



JACKSON COUNTY STATE'S ATTORNEY

Michael C. Carr, State's Attorney

Jackson County Courthouse • 1001 Walnut • Third Floor • Murphysboro, IL 62966
(618) 687-7200 • FAX (618) 687-7215

Friday, October 14, 2016

Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Re: Administrative Citation - Murphysboro/Loren Reiman Site
Site Code 077 814 5099
Inspection Date: September 22, 2016
Date of Service: October 12, 2016

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against Loren Reiman. The site is known as the Murphysboro/Loren Reiman site.

The respondent's mailing address is 1241 Dallas Road, Murphysboro, Illinois. Also enclosed with this material is a proof of service showing the respondent was served with the administrative citation packet.

Please acknowledge receipt and filing of the enclosed materials. Thank you.

Sincerely,

MICHAEL C. CARR
Jackson County State's Attorney

A handwritten signature in blue ink, appearing to read "REBECCA BLOMER". The signature is stylized and written over a horizontal line.

REBECCA BLOMER
Assistant State's Attorney
Jackson County, Illinois

encl.

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 17 -
)	Site Code: 0778145099
LOREN REIMAN)	
)	
Respondent.)	

Serve on: LOREN REIMAN, 1241 Dallas Road, Murphysboro, Illinois 62966

PROOF OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Administrative Citation and Appearance were hand delivered to:

Name: Loren Scott Reiman

Address: 1241 Dallas Rd Murphysboro

Sex: Male Female

Age: 8-15-65

Date of service: 10/12/16, 2016.

Time: 11:00 .m.

Jackson Co. Sheriff
By his Deputy

[Handwritten Signature]

PLEASE RETURN TO:

**REBECCA BLOMER
JACKSON COUNTY STATE'S ATTORNEY'S OFFICE**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.)
)
 LOREN REIMAN,)
)
 Respondent.)

AC 17 -
Site Code: 0778145099

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the County of
Jackson.



Rebecca Blomer
Assistant State's Attorney
Jackson County Courthouse, 3rd Floor
Murphysboro, Illinois 62966

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

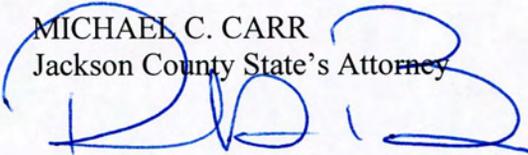
COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 17 -
)	Site Code: 0778145099
LOREN REIMAN)	
)	
Respondent.)	

NOTICE OF FILING

To: LOREN REIMAN, 1241 Dallas Road, Murphysboro, Illinois 62966

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board the Complaint for Administrative Citation, a copy of which is herewith served upon you.

MICHAEL C. CARR
Jackson County State's Attorney



Rebecca Blomer
Assistant State's Attorney
Jackson County Courthouse, 3rd Fl.
Murphysboro, Illinois 62966
618-687-7200

Department, inspected the facility. A true and correct copy of the inspection report, along with Mr. Terry's affidavit, is attached and incorporated herein by reference as Exhibit A.

VIOLATIONS

On the basis of Field Inspector, Don Terry's, direct observation, he has determined that the Respondent has caused or allowed open dumping at the above described facility in a manner that resulted in the following violation:

That on September 22, 2016, an on-site inspection of the facility disclosed that the Respondent has caused or allowed litter at the facility in violation of 415 ILCS 5/21(p)(1).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5), Respondent is subject to civil penalty of One Thousand Five Hundred Dollars (\$1,500) for the violation identified above, for a total of One Thousand Five Hundred Dollars (\$1,500). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 15, 2017, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest the Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent 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 (\$1,500) statutory civil penalty for the violation.

Pursuant to Section 31.1 (d)(1) of the Act, 415 ILCS 5/31.1(d)(1), if Respondent fails to petition or elects 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, checks shall be made payable in equal amounts (50% of total penalty each) to:

- (1) County of Jackson, c/o Jackson County Treasurer, Jackson County Courthouse, Murphysboro, Illinois, 62966; and
- (2) 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.

