

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
DARWIN G. STEIDINGER and D&L)
FAMILY CAMPING INC.)
))
Respondent.)
))

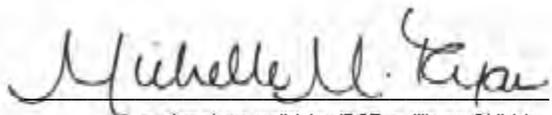
AC 2023-
(IEPA No. 161-22-AC)

NOTICE OF FILING

To: Darwin G. Steidinger and
D&L Family Camping Inc.
1467 Timberline Road
Goodfield, IL 61742

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the
Pollution Control Board of the State of Illinois the following instrument(s) entitled
ADMINISTRATIVE CITATION, AFFIDAVIT, OPEN DUMP INSPECTION CHECKLIST, AND
AFFIDAVIT OF SERVICE.

Respectfully submitted,



e-signature valid for IPCB e-filings ONLY

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: October 31, 2022

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2023-
)	
v.)	(IEPA No. 161-22-AC)
)	
DARWIN G. STEIDINGER and D&L)	
FAMILY CAMPING INC.)	
)	
Respondents.)	

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 (2022).

FACTS

1. That Darwin G. Steidinger and D&L Family Camping Inc. (Respondents) are the present owner and operator, respectively, of a property located at 1467 Timberline Road, Goodfield, Woodford County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Goodfield/Timberline Campground.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 2038095007.

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

4. That on September 26, 2022, Jeb McGhee of the Illinois Environmental Protection Agency's Peoria Regional Office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on October 31, 2022, Illinois EPA sent this Administrative Citation via Certified Mail No. 7015 0640 0005 6905 7913 to Darwin G. Steidinger and D&L Family Camping Inc.

VIOLATIONS

Based upon direct observations made by Jeb McGhee during the course of his September 26, 2022 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 the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2022).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2022).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2022).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2022), Respondents are jointly and severally subject to civil penalties of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalties specified above shall be due and payable no later than December 30, 2022, 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 (2022), 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) (2022), 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, Respondents' 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 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 Respondent 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 (2022). If Respondents elect to contest this Administrative Citation, then Respondents shall file a 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, Director
Illinois Environmental Protection Agency

Date: 10/26/22

Prepared by: Dawn A. Hollis, 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

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2023-
)	
v.)	
)	(IEPA No. 161-22-AC)
DARWIN G. STEIDINGER and D&L)	
FAMILY CAMPING INC.)	
)	
)	
Respondents.)	

FACILITY: Goodfield/Timberline Campground SITE CODE NO.: 2038095007

COUNTY: Woodford CIVIL PENALTY: \$4,500.00

DATE OF INSPECTION: September 26, 2022

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

Bureau of Land – Field Operations Section

Inspection Report**General Facility Information**

BOL ID	2038095007	Evaluation Date	9/26/2022
USEPA Id		Region	Peoria
Site Name	Timberline Campground	County	Woodford
Address	1467 Timberline Rd	Phone	309-965-2224
City/State/Zip	Goodfield, IL 61742	EJ Status	None
Limited English	<input type="checkbox"/>	Primary Language	

Observations

Time	1055 - 1120 hrs
Weather Conditions	Sunny
Temperature	64 Fahrenheit
Photos Taken	Yes
Amount of Waste	20
Complaint Id	5541

Evaluation Type

Solid Waste Program - Open Dump Inspection

Owner

Darwin G. Steidinger
1467 Timberline Rd
Goodfield, IL 61742

Operator

D&L Family Camping Inc
President, Darwin G. Steidinger
1467 Timberline Rd
Goodfield, IL 61742

Inspection Participants

<u>Person</u>	<u>Affiliation</u>	<u>Phone</u>
Jeb McGhee	IEPA FOS Primary Inspector	(309) 671-3068

Persons Interviewed

<u>Person</u>	<u>Phone</u>	<u>E-Mail</u>
Spence, Lindsey	309-965-2224	

Permit

<u>Application Date</u>	<u>Log #</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Mod/Sp #</u>	<u>Mod/Sp Date</u>
NONE					

