



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-9817
TDD: (217) 782-9143

RECEIVED
CLERK'S OFFICE
JUN 28 2007
STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

June 26, 2007

The Honorable Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

AC07-71

Re: Illinois Environmental Protection Agency v. Steve B. and Beth M. Segner
IEPA File No. 170-07-AC; 1998525010—Williamson County

Dear Clerk Gunn:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures

VIOLATIONS

Based upon direct observations made by Sheila Williams during the course of her May 18, 2007 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) (2004).

- (2) 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) (2004).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2004), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Three Thousand Dollars (\$3,000.00). 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 August 15, 2007, 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 (2004), 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) (2004), 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, Respondent's 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, 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 Illinois Attorney General may be requested to 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 (2004). 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 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.


Douglas P. Scott, Director *by wcc*
Illinois Environmental Protection Agency

Date: 6/26/07

Prepared by: Susan E. Konzelmann, 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

LPC # 1998525010

Inspection Date: 05/18/2007

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>
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"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	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"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
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 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.

NARRATIVE INSPECTION REPORT

Date: May 18, 2007 Inspector: Sheila Williams

Site Code: 1998525010 County: Williamson

Site Name: Carbondale/Segner Time: 12:15 P.M. – 12:40 P.M.

GENERAL REMARKS

On May 18, 2007 an inspection was conducted at the Carbondale/Segner site. The previous inspection was conducted on February 13, 2007. Williamson County records indicate that Steve B. & Beth M. Segner receive the tax bill for the property on which this site is positioned. The last inspection resulted in an Administrative Citation Warning Notice (ACWN) being sent to the Segners. They responded to the ACWN with a letter in which they indicated they would need until the fall of 2007 to have the site in compliance. Another Illinois EPA letter was sent to the Segners in which a September 1, 2007 extension was granted "contingent upon receipt by this office of bi-monthly reports stating what actions have been taken to bring the site into compliance as well as copies of receipts that show materials have been legally disposed of or recycled". This was to include any items referred to as wastes by the Illinois EPA that the Segners sold. The first of such reports was to be received no later than April 27, 2007. As of May 13, 2007 no such correspondence has been received.

The current inspection was conducted so as to determine what degree, if any, compliance had been achieved. It did not appear as though any progress had been made at the site. Many of the same items were still present as previously observed. As before the gate was closed & signs were posted indicating a flea market at this location. The whole area of debris has been designated as Area A. It is estimated to be approximately 600 cubic yards (180'x90'x1') in size. (Information from the Williamson County Supervisor of Assessments Office indicates the lot is 100'x221'.) Among the wastes observed were numerous wood spools, demolition debris, three grills, a deep

fryer, a variety of metal, four vehicles, plastic buckets, furniture, wood cabinets, bicycles, a weight set & an artificial tree. Some of the items were on pallets & a few covered either partially or wholly with tarps. By comparing pictures taken from the December 28, 2006 site visit & the February 13, 2007 inspection, it was apparent nothing had been done with many of the items. Because much of the refuse was located in the same place & same positions as previously observed going back as early as December 28, 2006, it is apparent most of the waste has been exposed to the elements for quite some time. Because there is such a large amount of debris at the site, it is apparent much of it has been brought from off site.

Carbondale Segner
#1998525010-Williamson Co.
Not to Scale
Locations are Approximate



Candy Ln.

16 ↗
14 ↘
15 ↘

Area A

7,8+9
5+6

3 ↙

1+2

11,12+13

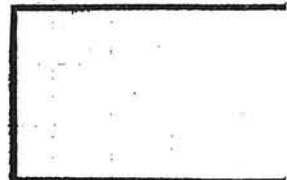
10

Spillway Rd.

