

ILLINOIS

Retail Environmental Enforcement Summary July 1, 2016 - December 31, 2016



1

The Illinois Environmental Protection Agency (EPA) enforces the state's environmental laws.



8 enforcement actions were issued to retailers out of 184 total

2

The types of retail stores facing enforcement.



Gas Station with convenience store 3



Tire retailer 3



Dry cleaner 2

3



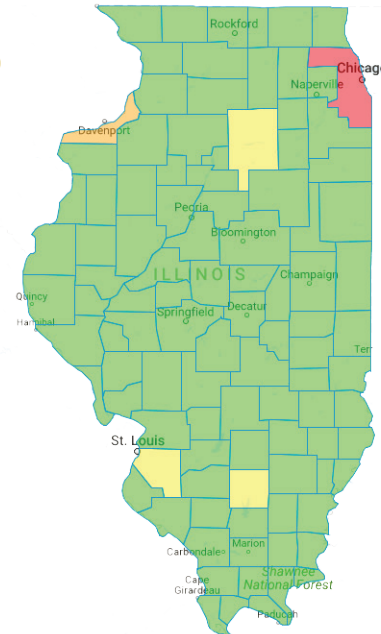
\$26,700

Total fines issued to retailers

4

Enforcement by county

[Click here](#) for interactive map.



Violations

■ ≤ 0

■ ≤ 1

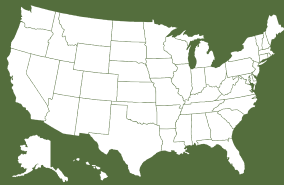
■ ≤ 2

■ > 2

HIGHLIGHTS

Between July 1, 2016 and December 31, 2016, approximately four percent of the enforcement actions filed by the Illinois Environmental Protection Agency (EPA) were issued to retail¹ establishments within the state. Enforcement actions were filed against dry cleaners, gas stations with convenience stores, and tire retailers for violations related to air, hazardous waste, storage tanks and stormwater. Illinois does not make inspection reports public.

Fines ranged from \$7,200 to \$12,000, in addition to actions required to bring the entities into compliance. The highest fine was issued to a gas station with convenience store that was in violation of stormwater regulations.



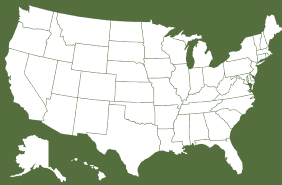
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ENFORCEMENT DETAIL

Enforcement Area	Store type	Enforcement Type	Enforcement Summary	County	Fine (\$) and actions to comply
Air. Violations were committed by two dry cleaners for failure to submit an Annual Emissions Report (AER).					
Air	Dry cleaner	Violation notice ¹	Failure to: • Submit the AER to the Illinois EPA for the 2015 calendar year	Cook	Within 45 days of receiving the violation notice, the retailer was required to: • Submit AER for the 2015 calendar year to the Illinois EPA or • If the retailer believes the AER has been submitted, provide a copy of the AER
	Dry cleaner	Violation notice	Failure to: • Submit the AER to the Illinois EPA for the 2015 calendar year 2015	St. Clair	Within 45 days of receiving the violation notice, the retailer was required to: • Submit AER for the calendar year to the Illinois EPA or • If the retailer believes the AER has been submitted, provide a copy of the AER

