RECEIVED CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD OCT 1 6 2006

ADMINISTRATIVE CITATION

STATE OF ILLINOIS Pollution Control Board

COUNTY OF MACON, ILLINOIS

Complainant,

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 $\begin{array}{c} & \begin{array}{c} AC & 07 \cdot \geq 1 \\ \end{array} \\ & \begin{array}{c} (MCSWMD \ File \ No. \ 2006-005-AC) \end{array} \end{array}$

Tim Walker

Respondents.

JURISDICTION

)

This Administrative Citation is issued pursuant to the authority vested in the County of Macon by section 4(r) of the Illinois Environmental Protection Act, 415 ILCS 5/4(r) (2002).

FACTS

1. That Respondent, Tim Walker is the present owner and operator of a facility located at 3710 Christmas Tree Road, Macon County, Illinois.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1158165007.

3. That Respondent has owned and operated said facility at all times pertinent hereto.

4. That on September 15, 2006, Darlene K. Powell of the Macon County Solid Waste

Management Department inspected the above-described facility. A copy of this inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Darlene K. Powell during the course of his September 15, 2006 inspection of the above-named facility, the Macon County Solid Waste Management Department has determined that Respondents violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- 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) (2002).
- (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) (2002).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in Deposition of General Construction and Demolition Debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2002).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2002), Respondents are subject to a civil penalty of Three Thousand Dollars (\$3,000.00) for each of the violations identified above, for a total of <u>Nine Thousand Dollars (\$9,000.00)</u>. If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than December 15, 2006, 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 (2002), 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 Macon County Solid Waste Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the Three Thousand Dollar (\$3,000.00) statutory civil penalty for each violation. Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2002), 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 Macon County Solid Waste Management Department and should be mailed to the attention of Darlene K. Powell, Macon County Solid Waste Management Department; 141 South Main Street, Room 212, Decatur, Illinois, 62523-1293. Along with payment, Respondents 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 Macon County State's Attorney may initiate proceedings against Respondents 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 (2002). If Respondents elect to contest this Administrative Citation, then Respondents shall file a signed 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 Office of the Macon County State's Attorney, 253 E. Wood Street, Decatur, Illinois, 62523. 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.

By:

By:

Jack W. Ahola Macon County States Attorney IM

Date: October 10, 2006

Kenneth Boles Assistant State's Attorney Macon County, Illinois

Prepared by: Darlene K. Powell, Inspector Macon County Solid Waste Management Department 141 South Main Street, Room 212 Decatur, Illinois 62523-1293 217-421-0291



REMITTANCE FORM

OCT 1 6 2005

STATE OF ILLINOIS Pollution Control Board

COUNTY OF MACON)
Complainant,)
ν.)
Tim Walker,)
Respondents.)

AC 07.21

(MCSWMD file No. 2006-005-AC)

FACILITY:	Decatur/Walk	ker, Tim	SITE CODE NO .:	1158165007
COUNTY:	Macon		CIVIL PENALTY:	\$9,000.00
DATE OF INS	SPECTION:	September 15, 2006		

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

<u>NOTE</u>

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 Darlene K. Powell, Macon County Solid Waste Management Department, 141 South Main Street, Room 212, Decatur, Illinois 62523-1293.

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT RECEIVED CLERK'S OFFICE

AFFIDAVIT

OCT 1 5 2006

IN THE MATTER OF:) STATE OF ILLINOIS	s .rd
Tim Walker) (MCSWMD File No. 2006-005-AC)	
	Ac07-21	
Respondents	;)	

Affiant, Darlene K. Powell, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Macon County Solid Waste Management Department and has been so employed at all times pertinent hereto.

2. On September 15, 2006 between 11:30 in the morning and 12:08 in the afternoon, Affiant conducted an inspection of the site in Macon County, Illinois, known as Decatur/Walker, Tim, Illinois Environmental Protection Agency Site No. 1158165007.

3. Affiant inspected said Decatur/Walker, Tim by an on-site inspection which included 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 Affiants knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the Decatur/Walker, Tim site.

Mene K. Powell

Subscribed and Sworn to before me this of Notary Public

08/19/07



MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

141 S. Main St., Suite 212, Decatur, IL 62523 • phone 217/425-4505 • fax 217/424-1459

ADMINISTRATIVE CITATION

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

MACON COUNTY SOLID) WASTE MANAGEMENT DEPT,) Complainant) vs.)