Respondent shall complete and return the enclosed Remittance Forms with payments 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 Respondent from the date payment is due up to and including

the date that payment is received. The Complainant may either initiate proceedings against Respondent in Circuit Court or other debt collection actions to collect said penalty and/or hearing costs, plus any other interest accrued.

PROCEDURE FOR CONTESTING ADMINISTRATIVE CITATION

You have the right to contest this Citation, pursuant to 415 ILCS 5/31.1. If you elect to contest this Citation, you must file a Petition for Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition for Review shall also be filed with Rebecca Blomer, Assistant State's Attorney, Jackson County Courthouse, Third Floor, Murphysboro, Illinois 62966. **YOUR PETITION FOR REVIEW MUST BE FILED WITHIN 35 DAYS OF THE DATE OF SERVICE OF THE PRESENT CITATION ON YOU. YOUR PETITION MUST STATE THE REASON(S) YOU BELIEVE THE PRESENT MATTER SHOULD NOT BE ISSUED. IF YOU FAIL TO FILE YOUR PETITION AND STATE THE REASONS THE PRESENT MATTER SHOULD NOT BE ISSUED, A DEFAULT ORDER AGAINST YOU WILL BE ENTERED BY THE POLLUTION CONTROL BOARD.**

Your original Petition must be filed with Clerk of the Board at:

Clerk
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

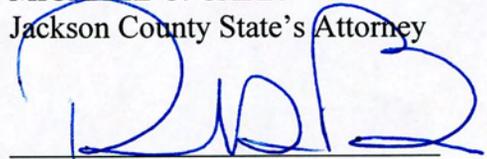
A copy must also be sent to:

Office of the State's Attorney
Rebecca Blomer
Assistant State's Attorney

Jackson County Courthouse, Third Floor
Murphysboro, Illinois 62966

DATED: 10/5/, 2016

MICHAEL C. CARR
Jackson County State's Attorney



REBECCA L. BLOMER
Assistant State's Attorney
Jackson County, Illinois

REMITTANCE FORM TO COUNTY OF JACKSON

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.)
)
 LOREN REIMAN,)
)
 Respondent.)

AC17-
Site Code: 0778145099

FACILITY: Murphysboro/Loren Reiman site
COUNTY: JACKSON
DATE OF INSPECTION: September 22, 2016
SITE CODE: 0778145099

Date Remitted: _____, 201_

SS/FEIN # _____

Signature _____

NOTE

Please include the information on the blank lines. Mail this form with your check to:

Jackson County Treasurer
Jackson County Courthouse
Murphysboro, Illinois, 62966

REMITTANCE FORM TO ILLINOIS EPA

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.)
)
 LOREN REIMAN,)
)
 Respondent.)

AC17 -
 Site Code: 0778145099

FACILITY: Murphysboro/Loren Reiman Site
 COUNTY: JACKSON
 DATE OF INSPECTION: September 22, 2016
 SITE CODE: 0778145099

Date Remitted: _____, 201__

SS/FEIN # _____

Signature _____

NOTE

Please enter the date of your remittance, social security number, if an individual, or Federal Employer Identification Number (FEIN) if a corporation, and sign the remittance form. Be sure the appropriate check is enclosed and mail, along with this remittance form, to Illinois Environmental Protection Agency, Attn: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

JACKSON COUNTY HEALTH DEPARTMENT

AFFIDAVIT

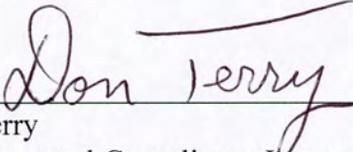
IN THE MATTER OF:

**077 814 5099 / Jackson County
Murphysboro / Loren Reiman
COMPLIANCE FILE**

Mr. Loren Reiman, Respondent.

