



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

SEP 04 2015

REPLY TO THE ATTENTION OF:

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Miles Lynch  
Prairie State Salvage and Recycling, Inc., d/b/a Alton Materials  
15 Hull Lane  
Alton, Illinois 62002

Re: Alton Materials, Alton, Illinois  
Notice of Violation

Dear Mr. Lynch:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Prairie State Salvage and Recycling, Inc., d/b/a Alton Materials ("Alton Materials" or "you") under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are violating the Illinois State Implementation Plan (SIP) at your Alton, Illinois, facility by causing or allowing the emission of fugitive particulate matter to be visible beyond the property line of your emission source.

Section 113 of the Clean Air Act gives EPA several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action. EPA prefers an administrative compliance order on consent (ACO) by which Alton Materials may expeditiously resolve the NOV.

Section 113 of the Clean Air Act provides you with an opportunity to confer with EPA regarding the alleged violation. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations including the possibility of entering into an ACO. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV prior to the conference date.

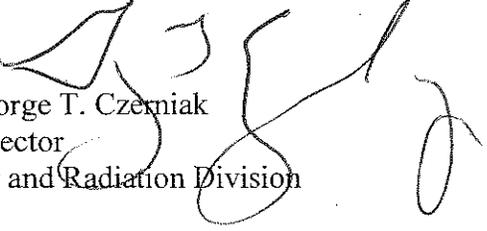
Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Kushal Som. You may call him at (312) 353-5792, if you have any questions regarding the enclosed NOV and if you wish to request a conference to discuss the NOV. If you wish to request a conference to discuss the NOV, you should make the request of



Mr. Som within 30 calendar days following receipt of this letter; we will hold the conference promptly after your request.

Sincerely,

  
George T. Czerniak  
Director  
Air and Radiation Division

Enclosures

cc: Eric Jones, Manager  
Compliance Unit  
Bureau of Air  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62794



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

Prairie State Salvage and Recycling, Inc.  
d/b/a Alton Materials  
Alton, Illinois

Proceedings Pursuant to  
Section 113(a)(1) of the  
Clean Air Act, 42 U.S.C.  
§ 7413(a)(1)

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**NOTICE OF VIOLATION**

**EPA-5-15-IL-14**

**NOTICE OF VIOLATION**

The U.S. Environmental Protection Agency is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). EPA finds that Prairie State Salvage and Recycling, Inc., d/b/a Alton Materials (Alton Materials) is violating the Illinois State Implementation Plan (SIP), as follows:

**Statutory and Regulatory Background**

1. On February 21, 1980, EPA approved SIP Rule 212.301 as part of the federally enforceable SIP for Illinois. 45 Fed. Reg. 11493.
2. SIP Rule 212.301 states, “[n]o person shall cause or allow the emission of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer looking generally toward the zenith at a point beyond the property line of the emission source.”

**Findings of Fact**

3. Alton Materials operates a facility that processes scrap at 15 Hull Lane, Alton, Illinois (Facility).
4. EPA conducted an off-site investigation at the Facility on May 5, 2015.
5. Starting at 10:34 am, EPA observed the emission of fugitive particulate matter from the Alton Materials scrap operation while looking generally toward the zenith at a point beyond the rail line property boundary.
6. Starting at 10:42 am, EPA observed the emission of fugitive particulate matter from the Alton Materials scrap operation while looking generally toward the zenith at a point beyond the Hull Lane property boundary.



Violations

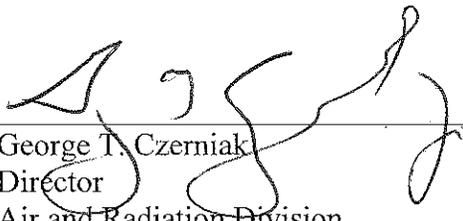
7. By causing or allowing fugitive particulate matter to cross the property line of the Facility, Alton Materials has violated, and continues to violate, Illinois SIP Rule 212.301.