Tim Walker Respondent 1158165007 – MACON COUNTY Decatur/Walker, Tim COMPLIANCE FILE

WARNING: CORRECTIVE ACTION REQUIRED

To contest the Administrative Citation you have received you must follow the instructions provided in the Administrative Citation. You may be served with <u>additional</u> Administrative Citations if you fail to complete the following corrective actions, and are found to be in violation of Section 21(p) of the [Illinois] Environmental Protection Act. Periodic inspection(s) will be conducted to verify cleanup and compliance, both during the cleanup process and after returning to compliance.

YOU ARE REQUIRED TO COMPLETE THE FOLLOWING CORRECTIVE ACTIONS:

- #1 Immediately cease all open dumping and open burning.
- #2 By December 15, 2006 remove all waste to a permitted landfill or transfer station. Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center.
- #3 By December 15, 2006 remove all landscape waste to a permitted compost facility. Landscape waste cannot be taken to a landfill or transfer station for the purpose of disposal.
- #4 By December 15, 2006 submit to the Macon County Solid Waste Management Department, copies of receipts that document the proper disposal or recycling of the wastes.

WRITTEN RESPONSE REQUIRED

Within forty-five (45) calendar days of the date of this Citation, you must submit writing:

- 1. Information in rebuttal, explanation, or justification of each alleged violation;
- 2. A proposed Compliance Commitment Agreement (CCA) that spells out how you plan to rectify each violation (including time frames) and return the area to compliance. If you feel compliance has already been achieved, please state such in your CCA;
- 3. If you desire, a request for a meeting with the Macon County Solid Waste Management Department regarding the alleged violations.

Your written response of all documents submitted in reply to this notice must be sent, via certified mail return-receipt, to:

Macon County Solid Waste Management Department Attn: Darlene K. Powell, Environmental Inspector 141 South Main Street, Room 212 Decatur, IL 62523 On any correspondence you send concerning this matter, please reference the IEPA designated facility number and facility name listed on the first page of this notice.

Please note that this notice of violation may not address any other alleged violations that may fall under the jurisdiction of other Federal, State and/or County offices.

Failure to comply with the requirements of this notice may, at the sole discretion of the Macon County Solid Waste Management Department, result in the case being referred to the Macon County State's Attorney for prosecution.

An Administrative Citation carries a fine of \$1,500.00 for a first offense and \$3,000 for a second or subsequent offense for violation of any provision of Section 21(p).

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

By: Marline K. Pourell

Darlene K. Powell Inspector

Date: October 10, 2006

CERTIFIED MAIL #: 70051820000697016114

Enclosure

cc: Rich Gerard, Illinois Environmental Protection Agency Ellen Robinson, Illinois Environmental Protection Agency FOS File

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY Open Dump Inspection Checklist

County:	Macon		LPC#:	115816	35007	Region:	4 - Champaign
Location/Sit	le Name:	Decatur/Walk	ker, Tim			•	
Date:	09/15/2006	Time: From	i 11:30 a	am To	12:08 pm	Previous Inspection Date	: 03/08/2004
Inspector(s)): Darlene	K. Powell, Sh	erri Ludla	am	Weather:	sunny, clear, air temperat	ture in eighties
No. of Phote	os Taken: #	27 Est. /	Amt. of W	aste: 20	00 yds ³	Samples Taken: Yes #	No 🛛
Interviewed	: Tim Wa	lker; Gary Yas	ste		Compl	aint #:	
Latitude:	39.84055	Longitude:	-88.95609) Colle	ection Point	Description: Other - +/- 5	ft
(Example: La	at.: 41.26493	Long.: -89.	38294)	Colle	ection Methe	od: GPS - Garmin 60CS	
Responsible Party 3710 Mailing Address(es) and Phone Number(s): Deca		Tim Walker 3710 Christr Decatur, Illir (217) 875-34	nois 6252				

	SECTION	DESCRIPTION	VIOL				
	ILL	INOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS					
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	\square				
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	\boxtimes				
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS					
4.	12(d)	CREATE A WATER POLLUTION HAZARD					
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	\square				
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:					
	(1)	Without a Permit	\square				
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	\boxtimes				
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	\boxtimes				
8.	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESUL						
	(1)	Litter	\square				
	(2)	Scavenging					
	(3)	Open Burning	\square				
	(4)	Deposition of Waste in Standing or Flowing Waters					
	(5)	Proliferation of Disease Vectors					
	(6)	Standing or Flowing Liquid Discharge from the Dump Site					

