: Dustin Harrison, Ron Thompson and Alan Tanner Complaint #: N/A - routine

Waste Tire Hauler Used: Liberty Tire Recycling - Marion, Kentucky Hauler Registration Number: T-7696

Responsible Party Mailing Address(es): Best One Tire & Service of Marion, Inc.
Attn: Dustin Harrison & Ron Thompson
1001 North Court Street
Marion, Illinois 62959

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~960

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 OPEN 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"/>

10	55(i)	CAUSE OR ALLOW THE USE OF PESTICIDES TO TREAT TIRES EXCEPT AS PRESCRIBED BY BOARD REGULATIONS Note: Also Mark a Violation of 848.205	<input type="checkbox"/>
11	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"/>
12	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 \$2.50 Per Tire Sold to be Paid to the Department of Revenue.	<input type="checkbox"/>
	(2)	Accept for Recycling Used Tires from Customers, at the Point of Transfer, in 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 by 11 Inches in Size that Includes the Universal Recycling Symbol and the Following Statements: "DO NOT put used tires in the trash.", and "State law requires us to accept used tires for recycling, in exchange for new tires purchased."	<input checked="" type="checkbox"/>
13	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 type="checkbox"/>
14	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"/>
PART 848, SUBPART B: MANAGEMENT STANDARDS			
15	848.202(b)	AT SITES AT WHICH MORE THAN 50 USED OR WASTE TIRES ARE LOCATED THE OWNER OR OPERATOR SHALL:	
	(1)	NOT Place on or Accumulate Any Used or Waste Tire in Any Pile Outside of Any Building Unless the Pile is Separated from All Other Piles by 25 Feet and Aisle Space Is Maintained To Allow the Unobstructed Movement of Personnel and Equipment	<input type="checkbox"/>
	(2)	NOT Accumulate Any Used or Waste Tire in Any Area Located Outside of Any Building Unless the Accumulation is Separated from All Buildings, Whether on or off the Site, by 25 Feet	<input checked="" type="checkbox"/>
	(3)	NOT Place On or Accumulate Any Used or Waste Tire in Any Pile Which is Less than 250 Feet from any Potential Ignition Source, including Cutting and Welding Devices, and Open Fires unless all such activities are Carried Out Within A Building	<input type="checkbox"/>
	(4)	Drain Any Used or Waste Tire on the Day of Generation or Receipt	<input type="checkbox"/>
	(5)	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 type="checkbox"/>
	(7)	NOT Accept Any Used or Waste Tire from a Vehicle in Which More than 20 Tires Are Loaded Unless the Vehicle Displays a Placard Issued by the Agency Under Part 848: Subpart F	<input type="checkbox"/>
	(8)	NOT Accumulate Any Tires in an Area with a Grade Exceeding 2% Without Meeting the Requirements of 848.202(d)(3)	<input type="checkbox"/>
16	848.202(c)	IN ADDITION 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:	
	(1)	Maintain a Contingency Plan Which Meets the Requirements of Section 848.203	<input checked="" type="checkbox"/>
	(2)	Meet the Record Keeping and Reporting Requirements of Part 848: Subpart C Note: Also Mark a Violation of Subpart C	<input checked="" type="checkbox"/>
	(3)	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"/>
	(4)	NOT Place or Accumulate any Used or Waste Tire in Any Tire Storage Unit That is More Than 20 Feet High by 250 Feet Wide by 250 Feet Long(Aisle Space Between Any Piles Within the Unit Shall Be Included in	<input type="checkbox"/>

		Determining the Width or Length of the Unit)	
	(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 ADDITION 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
	(f)	The contingency plan must be maintained at the site and submitted to state and local authorities.	<input checked="" 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 checked="" type="checkbox"/>
20	848.204(b)	STORAGE OF LESS THAN 500 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 Buildings 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 ADDITION 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:	