Environmental Impact of Violations

8. These violations have caused or can cause excess emissions of particulate matter, especially fine particulates containing microscopic solids or liquid droplets, which can get deep into the lungs and cause serious health problems. Particulate matter exposure contributes to:
- irritation of the airways, coughing, and difficulty breathing;
  - decreased lung function;
  - aggravated asthma;
  - chronic bronchitis;
  - irregular heartbeat;
  - nonfatal heart attacks; and
  - premature death in people with heart or lung disease.

Date

9/4/15

  
George T. Czerniak  
Director  
Air and Radiation Division





**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, ILLINOIS 60604**

**DATE:**

**SUBJECT:** CLEAN AIR ACT INSPECTION REPORT  
Alton Materials, #15 Hull Lane, Alton, IL

**FROM:** Kushal Som, Environmental Engineer  
AECAB (IL/IN)

**THRU:** Nathan Frank, Section Chief  
AECAB (IL/IN)

**TO:** File

---

**BASIC INFORMATION**

**Facility Name:** Alton Materials

**Facility Location:** #15 Hull Lane, Alton, IL 62002

**Date of Inspection:** 5/5/2015

**Lead Inspector:** Kushal Som, Environmental Engineer

**Other Attendees:**

1. Marta Fuoco, Environmental Scientist

**Purpose of Inspection:** Off-site Surveillance

**Facility Type:** Scrap Yard

**Regulations Central to Inspection** SIP Rule 212.301 states, "[n]o person shall cause or allow the emission of fugitive particulate matter from any process, including any material handling or storage activity that is visible by an observer looking generally toward the zenith at a point beyond the property line of the emission source."

**Arrival Time:** 10:30 am

**Departure Time:** 10:45 am



**Inspection Type:**

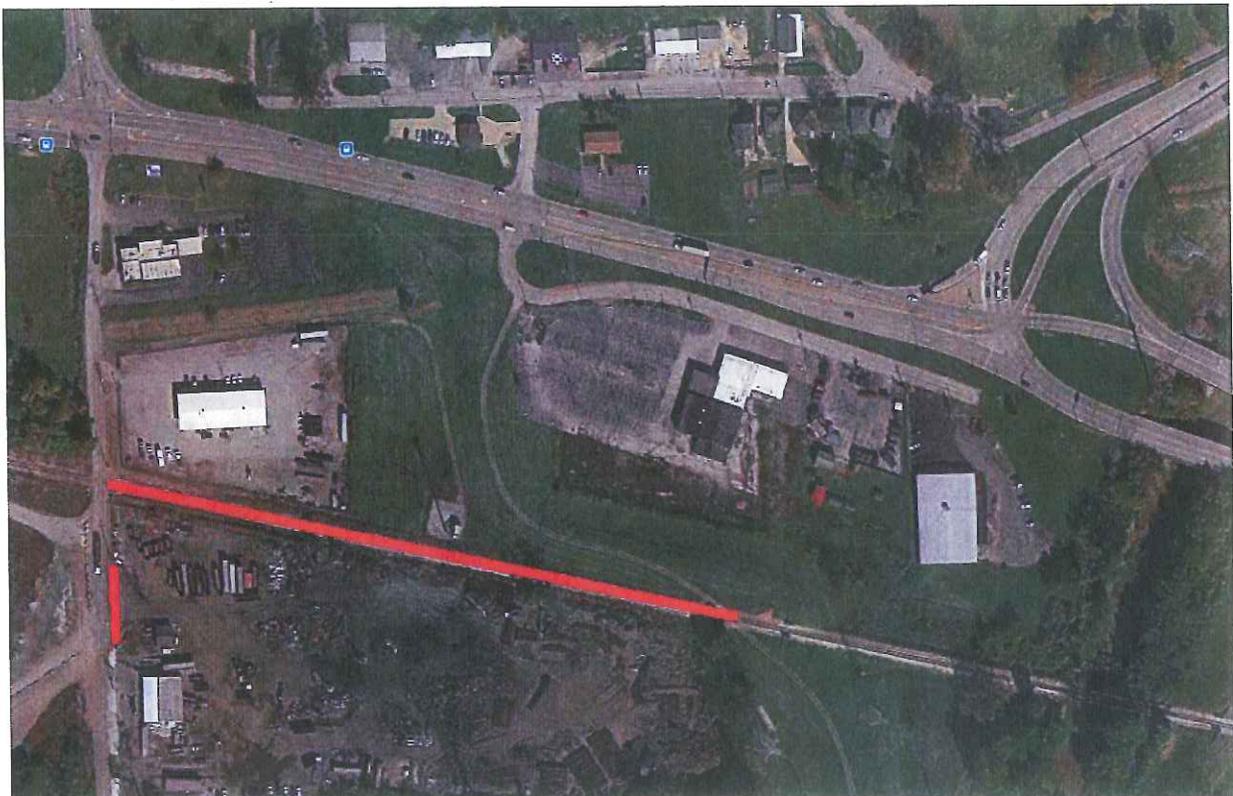
- Unannounced Inspection
- Announced Inspection