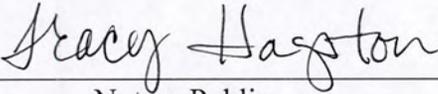
Affiant, Don Terry, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is an Environmental Compliance inspector employed by Jackson County Health Department and has been so employed at all times pertinent hereto.
2. On September 22, 2016, between the hours of 10:29 a.m. and 10:35 a.m., Affiant conducted an inspection of the open dump site known as Murphysboro, Loren Reiman / Jackson County, Illinois.
3. Affiant inspected said open dump site by an on-site inspection.
4. As a result of the activities referred to in Paragraphs 2 and 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 Murphysboro / Loren Reiman, Illinois, open dump site.



Don Terry
Environmental Compliance Inspector

Subscribed and Sworn Before me
this 28 day of September, 2016



Notary Public



County: Jackson LPC#: 077 814 5099 Region: 7 - Marion
 Location/Site Name: Murphysboro / Loren Reiman
 Date: 09/22/2016 Time: From 10:29 am To 10:35 am Previous Inspection Date: 03/16/2016
 Inspector(s): Don Terry Weather: 86°F -- Sunny with calm winds
 No. of Photos Taken: # 10 Est. Amt. of Waste: 300 + yds³ Samples Taken: Yes # No
 Interviewed: no one Complaint #: 2009-170
 Latitude: 37.79195 Longitude: -89.35101 Collection Point Description: Site Entrance -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS -

Responsible Party
 Mailing Address(es)
 and Phone Number(s):

****OWNER****
 Mr. Loren Reiman
 1241 Dallas Road
 Murphysboro, IL 62966

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	<input type="checkbox"/>
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>
	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input type="checkbox"/>

LPC # 077 814 5099

Inspection Date: 09/22/2016

9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>

ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS

11.	95(a)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	95(b)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	95(c)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A CED OR OTHER LISTED DEVICE WITH WASTE THAT IS INTENDED FOR DISPOSAL BY BURNING OR INCINERATION	<input type="checkbox"/>
14.	95(d)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input type="checkbox"/>

**35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS
SUBTITLE G**

15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
19.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY	<input type="checkbox"/>

OTHER REQUIREMENTS

20.		APPARENT VIOLATION OF: <input type="checkbox"/> PCB; <input type="checkbox"/> CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

**Inspection Report Document:
Open Dump Site Narrative**

Inspection Date: September 22, 2016

Time: 10:29 a.m. – 10:35 a.m.

Site Code: 077 814 5099

Site Name: Murphysboro / Loren Reiman

County: Jackson

Inspector: Don Terry

Est. Waste Volume: 300+ cubic yards

Previous Inspection: 03/16/2016

Location: Lat 37.79195 / Long -89.35101

GENERAL REMARKS

Background: On November 18, 2009, on the basis of a complaint, an inspection was conducted of this site resulting in a Violation Notice Letter L-2010—JC113 being sent to the owner, Mr. Reiman. In March and June of 2010, a request was received from Mr. Reiman for an extension of time to clean up the site. Both requests were granted. On July 6, 2010, a follow-up site inspection was conducted with continuing violations being observed. This inspection resulted in VNL L-2011-JC100 being sent to Mr. Reiman along with an operator who no longer is associated with the site. On September 30, 2011 another inspection of the site was conducted with violations again observed. An Under Legal Review letter was sent to Mr. Reiman after this inspection. Finally on March 16, 2016 another inspection of the site which found violations was conducted and an Administrative Citation Warning Notice was sent to Mr. Reiman. A review of on-line records at the Jackson County Assessor's Office show that Mr. Reiman is currently the owner of this site [**Attachment: Page1**].

During the stated date and time, I conducted an inspection of the site listed above. This inspection was made as a follow up to several previous inspections during which waste that had been open dumped was observed. Weather conditions at the time of the inspection were: Sunny with moderate winds and a temperature of approximately 80°F. I was accompanied on this inspection by Kerri Gale of the Jackson County Health Department (JCHD).

Upon arrival at the site I observed, from Dallas Road, a public roadway, waste scattered around the site (**Photos #1 & #2, Site Sketch – V1**). The waste I observed included but was not limited to: two waste motorcycles and a waste camper. The waste vehicles were not in use and were not being protected for future use (eg vegetation growing up on an around the waste vehicles).