LPC # 1158165007

Inspection Date: 09/15/2006 Deposition of General Construction or Demolition Debris; or Clean Construction or (7) Demolition Debris **NO PERSON SHALL:** 9. 55(a) (1)Cause or Allow Open Dumping of Any Used or Waste Tire (2)Cause or Allow Open Burning of Any Used or Waste Tire **35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS** SUBTITLE G FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND 10. 812.101(a) **OPERATE A LANDFILL** 722.111 HAZARDOUS WASTE DETERMINATION 11. 12. 808.121 SPECIAL WASTE DETERMINATION ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND **PERMIT AND/OR MANIFEST** 809.302(a) 13. **OTHER REQUIREMENTS** APPARENT VIOLATION OF: (_) PCB; (_) CIRCUIT COURT CASE NUMBER: **ORDER ENTERED ON:** 14. 15. **OTHER:**

 \square

 \boxtimes

Informational Notes

- 1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- 2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- 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 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the 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).
- 6. Items marked with an "NE" were not evaluated at the time of this inspection.

LPC #1158165007 - Macon County Decatur/Walker, Tim FOS File Inspector(s): Darlene K. Powell, Sherri Ludlam Inspection Date: Friday, September 15, 2006

Inspection Report Narrative

This site was inspected on September 15, 2006 between the hours of 11:30 in the morning and 12:08 in the afternoon. The inspection was conducted by Darlene K. Powell (author of report) and Sherri Ludlam, representing the Macon County Solid Waste Management Department. Weather conditions at the time of the inspection were sunny and clear, with an air temperature in the eighties. Twenty-seven photographs were taken. Follow-up interviews were conducted with Tim Walker, Gary Yaste, Rose Mary Thurman, and Dennis Ballinger. No samples were collected.

General Information/Site History

The property is located in Macon County, at 3710 Christmas Tree Road, in Whitmore Township. The property is 5.63 acres. Another 14.4 acres, at 3610 Christmas Tree Road, is owned by the same individual. The two properties are contiguous and are connected by at least one path accessible by motor vehicle. This inspection was conducted after receiving a complaint that open dumping of demolition debris was occurring on the property.

Property Ownership

This property is owned by Timothy Walker. This information was obtained from the Macon County Supervisor of Assessment's Office.

Inspection Findings

We arrived on site at 11:30 in the morning. As we approached the front door, we could see it was open. We knocked three times but received no answer. At 11:38 in the morning we began inspecting the property. Slightly to the southeast of the house we noticed a burn pile that was approximately eight feet across by three feet high. The pile consisted of landscape waste and household waste including a suitcase, articles of clothing, plastic, metal, paper, and cardboard (Photographs 1 and 2). We could smell oil in the area, but it was not possible to determine where the odor was originating from on site.

We drove back down the main driveway heading west and turned up a path that took us to another portion of Mr. Walker's property. On the east side of the path we noticed 6 piles of landscape waste consisting of woodchips (Photographs 3 and 4). Further east of the landscape was a path leading to a large pile of dimensional lumber and landscape waste, which consisted of tree trunks, stumps, and branches

(Photographs 6 – 10). On the west side of the path we observed approximately 10 piles of landscape waste, once again consisting of woodchips (Photograph 11), and further west near a tree line was a pile of aluminum siding (Photographs 12 and 13). Walking up the path toward the aluminum siding, we noticed another pile of dimensional lumber (Photograph 14). The aluminum siding was in a large pile out in the open exposed to the elements (Photographs 15 and 16).

After walking around, we drove up the path and noticed another driveway, for the 3610 Christmas Tree Road residence. From a distance, the driveway appeared to consist of gravel and dirt. Upon further investigation, we noticed a portion of the driveway had been constructed using drywall (demolition debris) (Photographs 17 – 19). Slightly to the north of the driveway we noticed garbage bags that contained empty tubes of caulk and other materials that would be used when working with drywall (Photograph 20). Another pile of garbage was on the south side of the driveway, including a bag of mufflers (Photograph 21). The driveway stretched down to Christmas Tree Road, and the portion of the driveway closest to the house appeared to be the only section that had drywall in it (Photograph 22). We concluded the inspection and left the site at 12:08 in the afternoon.

