

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MARION COUNTY ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,)

Complainant,)

v.)

TROY CARTER,)

Respondent.)

PCB No. 13-1
(Land-Enforcement)

NOTICE OF ELECTRONIC FILING

To: See Attached Service List

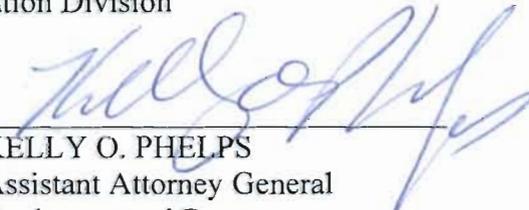
PLEASE TAKE NOTICE that on January 24, 2013, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Ste. 11-500, Chicago, IL 60601, COMPLAINANT'S MOTION TO AMEND THEIR MOTION FOR SUMMARY JUDGMENT PURSUANT TO 35 ILL. ADM. CODE 101.516(b) AGAINST RESPONDENT, a copy of which is attached hereto and herewith served upon you.

Respectfully Submitted,

Illinois Environmental Protection Agency
Ex rel. LISA MADIGAN,
Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

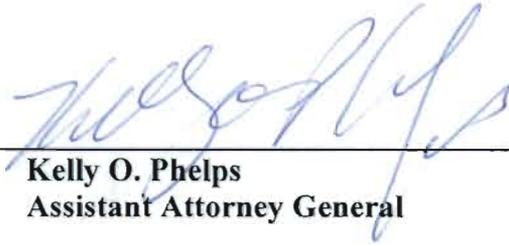
By: _____


KELLY O. PHELPS
Assistant Attorney General
Environmental Bureau

Attorney Reg. No. 6275697
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031
Dated: January 24, 2013

CERTIFICATE OF SERVICE

I hereby certify that I did on January 24, 2013, cause to be served by Certified Mail to the Respondent and U.S. Mail to the Hearing Officer with postage thereon fully prepaid, by depositing in a United States Post Office Box in Springfield, Illinois, a true and correct copy of the following instruments entitled NOTICE OF ELECTRONIC FILING, COMPLAINANT'S MOTION TO AMEND THEIR MOTION FOR SUMMARY JUDGMENT PURSUANT TO 35 ILL. ADM. CODE 101.516(b) AGAINST RESPONDENT.



Kelly O. Phelps
Assistant Attorney General

This filing is submitted on recycled paper.

SERVICE LIST

Carol Webb
Hearing Officer
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

TROY CARTER
#1 Glenwood Acres #34
Salem, IL 62881

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MARION COUNTY ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.) PCB No. 13-1
) (Land-Enforcement)
 TROY CARTER,)
)
 Respondent.)

**COMPLAINANT'S MOTION TO AMEND
THEIR MOTION FOR SUMMARY JUDGMENT
PURSUANT TO 35 ILL. ADM. CODE 101.516(b) AGAINST RESPONDENT**

NOW COME, The PEOPLE by their attorney, LISA MADIGAN, moves this Honorable Board to grant leave to amend their Motion for Summary Judgment Pursuant to 35 Ill. Admin. Code 101.516(b) Against Respondent to include the supporting Affidavit of Kendall Couch, with attachments, and in support thereof state:

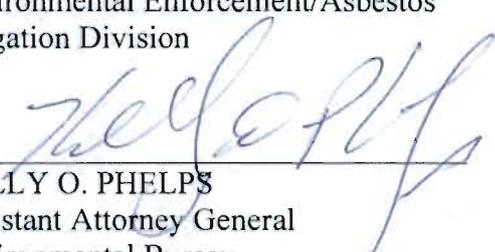
1. On July 2, 2012, the People filed their Complaint with this Honorable Board against the Respondent, Troy Carter.
2. On December 12, 2012 the People filed their Motion for Summary Judgment Pursuant to 35 Ill. Admin. Code 101.516(b) Against Respondent and at that time inadvertently omitted the supporting Affidavit of Kendall Couch, with attachments, which is referenced therein.
3. The People err was a clerical mistake and granting this Motion does not and will not harm or materially prejudice the Respondent.

WHEREFORE, the PEOPLE respectfully request that their Motion to Amend their Motion for Summary Judgment Pursuant to 35 Ill. Adm. Code 101.516(b) Against Respondent be granted and that the Board enter any other Order which it deems appropriate.

Respectfully Submitted,

Illinois Environmental Protection Agency
Ex rel. LISA MADIGAN,
Attorney General
of the State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

By: 
KELLY O. PHELPS
Assistant Attorney General
Environmental Bureau

Attorney Reg. No. 6275697
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031
Dated: January 24, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MARION COUNTY ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB No. 13-1
)	(Land-Enforcement)
TROY CARTER,)	
)	
Respondent.)	

AFFIDAVIT OF KENDALL COUCH

State of Illinois)
) ss
 County of Marion)

Upon penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, 735 ILCS 5/1-109 (2010), the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies that he verily believes the same to be true.

I, Kendall Couch being sworn on oath, state:

1. I am an Illinois EPA Division of Land Pollution Control, Field Operation Section Inspector familiar with the above-captioned cause and have personal knowledge of all matters here set out.
2. If called as a witness here, I could competently testify to all matters here set out.
3. I have read the contents of the Complaint, exhibits attached thereto and the Motion for Summary Judgment, and attest that the allegations and information therein are true and accurate.
4. My duties as an Illinois EPA Division of Land Pollution Control, Field Operation Section Inspector require me to investigate sources of pollution and suspected violations of the Environmental Protection Act which include open dumping and open burning. As such, it is my duty to know and understand provisions of the Environmental Protection Act for which my duties require me to render inspection determinations. My inspection determinations are routinely based on my observations, interviews, sampling, review of records and review of data and information generated by or for the Illinois EPA. If I determine from my inspection that violations of the Environmental Protection Act and/or associated regulations have occurred it is my duty to cite the responsible party, or parties, with violations of the Environmental Protection Act and/or violations of the associated regulations.

5. On March 24th and 25th, 2009, I performed an inspection of property located at 2958 Nation Road, Salem, Marion County, Illinois ("site"). My inspection was prompted by a complaint received by Illinois EPA which alleged open dumping of various wastes including radioactive field pipe and open burning at the site. My inspection observations included an area where approximately 50 waste tires and thirty-six 55 gallon drums marked with hazardous waste stickers and auto-paint markings were located. I also observed a 30 cubic yard pile of waste which included eight gas cylinders, tires, metal drums, wood and other trash. An open burn area, measuring 15 feet in diameter was located adjacent to the waste pile. I conducted an interview with Mr. Troy Carter as part of my inspection. Mr. Carter admitted responsibility for the waste; however, he denied responsibility for the open burning. Mr. Carter claimed his estranged wife, who resided at the site, was responsible for the burning. Contemporaneous to my inspection I created a checklist and thereafter a narrative report of my inspection in order to create a public record of my inspection activities and my inspection observations which are my duty to report. The checklist and the narrative report are attached hereto and incorporated herein as (Attachment A). The check list and narrative report describe my observations and findings in greater detail. At the time of my inspection I took photographs of the site which are attached to the Complaint as Complainant's Exhibit 1 and incorporated herein by reference.

6. On March 27, 2009, I performed a follow-up inspection of the site along with two other IEPA inspectors to obtain testing samples from the waste in the 55 gallon drums because it was believed to be hazardous waste. Mr. Carter indicated that the substance in the drums had come from a company by the name of Rockwell. Based on this information and the drum's markings we concluded the substance was paint-line-solvent-purge. The Rockwell paint-line-solvent-purge is well known to local Illinois EPA personnel and was known to be handled as a listed hazardous waste. Contemporaneous to my inspection I created a checklist and thereafter a narrative report of my inspection in order to create a public record of my inspection activities and my inspection observations which are my duty to report. The checklist and the narrative report are attached hereto and incorporated herein as (Attachment B). The check list and narrative report describe my observations and findings in greater detail. At the time of my inspection I took photographs of the site which are attached hereto and incorporated herein as (Attachment C).