Active Enforcement Orders

<u>CACO</u>	<u>Consent Decree</u>	<u>CAFO</u>	<u>IPCB</u>	<u>Federal Court</u>	<u>State Court</u>
NONE					

Executive Summary

On September 26, 2022, I conducted an inspection at the Timberline Campground located at 1467 Timberline Road in Goodfield, Illinois. The inspection was conducted in response to Citizen's Complaint #5541 alleging that the owner/operator of the campground has been open dumping and open burning multiple kinds of waste and used tires behind a block wall next to the facilities maintenance building. The campground is owned by Darwin G. Steidinger. It is operated by D&L Family Camping, Inc. Darwin Steidinger is the president and listed registered agent for the company. I interviewed the office attendant, Lindsey Spence. Apparent violations involving open dumping and open burning were observed.

Evaluation Narrative

Site Map #1 is an overview of the entire campground

Site Map #2 is an overview of the maintenance and office building area

Site Map #3 is focused on the open dumping / open burning area near the maintenance building

Site Map#4 is focused on the Office building area

Upon arriving at the site, I entered the campground through the main entrance, and I drove to the maintenance building visible from public access county road 155. See Site Maps #1, #2, and #3.

I observed an open dump containing, but not limited to, landscape waste, household waste, shoes, furniture, plastics, metals, electronic waste, general construction and/or demolition debris and remnants of open burned waste(s). I observed a small amount of smoke coming from the burn pile and strong odors burned/burning waste(s). The open dump/burn pile is about 8 feet high and 16 feet at the base indicating a recurring process of waste disposal. See photographs 3, 11, 12, 13, 14, and 15 (SM3).

Photographs 16 and 17 (SM3) show a wall made of concrete blocks used as a backstop for personal or facility materials and machines.

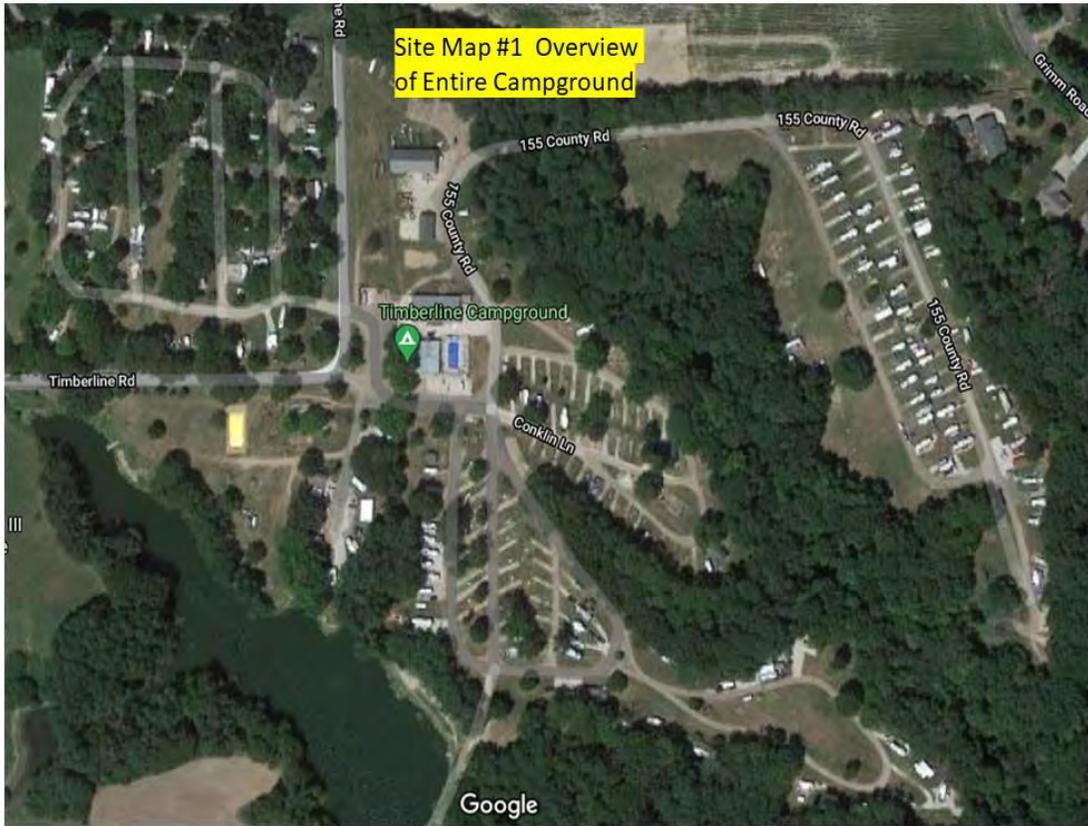
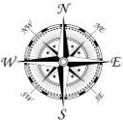
Photographs 1, 2, 5, 6, 7, 8, and 9 (SM3) show landscape material including tree logs, trunks, branches, and a pile of mulch next to a trash filled dumpster.