**TOUR INFORMATION**

**EPA toured the facility:** No

**Data Collected and Observations:**

EPA observed two instances where the IL SIP Rule 212.301 was violated on May 5, 2015.



Caption: Overhead View of Facility with Violation Locations

The first violation was along the rail tracks at Alton Material's north property line (the longer red horizontal line on the picture above). Starting at 10:30 am, EPA's Mr. Som and Ms. Fuoco observed the emission of fugitive particulate matter from the Alton Materials scrap operation while looking generally toward the zenith at a point beyond the north property line of Alton Materials.



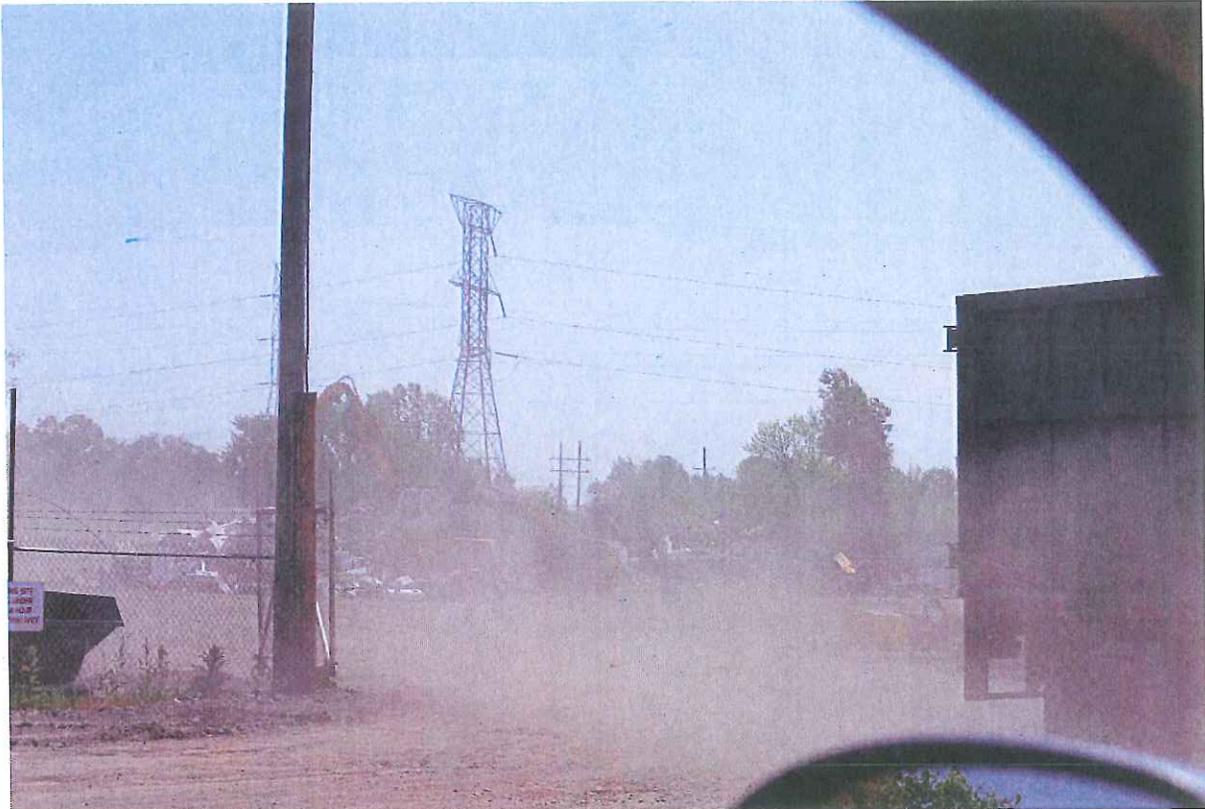


Caption: Dust Crossing the North Property Line of Alton Materials on 5/5/2015 at 10:34 am.

The second violation occurred at 10:40 am, along the smaller vertical red line depicted below. A truck exited Alton Materials (onto Hull Lane) causing fugitive particulate matter to leave the site. EPA's Mr. Som and Ms. Fuoco observed the emission of fugitive particulate matter from the Alton Materials scrap operation while looking generally toward the zenith at a point beyond the west property line of Alton Materials.

After these observations, EPA visited the Pope Animal Hospital at 3300 East Broadway in Alton, Illinois (located approximately 1,200 feet northwest of where the dust crossed the two property lines). According to hospital personnel, a residue of dust is found on cars parked in their parking lot on a daily basis.





Caption: Truck turning south on Hull Lane on 5/5/2015 at 10:42 am.

**SIGNATURES**

Lead Inspector:  Date: 8/13/15

Section Chief:  Date: 8/21/15