Follow-up Interviews

After completing the inspection of Mr. Walker's property, we drove to 1630 North Water Street. When we received the initial complaint regarding Mr. Walker's site, the caller indicated the demolition debris could be coming from a house on North Water Street that was being demolished. We arrived at 1630 North Water Street at 12:35 in the afternoon. We asked Mr. Walker who owned the property. Mr. Walker told us the owner was Ballinger Real Estate, and he was hired by Mr. Ballinger to do the demolition. We asked Mr. Walker where the demolition debris was being taken for disposal. Mr. Walker said the debris was going to the Clinton Landfill. We asked if the receipts for the landfill would be going to him or the owner of the property, which he indicated was Ballinger Real Estate. Mr. Walker said the receipts from the landfill would be going to him. It appeared as though the house was approximately halfway through the demolition process; two roll-off boxes (Area Disposal) and a smaller dump truck, owned by Mr. Walker, were being used to haul debris off the property (Photographs 23 - 27).

We asked Mr. Walker how many loads of waste had been taken in his dump truck to the landfill and how many loads had been taken to the landfill in the roll-offs. Mr. Walker indicated that two trips had already been made to the landfill using his dump truck, and they were working on a third truckload when we arrived at the site. Mr. Walker said that two or three loads had already been taken to the landfill using the rolloffs. Mr. Walker asked if there was a problem. We advised him of the complaint we received regarding the dumping of demolition debris on his property. Mr. Walker insisted the debris was not being dumped on his property. We thanked him for his time and left the site at 12:44 in the afternoon.

I called the Clinton Landfill Facility Manager, Mr. Gary Yaste, on Monday, September 18, 2006. I briefly explained the situation regarding the demolition of the house located at 1630 North Water Street. I asked Mr. Yaste if there would be a way to track how many loads Mr. Walker had already taken to the Clinton Landfill. Mr. Yaste advised me that it was not possible to track any loads brought in by Mr. Walker's dump truck as a cash paying customer. Mr. Yaste said he would check on the number of loads brought to the landfill in the roll-offs and would call me back. According to Mr. Yaste's scale tickets, two dumpsters of demolition debris were brought to the landfill as of September 18, 2006, the first on September 7, 2006 and the second on September 15, 2006. Mr. Yaste faxed me a copy of each scale ticket for 1630 North Water Street.

The demolition debris from 1630 North Water Street was being disposed of under the business name Walker Home Service. A listing for Walker's Home Service was listed in the Decatur area phone book. Walker's Home Service does not have a physical address, but the zip code associated with the business is the same as Mr. Walker's home address on Christmas Tree Road, 62521. The phone number associated with Walker's Home Service is 217-875-3418. This phone number is also connected to his 3710 Christmas Tree Road address.

I called the City of Decatur Planning and Zoning Department on September 26, 2006 to verify a demolition permit was obtained for 1630 North Water Street. I spoke with Rose Mary Thurman, Senior Clerk Typist. Mrs. Thurman verified a permit was on file with the City of Decatur, and Tim Walker was the contractor for the demolition at 1630 North Water Street. I also called Ballinger Real Estate on September 26, 2006. I spoke with Dennis Ballinger Senior regarding the demolition of the home at 1630 North Water Street. Mr. Ballinger verified that Mr. Walker was hired to tear down and dispose of the house. I tried calling Mr. Ballinger a second time to verify that Ballinger Real Estate owned the property. I left a message with the secretary to have Mr. Ballinger.

Summary of Apparent Violations

Environmental Protection Act ILCS 5/1 et seq. (formerly III Rev. Stat. Ch. 111 ½, 1001 et seq.) {hereinafter referred to as the "Act"}

Pursuant to Section 9(a) of the Act, no person shall cause, threaten, or allow; or tend to cause, threaten or allow, air pollution in Illinois.

 A violation of Section 9(a) is alleged because evidence of openburning that would cause, threaten, or allow; or tend to cause, threaten or allow air pollution in Illinois was observed during the inspection. **Pursuant to Section 9(c) of the Act**, no person shall cause or allow the open burning of any refuse, conduct any salvage operation by open burning or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and not approved by the agency.