	(1)	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"/>
	(2)	Have and maintain a contingency plan which meets the requirements of Section 848.203	<input checked="" type="checkbox"/>
	(3)	Meet the record keeping and reporting requirements of Subpart C Note: Also Mark a Violation of Section 848, Subpart C	<input checked="" type="checkbox"/>
22	848.204(d)	A BUILDING THAT STORES MORE THAN 10,000 USED OR WASTE TIRES, AND WAS CONSTRUCTED AFTER 5/10/91, FOR THE PRIMARY PURPOSE OF STORING USED OR WASTE TIRES, SHALL COMPLY WITH THE NFPA 231D BUILDING STANDARD.	<input type="checkbox"/>
PESTICIDE TREATMENT			
23	848.205	OWNERS OR OPERATORS OF TIRE STORAGE SITES TREATING USED OR WASTE TIRES WITH PESTICIDES PURSUANT TO THIS PART OF TITLE XIV OF THE ACT (SHALL):	
	(a)	Use a Pesticide Labeled for Control of Mosquito Larvae Unless an Adult Mosquito Problem is Identified	<input type="checkbox"/>
	(b)	Maintain a record of pesticide use at the site which shall include for each application: (1) <input type="checkbox"/> Date of Pesticide Application (2) <input type="checkbox"/> Number of Used or Waste Tires Treated (3) <input type="checkbox"/> Amount of Pesticide Applied (4) <input type="checkbox"/> Type of Pesticide Used	<input type="checkbox"/>
	(c)	Notify the Agency of Pesticide Use Within 10 Days of Each Application. Notification shall include the information in 848.205(b).	<input type="checkbox"/>
24	848.205(d)	Persons Applying Pesticides to Used and Waste Tires Must Comply with the Requirements of the Illinois Pesticide Act (Ill. Rev. Stat. 1989, ch. 5, par. 801 et seq.)	<input type="checkbox"/>
PART 848: SUBPART C: RECORD KEEPING AND REPORTING Note: Applies to Storage Sites with More than 500 Used or Waste Tires			
25	848.302(a)	The owner/operator shall keep on site a: (1) <input checked="" type="checkbox"/> Daily Tire Record (2) <input type="checkbox"/> Annual Tire Summary	<input checked="" type="checkbox"/>
26	848.303(a)	FAILURE TO MAINTAIN A DAILY TIRE RECORD THAT INCLUDES: <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"/>
27	848.303(b)	FAILURE TO RECORD IN THE DAILY TIRE RECORD THE FOLLOWING INFORMATION (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 and the destination of the tires so transported. (3) <input checked="" type="checkbox"/> Total number of used or waste tires remaining in storage at the conclusion of the day. (4) <input type="checkbox"/> Weight or volume of used or waste tires burned or combusted during the day.	<input checked="" type="checkbox"/>
28	848.304	FAILURE TO MAINTAIN ON SITE AN ANNUAL TIRE SUMMARY FOR EACH CALENDAR YEAR THAT INCLUDES:	
	(a)	The site number, name and address and the calendar year for which the summary applies.	<input type="checkbox"/>
	(b)(1)	The weight or volume of used or waste tires received at the site during the calendar year.	<input type="checkbox"/>
	(b)(2)	The weight or volume of used or waste tires transported from the site during the calendar year.	<input type="checkbox"/>
	(b)(3)	The total number of used or waste tires determined in PTE remaining in storage at the conclusion of the calendar year	<input type="checkbox"/>

	(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"/>
<p align="center">PART 848: SUBPART D: FINANCIAL ASSURANCE NOTE: Applies to Sites which have Stored 5000 or More Used or Waste Tires</p>			
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"/>
<p align="center">PART 848: SUBPART F: TIRE TRANSPORTATION REQUIREMENTS</p>			
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 checked="" 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"/>

OTHER REQUIREMENTS			
41	55(k)(1)	No person shall 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"/>
42	55(k)(2)	No person shall fail to collect a fee required under Section 55.8 of this Title.	<input type="checkbox"/>
43	55(k)(3)	No person shall fail to file a return required under Section 55.10 of this Title.	<input type="checkbox"/>
44	55(k)(4)	No person shall transport used or waste tires in violation of the registration and vehicle placarding requirements adopted by the Board.	<input type="checkbox"/>
45	722.111	Hazardous Waste Determination (Auto Salvage Residue)	<input type="checkbox"/>
46	808.121	Special Waste Determination (Auto Salvage Residue)	<input type="checkbox"/>
47	733.114(d)(1)	Failure to properly label universal waste mercury containing equipment or containers	<input type="checkbox"/>
48	733.115	Failure to document the start date for collection of universal waste mercury containing equipment	<input type="checkbox"/>
49	739.122(c)	Failure to properly label used oil containers as "Used Oil"	<input type="checkbox"/>
50	12(b)	Operate any equipment or facility capable of causing or contributing to water pollution	<input type="checkbox"/>
51	309.102(a)	NPDES Permit Required	<input type="checkbox"/>
52	10(a)	Mercury Switch Removal Act; Failure to properly manage mercury switches from end-of-life vehicles	<input type="checkbox"/>
53	10(d)	Mercury Switch Removal Act; Failure to submit mercury switch annual report	<input type="checkbox"/>

Informational Notes:

1. [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G, Chapter 1, Subchapter m, Part 848.
4. 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 the references listed in #1, #2, and #3 above.
5. The provisions of subsection (p) of Section 21 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.
6. 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).



State of Illinois
ENVIRONMENTAL PROTECTION AGENCY
Narrative Inspection Report

BOL#: 1990555066 – Williamson County

Site Name: Best One Tire & Service of Marion, Inc.

Date of Inspection: October 23, 2012

Inspector: Garrison Gross

Subject: Tire Storage Inspection at Best One Tire & Service of Marion, Inc.

General Remarks: A Tire Storage Inspection was conducted on Tuesday, October 23, 2012 at Best One Tire & Service of Marion, Inc. The inspection was conducted by Garrison Gross and Thomas Edmondson representing the Illinois EPA Bureau of Land. The facility is divided into two divisions: one for retail tire sales and the other for commercial accounts. The retail operation is located at 1001 North Court Street, Marion, Illinois. The commercial operation is located at 1101 North Railroad Street which is east of (behind) the retail store. Because the buildings are adjacent to one another and share some aspects of their operations, the Agency has considered the business to be one site. The inspection was performed as a routine inspection. Weather conditions at the time of the inspection were partly cloudy skies, 68° F, with a moderate breeze. Surface conditions were dry.

