

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

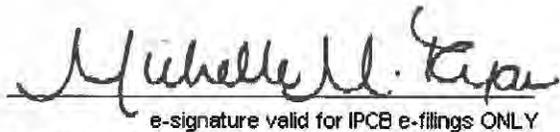
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2018-
	)	
v.	)	(IEPA No. 78-18-AC)
	)	
WILLIAM and ROSE ROBINSON,	)	
	)	
Respondents.	)	

**NOTICE OF FILING**

To: William and Rose Robinson  
490 North Jefferson  
Roseville, IL 61473

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION.

Respectfully submitted,

  
e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan  
Special Assistant Attorney General

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

Dated: July 2, 2018

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2018-
	)	
v.	)	(IEPA No. 78-18-AC)
	)	
WILLIAM and ROSE ROBINSON	)	
	)	
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 (2014).

FACTS

1. That William and Rose Robinson are the present owners of a property located 495 65<sup>th</sup> Street, Roseville, Warren County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Robinson, William & Rose.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1878130002.
3. That Respondents have operated said facility at all times pertinent hereto.
4. That on May 22, 2018, Gene Figge 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 July 2, 2018, Illinois EPA sent this Administrative Citation via Certified Mail No. 7017-2680 0001 0214 7507 to William and Rose Robinson.

VIOLATIONS

Based upon direct observations made by Robert J. Wagner during the course of his May 22, 2018 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) (2014).
- (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) (2014).
- (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) (2014).
- (4) That Respondents caused or allowed the open dumping of used or waste tires, a violation of Section 55(a)(1) of the Act, 415 ILCS 5/55(a)(1) (2014).
- (5) That Respondents caused or allowed the open burning of used or waste tires, a violation of Section 55(a)(2) of the Act, 415 ILCS 5/55(a)(2) (2014).
- (6) That Respondents caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2014).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2014), 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 Nine Thousand Dollars (\$9,000.00). 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 August 27, 2018, 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 (2014), 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) (2014), 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.

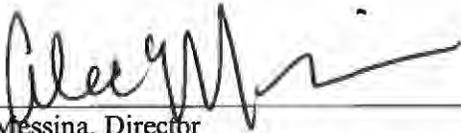
When payment is made, Respondents' check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, 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 (2014). 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.



Alec Messina, Director  
Illinois Environmental Protection Agency

Date: 6/18/18

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 2018-
	)	
v.	)	
	)	(IEPA No. 78-18-AC)
WILLIAM and ROSE ROBINSON	)	
	)	
	)	
Respondents.	)	

FACILITY:	Robinson, William & Rose	SITE CODE NO.:	1878130002
COUNTY:	Warren	CIVIL PENALTY:	\$9,000.00
DATE OF INSPECTION:	May 22, 2018		

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.

**Bureau of Land – Field Operations Section  
Inspection Report**

General Facility Information			
<b>BOL ID:</b>	1878130002	<b>Region:</b>	Peoria
<b>USEPA ID:</b>	Not Applicable	<b>County:</b>	Warren
<b>Site Name:</b>	Robinson William/Rose	<b>Phone:</b>	Not Available
<b>Address:</b>	495 65th St	<b>Latitude:</b>	40.70137
<b>City/State/Zip:</b>	Roseville, IL 61473	<b>Longitude:</b>	-90.66434
<b>Permit No(s):</b>	None		
<b>Regulated As:</b>			
<b>Operational Status:</b>			

Owner	Operator
Robinson William/Rose 490 N Jefferson Roseville, IL 61473	None Entered

Inspection Details	
<b>Inspection Type</b>	Open Dump Inspection
<b>Inspection Date</b>	5/22/2018
<b>Inspector(s)</b>	Figge, Gene
<b>Person(s) Interviewed</b>	None
<b>Previous Inspection Date</b>	No Prior Inspection
<b>Reference Complaint ID</b>	482

Observations	
<b>Time</b>	1100 - 1145
<b>Weather Conditions (Description)</b>	Cloudy wind NW 7 MPH
<b>Temperature (°F)</b>	72
<b>Samples Collected (Yes/No)</b>	No
<b>Photos Taken (Yes/No)</b>	12
<b>Amount of Waste (Cubic Yards)</b>	400
<b>Number of Tires (Count)</b>	23

## Executive Summary

On May 22, 2018, I conducted an open dump inspection from 11:00 a.m. until 11:45 a.m. at Robinson, William and Rose. The inspection was conducted in response to complaint 482 of open dumping and open burning of demolition waste from the demolition of Farmers Grain in Kirkwood Illinois. During the inspection, apparent violations for open dumping, open burning, dumping of used tires, allowing used tires to accumulate water, and open burning of used or waste tires were observed.

## Inspection Narrative

The following persons participated in the inspection:

Gene Figge -- IEPA (author)

Upon arrival, I found that no one was present on the site. The address was on the property mailbox, but a house was not present on the property. I observed an open dump of demolition waste that was in the process of being covered. See photographs 1, 3, 4, 6, 10, 11, and 12. There was also evidence that some of the demolition waste had been burnt. See photographs 3, 6, 11, and 12. The cover dirt made it hard to see the open burning, but the local fire department had responded to the site on two separate occasions.

There was also an accumulation of used tires that had not been prevented from accumulating water. See photographs 4 and 7. Rims that were rusted as if they had been burnt as well as having tire bead rings still around them were accumulated in several locations on the property. See photographs 5 and 8.