Apricot



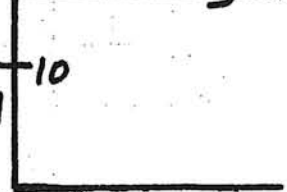
Pear



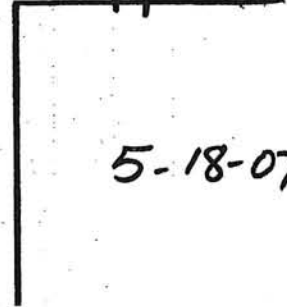
Peach



Orange



Apple



Hayton School Rd

5-18-07



DIGITAL PHOTOGRAPHS



**Date: 5/18/2007
Time: 12:18 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 001
Comments: metal,
wooden spools &
demolition debris**



**Date: 5/18/2007
Time: 12:18 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 002
Comments: hoses,
spools, buckets &
demolition debris**

File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 5/18/2007
Time: 12:20 P.M.
Direction: northwest
Photo by: S. Williams
Exposure #: 003
Comments: metal casing (apparently for a dishwasher), wooden spools, demolition debris, plastic buckets, a variety of metal & bricks



Date: 5/18/2007
Time: 12:20 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 004
Comments: furniture, pallets, three vehicles, demolition debris, a variety of metal, two outdoor grills, wooden cabinets & a chair

File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 5/18/2007
Time: 12:21 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 005
Comments: three
grills, a chair, pallets,
deep fryer, wooden
spools, what appears
to be drawers that
had been covered
with a tarp that has
not held up, two
vehicles & an artificial
tree**



**Date: 5/18/2007
Time: 12:22 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 006
Comments:
demolition debris, a
wooden spool, an
artificial tree, a
vehicle, two chairs,
wooden cabinets, two
grills & a deep fryer**

File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 5/18/2007
Time: 12:23 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 007
Comments:
demolition debris
with vegetation
growing up thorough
it, part of a swing set,
a travel tote & pieces
of a child's toy**



**Date: 5/18/2007
Time: 12:24 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 008
Comments: spools,
pallets & a table**

File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 5/18/2007
Time: 12:24 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 009
Comments: spools,
paint cans & a travel
tote**



**Date: 5/18/2007
Time: 12:25 P.M.
Direction: northeast
Photo by: S. Williams
Exposure #: 010
Comments:
demolition debris &
other unidentifiable
waste partially
covered by vegetation**

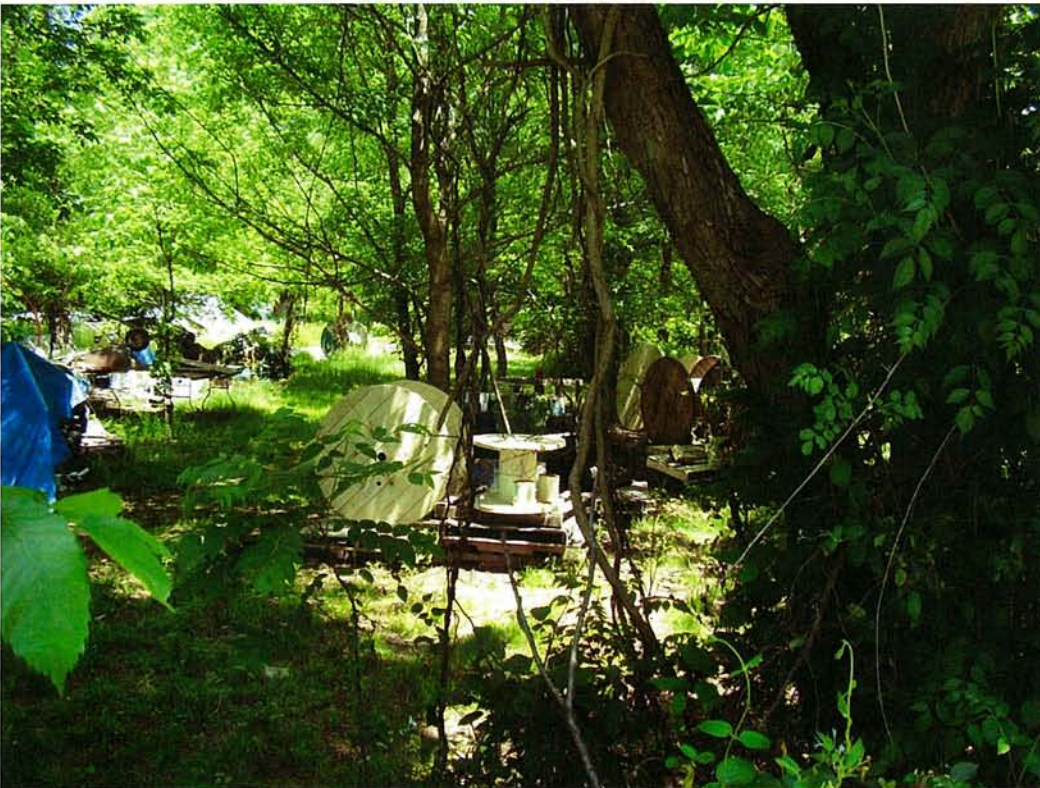
File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 5/18/2007
Time: 12:26 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 011
Comments: spools,
demolition debris &
piles of other
unidentifiable debris**