Inspection Findings (Retail Store): The inspection began at approximately 9:15 a.m. We entered the business and spoke to Dustin Harrison, Retail Manager. We identified ourselves and explained the reason for the inspection. We continued the inspection by walking and photographing the used / waste tire storage area. Mr. Harrison accompanied us during the inspection. Approximately 50 used / waste tires were stored in the service area of the retail building (photo 001). A semi-trailer was parked behind the retail building (photo 002). The trailer contained approximately 800 used / waste tires. The box trailer was not placarded as a registered tire transporter (photos 003-005). Mr. Harrison stated that Best One had a contract with Martins / Liberty Tire out of Marion, Kentucky. He told us that Martin's owned the trailer.

A fenced area is also located behind the retail building. Truck and tractor tires were being stored in this fenced area (photos 006 and 007). Approximately 75 used / waste tires were stored in this area. New tires are also stored in this area. None of the tires in this area were being protected from accumulating water. Most of the tires in this area were off the rim and most had accumulated water. Used / waste truck tires waiting to be assessed contained water and organic matter (photo 008). Used tractor tires contained water, organic matter and mosquito larvae (photos 009 and 010). Adult mosquitoes were observed around some of the tires. We informed Mr. Harrison that used / waste tires should not be allowed to accumulate water. We suggested that the area be enclosed, or the tires be moved inside or into a box trailer / shipping container.

We inquired about the disposal of lead wheel weights, automotive fluids and batteries. We observed the area where used oil and coolant were stored (photos 011 and 012). The used oil and coolant containers were marked as required. The cap for the used oil tote was not being replaced after filling. Mr. Harrison informed us that Heritage / Crystal-Clean recycles the used oil every couple of weeks. He stated that Safety-Kleen recycled the antifreeze on a monthly basis. Battery cores are exchanged at the

**1990555066 – Williamson County
Best One Tire & Service of Marion, Inc.
October 23, 2012**

time a new battery is purchased. Lead wheel weights are collected in buckets and recycled at Cimco in Marion (photo 013). Steel wheel weights were being used at the business for new tires and repairs.

We returned to the office. We asked to see the last three tire disposal receipts and the most recent Illinois Department of Revenue ST-8. Disposal receipts and ST-8's were not kept at the facility. We asked Mr. Harrison to contact the corporate office and have the documents faxed or emailed. The recycle notice was not posted as required. We provided a recycle notice for the retail store. We collected a copy of a recent sales receipt showing the collection of the tire user fee. The sales receipt showed the fee as "state tire fee – Illinois" and it was shown as a separate line item as required. We recommended that the computer program be changed to specify the item charged as the "tire user fee." We informed Mr. Harrison that the facility would be receiving a letter from the Agency in the near future.

Inspection Findings (Commercial Store): We continued the inspection at the commercial store located at 1101 North Railroad Street. We spoke to Ron Thompson, Commercial Manager and Alan Tanner, Sales Manager. We identified ourselves and explained the reason for the inspection. We continued the inspection by walking and photographing the fenced area used for tire storage. Mr. Tanner accompanied us during the inspection. New, recapped and used / waste tires are stored in this area. Two shipping containers were located in this area and they were being used to store new / recapped tires. Approximately 90 used (recyclable) tires were stored adjacent to one of the shipping containers (photo 014). Water and organic matter had accumulated in some of the used (recyclable) tires but no mosquito larvae were observed (photo 015). Yellow paint on the recyclable tires indicated that the tires were to be sent for recapping rather than disposal. Mr. Tanner told us that recyclable tires are picked up on Tuesdays and Thursdays by their own personnel. He told us that Best One Tire is an associate company of Southern Indiana Tire. The Southern Indiana Tire vehicle did not have placards indicating that it was a registered tire transporter.

Approximately 45 used / waste semi-truck, tractor and industrial tires were also stored in the fenced area (photos 016 and 019). Water had accumulated in some of the used / waste tires (photos 017 and 018). Organic matter and mosquito larvae were observed in some of the tires. Mr. Tanner informed us that the tires had been there for approximately two weeks. Most of the tires that were outside were not being protected from accumulating water. We informed Mr. Tanner that used / waste tires should not be allowed to accumulate water. We suggested that the area be enclosed, or tires be moved inside or into a box trailer / shipping container. We also informed him that tires were being stored closer than 50 feet to vegetation (photo 020) and closer than 25 feet to buildings and box trailers.

We inquired about the types of wheel weights used by the commercial store. Mr. Tanner informed us that lead wheel weights are not used by the facility. If lead wheel weights encountered, they are collected in buckets and recycled at Cimco and Gary's Metals. The facility uses Counteract Balancing

**1990555066 – Williamson County
Best One Tire & Service of Marion, Inc.
October 23, 2012**

Beads for commercial truck tire balancing (photo 022). A small number of Centramatic continuous lug balancers were also used (photo 023).

We returned to the office. We inquired about the Illinois Department of Revenue ST-8 form. Mr. Thompson told us that both stores submit a combined ST-8. The recycle notice was not posted as required. A recycle notice was provided for the commercial store. We reviewed a copy of a recent sales receipt showing the collection of the tire user fee. The sales receipt showed the fee as “state tire fee – Illinois” and it was shown as a separate line item as required. We recommended that the computer program be changed to specify the item charged as the “tire user fee.” We informed Mr. Thompson that the facility would be receiving a letter from the Agency in the near future.

Approximately 960 used / waste tires were observed at the site. Approximately 160 used / waste tires were being stored outside and not protected from accumulating water. Based on the number of tires at the site and the manner in which they were stored, the facility should be regulated as a tire storage facility. The facility does not maintain daily tire records and has not prepared a written contingency plan for tire storage activities.