7. Illinois EPA requested that U.S. EPA conduct an emergency stabilization and immediate removal action, upon determining the waste in the 55 gallon drums was handled as a listed hazardous waste.

8. On November 24, 2009, I performed a follow-up inspection of the site to oversee the over packing and staging activity for the hazardous waste contained in the 55 gallon drums. The drums and the gas cylinders were packed and prepared for transportation and disposal on this date. Contemporaneous to my inspection I created a checklist and thereafter a narrative report of my inspection in order to create a public record of my inspection activities and my inspection observations which are my duty to report. The checklist and the narrative report are attached hereto and incorporated herein as (Attachment D). The check list and narrative report describe my observations and findings in greater detail. At the time of my inspection I took photographs of the site which are attached hereto and incorporated herein as (Attachment E).

9. Following my November 24, 2009, inspection the 55 gallon drums and gas cylinders were removed from the site by U.S. EPA contractors. The remaining waste was scheduled to be removed pursuant to a consensual removal agreement in accordance with Illinois EPA's Illinois Removes Illegal Dumps program. ("IRID"). The removal of the remaining waste occurred on February 4, 2010.

10. On February 10, 2010, I performed a final follow-up inspection of the site. The waste observed on my initial March 24, 2009, inspection had been removed. Contemporaneous to my inspection I created a checklist and thereafter a narrative report of my inspection in order to create a public record of my inspection activities and my inspection observations which are my duty to report. The checklist and the narrative report are attached hereto and incorporated herein as (Attachment F). The check list and narrative report describe my observations and findings in greater detail. At the time of my inspection I took photographs of the site which are attached hereto and incorporated herein as (Attachment G).

11. THE AFFIANT STATES NOTHING FURTHER.



Kendall Couch

Subscribed and sworn to before me on the 10 day of January, 2013.


NOTARY

COMPLETED DATE: 04/24/2009

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 BUREAU OF LAND / FIELD OPERATIONS SECTION
RCRA INSPECTION REPORT

GENERAL FACILITY INFORMATION

USEPA ID #:	ILR000157362	BOL ID #:	1210455119
Facility Name:	Carter, Troy	Phone #:	618-204-2206
Location	2958 Nation Road	County:	Marion
City:	Salem	State:	Illinois
		Zip Code:	62881
Region:	Collinsville	Inspection Date:	3/24/2009 3/25/2009
		Time:	11:10am-11:30am 12:30pm-12:55pm
Weather:	Sunny, dry and 70° Fahrenheit Sunny, dry and 60° Fahrenheit		

FACILITY TYPE

Notified As:	Non-Notifier	Regulated As:	Storage
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INSPECTION TYPE

CEI:	<input checked="" type="checkbox"/>	GME:	<input type="checkbox"/>	OAM:	<input type="checkbox"/>	NRR:	<input type="checkbox"/>	CSE:	<input type="checkbox"/>	CAO:	<input type="checkbox"/>	FUI to:	
FCI (Other):		CCI:	<input type="checkbox"/>	CSI:	<input type="checkbox"/>								

NOTIFICATION DATES (EPA 8700-12)

Initial:	Subsequent:
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PART A PERMIT DATES (EPA 3510-3 OR EPA 8700-23)

Initial:	Amended:	Withdrawn:
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PART B PERMIT

(Check one if applicable) Application Submitted?	<input type="checkbox"/>	Permit Issued?	<input type="checkbox"/>	Date:	
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ACTIVE ENFORCEMENT

Date facility referred to:	USEPA:	IAGO:	County State's Attorney:
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ACTIVE ENFORCEMENT ORDERS

CACO:	CAFO:	Federal Court Order:
Consent Decree:	IPCB Order:	State Court Order: SASABLE

APR 18 2011

REVIEWER MD

TSD FACILITY ACTIVITY SUMMARY

Activity by Process Code	On Part A?	On Part B?	Activity ever done?	Closed?	Being done during inspection?	Exempt per 35 IAC Sec:
S01	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

OWNER

OPERATOR

Name: Judy Carter	Name: Troy Carter
Address: #1 Glenwood Acres #34	Address: #1 Glenwood Acres #34
City: Salem	City: Salem
State: Illinois Zip Code: 62881	State: Illinois Zip Code: 62881
Phone #: 618-548-1575	Phone #: 618-204-2206

PERSON(S) INTERVIEWED	TITLE	PHONE #
Troy Carter (3/25/2009)	Operator	618-204-2206
Nicole Carter (3/25/2009)	Resident	618-548-1245

INSPECTION PARTICIPANTS	AGENCY/BUREAU	PHONE #
*Kendall Couch	IEPA-BOL-FOS Collinsville	618-346-5120
Mike Grant (3/24/2009)	IEPA-BOL-FOS Collinsville	618-346-5120
John Senjan	IEPA-BOL-FOS Collinsville	618-346-5120

*Report prepared by this person.

SUMMARY OF APPARENT VIOLATIONS

SECTION	X	SECTION	X	SECTION	X
9(a)(c)	<input type="checkbox"/>	723.120(a)(1)(2)	<input type="checkbox"/>	724.271	<input type="checkbox"/>
21(a)	<input type="checkbox"/>	724.111	<input type="checkbox"/>	724.273(a)(b)	<input type="checkbox"/>
21(d)(1)(2)	<input type="checkbox"/>	724.113(a)(b)	<input type="checkbox"/>	724.274	<input type="checkbox"/>
21(e)(f)(g)	<input type="checkbox"/>	724.114(a)(c)	<input type="checkbox"/>	724.275(a)	<input type="checkbox"/>
21(p)(1)(3)	<input type="checkbox"/>	724.115(a)	<input type="checkbox"/>	724.278	<input type="checkbox"/>
55(a)(1)	<input type="checkbox"/>	724.131	<input type="checkbox"/>	728.150(c)	<input type="checkbox"/>
703.121(a)(b)	<input type="checkbox"/>	724.135	<input type="checkbox"/>		<input type="checkbox"/>
723.111	<input type="checkbox"/>	724.212(a)	<input type="checkbox"/>		<input type="checkbox"/>

X = CONTINUING VIOLATIONS

RCRA Summary of Apparent Violations Checklist									
IEPA #: 1210455119 Inspection Date: 3/24/2009									
Section	Area	V	C	R	Section	Area	V	C	R
9(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9(c)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(d)(1)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(d)(2)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(e)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(f)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(g)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(p)(1)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21(p)(3)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
55(a)(1)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
703.121(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
703.121(b)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
723.111		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
723.120(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
723.120(b)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.111		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.113(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.113(b)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.114(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.114(c)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.115(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.131		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.135		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.212		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.271		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.273(a)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.273(b)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.274		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.275		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
724.278		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
728.150(c)		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
V = Violation Observed; C = Continuing; R = Resolved					NA = Not Applicable; NE = Not Evaluated				

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: March 24, 2009
Prepared by: Kendall Couch-IEPA Bureau of Land
USEPA#-ILR000157362
Page #1

Narrative

General Remarks

On March 24, 2009, Mike Grant (BOL), John Senjan (BOL) and I went to an address just south of Salem, Illinois to investigate a complaint. The complaint, received via email, alleged that the respondent, Troy Carter, had been bringing various wastes to his residence and open burning. The weather was sunny, dry, and the temperature was 70° Fahrenheit.