**Date: 5/18/2007
Time: 12:26 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 012
Comments: spools,
paint cans & items
not fully covered by a
tarp**

File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



**Date: 5/18/2007
Time: 12:27 P.M.
Direction: north
Photo by: S. Williams
Exposure #: 013
Comments: ironing
board, spools,
bicycles, demolition
debris & piles of
unidentifiable refuse**



**Date: 5/18/2007
Time: 12:36 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 014
Comments: a van, a
chair & other debris
amongst vegetation**

File Names: 1998525010~05182007 - [Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 5/18/2007
Time: 12:37 P.M.
Direction: southwest
Photo by: S. Williams
Exposure #: 015
Comments: a variety of metal & other refuse partially covered by vegetation



Date: 5/18/2007
Time: 12:39 P.M.
Direction: southeast
Photo by: S. Williams
Exposure #: 016
Comments: a dilapidated weight set amongst vegetation

File Names: 1998525010~05182007 - [Exp. #].jpg

Williamson County Office:
Williamson County Airport
120 Express Drive
Marion, IL 62959-9808
Phone 618/993-8111
FAX 618/993-6455

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

www.bicountyhealth.org

1998525010-Williamson Co
Segner

FOS Franklin County Office:
403 East Park
Benton, IL 62812-1920
Phone 618/439-0951
FAX 618/438-3005

June 7, 2007

Steve Segner
7676 Spillway Road
Carbondale, IL 62901

RECEIVED

JUN 15 2007

IEPA/DOL

Dear Mr. Segner,

Another inspection of your property at 7676 Spillway Road, Carbondale, IL was made on June 5, 2007. At this time it was noted that the violations of Williamson County Refuse and Nuisance Ordinance have not been abated. I have spoken to you and written several letters explaining what needs to be done to abate the violations at 7676 Spillway Road and have allowed an exceptional amount of time to comply.

Because you have been unable or unwilling to take the steps necessary to comply, the only recourse left to me is legal action. Citations for an appearance in Williamson County Court will be issued for failure to clean up the area and lack of compliance.

If you have any questions concerning this matter please call me at the Marion office 993-8111 between the hours of 8:00 – 9:00 a.m. and 3:00 – 4:00 p.m., Monday through Friday.

Sincerely,



Bob Davis, B.S., R.S.
Environmental Health

BD/drm
enclosure

Williamson County Office:
Williamson County Airport
120 Express Drive
Marion, IL 62959-9808
Phone 618/993-8111
FAX 618/993-6455

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

www.bicountyhealth.org

Franklin County Office:
403 East Park
Benton, IL 62812-1920
Phone 618/439-0951
FAX 618/438-3005

January 16, 2007

COPY

Steve Segner
7676 Spillway Road
Carbondale, IL 62901

Dear Mr. Segner:

Another inspection of your property at 7676 Spillway Road was made on January 10, 2007. At that time, I noted that much material had been covered and re-stacked or arranged. There are still a lot of items that need to be removed/cleared from your property. Now that the rain has stopped and the ground is freezing, the weather conditions should provide easier access for removal of much of this material.

Please have this done as soon as possible and no later than February 20, 2007. Even though I had previously stated the due date would be January 10, 2007, I am extending the time due to the inordinate amount of rainfall this past month. If you have questions concerning this matter, contact me at the Marion office, 993-8111 from 8:00 – 9:00 a.m. or 3:00 – 4:00 p.m. Monday through Friday.

Sincerely,



Bob Davis, B.S., R.S.
Investigator

BD/lsm

Bob Davis
120 Express Drive
Marion, IL 62959-9808

December 19, 2006

Dear Bob:

I received your letter dated 11-28-06. I'd like to let you know that I've been cleaning this area, and have made big progress, since your inspection on 7-27-06. I have started several containers; one for alluminum, one for brass and coppber, and three for ferrous metals. When these containers fill up, I take them to the scrap yard. I also have established a trailer, made from a pick-up truck, for refuse collection. When this trailer is full, Burris Disposal picks up this refuse for a flat fee. Since I received your letter 11-28-06, I have reorganized, sorted and removed much of the materials that could have been seen from the road. Also, as from our discussion, I have trimmed the grass in this area as you suggested. The materials I want to keep are on wooden skids, which are held off the ground by bricks. Any materials that may be harmed by the weather, are covered by tarps. The tarps are set up so they shed the rain water and do not bread insects. As you know, there has been alot of rain this fall. This has made the ground very soft. I will not be able to remove some of the larger materials until the ground dries out. Until then, I will continue to clean up the best I can.