Additional Remarks: Tire disposal receipts and the third quarter ST-8 were received by the inspector. The ST-8 was reviewed and destroyed. Tire disposal receipts were reviewed for July 23, 2012, August 25, 2012 and September 22, 2012. According to Agency records, the facility has not completed a notification / registration form since calendar 2006. They reported that less than 250 tires were stored at the facility and notified as storage-exempt. Neither Southern Indiana Tire, Inc. nor Best One Tire is a registered tire transporter.

Information concerning property ownership / control was obtained through tax records available from the Supervisor of Assessment’s Office in Williamson County. Tax bills are mailed to Wabzz Realty, LLC, Attn: Paul J. Weaver, 1342 W 100 N, Princeton, Indiana 47670. The property is referred to as parcel numbers 06-13-283-004 and 06-13-284-005. Wabzz Realty, LLC and Best One Tire & Service of Marion, Inc. are registered with the Illinois Secretary of State.

Summary of Apparent Violations:

21(k)	848.202(b)(2)	848.203(d)	848.302(a)
55(a)(4)	848.202(c)(1)	848.203(e)	848.303(a)
55(c)	848.202(c)(2)	848.203(f)	848.303(b)
55(d)(1)	848.202(c)(3)	848.204(a)	848.601(b)
55(e)	848.203(a)	848.204(c)(1)	55(k)(1)
55.6(b)	848.203(b)	848.204(c)(2)	
55.8(a)(3)	848.203(c)	848.204(c)(3)	



State of Illinois
ENVIRONMENTAL PROTECTION AGENCY
Inspection Site Sketch

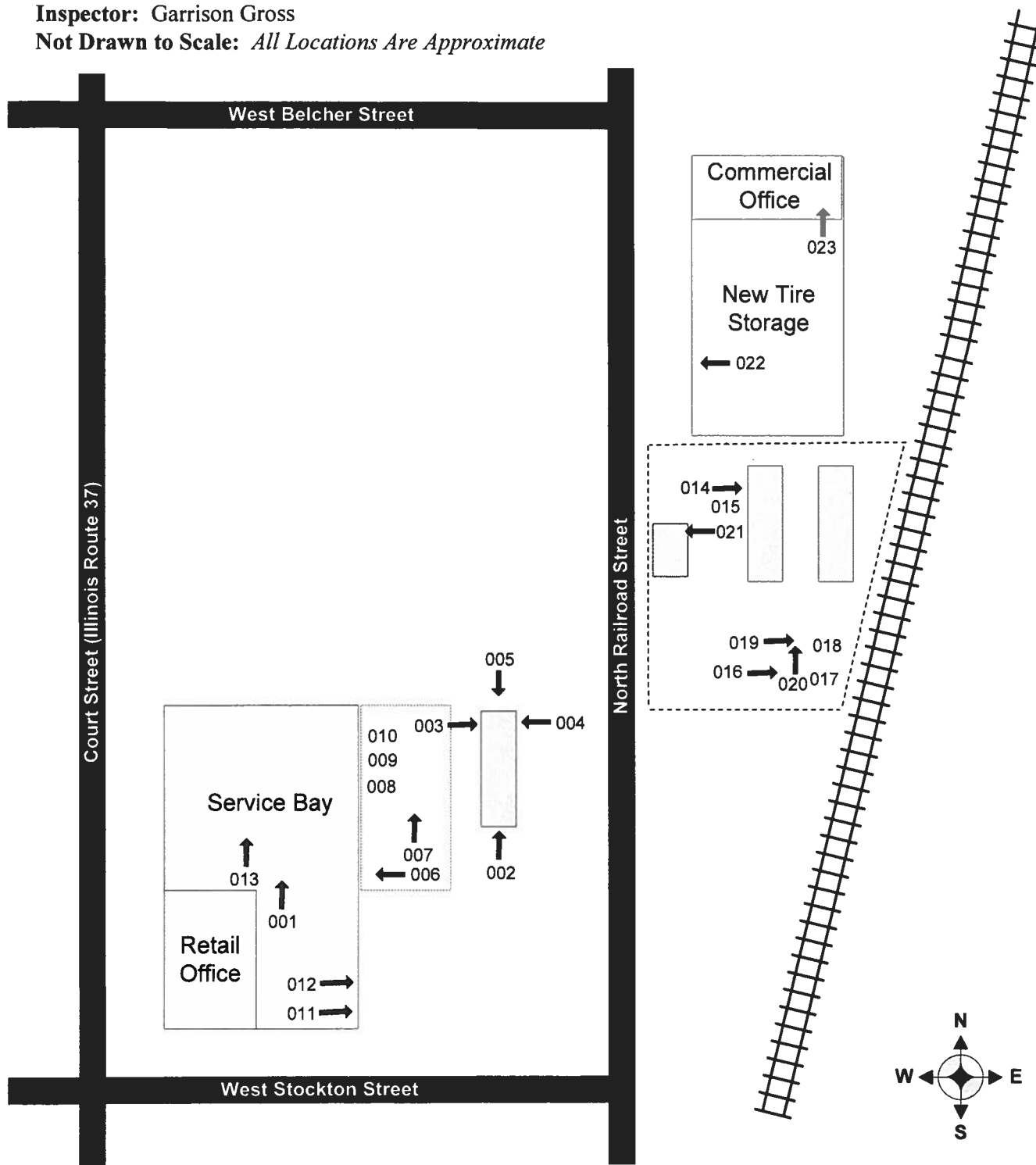
Date: October 23, 2012

BOL ID #: 1990555066 – Williamson County

Site Name: Best One Tire & Service of Marion, Inc.