To get to this site from downtown Centralia, Illinois, one must go north on highway 51, and right before leaving Centralia, go west (right) on Green St Road. This road turns into Nation road several miles out of town. Approximately 6 miles out of Centralia the roads takes a 90° turn to the left and then another 90° turn to the right. At the right turn is a small neighbor with a power station. Do not take the 2nd 90° right turn, but go straight on the gravel road and then go left at the intersection. The site is the 2nd home on the left (2958 Nation Road).

Inspection

When we arrived at 11:10am, we knocked on the door of the mobile home, located at this site. No one came to the door. We then went to the back yard of this site where a detached garage and a small shed were located. Behind the garage we observed approximately 50 waste tires stacked on several 55-gallon drums. It appeared that the drums had been there for some time and were partially covered with a thin plastic black tarp. Another ten 55-gallon drums were discovered just to the south of the covered drums.

We removed several waste tires and under a black plastic tarp, we observed approximately twenty-five 55-gallon drums. The rusty drums had hazardous waste stickers, auto paint markings and were placed right next to each other. The placement, tires and plastic sheet made it difficult to ascertain quality information. Approximately 5 drums were lying on their side. Some of the drums were bulging and leaking a gray sludge like material.

On the opposite side of the driveway, we observed an open dump with approximately 30 cubic yards of waste. The waste pile contained gas cylinders, empty drums, car parts, wood, waste tires, steel pipe, plastic buckets, concrete, mattress springs and residential trash. Approximately 30 waste tires were in this open dump area. Within this open dump was approximately 20 pieces of 15 foot metal pipe. The complaint also referenced radioactive oil field pipe. It appeared that this pipe may have been the radioactive pipe mentioned in the complaint. Approximately 40 to 50 cubic yard of waste was observed within this open dump.

RELEASEABLE

APR 18 2011

REVIEWER MD

ATTACHMENT A

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: March 24, 2009
Prepared by: Kendall Couch
USEPA#-ILR000157362
Page #2

Next to the open dump was an open burn area approximately 15 feet in diameter. This burn pile consisted of mostly residential trash. An operational pumper oil rig is also located at the backside of this site. It was reported that an area behind the drums could contain buried material. This area was covered with weeds and may have been excavated in the past. Just to the west of this area was a pile of old wood apparently from a demolition project. We decided that we needed to return to the site with proper personnel protective clothing and drum sampling equipment to get a better understanding of the drums contents and integrity. I took several photos during this inspection before leaving the site at 11:30am.

On March 25, 2009, John Senjan and I returned to this site to conduct an interview with the operator-owner of this site and place hazard tape around the area where the drums were observed. The weather at 12:30pm, was sunny dry and 60° Fahrenheit. When we arrived we knocked on the door of the mobile home. No one answered the door. We then went to the house across the street from this site. Just as we were starting to talk with the neighbor, the door to the mobile home opened.

We then met with Nicole Carter, wife of Troy Carter, the respondent. Ms. Carter explained that she was getting a divorce from Mr. Carter and he did not live at the residence any longer. Ms. Carter explained that her husband had been doing some scrap metal recycling in the area behind her home. We told her about the complaint and she explained that the drums had been there for over five years. Ms. Carter also explained that the other waste observed, was from Mr. Carter's metal scrapping activities. She then went on to say that this site was owned by Troy Carter's mother, Judy Carter. Judy Carter lives in Salem, Illinois. Nicole Carter then granted us access to the rear of her property.

We then went back to area of the drums and put hazard tape around the drums and returned to the front of the Carter residence. At that time, Troy Carter was on the phone and we requested that he come to the site for an interview. Mr. Carter explained that he was not allowed on the property except for certain days and times. We decided to meet Mr. Carter just up the road for the interview.

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: March 24, 2009
Prepared by: Kendall Couch
USEPA#-ILR000157362
Page #3

When Mr. Carter arrived, we explained the complaint. Mr. Carter stated that the drums had been there for 5 to 6 years. We asked Mr. Carter where the drums came from. Mr. Carter first stated that he bought the drums from someone but couldn't remember who. He went on to say that he planned on painting stock cars and stock car roll cages. Mr. Carter then stated that he knew where the drums came from but would not say from whom or where. Mr. Carter stated that he would take responsibility for the drums. Mr. Carter stated that the drums were mostly the same material and that they were acquired at the same time. He also stated that his mother had nothing to do with the drums and that the other waste material was mostly his except for the burn pile. He stated that the burn pile was partly his wife's, Nicole. Lastly, Mr. Carter went on to say that he did not have any more drums on any other properties. I took a photo of the hazard taped area and then we left this site to go to Salem, Illinois to obtain property ownership verification at 12:55pm. We retrieved a deed naming Ms. Judy Carter of #1 Glenwood Acres, Salem, Illinois 62881, as the owner of this property.

On March 27, 2009, Mike Grant (BOL), Tom Miller (BOL) and I returned to the site at 12:10pm to further our investigation of the drums and procure a sample of the drums contents. The weather was partly cloudy, dry and 50° Fahrenheit. Mr. Grant and Mr. Miller suited up in Level C PPE. They gained access to the drums by removing the waste tires and plastic sheet. Mr. Grant and Mr. Miller attempted to remove the bung openings on each of the drums. They numbered each drum with a paint stick as I took notes on volume, color, condition and location. A total of 36 drums were observed.

We were able to sample one drum. We sampled Drum #4 and the sample was labeled X201. The liquid retrieved from the drum was a clear red liquid with dark brown sludge. We analyzed the head space of the drum with a Foxboro TVA-1000. The PID detector gave a reading of 680ppm while the FID detector was not able to analyze the headspace due to flame outage. Mr. Grant attempted to sample some of the other drums, but was unsuccessful due to the rusted bungs and/or the lack of obtainable liquid. Drum #10 did not have enough liquid to sample but returned a PID reading of 1900ppm and FID reading was unsuccessful due to flame outage. Drum #30 returned a reading of 1760ppm on the PID and 80,000ppm on the FID. Several drums had the following printed on the side of them:

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: March 24, 2009
Prepared by: Kendall Couch
USEPA#-ILR000157362
Page #4

WR LF NAO BLUE	WRLF NAO BLUE
WA -8214	WA-8214
96-5-26-84	96-10-22-98
WRLF 5Y7/ILT	LFWR 7.50 GREEN
WA-9090 GREY	LF7140W
97-5-2-7	96-12-27-89

Based on Mr. Grants experience from inspections conducted at the nearby Wamac Industrial Park of Wamac, Illinois, he believed that some of the drums contained paint line solvent waste from one of three companies that operated at the Wamac plant. These companies were named Rockwell International, Cambridge and Meridian. The marking on the drums referenced Ford Blue and Fruehuaf Gray, apparently widely used at these facilities.

After we evaluated the drums we spoke with Mr. Carter. Mr. Carter stated that he believed that the drums came from Rockwell International but he did not obtain the drums directly from them. Mr. Carter also stated that he received between \$9.00 and \$11.00 dollars per drum for their removal from the undisclosed site. Apparently, Mr. Carter thought the drums contained paint mixed with solvent, making the drums hazardous, yet still usable paint. We then left the site 1:55pm.

On April 7, 2009, I returned to this site at 9:05am, to meet with Gary Forcee of the Illinois Emergency Management Agency-BES-Transportation Safeguards & Preventative Detection Unit. The weather was sunny, wet and 45° Fahrenheit. Mr. Forcee primary objective was to screen the oil field pipe that we observed during our previous visits. The pipe was below radioactive concentrations of concern but above normal background for the area. Mr. Forcee wrote a detailed report of his findings and his report is attached to this report. On April 14, 2009, Gayle Battas, IEPA/BOW/DPWS researched this site and discovered that the drinking water connected to this site was being purchased from the City of Odin, Illinois.