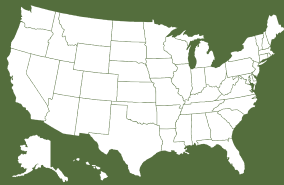


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Enforcement Area	Store type	Enforcement Type	Enforcement Summary	County	Fine (\$) and actions to comply
Hazardous waste. Violations were committed by tire retailers, and included failure to post a required notice, maintain records and receipts, pay annual fees, and maintain financial assurance.					
Hazardous waste	Tire retailer	Violation notice	Failure to: <ul style="list-style-type: none"> • Post a required notice with specific text and dimensions for used tire recycling • Provide a used or waste tire tracking receipt to the owner or operator of the location where the used tires are obtained • Collect a fee from the customer by adding the fee to the selling price of the tire • Provide a used or waste tire tracking receipt to person from whom the tires are received • Maintain receipts for used or waste tires received and transported from the retailer • Use tire tracking receipts from the Illinois EPA • Keep records of receipts • Obtain a receipt from the place where the used or waste tires are delivered • Maintain receipts for used or waste tires received by the retailer and transported from the retailer • Maintain receipts for used or waste tires received or delivered as tire transporter • Remove tires within the 90-day time limit • Ensure the used or waste tire transporter vehicle was registered with the Illinois EPA 	Rock Island	The retailer was required to immediately: <ul style="list-style-type: none"> • Post the required notice • Include the \$2.50 collection fee as a distinct item separate from the selling price of the tire on invoices • Stop providing, delivering, or transporting used or waste tires to a tire transporter whose vehicle does not display proper placards • Begin using tracking receipt forms from the Illinois EPA • Begin providing a tire tracking receipt to the transporter from whom the used or waste tires are received and keep a copy of the receipt • Begin obtaining a tire tracking receipt from the owner or operator of the site where used or waste tires are obtained and keep a copy of the receipt • Begin maintaining a record of tire tracking receipts delivered as a transporter • Begin maintaining records of tire tracking receipts for at least three years By October 1, 2016, the retailer was required to: <ul style="list-style-type: none"> • Properly dispose of any used or waste tires that have been on the site for more than 90 days, and if more than 20 tires are hauled, an Illinois-registered tire transporter must be used By October 8, 2016, the retailer was required to: <ul style="list-style-type: none"> • Submit copies of tire tracking receipts that document the proper disposal or recycling of used or waste tires to the Illinois EPA



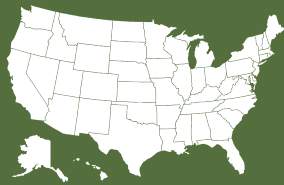
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Enforcement Area	Store type	Enforcement Type	Enforcement Summary	County	Fine (\$) and actions to comply
Hazardous waste	Tire Retailer	Consent order ¹	Failure to: <ul style="list-style-type: none"> • Maintain financial assurance • Pay required annual fees • Adhere to waste tire storage regulations • Keep water out of used and waste tires • Properly maintain records • Follow reporting rules • Follow permit rules 	Rock Island	\$7,200 fine. In addition, the retailer was required to: <ul style="list-style-type: none"> • Operate the facility in compliance with used and waste tire regulations • Pay the used and waste tire facility permit registration fee for 2015 within 30 days of the consent order
	Tire Retailer	Violation notice	Failure to: <ul style="list-style-type: none"> • Pay the annual tire storage fee • Submit the required notification for tire storage or tire disposal sites where more than 50 used or waste tires are kept • Register with the Illinois EPA • Certify compliance with any applicable standards from the Illinois EPA • Report the number of tires accumulated • File the ST-8 form with the Illinois Department of Revenue • Prevent tires from accumulating water • Adhere to regulations for sites containing more than 50 used tires • Adhere to regulations on used tire storage distances from grass, weeds, brush, and combustible ground vegetation (>40ft); from buildings and the site's property border (>50ft); and from all trees (>100ft) 	Jefferson	The retailer was required to immediately: <ul style="list-style-type: none"> • Stop storing used tires outside and allowing them to accumulate water • Complete and submit an Illinois EPA Used and/or Waste Tire Activity Notification and Registration Form • Pay the required fee for 2015 and 2016 • Register tire sales with the Illinois Department of Revenue • Begin submitting ST-8 forms