• A violation of Section 9(c) is alleged because evidence that open burning of refuse had occurred on site was observed during the inspection.

Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

• A violation of Section 21(a) is alleged because evidence of open dumping of waste was observed during the inspection.

Pursuant to Section 21(d)(1) of the Act, in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted there under.

• A violation of Section 21(d)(1) is alleged because waste was disposed of and/or stored without a permit granted by the Agency.

Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

• A violation of Section 21(d)(2) is alleged because waste was disposed of and/or stored in a way that violates regulations and standards adopted by the Board.

Pursuant to Section 21(e) of the Act, no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards there under.

• A violation of Section 21(e) is alleged because waste was disposed of and/or stored in a manner that does not meet the requirements of the Act.

Pursuant to Section 21(p), (1) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...litter.

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• A violation of Section(s) 21(p), (1) is alleged because open dumping of waste was caused or allowed that resulted in litter.

Pursuant to Section 21(p), (3) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...open burning.

• A violation of Section 21(p), (3) is alleged because open dumping of waste was caused or allowed that resulted in open burning was allowed to occur.

Pursuant to Section 21(p), (7) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...General Construction or Demolition Debris as defined in Section 3.160(a) of this Act.

• A violation of Section(s) 21(p), (7) is alleged because open dumping of waste was caused or allowed that resulted in the deposition of general construction debris.

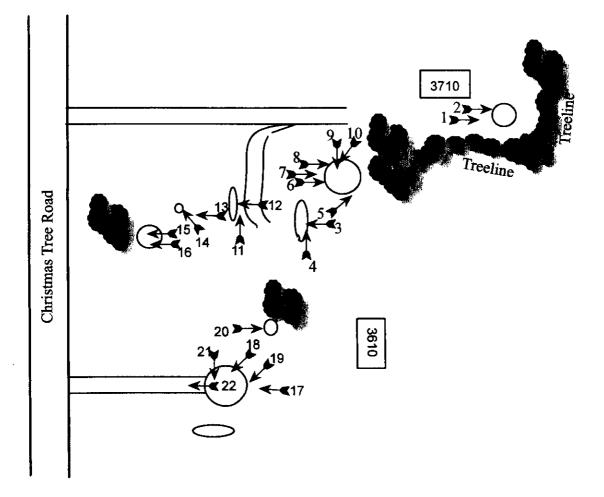
35 Illinois Administrative Code. (Title 35: Environmental Protection, Subtitle G: Land Pollution, Chapter I: Pollution Control Board) [Regulations]

Pursuant to Section 812.101(a) the Regulations, all persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (III. Rev. Stat. 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] shall submit to the Agency an application for a permit to develop and operate a landfill. The applications must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 III. Adm. Code 817.

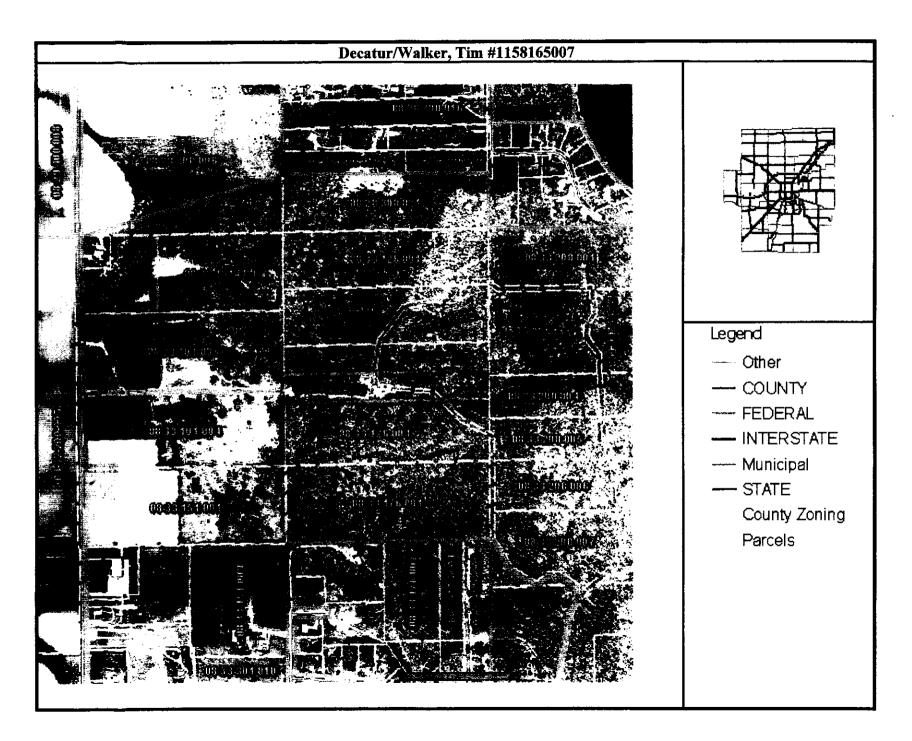
• A violation of 35 III. Adm. Code 812.101(a) is alleged because a landfill is being operated, but no application has been submitted to the Agency to develop and operate a landfill.