As a result of this investigation, the following violations were observed; 9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(f), 21(g), 21(p)(1), 21(p)(3), 55(a)(1), 703.121(a), 703.121(b), 723.111, 723.120(a)(1), 723.120(a)(2), 724.111, 724.113(a), 724.113(b), 724.114(a), 724.114(c), 724.115(a), 724.131, 724.135, 724.212(a), 724.271, 724.273(a), 724.273(b), 724.274, 724.275(a), 724.278 and 728.150(c).

cc: DLPC/FOS- Collinsville Regional

COMPLETED DATE: 4/24/2009

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 BUREAU OF LAND / FIELD OPERATIONS SECTION
RCRA INSPECTION REPORT

GENERAL FACILITY INFORMATION

USEPA ID #:	ILR000157362	BOL ID #:	1210455119
Facility Name:	Carter, Troy	Phone #:	618-204-2206
Location	2958 Nation Road	County:	Marion
City:	Salem	State:	Illinois
		Zip Code:	62881
Region:	Collinsville	Inspection Date:	3/27/2009
		Time:	12:10pm-1:55pm
Weather:	Partly cloudy, dry and 50° Fahrenheit		

FACILITY TYPE

Notified As:	Non-Notifier	Regulated As:	Storage
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INSPECTION TYPE

CEI:	<input type="checkbox"/>	GME:	<input type="checkbox"/>	OAM:	<input type="checkbox"/>	NRR:	<input type="checkbox"/>	CSE:	<input type="checkbox"/>	CAO:	<input type="checkbox"/>	FUI to:	
FCl (Other):													

RECEIVED
 MAY 05 2009
 IEPA/BOL
 COG CSI:

NOTIFICATION DATES (EPA 8700-12)

Initial:	Subsequent:
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PART A PERMIT DATES (EPA 3510-3 OR EPA 8700-23)

Initial:	Amended:	Withdrawn:
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PART B PERMIT

(Check one if applicable) Application Submitted?	<input type="checkbox"/>	Permit Issued?	<input type="checkbox"/>	Date:	
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ACTIVE ENFORCEMENT

Date facility referred to:	USEPA:	IAGO:	County State's Attorney:
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ACTIVE ENFORCEMENT ORDERS

CACO:	CAFO:	Federal Court Order:
Consent Decree:	IPCB Order:	State Court Order:

RELEASABLE

APR 18 2011

REVIEWER MD

ATTACHMENT B

TSD FACILITY ACTIVITY SUMMARY

Activity by Process Code	On Part A?	On Part B?	Activity ever done?	Closed?	Being done during inspection?	Exempt per 35 IAC Sec:
S01	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

OWNER

OPERATOR

Name: Judy Carter	Name: Troy Carter
Address: #1 Glenwood Acres #34	Address: #1 Glenwood Acres #34
City: Salem	City: Salem
State: Illinois Zip Code: 62881	State: Illinois Zip Code: 62881
Phone #: 618-548-1575	Phone #: 618-204-2206

PERSON(S) INTERVIEWED

TITLE

PHONE #

Troy Carter	Operator	618-204-2206

INSPECTION PARTICIPANTS

AGENCY/BUREAU

PHONE #

*Kendall Couch	IEPA-BOL-FOS Collinsville	618-346-5120
Mike Grant	IEPA-BOL-FOS Collinsville	618-346-5120
Tom Miller	IEPA-BOL-FOS Collinsville	618-346-5120

*Report prepared by this person.

SUMMARY OF APPARENT VIOLATIONS

SECTION	X	SECTION	X	SECTION	X
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

X = CONTINUING VIOLATIONS

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: March 27, 2009
Prepared by: Kendall Couch-IEPA Bureau of Land
USEPA#-ILR000157362
Page #1

Narrative

General Remarks

On March 27, 2009, Mike Grant (BOL), Tom Miller (BOL) and I went to this site to obtain analytical samples from a collection of 55-gallon drums observed during an previous inspection conducted on March 24, 2009. A complaint was received via email, alleged that the respondent, Troy Carter, had been bringing various wastes to his residence including 55-gallon drums. The weather was partly cloudy, dry, and the temperature was 50° Fahrenheit.

Inspection

We arrived at this site at 12:10pm and the weather was partly cloudy, dry and 50° Fahrenheit. Mr. Grant and Mr. Miller suited up in Level C PPE. They gained access to the drums by removing several waste tires and a plastic sheet. The drums were old and had apparently been stored outside for quite a while. The bungs were unable to be removed from many of the drums. Of the 36 drums, at least 6 of them had hazardous waste labels on them. Due to the way the drums were stacked next to the garage wall, full access to each drum could not be obtained. They numbered each drum with a paint stick as I took notes on volume, color, condition and location. While inventorying the drums, Mr. Troy Carter arrived at the site.

We were able to sample one drum. We sampled Drum #4 and the sample was labeled X201. We photographed the drum and sample (Photo#2). The liquid retrieved from the drum was a clear red liquid with dark brown sludge. We analyzed the head space of the drum with a Foxboro TVA-1000. The PID detector gave a reading of 680ppm while the FID detector was not able to analyze the headspace due to flame outage. Mr. Grant attempted to sample some of the other drums, but was unsuccessful due to the rusted bungs and/or the lack obtainable liquid. Drum #10 did not have enough liquid to sample but returned a PID reading of 1900ppm and FID reading was unsuccessful due to flame outage. Drum #30 returned a reading of 1760ppm on the PID and 80,000ppm on the FID. Several drums had the following printed on the side of them:

WR LF NAO BLUE
WA -8214
96-5-26-84

WRLF NAO BLUE
WA-8214
96-10-22-98

WRLF SY7/I LT
WA-9090 GREY
97-5-2-7

LFWR 7.50 GREEN
LF7140W
96-12-27-89

RELEASABLE

APR 18 2011

REVIEWER MD

ATTACHMENT B

3 of 4

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: March 27, 2009
Prepared by: Kendall Couch-IEPA Bureau of Land
USEPA#-ILR000157362
Page #2

After we evaluated the drums we spoke with Mr. Carter. Mr. Carter stated that he believed that the drums came from Rockwell International but he did not obtain the drums directly from them. Mr. Carter also stated that he received between \$9.00 and \$11.00 dollars per drum for their removal from the undisclosed site. Apparently, Mr. Carter thought the drums contained paint mixed with solvent, making the drums hazardous, yet still usable paint. We then left the site 1:55pm.

The sample was hand delivered to the IEPA's lab in Springfield, Illinois on March 30, 2009 by Mr. Grant. The chain of custody sheet was completed and returned to me on March 31, 2009. Sample temperature was 6° Celsius upon arriving at the lab. Sample results were received at the Collinsville Regional Office on April 21, 2009. These results are attached to this report.