I walked south along Dallas Road and from various locations observed more open dumped waste. The waste included but was not limited to: 1) a waste house boat onto which other waste was disposed and which was overgrown with vegetation (**Photos #3, #8 & #10, Site Sketch – B1**), 2) a waste truck filled with waste (**Photo #4, Site Sketch – V2**), 3) a second waste boat into which other waste was disposed and which was overgrown with vegetation (**Photos #5 & #8, Site Sketch – B2**), 4) a waste trailer onto which a waste water heater and other materials were disposed (**Photo #6, Site Sketch – T1**), 5) a second waste trailer onto which propane tanks and other waste was disposed and which was overgrown with vegetation (**Photo #7, Site Sketch – T2**) and 6) a waste vehicle overgrown with vegetation (**Photo #9, Site Sketch – V3**).

Page 2

077 814 5099

Murphysboro / Loren Reiman

September 22, 2016

At the time of the inspection, the items listed as waste in this narrative were not in use, were not useable in their current condition, and were not stored in such a way as to protect any future use. Also, at the time of the inspection, the items were stored in an unsightly manner.

The total volume of waste observed was approximately 300 cubic yards.

My inspection ended at approximately 10:35 a.m.

Violations Observed:

Item #5(21)(a): Cause or allow open dumping; Item #8(21)(p)(1): Cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site: (1) Litter: During the inspection, the open dumping of waste that resulted in litter was observed.

OPEN DUMP INSPECTION SITE SKETCH

Inspection Date: September 22, 2016

Time: 10:29 a.m.—10:35 a.m.