Site sketch for Decatur/Walker, Tim Site #1158165007 - Macon County Inspector(s): Darlene K. Powell, Sherri Ludlam Inspection Date: Friday, September 15, 2006





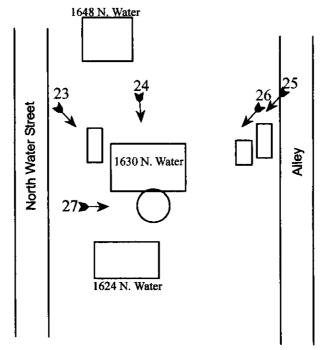
* Drawing not to scale Arrows indicate direction/location of photographs



Site sketch for Decatur/Walker, Tim Site #1158165007 - Macon County Inspector(s): Darlene K. Powell, Sherri Ludlam Inspection Date: Friday, September 15, 2006



House at 1630 North Water being torn down by Walker Home Service, owned by Mr. Tim Walker



* Drawing not to scale Arrows indicate direction/location of photographs

DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 11:42 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East





PHOTO #: 01

DATE: 9/15/2006

TIME: 11:42 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East



DATE:9/15/2006

SITE #: 1158165007

SITE NAME: Decatur/Walker, Tim

COUNTY: Macon

TIME: 11:50 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 03

DATE: 9/15/2006

TIME: 11:50 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: North



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 11:51 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Northeast

SITE NAME: Decatur/Walker, Tim

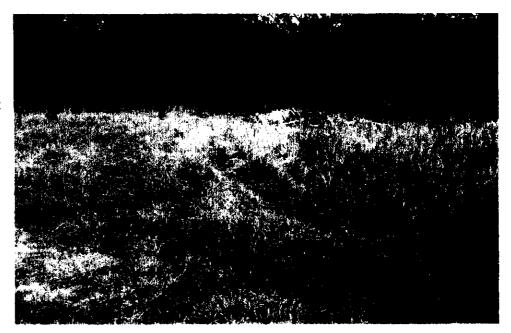


PHOTO #: 05

DATE: 9/15/2006

TIME: 11:51 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 11:51 am

SITE NAME: Decatur/Walker, Tim

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East



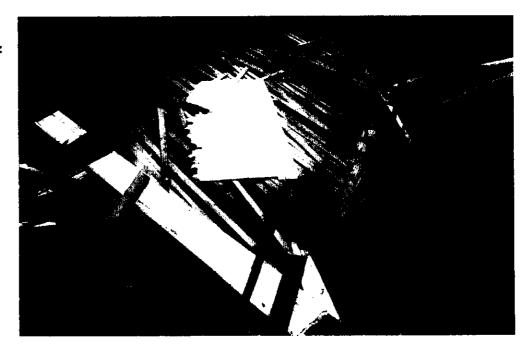
PHOTO #: 07

DATE: 9/15/2006

TIME: 11:51 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East



DATE: 9/15/2006

SITE #: 1158165007

SITE NAME: Decatur/Walker, Tim

COUNTY: Macon

TIME: 11:52 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: South



PHOTO #: 09

DATE: 9/15/2006

TIME: 11:52 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Southwest



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 11:54 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: North

SITE NAME: Decatur/Walker, Tim



PHOTO #: 11

DATE: 9/15/2006

TIME: 11:54 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 11:55 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West

SITE NAME: Decatur/Walker, Tim



РНОТО #: 13

DATE: 9/15/2006

TIME: 11:55 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Northwest



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 11:55 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West