cc: DLPC/FOS- Collinsville Regional

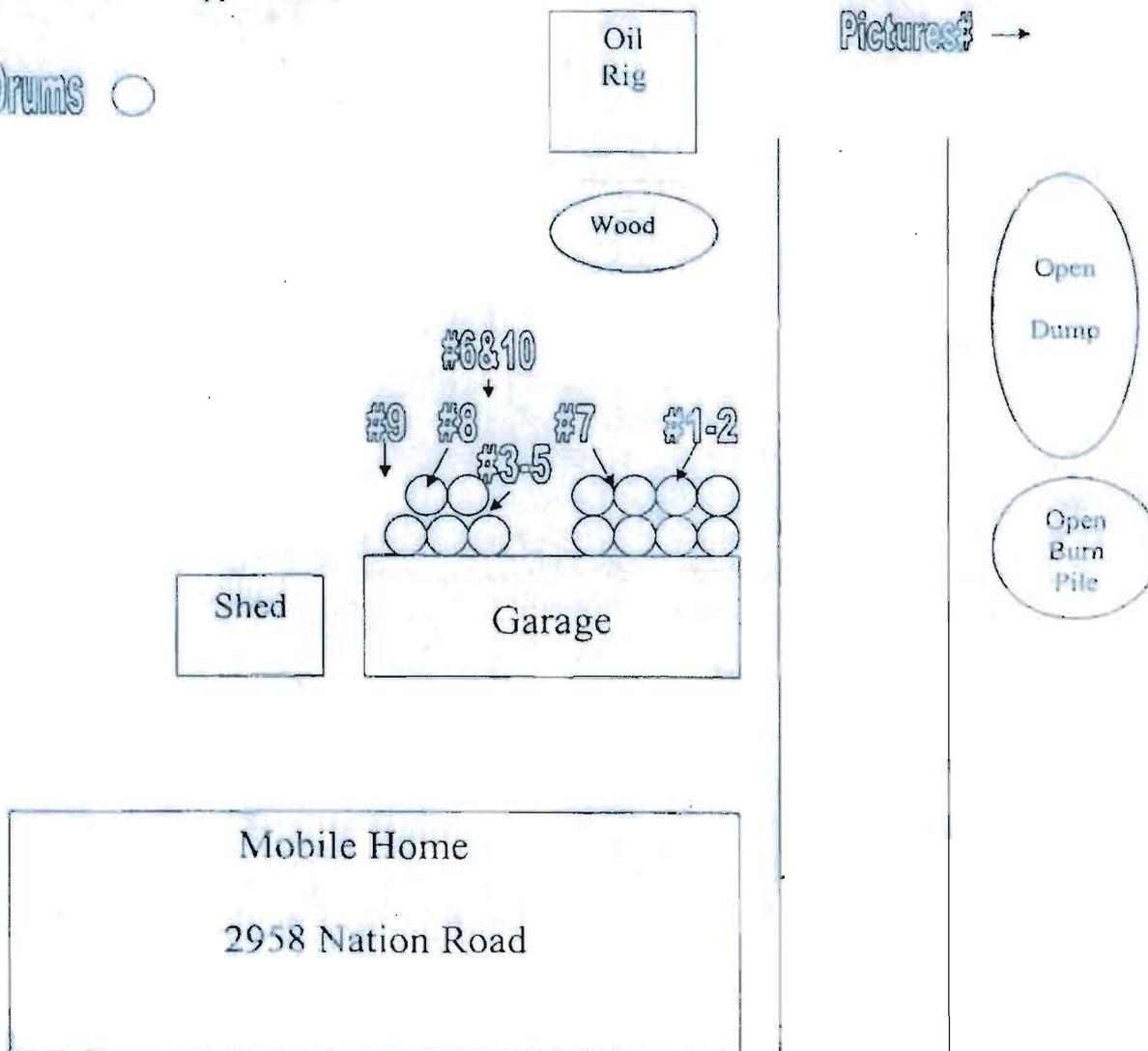
State of Illinois
Environmental Protection Agency
Facility Diagram

Date of Inspection: March 27, 2009 Inspector: Kendall Couch
Site Code: LPC#-1210455119 County: Marion
Site Name: Carter, Troy Time: 12:10pm-1:55pm

Diagram is not to scale.
All locations are approximate.

North ↓
Pictures# →

Drums ○





Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119~03272009-[Exp. #1-2]



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: Northwest
Photo by: K. Couch
Exposure #: 001
Comment: Drums



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: Down
Photo by: K. Couch
Exposure #: 002
Comment: Sample
X201.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119~03272009-[Exp. #3-4]



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: North
Photo by: K. Couch
Exposure #: 003
Comment: Drum
Markings.



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: West
Photo by: K. Couch
Exposure #: 004
Comment: Drum
Markings.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119~03272009-[Exp. #5-6]



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: North
Photo by: K. Couch
Exposure #: 005
Comment: Drum
Markings.



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: North
Photo by: K. Couch
Exposure #: 006
Comment: Backside of
Garage.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119-03272009-[Exp. #7-8]



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: Northwest
Photo by: K. Couch
Exposure #: 007
Comment: Drums.



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: Northeast
Photo by: K. Couch
Exposure #: 008
Comment: Drums.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119~03272009-[Exp. #9-10]



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: North
Photo by: K. Couch
Exposure #: 009
Comment: Drums.



Date: March 27, 2009
Time: 12:10pm-
1:55pm
Direction: North
Photo by: K. Couch
Exposure #: 010
Comment: Backside of
Garage.

COMPLETED DATE: 11/25/2009

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 BUREAU OF LAND / FIELD OPERATIONS SECTION
RCRA INSPECTION REPORT

GENERAL FACILITY INFORMATION

USEPA ID #:	ILR000157362	BOL ID #:	1210455119
Facility Name:	Carter, Troy	Phone #:	618-204-2206
Location	2958 Nation Road	County:	Marion
City:	Salem	State:	Illinois
		Zip Code:	62881
Region:	Collinsville	Inspection Date:	11/24/2009
		Time:	8:00am-9:55am
Weather:	Cloudy, wet and 50° Fahrenheit		

FACILITY TYPE

RECEIVED

Notified As:	Non-Notifier	Regulated As:	Storage	DEC 02 2009
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INSPECTION TYPE

IEPA/BOL

CEI:	<input type="checkbox"/>	GME:	<input type="checkbox"/>	OAM:	<input type="checkbox"/>	NRR:	<input type="checkbox"/>	CSE:	<input type="checkbox"/>	CAO:	<input checked="" type="checkbox"/>	FUI to:	03/24/2009		
FCI (Other):												CCI:	<input type="checkbox"/>	CSI:	<input type="checkbox"/>

NOTIFICATION DATES (EPA 8700-12)

Initial:	Subsequent:
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PART A PERMIT DATES (EPA 3510-3 OR EPA 8700-23)

Initial:	Amended:	Withdrawn:
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PART B PERMIT

(Check one if applicable) Application Submitted?	<input type="checkbox"/>	Permit Issued?	<input type="checkbox"/>	Date:
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ACTIVE ENFORCEMENT

Date facility referred to:	USEPA:	IAGO:	County State's Attorney:
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ACTIVE ENFORCEMENT ORDERS

CACO:	CAFO:	Federal Court Order:
Consent Decree:	IPCB Order:	State Court Order:

RELEASABLE

DEC 10 2009

REVIEWER M.D

ATTACHMENT D

TSD FACILITY ACTIVITY SUMMARY

Activity by Process Code	On Part A?	On Part B?	Activity ever done?	Closed?	Being done during inspection?	Exempt per 35 IAC Sec:
S01	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

OWNER

OPERATOR

Name: Judy Carter	Name: Troy Carter
Address: #1 Glenwood Acres #34	Address: #1 Glenwood Acres #34
City: Salem	City: Salem
State: Illinois Zip Code: 62881	State: Illinois Zip Code: 62881
Phone #: 618-548-1575	Phone #: 618-204-2206

PERSON(S) INTERVIEWED

TITLE

PHONE #

Russ Goodiel-Chase Environmental	Senior Project Manager	618/533-6740

INSPECTION PARTICIPANTS

AGENCY/BUREAU

PHONE #

*Kendall Couch	IEPA-BOL-FOS Collinsville	618-346-5120

*Report prepared by this person.