Inspector: Garrison Gross

Not Drawn to Scale: All Locations Are Approximate





DIGITAL PHOTOGRAPHS



**Date: 10/23/2012
Time: 9:21 a.m.
Direction: north
Photo by: Garrison Gross
Exposure #: 001
Comments: used / waste
tires inside building**

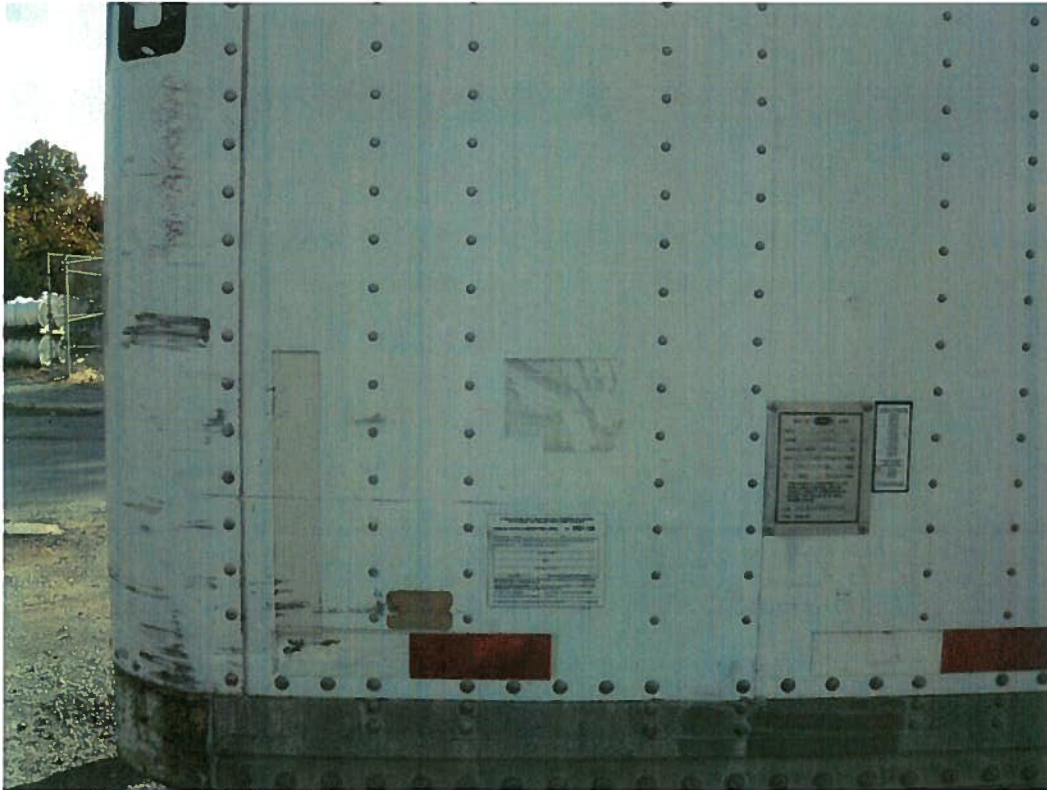


**Date: 10/23/2012
Time: 9:22 a.m.
Direction: north
Photo by: Garrison Gross
Exposure #: 002
Comments: used / waste
tires in box trailer**

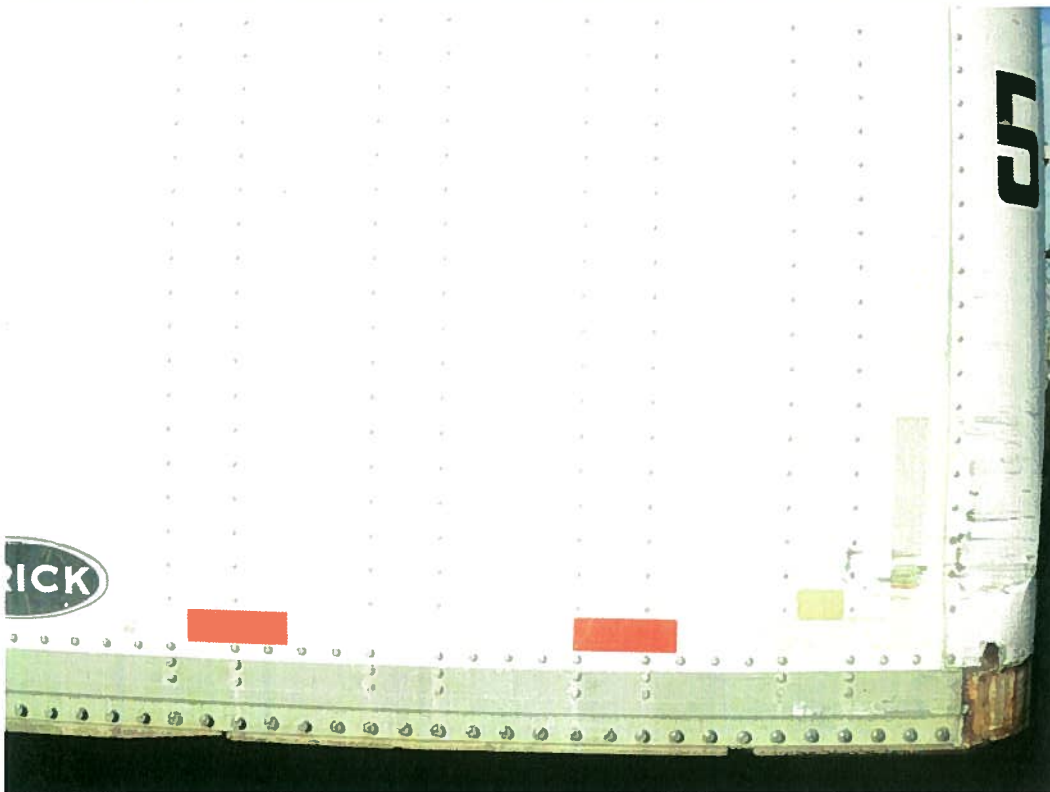
File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/23/2012
Time: 9:23 a.m.
Direction: east
Photo by: Garrison Gross
Exposure #: 003
Comments: front driver
side panel of Liberty Tire
Recycling trailer; no tire
transporter placard**