## U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources, including workshops, training sessions, hotlines, websites and guides, to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

### EPA's Small Business Websites

Small Business Environmental Homepage - [www.smallbiz-enviroweb.org](http://www.smallbiz-enviroweb.org)

Small Business Gateway - [www.epa.gov/smallbusiness](http://www.epa.gov/smallbusiness)

EPA's Small Business Ombudsman - [www.epa.gov/sbo](http://www.epa.gov/sbo) or 1-800-368-5888

#### EPA's Compliance Assistance Homepage

[www.epa.gov/compliance/assistance/business.html](http://www.epa.gov/compliance/assistance/business.html)

This page is a gateway to industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

#### EPA's Compliance Assistance Centers

[www.assistancecenters.net](http://www.assistancecenters.net)

EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

#### Agriculture

[www.epa.gov/agriculture/](http://www.epa.gov/agriculture/)

#### Automotive Recycling

[www.ecarcenter.org](http://www.ecarcenter.org)

#### Automotive Service and Repair

[www.car-greenlink.org](http://www.car-greenlink.org) or 1-888-GRN-LINK

#### Chemical Manufacturing

[www.chemalliance.org](http://www.chemalliance.org)

#### Construction

[www.cicacenter.org](http://www.cicacenter.org) or 1-734-995-4911

#### Education

[www.campuserc.org](http://www.campuserc.org)

#### Food Processing

[www.fpeac.org](http://www.fpeac.org)

#### Healthcare

[www.hercenter.org](http://www.hercenter.org)

#### Local Government

[www.lgean.org](http://www.lgean.org)

#### Metal Finishing

[www.nmfrc.org](http://www.nmfrc.org)

#### Paints and Coatings

[www.paintcenter.org](http://www.paintcenter.org)

#### Printed Wiring Board Manufacturing

[www.pwbrc.org](http://www.pwbrc.org)

