

- (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) (2006).
- (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) (2006).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in the deposition of general construction and demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2006), 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 Four Thousand Five Hundred Dollars (\$4,500.00). 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 November 30, 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 (2006), 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 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) (2006), 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 (2006). 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: Jack W. Ahola
Macon County States Attorney

By: 

Kenneth Boles
Assistant State's Attorney
Macon County, Illinois

Date: August 7, 2007

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

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

AFFIDAVIT

RECEIVED
CLERK'S OFFICE

AUG 13 2007

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:

Annette Topps and
Richard Jones

Respondents

ORIGINAL

(MCSWMD File No. 2007 – 002 – AC)

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 July 11, 2007 between 10:09 and 10:25 in the morning, Affiant conducted an inspection of the site in Macon County, Illinois, known as Oakley/Topps-Jones, Illinois Environmental Protection Agency Site No. 1158125008.
3. Affiant inspected said Oakley/Topps-Jones 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 Oakley/Topps-Jones site.

Darlene K. Powell

Subscribed and Sworn to before me
this 8th of August.

Susan L. Luya
Notary Public





MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

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

RECEIVED
CLERK'S OFFICE

AUG 13 2007

STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

ADMINISTRATIVE CITATION

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

MACON COUNTY SOLID)	#1158125008 – MACON COUNTY
WASTE MANAGEMENT DEPT,)	Oakley/Topps-Jones
Complainant)	COMPLIANCE FILE
vs.)	
)	
Annette Topps and)	
Richard Jones)	
Respondent)	

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 additional 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.
PLEASE NOTE: garbage, including used/waste tires, cannot be burned.
- #2 By October 19, 2007, all waste must be taken to a permitted landfill or transfer station. **DO NOT BURN ANY OF THE WASTE.** Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center.
- #3 By October 19, 2007, any landscape waste hauled on site from another location must be taken to a permitted compost facility. Landscape waste cannot be taken to a landfill or transfer station for the purpose of disposal.
- #4 By October 31, 2007 copies of receipts that document the proper disposal or recycling of wastes need to be submitted to the Macon County Solid Waste Management Department.

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: Darlene K. Powell

Darlene K. Powell
Inspector

Date: August 7, 2007

CERTIFIED MAIL #: 7007-0220-0001-1331-2599

Enclosure

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



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)	#1158125008 – MACON COUNTY
WASTE MANAGEMENT DEPT,)	Oakley/Topps-Jones
Complainant)	COMPLIANCE FILE
vs.)	
)	
Annette Topps and)	
Richard Jones)	
Respondent)	

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 additional 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.
PLEASE NOTE: garbage, including used/waste tires, cannot be burned.
- #2 By October 19, 2007, all waste must be taken to a permitted landfill or transfer station. **DO NOT BURN ANY OF THE WASTE.** Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center.
- #3 By October 19, 2007, any landscape waste hauled on site from another location must be taken to a permitted compost facility. Landscape waste cannot be taken to a landfill or transfer station for the purpose of disposal.
- #4 By October 31, 2007 copies of receipts that document the proper disposal or recycling of wastes need to be submitted to the Macon County Solid Waste Management Department.

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: Darlene K. Powell

Darlene K. Powell
Inspector

Date: August 7, 2007

CERTIFIED MAIL #: 7007-0220-0001-1331-2605

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#: 1158125008 Region: 4 - Champaign
 Location/Site Name: Oakley/Topps-Jones
 Date: 07/11/2007 Time: From 10:09 am To 10:25 am Previous Inspection Date: 09/28/2004
 Inspector(s): Darlene K. Powell, Sherri Ludlam Weather: clear, windy, temp in seventies
 No. of Photos Taken: # 16 Est. Amt. of Waste: 60 yds³ Samples Taken: Yes # No
 Interviewed: N/A Complaint #:
 Latitude: 39.86245 Longitude: -88.86722 Collection Point Description: Other - North end of site +/- 5ft
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS - Garmin 60CS

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

Annette Topps
1235 East Hickory Street
Decatur, Illinois 62526

Richard Jones
1320 East Wood Street
Decatur, Illinois 62521

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" 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 checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" 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	<input checked="" 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 checked="" 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"/>

LPC # 1158125008

Inspection Date: 07/11/2007

	(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 checked="" 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.