Please stop by any time to take a look at the progress I have made.

Sincerely,



Steve Segner

RECEIVED
JUN 11 2007

IL Environmental Protection Agency
MARION REGIONAL OFFICE

Williamson County Office:
Williamson County Airport
120 Express Drive
Marion, IL 62959-9808
Phone 618/993-8111
FAX 618/993-6455

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

www.bicountyhealth.org

Franklin County Office:
403 East Park
Benton, IL 62812-1920
Phone 618/439-0951
FAX 618/438-3005

November 28, 2006

Steve Segner
7676 Spillway Road
Carbondale, IL 62901

Dear Mr. Segner:

While making an inspection/evaluation on another case in your area, I noted the condition of your property. Junk and refuse was scattered about over quite a large area. After our discussion of July 27, 2006, you informed me you planned to scrap out much of the metal and discard the rest. You also stated you had a contract with Burris Disposal to remove refuse.

The vegetation around this area has died and the refuse and junk is more easily seen, especially this time of year. The violations have not been abated. You have until January 10, 2007, to clean up the area before citations are issued. No extra time will be given for abatement of these violations. I have discussed this with you several times in the past few months, so at this point in time, it should be clear what steps need to be taken to abate the violation and a court appearance. Thank you for your cooperation in this matter.

Sincerely,



Bob Davis, B.S., R.S.
Environmental Health

BD/lsm

Williamson County Office:
Williamson County Airport
120 Express Drive
Marion, IL 62959-9808
Phone 618/993-8111
FAX 618/993-6455

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

www.bicountyhealth.org

Franklin County Office:
403 East Park
Benton, IL 62812-1920
Phone 618/439-0951
FAX 618/438-3005

June 14, 2006

COPY

Steve Segner
7676 Spillway Road
Carbondale, IL 62901

Dear Mr. Segner:

As of this date, June 14, 2006, I have not heard from you concerning a meeting to determine what items on your property might be re-arranged, sold, or disposed of, so as to not be in violation of the Williamson County Refuse and Nuisance Ordinances as defined in the original warning citation written to you on April 11, 2006. I have attempted to call you several times and was unable to contact you. The letter was written June 6, 2006, for the purpose of trying to work out an agreement concerning the material on your property at 7676 Spillway Road, Carbondale, IL. No contact has been made.

Another inspection of your property was made June 12, 2006, and it did not appear that much of the material had been removed. Please have the violation here abated as stated in the original warning citation by no later than June 30, 2006, to avoid further legal action.

Sincerely,



Bob Davis, B.S., R.S.
Investigator

BD/lsm

Williamson County Office:
Williamson County Airport
120 Express Drive
Marion, IL 62959-9808
Phone 618/993-8111
FAX 618/993-6455

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

www.bicountyhealth.org

Franklin County Office:
403 East Park
Benton, IL 62812-1920
Phone 618/439-0951
FAX 618/438-3005

June 6, 2006

COPY

Steve Segner
7676 Spillway Road
Carbondale, IL 62901

Dear Mr. Segner:

After calling several times and being unable to reach you, I am writing to arrange a time with you for an inspection of your property at 7676 Spillway Road. We discussed this matter in April concerning what you were going to keep after the sale in May. Please call me at the Marion office, 993-8111, to arrange a meeting. Thank you for your cooperation.

Sincerely,



Bob Davis, B.S., R.S.
Environment Health

BD/lsm

Williamson County Office:
Williamson County Airport
120 Express Drive
Marion, IL 62959-9808
Phone 618/993-8111
FAX 618/993-6455

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

www.bicountyhealth.org

Franklin County Office:
403 East Park
Benton, IL 62812-1920
Phone 618/439-0951
FAX 618/438-3005

April 11, 2006

COPY

Steve Segner
7676 Spillway Road
Carbondale, IL 62901

Dear Mr. Segner:

An inspection was made of the property at 7676 Spillway Road, Carbondale, IL 62901 on April 11, 2006. I noted there was a violation of the Williamson County Refuse and Nuisance Ordinances 1981-2 on your property.