#### Printing

[www.pneac.org](http://www.pneac.org)

#### Ports

[www.portcompliance.org](http://www.portcompliance.org)

#### U.S. Border Compliance and Import/Export Issues

[www.bordercenter.org](http://www.bordercenter.org)

#### Hotlines, Helplines and Clearinghouses

[www.epa.gov/epahome/hotline.htm](http://www.epa.gov/epahome/hotline.htm)

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

#### Antimicrobial Information Hotline

[info-antimicrobial@epa.gov](mailto:info-antimicrobial@epa.gov) or  
1-703-308-6411

#### Clean Air Technology Center (CATC) Info-line

[www.epa.gov/ttn/catc](http://www.epa.gov/ttn/catc) or 1-919-541-0800

#### Emergency Planning and Community Right-To-Know Act

[www.epa.gov/superfund/resources/infocenter/epcra.htm](http://www.epa.gov/superfund/resources/infocenter/epcra.htm) or 1-800-424-9346

#### EPA Imported Vehicles and Engines Public Helpline

[www.epa.gov/otaq/imports](http://www.epa.gov/otaq/imports) or  
734-214-4100

#### National Pesticide Information Center

[www.npic.orst.edu/](http://www.npic.orst.edu/) or 1-800-858-7378

#### National Response Center Hotline -

to report oil and hazardous substance spills  
[www.nrc.uscg.mil](http://www.nrc.uscg.mil) or 1-800-424-8802

#### Pollution Prevention Information Clearinghouse (PPIC)

[www.epa.gov/opptintr/ppic](http://www.epa.gov/opptintr/ppic) or  
1-202-566-0799

#### Safe Drinking Water Hotline

[www.epa.gov/safewater/hotline/index.html](http://www.epa.gov/safewater/hotline/index.html) or 1-800-426-4791

#### Stratospheric Ozone Protection Hotline

[www.epa.gov/ozone](http://www.epa.gov/ozone) or 1-800-296-1996

## **Toxic Substances Control Act (TSCA) Hotline**

tsc hotline@epa.gov or 1-202-554-1404

## **Wetlands Information Helpline**

www.epa.gov/owow/wetlands/wetline.html or 1-800-832-7828

## **State and Tribal Web-Based Resources**

### **State Resource Locators**

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

### **State Small Business Environmental Assistance Programs (SBEAPs)**

www.smallbiz-enviroweb.org

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits. The website is a central point for sharing resources between EPA and states.

### **EPA's Tribal Compliance Assistance Center**

www.epa.gov/tribalcompliance/index.html

The Center provides material to Tribes on environmental stewardship and regulations that might apply to tribal government operations.

### **EPA's Tribal Portal**

www.epa.gov/tribalportal/

The Portal helps users locate tribal-related information within EPA and other federal agencies.

### **EPA Compliance Incentives**

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

#### **EPA's Small Business Compliance Policy**

www.epa.gov/compliance/incentives/smallbusiness/index.html

This Policy offers small businesses special incentives to come into compliance voluntarily.

#### **EPA's Audit Policy**

www.epa.gov/compliance/incentives/auditing/auditpolicy.html

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

### **Commenting on Federal Enforcement Actions and Compliance Activities**

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247), or go to their website at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

### **Your Duty to Comply**

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

*EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.*

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation, No. EPA-5-15-IL-14, by

Certified Mail, Return Receipt Requested, to:

Miles Lynch  
Prairie State Salvage and Recycling, Inc., d/b/a Alton Materials  
15 Hull Lane  
Alton, Illinois 62002

I also certify that I sent copies of the Notice of Violation by first-class mail to:

Eric Jones, Manager  
Compliance Unit  
Bureau of Air  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Springfield, Illinois 62794

On the 9<sup>th</sup> day of September 2015.

*for* Kathy Jones  
Loretta Shaffer  
Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7014 28700001 95804787