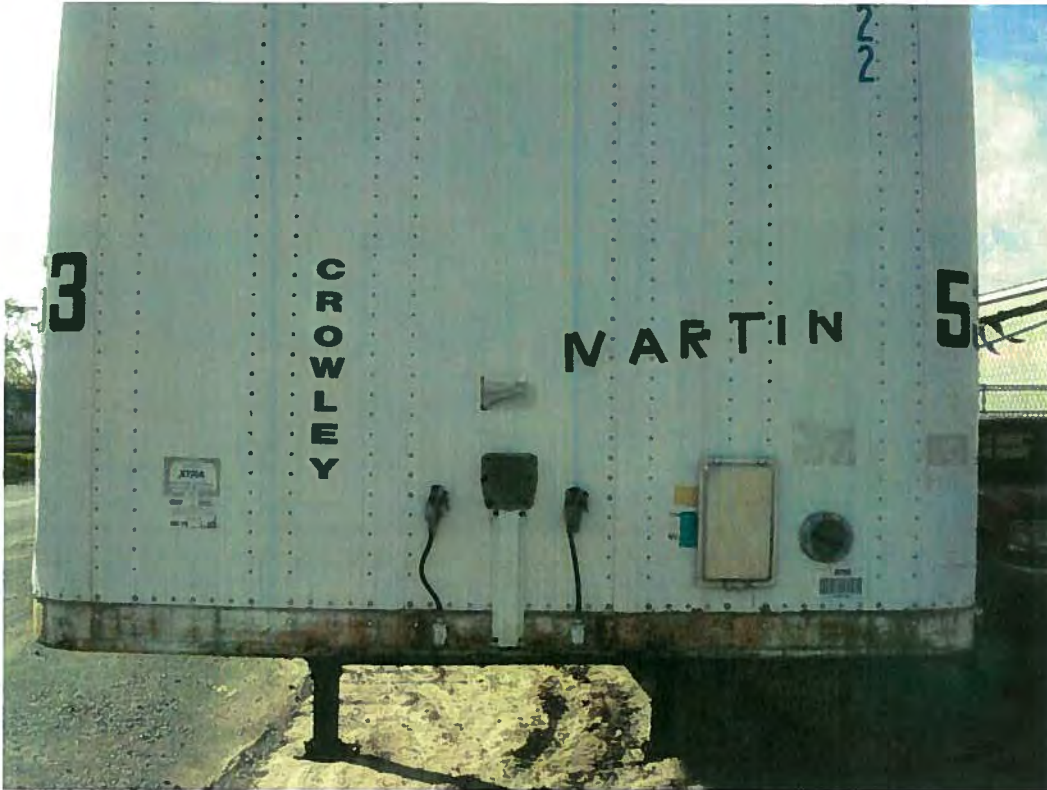


**Date: 10/23/2012
Time: 9:23 a.m.
Direction: west
Photo by: Garrison Gross
Exposure #: 004
Comments: front
passenger side panel of
Liberty Tire Recycling
trailer; no tire
transporter placard**

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 9:24 a.m.
Direction: south
Photo by: Garrison Gross
Exposure #: 005
Comments: front end of
Liberty Tire Recycling
trailer



Date: 10/23/2012
Time: 9:24 a.m.
Direction: west
Photo by: Garrison Gross
Exposure #: 006
Comments: used / waste
tires outside

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/23/2012
Time: 9:24 a.m.
Direction: north
Photo by: Garrison Gross
Exposure #: 007
Comments: used / waste
and new tire storage area**



**Date: 10/23/2012
Time: 9:25 a.m.
Direction: down
Photo by: Garrison Gross
Exposure #: 008
Comments: water in used
/ waste tires**