SUMMARY OF APPARENT VIOLATIONS

SECTION	X	SECTION	X	SECTION	X
9(a)(c)	<input checked="" type="checkbox"/>	723.120(a)(1)(2)	<input checked="" type="checkbox"/>	724.271	<input checked="" type="checkbox"/>
21(a)	<input checked="" type="checkbox"/>	724.111	<input checked="" type="checkbox"/>	724.273(a)(b)	<input checked="" type="checkbox"/>
21(d)(1)(2)	<input checked="" type="checkbox"/>	724.113(a)(b)	<input checked="" type="checkbox"/>	724.274	<input checked="" type="checkbox"/>
21(e)(f)(g)	<input checked="" type="checkbox"/>	724.114(a)(c)	<input checked="" type="checkbox"/>	724.275(a)	<input checked="" type="checkbox"/>
21(p)(1)(3)	<input checked="" type="checkbox"/>	724.115(a)	<input checked="" type="checkbox"/>	724.278	<input checked="" type="checkbox"/>
55(a)(1)	<input checked="" type="checkbox"/>	724.131	<input checked="" type="checkbox"/>	728.150(c)	<input checked="" type="checkbox"/>
703.121(a)(b)	<input checked="" type="checkbox"/>	724.135	<input checked="" type="checkbox"/>		<input type="checkbox"/>
723.111	<input checked="" type="checkbox"/>	724.212(a)	<input checked="" type="checkbox"/>		<input type="checkbox"/>

X = CONTINUING VIOLATIONS

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: November 24, 2009
Prepared by: Kendall Couch-IEPA Bureau of Land
USEPA#-ILR000157362
Page #1

RECEIVED
DEC 02 2009
IEPA/BOL

Narrative

General Remarks

On November 24, 2009, I went to this site to oversee a hazardous waste drum over pack and staging activity. The weather was cloudy, wet, and the temperature was 50° Fahrenheit. This site was issued a Violation Notice on April 30, 2009. Both the owner of the property, Judy Carter and the operator of the site, Troy Carter received Violation Notices. Ms. Carter and Mr. Carter did not respond to the Violation Notices.

Subsequently, a Unilateral Administrative Order (UAO) #V-W-09-C-934 was issued by USEPA Region #5. This Order directed the respondent, Mr. Ronald Fisher of F & L Salvage, Centralia, Illinois to remove thirty-six hazardous waste drums and 8 gas cylinders from this site.

Inspection

When I arrived at 8:00am, I met with Russ Goodiel, Senior Project Manager of Chase Environmental. Mr. Goodiel and I discussed the hazardous waste drum over packing and staging strategy. I walked the area where the hazardous drums were located. No safety issues of concern were encountered. Mr. Goodiel excavated and leveled small plot to stage the over packed drums. Six mil visqueen and ¾ inch plywood was placed on the ground of the staging area. Six mil visqueen was also used under the over pack drums to contain any release during the drum over packing.

During the over packing and staging, no release of the drums contents was encountered. Thirty-six drums and nine gas cylinders were staged just to the southwest of the drums original location. I again walked the area where the hazardous waste drums were originally located. A slight odor of organics was apparent. No soil samples were collected but should be considered during future inspections. A small area of moist soil was observed on the eastern edge of the original drum storage area. This area was covered with oil dry to absorb any organic material present. Mr. Goodiel stated that he was planning on removing the drums as soon as possible.

Also observed while on-site where 30 picces of oil rig piping, approximately 100 waste tires, a small burn pile and another 30 cubic yards of demo and general waste debris. I subsequently left this site at 10:35am. On November 25, 2009, I received an email with a site progress report attached from Russ Goodiel and Mark Owens of Chase Environmental. This report is attached to this report. The violations observed during the initial inspection were again observed.

cc: DLPC/FOS- Collinsville Regional

RELEASABLE

DEC 10 2009

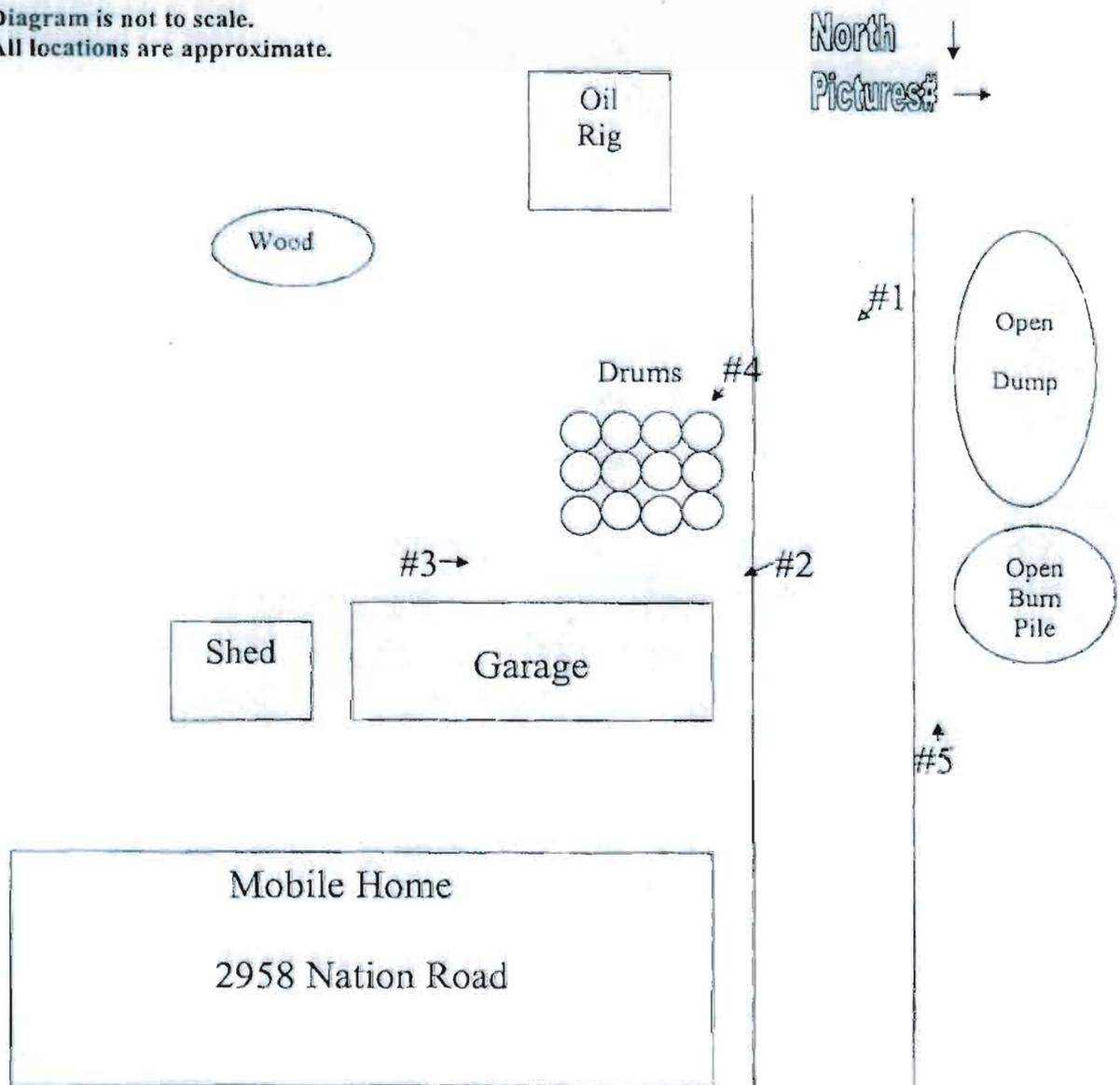
RECEIVED

ATTACHMENT D

State of Illinois
Environmental Protection Agency
Facility Diagram

Date of Inspection: November 24, 2009 Inspector: Kendall Couch
Site Code: LPC#-1210455119 County: Marion
Site Name: Carter, Troy Time: 8:00am-9:55am

Diagram is not to scale.
All locations are approximate.





Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119~11242009-[Exp. #1-2].jpg



Date: 11/24/2009
Time: 8:00am-9:55am
Direction:
Photo by: K. Couch
Exposure #: 001
Comments:



Date: 11/24/2009
Time: 8:00am-9:55am
Direction:
Photo by: K. Couch
Exposure #: 002
Comments:



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

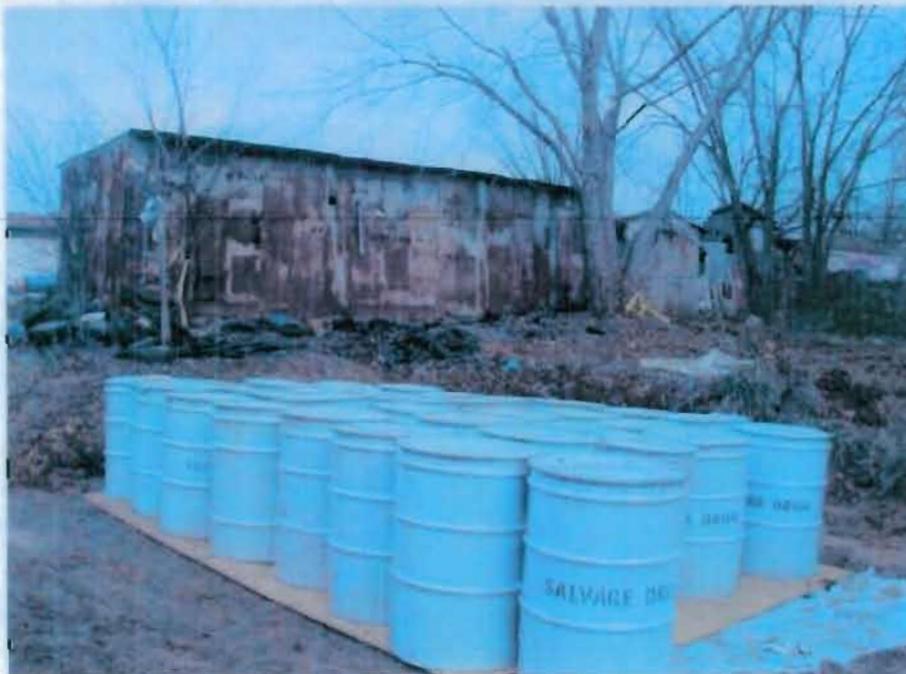
DIGITAL PHOTOGRAPHS

File Names: 1210455119~11242009-[Exp. #3-

4].jpg



Date: 11/24/2009
Time: 8:00am-9:55am
Direction:
Photo by: K. Couch
Exposure #: 003
Comments:



Date: 11/24/2009
Time: 8:00am-9:55am
Direction:
Photo by: K. Couch
Exposure #: 004
Comments:



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS

File Names: 1210455119~11242009-[Exp. #5].jpg



Date: 11/24/2009
Time: 8:00am-9:55am
Direction:
Photo by: K. Couch
Exposure #: 005
Comments:

COMPLETED DATE: 3/2/2010

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BUREAU OF LAND / FIELD OPERATIONS SECTION

RCRA INSPECTION REPORT

GENERAL FACILITY INFORMATION

USEPA ID #:	ILR000157362	BOL ID #:	1210455119
Facility Name:	Carter, Troy	Phone #:	618-204-2206
Location:	2958 Nation Road	County:	Marion
City:	Salem	State:	Illinois
		Zip Code:	62881
Region:	Collinsville	Inspection Date:	02/10/2010
		Time:	1:30pm-1:55pm
Weather:	Sunny, snow and 30° Fahrenheit		

RECEIVED

FACILITY TYPE

Notified As:	Non-Notifier	Regulated As:	Storage	MAR 04 2010
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IEPA/BOL

INSPECTION TYPE

CEI:	<input type="checkbox"/>	GME:	<input type="checkbox"/>	OAM:	<input type="checkbox"/>	NRR:	<input type="checkbox"/>	CSE:	<input type="checkbox"/>	CAO:	<input checked="" type="checkbox"/>	FUI to:	03/24/2009		
FCI (Other):												CCI:	<input type="checkbox"/>	CSI:	<input type="checkbox"/>

NOTIFICATION DATES (EPA 8700-12)

Initial:	Subsequent:
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PART A PERMIT DATES (EPA 3510-3 OR EPA 8700-23)

Initial:	Amended:	Withdrawn:
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PART B PERMIT

(Check one if applicable) Application Submitted?	<input type="checkbox"/>	Permit Issued?	<input type="checkbox"/>	Date:	
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ACTIVE ENFORCEMENT

Date facility referred to:	USEPA:	IAGO:	County State's Attorney:
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ACTIVE ENFORCEMENT ORDERS

CACO:	CAFO:	Federal Court Order:
Consent Decree:	IPCB Order:	State Court Order:

RELEASABLE

APR 18 2011

REVIEWED AND ATTACHMENT F

TSD FACILITY ACTIVITY SUMMARY

Activity by Process Code	On Part A?	On Part B?	Activity ever done?	Closed?	Being done during inspection?	Exempt per 35 IAC Sec:
S01	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

OWNER

OPERATOR

Name: Judy Carter	Name: Troy Carter
Address: #1 Glenwood Acres #34	Address: #1 Glenwood Acres #34
City: Salem	City: Salem
State: Illinois Zip Code: 62881	State: Illinois Zip Code: 62881
Phone #: 618-548-1575	Phone #: 618-204-2206

PERSON(S) INTERVIEWED

TITLE

PHONE #

Troy Carter	Operator	618-204-2206

INSPECTION PARTICIPANTS

AGENCY/BUREAU

PHONE #

*Kendall Couch	IEPA-BOL-FOS Collinsville	618-346-5120

*Report prepared by this person.

SUMMARY OF APPARENT VIOLATIONS

SECTION	X	SECTION	X	SECTION	X
9(a)(c)	<input checked="" type="checkbox"/>	723.120(a)(1)(2)	<input checked="" type="checkbox"/>	724.271	<input checked="" type="checkbox"/>
21(a)	<input checked="" type="checkbox"/>	724.111	<input checked="" type="checkbox"/>	724.273(a)(b)	<input checked="" type="checkbox"/>
21(d)(1)(2)	<input checked="" type="checkbox"/>	724.113(a)(b)	<input checked="" type="checkbox"/>	724.274	<input checked="" type="checkbox"/>
21(e)(f)(g)	<input checked="" type="checkbox"/>	724.114(a)(c)	<input checked="" type="checkbox"/>	724.275(a)	<input checked="" type="checkbox"/>
21(p)(1)(3)	<input checked="" type="checkbox"/>	724.115(a)	<input checked="" type="checkbox"/>	724.278	<input checked="" type="checkbox"/>
55(a)(1)	<input checked="" type="checkbox"/>	724.131	<input checked="" type="checkbox"/>	728.150(c)	<input checked="" type="checkbox"/>
703.121(a)(b)	<input checked="" type="checkbox"/>	724.135	<input checked="" type="checkbox"/>		<input type="checkbox"/>
723.111	<input checked="" type="checkbox"/>	724.212(a)	<input checked="" type="checkbox"/>		<input type="checkbox"/>

X = CONTINUING VIOLATIONS

corrected narrative

LPC#-1210455119-Marion County
Salem/Carter, Troy
FOS File
Date of Inspection: February 10, 2010
Prepared by: Kendall Couch-IEPA Bureau of Land
USEPA#-ILR000157362
Page #1

RECEIVED
MAR 09 2010
IEPA/BOL

Narrative

General Remarks

On February 10, 2010, I went to this site to perform a follow-up inspection. The weather was sunny, snow, and the temperature was 30° Fahrenheit. The owner and the operator of this site received Violation Notices (VN#-L-2009-01085 and L-2009-01086) on April 30, 2009. The Agency did not receive a response to the Violation Notices. This site is currently under legal review. Complete history of this site is documented in previous reports.