I proceeded to the office building where I observed a trash filled dumpster seen in photograph 19 (SM4) and pile of chopped firewood near the office. See photographs 18, 20, and 21 (SM4).

I then went into the office building and briefly spoke with Lindsey Spence. Ms. Spence explained that she was a new employee and indicated she would give my business card to the property owner, Darwin Steidinger.

Summary of Apparent Violation(s)			
Status	Date	Violation	Narrative
New	9/26/2022	9(a)	Cause, threaten or allow air pollution in Illinois
New	9/26/2022	9(c)	Cause or allow open burning
New	9/26/2022	12(a)	Cause, threaten or allow water pollution in Illinois
New	9/26/2022	12(d)	Create a water pollution hazard
New	9/26/2022	21(a)	Cause or allow open dumping
New	9/26/2022	21(d)(1)	Conduct a waste storage, treatment, or disposal operation without a permit
New	9/26/2022	21(d)(2)	Conduct a waste storage, treatment, or disposal operation in violation of any regulations or standards adopted by the Pollution Control Board
New	9/26/2022	21(e)	Dispose, treat, store, abandon any waste, or transport any waste into Illinois at or to sites not meeting requirements of the Act
New	9/26/2022	21(p)(1)	Cause or allow open dumping of any waste in a manner which results in litter
New	9/26/2022	21(p)(3)	Cause or allow open dumping of any waste in a manner which results in open burning
New	9/26/2022	21(p)(7)	Cause or allow open dumping of any waste in a manner which results in deposition of general or clean construction or demolition debris