Enclosed is an inspection report form stating the type of violation, recommendations to correct, and the date the violation must be corrected.

If by any chance the above mentioned property does not belong to you or the violation has been corrected upon receipt of this letter, please notify this department. If you have any questions, feel free to contact me between 8:00 - 9:00 a.m. or 3:00 - 4:00 p.m. at the Marion office.

Sincerely,



Bob Davis, B.S., R.S.
Environmental Health

BD/lsm
enc.

Franklin County Office:
Franklin Heights Plaza
Benton, Illinois 62812
Phone: 439-0951

FRANKLIN-WILLIAMSON
BI-COUNTY
HEALTH DEPARTMENT

Williamson County Office:
Williamson County Airport
Marion, Illinois 62959
Phone 993-8111

INSPECTION REPORT - WARNING CITATION

NAME OF VIOLATOR Steve Segur ADDRESS 1016 Spillway Road
CITY Carbondale COUNTY Williamson

Based on the inspection of this day, the items marked below identify violations of the:
 BI-COUNTY REFUSE AND NUISANCE ORDINANCE BI-COUNTY PRIVATE SEWAGE ORDINANCE
 Failure to correct these violations within the time specified will result in prosecution under the enforcement provisions of this Act.

Section	Part		Violations
2		REFUSE STORAGE AND DISPOSAL	
2	1	Final Disposal of Refuse	X
2	2	Refuse and Storage	X
2	3	Accumulation, Storage and Burning	X
2	4	Accumulation and Storage of Junk	X
2	5	Transportation of Refuse	
2	6	Frequency of Collection	X
2	7	Dangerous and Hazardous Materials	
2	8	Vermin and Rodents	
3		NUISANCES	
3	1	General	X
3	2	Public Health Nuisances	X
4		DANGEROUS BUILDINGS	
6	6.1		

Section	Part	Item	Violations To Be Corrected	Correct By
2			Refuse (junk) placed outdoors must be properly bagged and not left on the ground surface. If you have a business sign, a copy of that business must be provided. You must have your bagging equipment.	
			Correct by: May 31, 2006	5/31/06

Date of Investigation 5/24/06 Time 11:40 AM By Bob Duni
(Inspector)

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY)
)
 Complainant,)
)
 v.)
)
)
)
 Respondent.)

IEPA DOCKET NO.

AFFIDAVIT

Affiant, Sheila Williams, being first duly sworn, voluntarily deposes and states as follows:

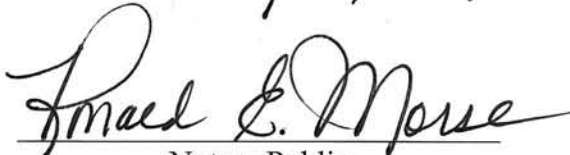
1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On May 18, 2007, between 12:15 p.m. and 12:40 p.m., Affiant conducted an inspection of a disposal site operated by Steve B. & Beth M. Segner, located in Williamson County, Illinois, and known as Carbondale/Segner by the Illinois Environmental Protection Agency. Said site has been assigned site code number 1998525010 by the Agency.
3. Affiant inspected said Carbondale/Segner site by an on-site inspection which included walking and photographing the site.

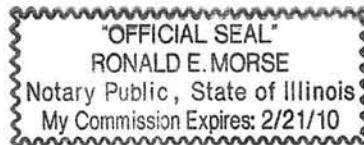
4. As a result of the material actions referred to in paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said Carbondale/Segner.



Subscribed and Sworn to before me

this 14th day of June, 2007


Notary Public



SRW:jkb/30971/06-13-07

ORIGINAL

PROOF OF SERVICE

RECEIVED
CLERK'S OFFICE

JUN 28 2007

STATE OF ILLINOIS
Pollution Control Board

I hereby certify that I did on the 26th day of June 2007, send by Certified Mail, Return Receipt Requested, 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, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Steve B. & Beth M. Segner
7676 Spillway Road
Carbondale, IL 62902
Cert #7004 2510 0001 8619 0190

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

To: Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
Cert #7004 2510 0001 8619 0206



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