Site Code: 077 814 5099

Site Name: Murphysboro / Loren Reiman

Inspector: Don Terry

County: Jackson

Est. Waste Volume: 300 + cubic yards

Previous Inspection: 03/16/2016

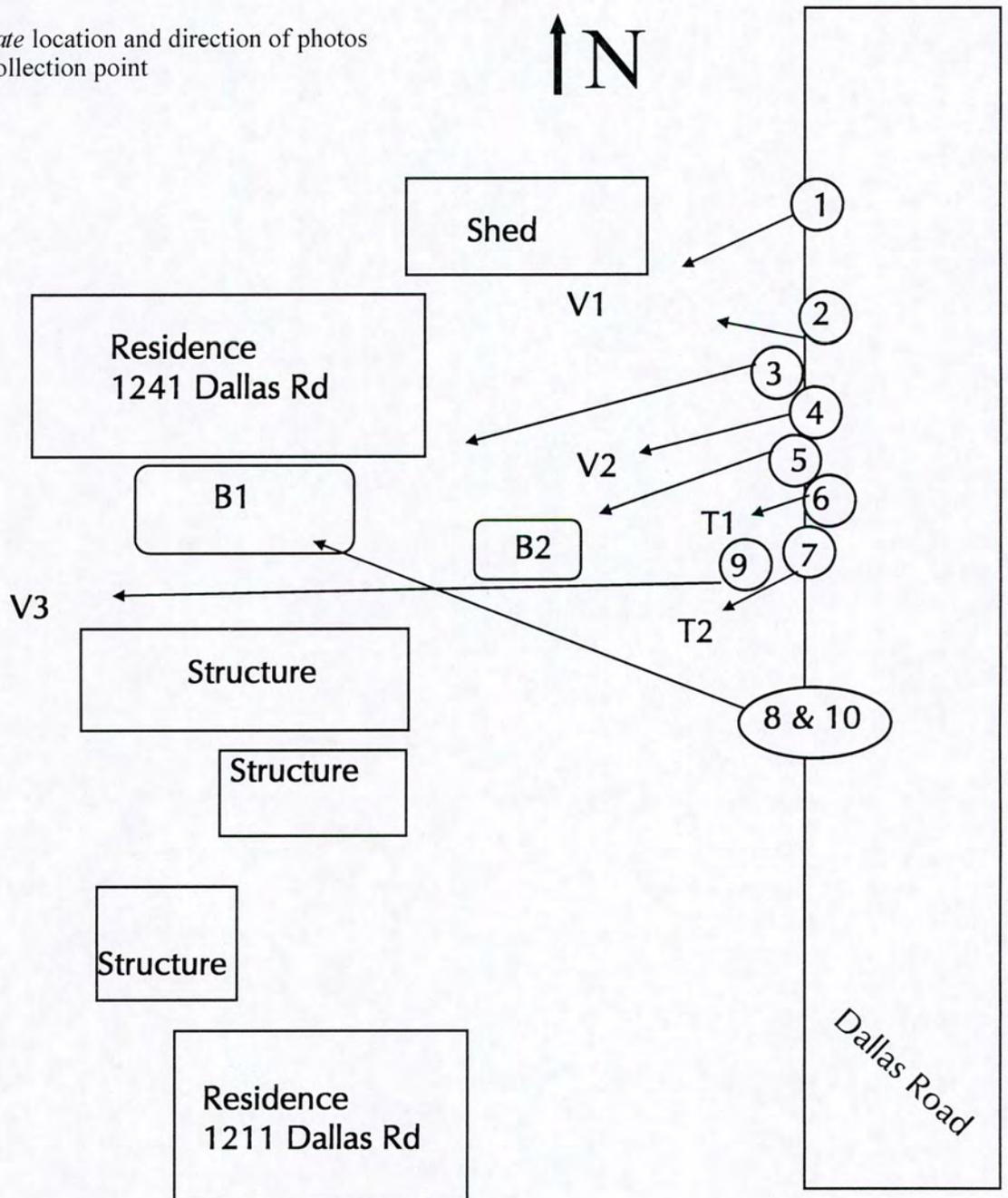
Location: Lat 37.79195 / Long -89.35101

Not Drawn to Scale

All locations are approximate

O → Indicates *approximate* location and direction of photos

G = approximate GPS data collection point



Key:
V = waste vehicle
B = waste boat
T = waste trailer



Inspection Date: September 22, 2016
Photos by: Don Terry

Site #: 077 814 5099
Site Name: Murphysboro / Loren Reiman

Photo Name:
0778145099-09222016-01

Time: 10:31 a.m.

Photo Taken Toward:

Southwest



Photo Name:
0778145099-09222016-02

Time: 10:31 a.m.

Photo Taken Toward:

Northwest





Inspection Date: September 22, 2016
Photos by: Don Terry

Site #: 077 814 5099
Site Name: Murphysboro / Loren Reiman

Photo Name:
0778145099-09222016-03

Time: 10:32 a.m.

Photo Taken Toward:

Southwest



Photo Name:
0778145099-09222016-04

Time: 10:32 a.m.

Photo Taken Toward:

Southwest





Inspection Date: September 22, 2016
Photos by: Don Terry

Site #: 077 814 5099
Site Name: Murphysboro / Loren Reiman

Photo Name:
0778145099-09222016-05

Time: 10:32 a.m.

Photo Taken Toward:
Southwest



Photo Name:
0778145099-09222016-06

Time: 10:32 a.m.

Photo Taken Toward:
Southwest





Inspection Date: September 22, 2016
Photos by: Don Terry

Site #: 077 814 5099
Site Name: Murphysboro / Loren Reiman

Photo Name:
0778145099-09222016-07

Time: 10:32 a.m.

Photo Taken Toward:

Southwest



Photo Name:
0778145099-09222016-08

Time: 10:33 a.m.

Photo Taken Toward:

Northwest





Inspection Date: September 22, 2016
Photos by: Don Terry

Site #: 077 814 5099
Site Name: Murphysboro / Loren Reiman

Photo Name:
0778145099-09222016-09

Time: 10:33 a.m.

Photo Taken Toward:

West



Photo Name:
0778145099-09222016-10

Time: 10:33 a.m.

Photo Taken Toward:

Northwest