Inspection

When I arrived I met with Troy Carter. Mr. Carter was salvaging the mobile home trailer that recently burned on this site. I instructed Mr. Carter to prevent any further open dumping on his mother's property. Mr. Carter assured me that he would not open dump any waste during his salvaging process.

I went to the back part of this site. This area contained 36 fifty-five gallon drums of hazardous paint waste. Along with the drum waste was approximately 50 cubic yards of general solid waste and waste tires. The fifty-five gallon drums were removed from this site by Illini Environmental on December 9, 2009. Subsequently, the solid waste and waste tires were removed via Consensual Removal Agreement (CRA) through the IRID program on February 4, 2009. During my visit to this site I took two pictures documenting the cleared areas described above. The first photo depicts the area where the solid waste and tires were located. The second photo depicts the area that contained the hazardous paint waste drums. This site will be monitored to evaluate ongoing compliance with IEPA's Act and Regulations.

cc: DLPC/FOS- Collinsville Regional

RELEASABLE

APR 18 2011

REVIEWER MD

ATTACHMENT F
3 of 3

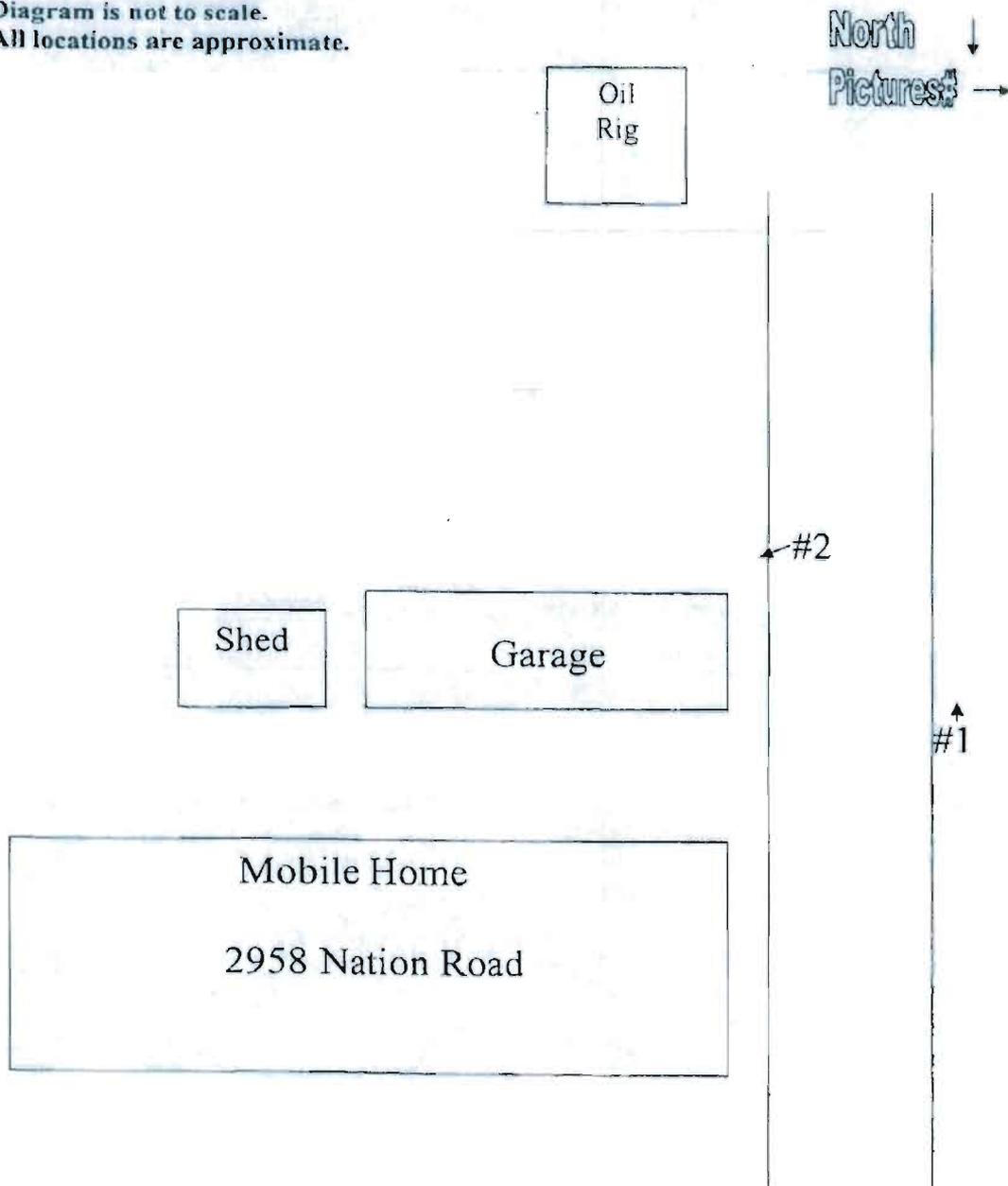
State of Illinois
Environmental Protection Agency
Facility Diagram

Date of Inspection: February 10, 2010 Inspector: Kendall Couch

Site Code: LPC#-1210455119 County: Marion

Site Name: Carter, Troy Time: 1:30pm-1:55pm

**Diagram is not to scale.
All locations are approximate.**





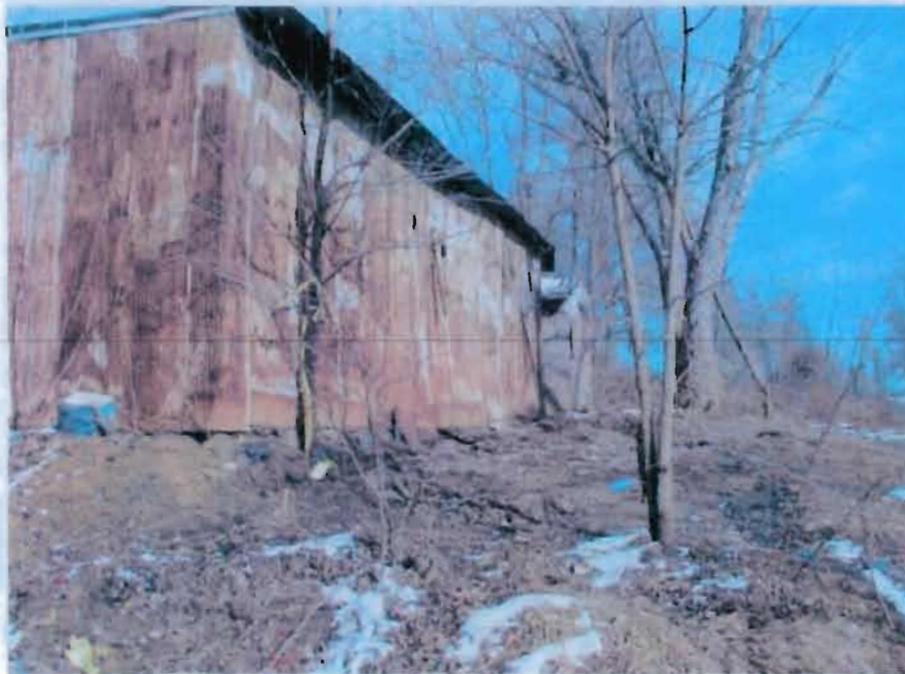
Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1210455119-Marion County
Salem/Carter, Troy
FOS File

DIGITAL PHOTOGRAPHS File Names: 1210455119~02102010-[Exp. #1-2].jpg



Date: 02/10/2010
Time: 1:30pm-
1:55pm
Direction: South
Photo by: K. Couch
Exposure #: 001
Comments: Area
where the solid
waste was
removed.



Date: 02/10/2010
Time: 1:30pm-
1:55pm
Direction: East
Photo by: K. Couch
Exposure #: 002
Comments: Area
where the
hazardous waste
drums were
removed.