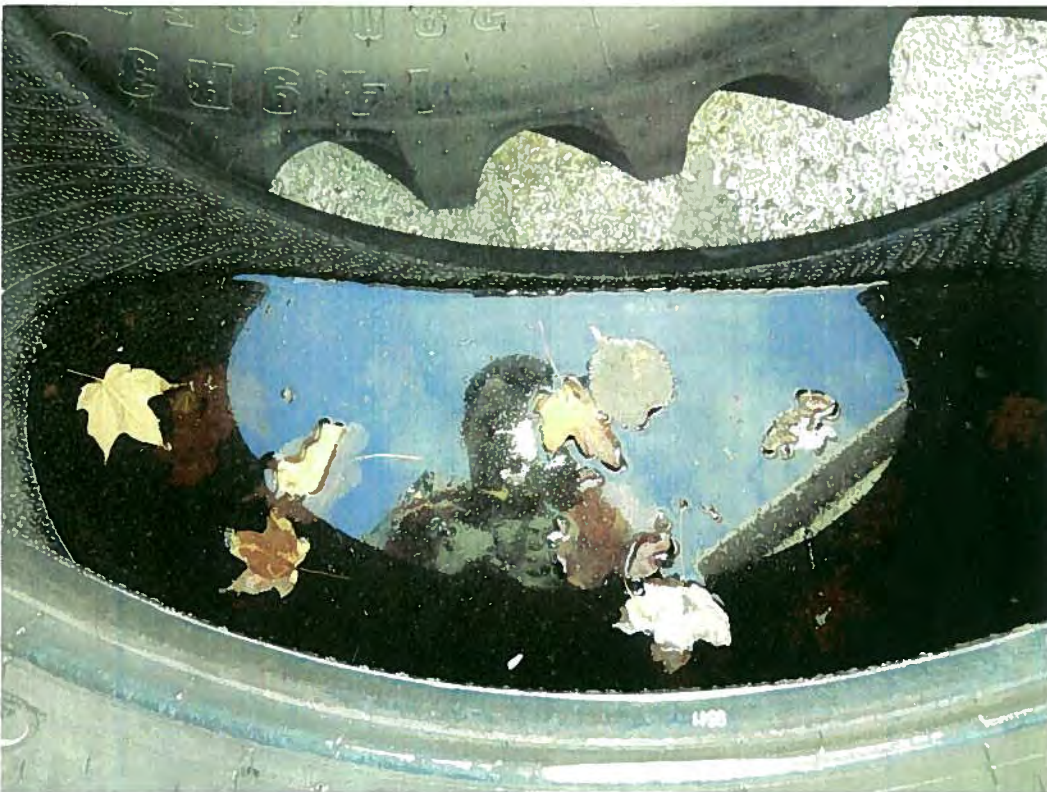
File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 9:26 a.m.
Direction: down
Photo by: Garrison Gross
Exposure #: 009
Comments: water in used
/ waste tires



Date: 10/23/2012
Time: 9:27 a.m.
Direction: down
Photo by: Garrison Gross
Exposure #: 010
Comments: water in used
/ waste tires; organic
matter and mosquito
larvae present

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 9:33 a.m.
Direction: east
Photo by: Garrison Gross
Exposure #: 011
Comments: used oil tote



Date: 10/23/2012
Time: 9:34 a.m.
Direction: east
Photo by: Garrison Gross
Exposure #: 012
Comments: used coolant

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 9:37 a.m.
Direction: north
Photo by: Garrison Gross
Exposure #: 013
Comments: lead weight
collection



Date: 10/23/2012
Time: 9:59 a.m.
Direction: east
Photo by: Garrison Gross
Exposure #: 014
Comments: used
(recyclable) tires outside

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 10:01 a.m.
Direction: down
Photo by: Garrison Gross
Exposure #: 015
Comments: water in used
(recyclable) tires

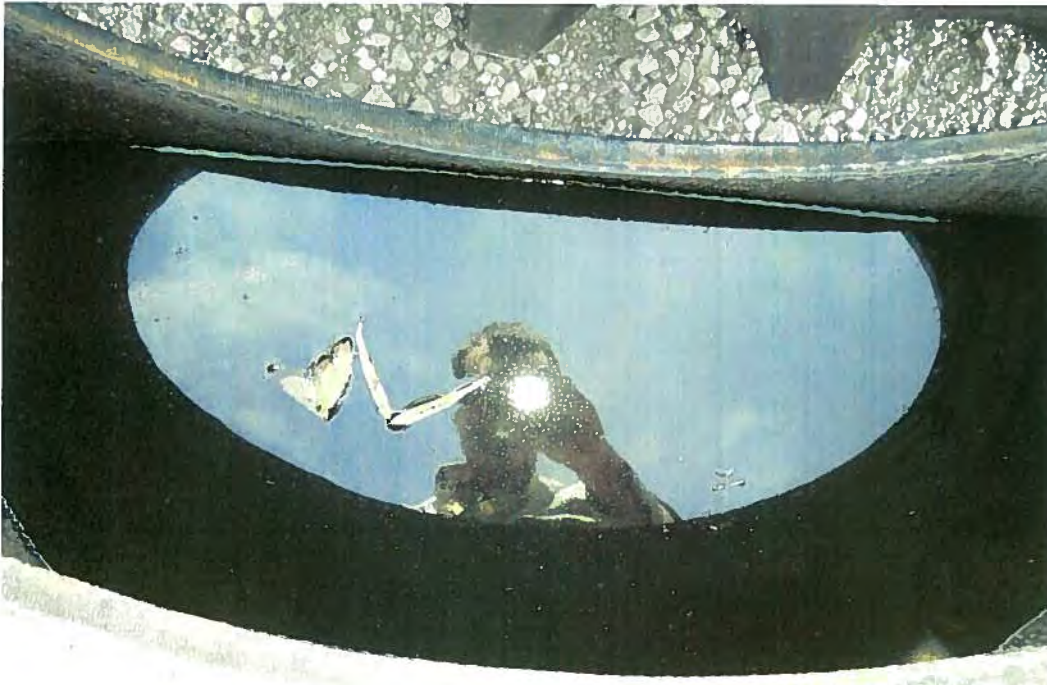


Date: 10/23/2012
Time: 10:03 a.m.
Direction: east
Photo by: Garrison Gross
Exposure #: 016
Comments: used / waste
tires outside