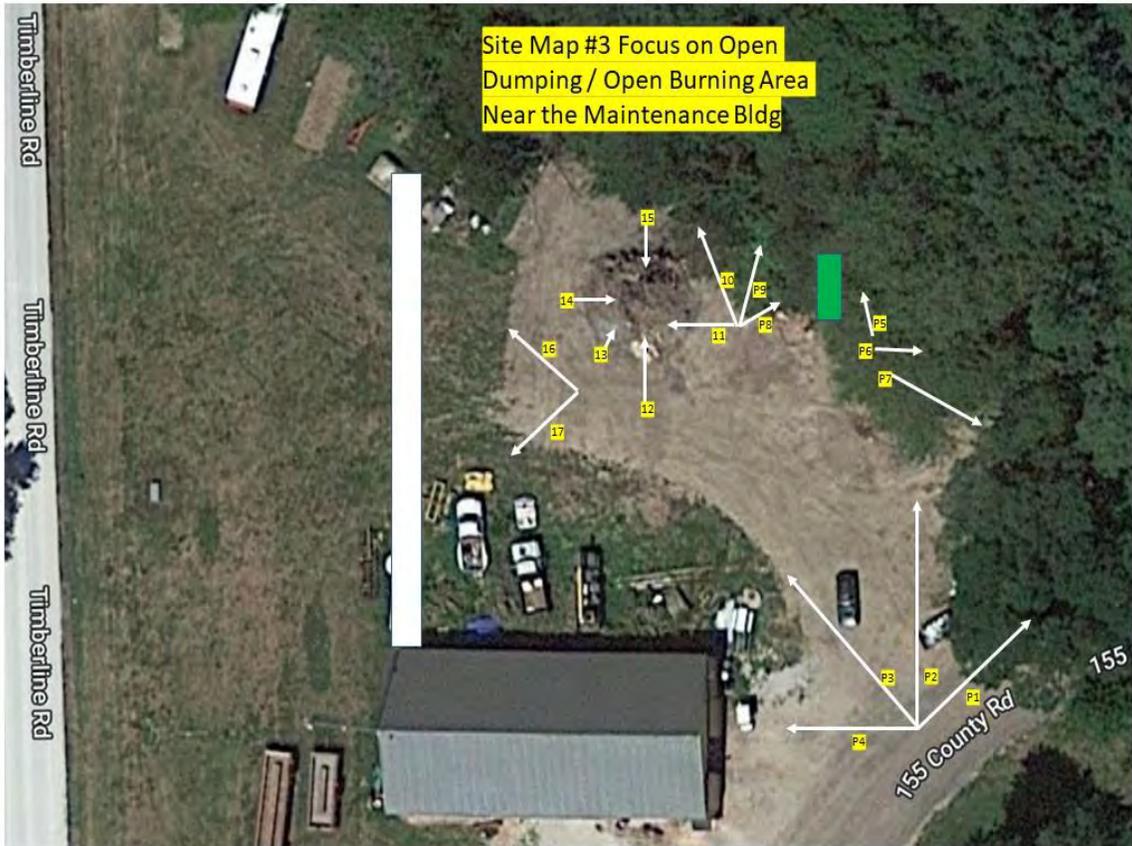
Site Diagram



Site Diagram



Site Diagram



Site Diagram



Digital Photographs



Bureau Id: 2038095007
Photo No.: 1
Photo Date: 9/26/2022
Photo Time: 11:01:43 AM
Direction: NE
Taken By: Jeb McGhee

A trash filled dumpster in front of a pile of landscape mulch



Bureau Id: 2038095007
Photo No.: 2
Photo Date: 9/26/2022
Photo Time: 11:01:47 AM
Direction: N
Taken By: Jeb McGhee

Landscape waste, a green truck



Bureau Id: 2038095007
Photo No.: 3
Photo Date: 9/26/2022
Photo Time: 11:01:51 AM
Direction: NW
Taken By: Jeb McGhee

An open dump / open burn pile. See photographs 11, 12, 13, 14, and 15



Bureau Id: 2038095007
Photo No.: 4
Photo Date: 9/26/2022
Photo Time: 11:01:55 AM
Direction: W
Taken By: Jeb McGhee

The maintenance bldg is open and nobody present



Bureau Id: 2038095007
Photo No.: 5
Photo Date: 9/26/2022
Photo Time: 11:02:28 AM
Direction: NNW
Taken By: Jeb McGhee

Landscape waste



Bureau Id: 2038095007
Photo No.: 6
Photo Date: 9/26/2022
Photo Time: 11:02:32 AM
Direction: E
Taken By: Jeb McGhee

Landscape waste



Bureau Id: 2038095007
Photo No.: 7
Photo Date: 9/26/2022
Photo Time: 11:02:36 AM
Direction: SE
Taken By: Jeb McGhee

Landscape waste



Bureau Id: 2038095007
Photo No.: 8
Photo Date: 9/26/2022
Photo Time: 11:03:03 AM
Direction: ENE
Taken By: Jeb McGhee

Landscape waste



Bureau Id: 2038095007
Photo No.: 9
Photo Date: 9/26/2022
Photo Time: 11:03:08 AM
Direction: N
Taken By: Jeb McGhee

Landscape waste



Bureau Id: 2038095007
Photo No.: 10
Photo Date: 9/26/2022
Photo Time: 11:03:14 AM
Direction: NW
Taken By: Jeb McGhee

Picnic benches



Bureau Id: 2038095007
Photo No.: 11
Photo Date: 9/26/2022
Photo Time: 11:03:19 AM
Direction: W
Taken By: Jeb McGhee

An open dump containing, but not limited to, landscape waste, household waste, shoes, furniture, plastics, metals, electronic waste, general construction and/or demolition debris and remnants of open burned waste(s).