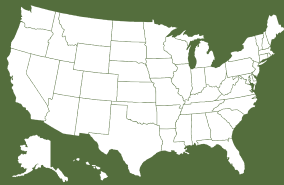
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Enforcement Area	Store type	Enforcement Type	Enforcement Summary	County	Fine (\$) and actions to comply
Storage tank. Violations were committed by two gas stations with convenience stores and included failure to submit required reports, conduct a site investigation, and implement corrective actions.					
Storage tank	Gas station with convenience store	Violation notice	Failure to <ul style="list-style-type: none"> Comply with all applicable reporting and response requirements expeditiously Submit required reports Conduct free product removal and submit a Free Product Removal Report Investigate the site, conduct corrective action, and prepare plans, budgets, and reports Investigate and/or remediate potential causes of water pollution 	Cook	The retailer was required to: <ul style="list-style-type: none"> Submit and complete an approvable Free Product Report Schedule the submittal and implementation of a Corrective Action Plan
	Gas station with convenience store	Consent order	Failure to: <ul style="list-style-type: none"> Prevent underground storage tank (UST) leak of gasoline into a sanitary sewer system 	Cook	\$7,500 fine. In addition, the retailer was required to: <ul style="list-style-type: none"> Submit a site investigation completion report within 90 days of the order Submit a corrective action plan with a proposed schedule within 30 days of the Illinois EPA's approval of the site investigation Implement the corrective action plan upon approval; or If not approved, submit a revised report addressing reasons for disapproval Obtain and record a No Further Remediation letter no later than 2 years from the date of the consent order



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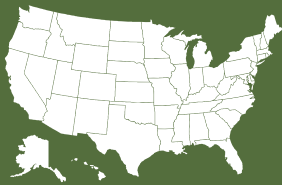
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Enforcement Area	Store type	Enforcement Type	Enforcement Summary	County	Fine (\$) and actions to comply
Stormwater. Violation was committed by a gas station with convenience store, and included failure to properly manage stormwater erosion controls and provide adequate information in a stormwater pollution prevention plan (SWPPP).					
Stormwater	Gas station with convenience store	Consent order	Failure to: <ul style="list-style-type: none"> • Properly manage stormwater erosion controls • Make available proper documentation as required by the stormwater permit (i.e. failure to maintain and provide adequate documentation of an SWPPP) • Include an adequate description of appropriate controls to be implemented in the SWPPP • Include a description of the procedures to maintain erosion and sediment controls • Comply with ongoing inspection requirements in the SWPPP 	LaSalle	\$12,000 fine. In addition, the retailer was required to: <ul style="list-style-type: none"> • Comply with the terms and conditions of the Illinois EPA National Pollutant Discharge Elimination Systems (NPDES) permit • Cease and desist from future violations of the Environmental Protection Act and Pollution Control Board regulations

¹ See Glossary for details



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GLOSSARY

Consent Order — a voluntary agreement created between two or more parties to a dispute. It generally has the same effect as a court order and can be enforced by the court if anyone does not comply with the orders.

Violation Notice — a document used to notify the recipient of an alleged violation of the Illinois Environmental Protection Act (Act), any rule adopted under the Act, a permit granted by the Agency, or a condition of such a permit.

Retail — stores that sell goods or services to customers, typically in small quantities, for consumption or use. Retail stores can include: automotive parts and new/used tire sales, convenience stores, gas stations, distribution centers, dry cleaners, pharmacies, rental stores, sports/hunting goods stores, and variety stores.

Documents concerning state enforcement actions on retail entities are obtained by contacting the state's environmental regulatory agency directly by email and by phone, submitting Freedom of Information Act (FOIA) requests, or using online document databases. The search is refined using retail-specific criteria, such as titles and address locations of the entities, Standard Industrial Classification (SIC) or North American Industry Classification System (NAICS) codes and descriptions. Enforcement actions involving non-retailers are excluded from the data analysis and summaries.

Retail-specific state enforcement documents and data are analyzed to determine trends including: the most frequent violations, what the most common media types violations are (such as air, petroleum contamination, waste, or water), and where the retailers who were issued enforcement actions are located. Data is collected and trends are analyzed on a biannual basis.