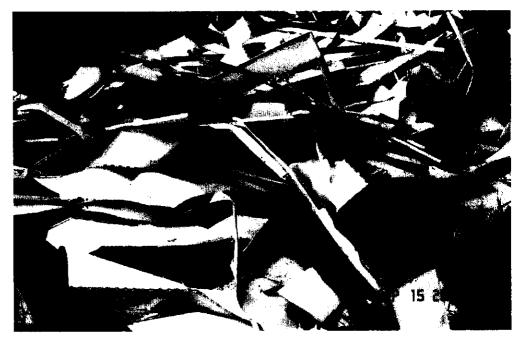


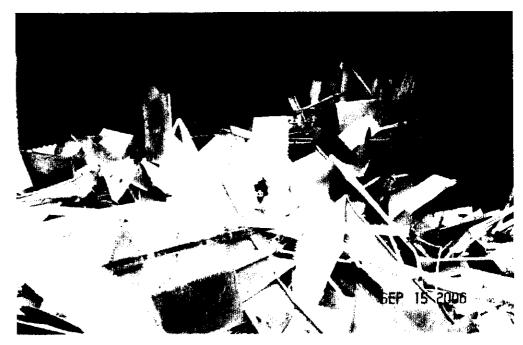
PHOTO #: 15

DATE: 9/15/2006

TIME: 11:56 am

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 12:01 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West

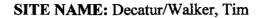




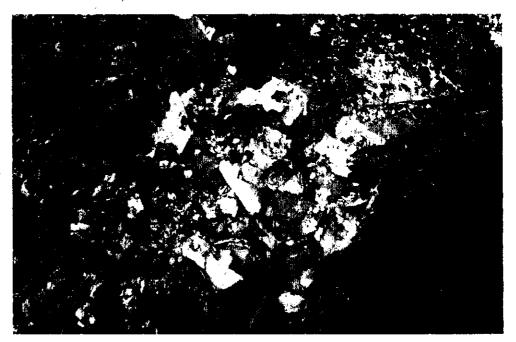
PHOTO #: 17

DATE: 9/15/2006

TIME: 12:02 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Southwest



DATE: 9/15/2006

SITE #: 1158165007

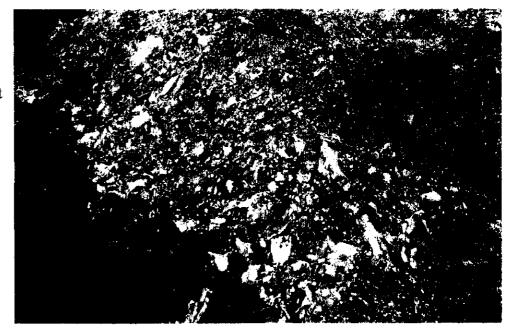
COUNTY: Macon

TIME: 12:02 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Southwest





РНОТО #: 19

DATE: 9/15/2006

TIME: 12:02 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 12:04 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: South

SITE NAME: Decatur/Walker, Tim



РНОТО #: 21

DATE: 9/15/2006

TIME: 12:04 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 9/15/2006

SITE #: 1158165007

SITE NAME: Decatur/Walker, Tim

COUNTY: Macon

TIME: 12:42 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Southeast

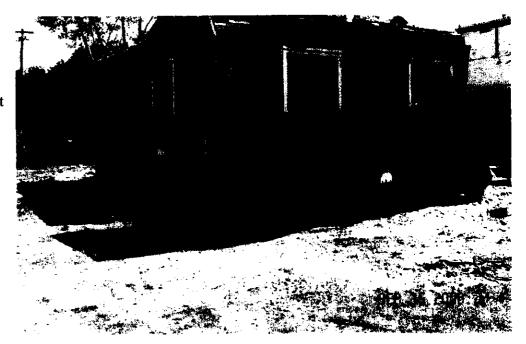


PHOTO #: 23

DATE: 9/15/2006

TIME: 12:43 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: South



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 12:43 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Southwest SITE NAME: Decatur/Walker, Tim



PHOTO #: 25

DATE: 9/15/2006

TIME: 12:43 pm

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: Southwest



DATE: 9/15/2006

SITE #: 1158165007

COUNTY: Macon

TIME: 12:44 pm

SITE NAME: Decatur/Walker, Tim

PHOTOS TAKEN BY: Darlene K. Powell

COMMENTS: Photo Taken Toward: East