Bureau Id: 2038095007
Photo No.: 12
Photo Date: 9/26/2022
Photo Time: 11:03:34 AM
Direction: N
Taken By: Jeb McGhee

An open dump containing, but not limited to, landscape waste, household waste, shoes, furniture, plastics, metals, electronic waste, general construction and/or demolition debris and remnants of open burned waste(s).



Bureau Id: 2038095007
Photo No.: 13
Photo Date: 9/26/2022
Photo Time: 11:04:01 AM
Direction: NNE
Taken By: Jeb McGhee

An open dump containing, but not limited to, landscape waste, household waste, shoes, furniture, plastics, metals, electronic waste, general construction and/or demolition debris and remnants of open burned waste(s).



Bureau Id: 2038095007
Photo No.: 14
Photo Date: 9/26/2022
Photo Time: 11:04:17 AM
Direction: E
Taken By: Jeb McGhee

An open dump containing, but not limited to, landscape waste, household waste, shoes, furniture, plastics, metals, electronic waste, general construction and/or demolition debris and remnants of open burned waste(s). Waste is smoldering



Bureau Id: 2038095007
Photo No.: 15
Photo Date: 9/26/2022
Photo Time: 11:04:40 AM
Direction: S
Taken By: Jeb McGhee

An open dump containing, but not limited to, landscape waste, household waste, shoes, furniture, plastics, metals, electronic waste, general construction and/or demolition debris and remnants of open burned waste(s)



Bureau Id: 2038095007
Photo No.: 16
Photo Date: 9/26/2022
Photo Time: 11:05:31 AM
Direction: NW
Taken By: Jeb McGhee

Block wall as backstop and privacy fence



Bureau Id: 2038095007
Photo No.: 17
Photo Date: 9/26/2022
Photo Time: 11:05:36 AM
Direction: SW
Taken By: Jeb McGhee

Block wall as backstop and privacy fence



Bureau Id: 2038095007
Photo No.: 18
Photo Date: 9/26/2022
Photo Time: 11:12:13 AM
Direction: E
Taken By: Jeb McGhee

The office



Bureau Id: 2038095007
Photo No.: 19
Photo Date: 9/26/2022
Photo Time: 11:12:24 AM
Direction: NNW
Taken By: Jeb McGhee

Trash filled dumpster



Bureau Id: 2038095007
Photo No.: 20
Photo Date: 9/26/2022
Photo Time: 11:16:07 AM
Direction: ENE
Taken By: Jeb McGhee

Cut firewood in a storage bin

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF)	
)	
)	
D&L Family Camping, Inc.)	IEPA DOCKET NO.
)	
)	
RESPONDENT)	

Affiant, Gerald S. McGhee (Jeb), 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 September 26, 2022, between 10:55 a.m. and 11:20 a.m., Affiant conducted an inspection of the open dump in Woodford County, Illinois, known as Timberline Campground, Illinois Environmental Protection Agency Site No. 2038095007.

3. Affiant inspected said Timberline Campground open dump 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 Timberline Campground open dump.

Gerald S. McGhee

Subscribed and Sworn to before me this 3rd day of October 2022

Christina M Hayes
Notary Public



PROOF OF SERVICE

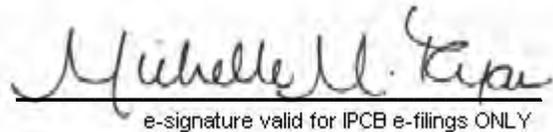
I hereby certify that I did on the 31st day of October, 2022, serve with postage thereon prepaid, by depositing in a United States Post Office box a true and correct copy of the following instrument(s) entitled

AFFIDAVIT OF SERVICE:

To: Darwin G. Steidinger and
D&L Family Camping Inc.
1467 Timberline Road
Goodfield, IL 61742

and the ADMINISTRATIVE CITATION, AFFIDAVIT, OPEN DUMP INSPECTION CHECKLIST, and AFFIDAVIT OF SERVICE, via electronic filing on October 31, 2022

To: Don Brown, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



Michelle M. Ryan
e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
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