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 10:03 a.m.
Direction: down
Photo by: Garrison Gross
Exposure #: 017
Comments: water in used
/ waste tires



Date: 10/23/2012
Time: 10:05 a.m.
Direction: down
Photo by: Garrison Gross
Exposure #: 018
Comments: water in used
/ waste tires; mosquito
larvae present

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 10:06 a.m.
Direction: east
Photo by: Garrison Gross
Exposure #: 019
Comments: used / waste
tires outside near
vegetation



Date: 10/23/2012
Time: 10:09 a.m.
Direction: north
Photo by: Garrison Gross
Exposure #: 020
Comments: view of tire
proximity to vegetation,
box trailers and building

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



Date: 10/23/2012
Time: 10:11 a.m.
Direction: west
Photo by: Garrison Gross
Exposure #: 021
Comments: front
passenger side of
Southern Indiana Tire,
Inc. box truck – no tire
transporter placards

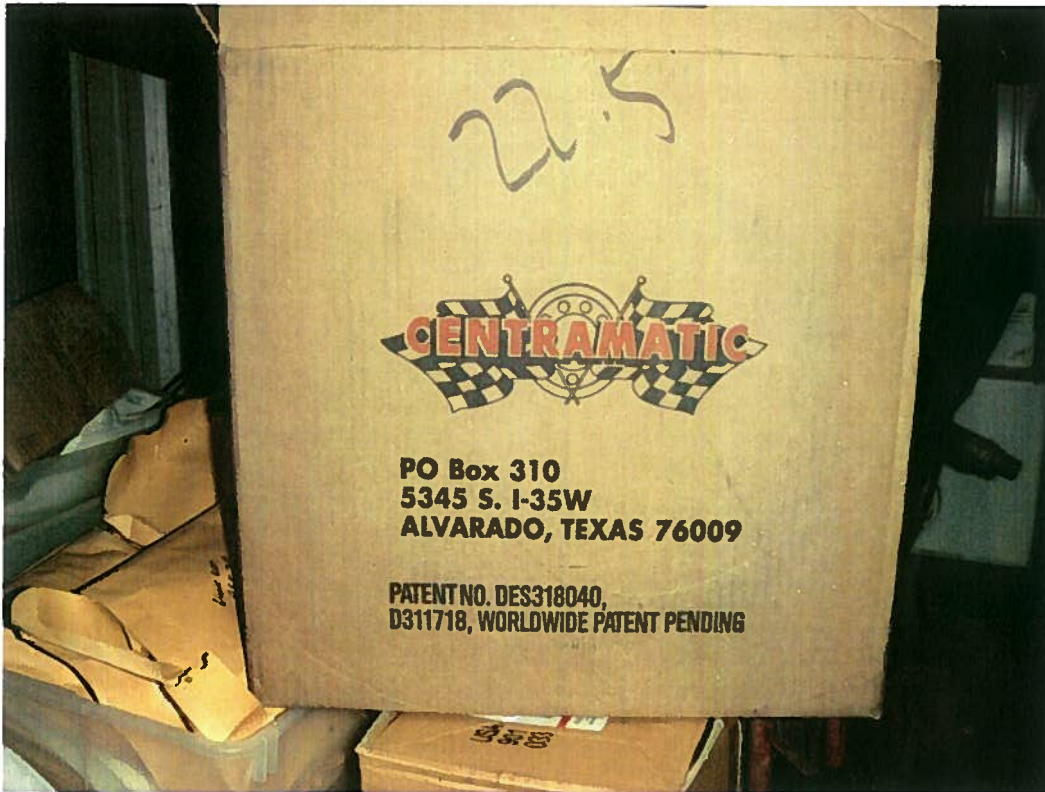


Date: 10/23/2012
Time: 10:12 a.m.
Direction: west
Photo by: Garrison Gross
Exposure #: 022
Comments: Counteract
balancing beads

File Names: 1990555066~10232012-[001-023].jpg



DIGITAL PHOTOGRAPHS



**Date: 10/23/2012
Time: 10:15 a.m.
Direction: north
Photo by: Garrison Gross
Exposure #: 023
Comments: Centramatic
hub balancer**

RECEIVED
CLERK'S OFFICE

DEC 18 2012

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

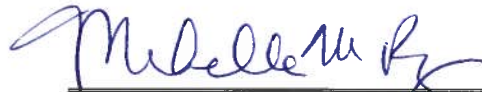
I hereby certify that I did on the 14th day of December 2012, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and TIRE STORAGE SITE INSPECTION CHECKLIST

To: Wabzz Realty, LLC
Bruce A. Piper, Registered Agent
1001 N. Court Street
Marion, IL 62959

Best One Tire & Service of Marion, Inc.
Bruce A. Piper, Registered Agent
507 East Street
Mt. Carmel, IL 62863

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 by JLR

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