I then proceeded to the Warren County Assessor's Office. The property is owned by William K. and Rose Robinson. However, the Assessor's Office still shows the property address as the mailing address for the property taxes. Further investigation revealed that the mailing address for the Robinson family is 490 North Jefferson, Roseville, Illinois 61473.

## Summary of Apparent Violation(s)

Status	Date	Violation	Narrative
New	5/22/2018	9(a)	Cause, threaten or allow air pollution in Illinois
New	5/22/2018	9(c)	Cause or allow open burning
New	5/22/2018	21(a)	Cause or allow open dumping
New	5/22/2018	21(d)(1)	Conduct a waste-storage, waste-treatment, or waste-disposal operation without a permit
New	5/22/2018	21(d)(2)	Conduct Waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Pollution Control Board
New	5/22/2018	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	5/22/2018	21(p)(1)	Cause or allow open dumping of any waste in a manner which results in litter
New	5/22/2018	21(p)(3)	Cause or allow open dumping of any waste in a manner which results in open burning
New	5/22/2018	21(p)(7)	Cause or allow open dumping of any waste in a manner which results in deposition of general construction or demolition debris
New	5/22/2018	55(a)(1)	Cause or allow open dumping of any used or waste tire

New	5/22/2018	55(a)(2)	Cause or allow open burning of any used or waste tire
New	5/22/2018	55(k)(1)	Cause or allow water to accumulate in used or waste tires
New	5/22/2018	812.101(a)	No application submitted for permittee to develop and operate landfill

Digital Photographs



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 1  
Photo Date: 5/22/2018  
Photo Time: 11:23:02  
Direction: East  
Taken By: Gene Figge

Demolition waste being covered.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 2  
Photo Date: 5/22/2018  
Photo Time: 11:23:30  
Direction: South  
Taken By: Gene Figge

Accumulation of rusted and twisted wire that appears to have been exposed to flame.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 3  
Photo Date: 5/22/2018  
Photo Time: 11:23:50  
Direction: Southeast  
Taken By: Gene Figge

Demolition waste being  
covered and evidence of open  
burning.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 4  
Photo Date: 5/22/2018  
Photo Time: 11:23:56  
Direction: Northeast  
Taken By: Gene Figge

Demolition waste and used  
tires.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 5  
Photo Date: 5/22/2018  
Photo Time: 11:24:23  
Direction: North  
Taken By: Gene Figge

Rims that display evidence of burning of used tires as well as bead rings still located around the rims.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 6  
Photo Date: 5/22/2018  
Photo Time: 11:24:54  
Direction: South  
Taken By: Gene Figge

Demolition waste being covered as well as evidence of open burning.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 7  
Photo Date: 5/22/2018  
Photo Time: 11:25:05  
Direction: East  
Taken By: Gene Figge

Accumulation of used tires  
some of which are  
accumulating water.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 8  
Photo Date: 5/22/2018  
Photo Time: 11:25:22  
Direction: North  
Taken By: Gene Figge

Scrap metal including a rim  
with evidence of tire burning.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 9  
Photo Date: 5/22/2018  
Photo Time: 11:25:31  
Direction: East  
Taken By: Gene Figge

Furniture open dumped and a used tire that had not been prevented from accumulating water.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 10  
Photo Date: 5/22/2018  
Photo Time: 11:25:37  
Direction: Southeast  
Taken By: Gene Figge

Demolition waste being covered and two partially covered used tires.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 11  
Photo Date: 5/22/2018  
Photo Time: 11:25:43  
Direction: South  
Taken By: Gene Figge

Demolition waste being covered.



Site: Robinson William/Rose  
(1878130002)  
Warren County

Photo ID: 12  
Photo Date: 5/22/2018  
Photo Time: 11:26:17  
Direction: Southeast  
Taken By: Gene Figge

Demolition waste being covered and evidence of open burning.

State of Illinois Environmental Protection Agency Site Sketch

Inspector: Gene Figge  
Date of Inspection: May 22, 2018  
Site Name: Robinson, William & Rose



LPC #: 1878130002  
County: Warren  
Time: 11:00 a.m. - 11:45 a.m.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF )

Robinson, William/Rose )

IEPA DOCKET NO.

RESPONDENT )

Affiant, R. Eugene Figge, 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 May 22, 2018, between 11:00 a.m. and 11:45 a.m., Affiant conducted an inspection of the open dump in Warren County, Illinois, known as Robinson, William/Rose, Illinois Environmental Protection Agency Site No. 1878130002.

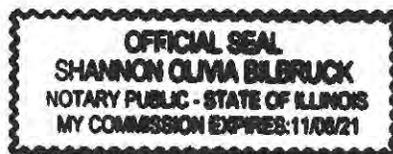
3. Affiant inspected said Robinson, William/Rose open dump site by an on-site inspection, which included walking and photographing the site.

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 Robinson, William/Rose open dump.

*R. Eugene Figge*

Subscribed and Sworn to before me this 6th day of June, 2018

*Shannon Olivia Bilbruck*  
Notary Public



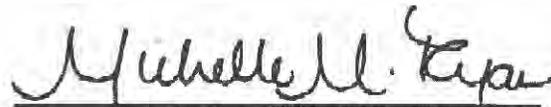
**PROOF OF SERVICE**

I hereby certify that I did on the 2<sup>nd</sup> day of July, 2018, send by U.S. Mail with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION

To: William and Rose Robinson  
490 North Jefferson  
Roseville, IL 61473

and an electronic copy of the same foregoing instrument on the same date via electronic filing

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



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan  
Special Assistant Attorney General

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
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