**LPC #1158125008 - Macon County
Oakley/Topps-Jones
FOS File**

Inspector(s): Darlene K. Powell, Sherri Ludlam

Inspection Date: Wednesday, July 11, 2007

Inspection Report Narrative

This site was inspected on July 11, 2007 between the hours of 10:09 and 10:25 in the morning or afternoon. The inspection was conducted by Darlene K. Powell and Sherri Ludlam, representing the Macon County Solid Waste Management Department (MCSWMD). Weather conditions at the time of the inspection were clear and windy with an air temperature in the seventies. Sixteen photographs were taken. No samples were collected, and no interviews were conducted.

General Information/Site History

The property is located in Macon County on Bender Road, north of Illinois Route 105, in Oakley Township. Eight inspections have been conducted at this site since August 2002, seven by the MCSWMD and one by the Illinois Environmental Protection Agency (IEPA). Open dumping was cited during seven of the eight previous inspections. Open burning was cited during five of the eight previous inspections, of which two inspections resulted in citations for burning used/waste tires. September 28, 2004 was the last time an inspection was conducted at the property. There were no violations cited during that inspection, and the site was considered back in compliance. This inspection was conducted after receiving a complaint that landscape waste was being hauled in from other locations and illegally burned on site.

Property Ownership

As of the last inspection, conducted on September 28, 2004, Annette Topps, Jill Jones, and Dennis Hawthorne were all listed as owners of the property. The current owners of the property are Annette Topps and Richard Jones. This information was obtained from the Macon County Supervisor of Assessment's Office and the Macon County Recorder's Office.

Inspection Findings

We arrived at the site at 10:09 in the morning. The gate on the east side of the property was closed and locked. We drove to the north side of the property off of Country Club Road and were able to gain access to the site. We observed a pile of landscape waste mixed with other debris (Photograph 1). Right next to the pile we observed a burn pile that included metal, dimensional lumber and other debris (Photographs 2 – 4). We walked to the other side of the pile and observed plastic bags of waste and other debris (Photograph 5). Just to the east we observed another pile of

waste with a spot next to it where burning had occurred (Photographs 6). We observed tire beads in the ashes (Photograph 7).

Further south on the property we observed a tarp, which had shingles stored under it (Photographs 8 & 9). To the southeast of the shingles we observed another location where waste had been burned (Photographs 10 & 11). A clean burn pile was observed on the east side of the property near the gate (Photograph 12). Not far from the burn pile we observed firewood with chunks of railroad ties and dimensional lumber mixed in it (Photographs 13 & 14). Located approximately in the center of the property, we observed plastic, metal, glass, and other debris in another burn pile (Photograph 15). As we were leaving the property, we noticed very faint tire tracks around the piles of waste observed on the north end of the property (Photograph 16). We concluded our inspection and left the site at 10:25 in the morning.

Summary of Apparent Violations

Environmental Protection Act ILCS 5/1 et seq. (formerly Ill 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 open-burning that would cause, threaten, or allow; or tend to cause, threaten, or allow air pollution in the State of 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 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.

- A violation of Section 21(p)(1) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in litter deposition on site was observed during the inspection.

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 evidence that open dumping of waste was caused or allowed to occur and resulted in open burning on site was observed during the inspection.

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 and/or demolition debris as defined in Section 3.160(a) of this Act.

- A violation of Section(s) 21(p)(7) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in the deposition of general construction and/or demolition debris on site was observed during the inspection.

Pursuant to Section 55(a)(2) of the Act, no person shall cause or allow the open burning of any used or waste tire.

- A violation of Section 55(a)(2) is alleged because the remains of burnt tires, specifically tire beads, were observed in the ashes of a burn pile during the inspection.

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) (Ill. 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 Ill. Adm. Code 817.

- A violation of 35 Ill. 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.

Oakley/Toppo-Jones 1158125008



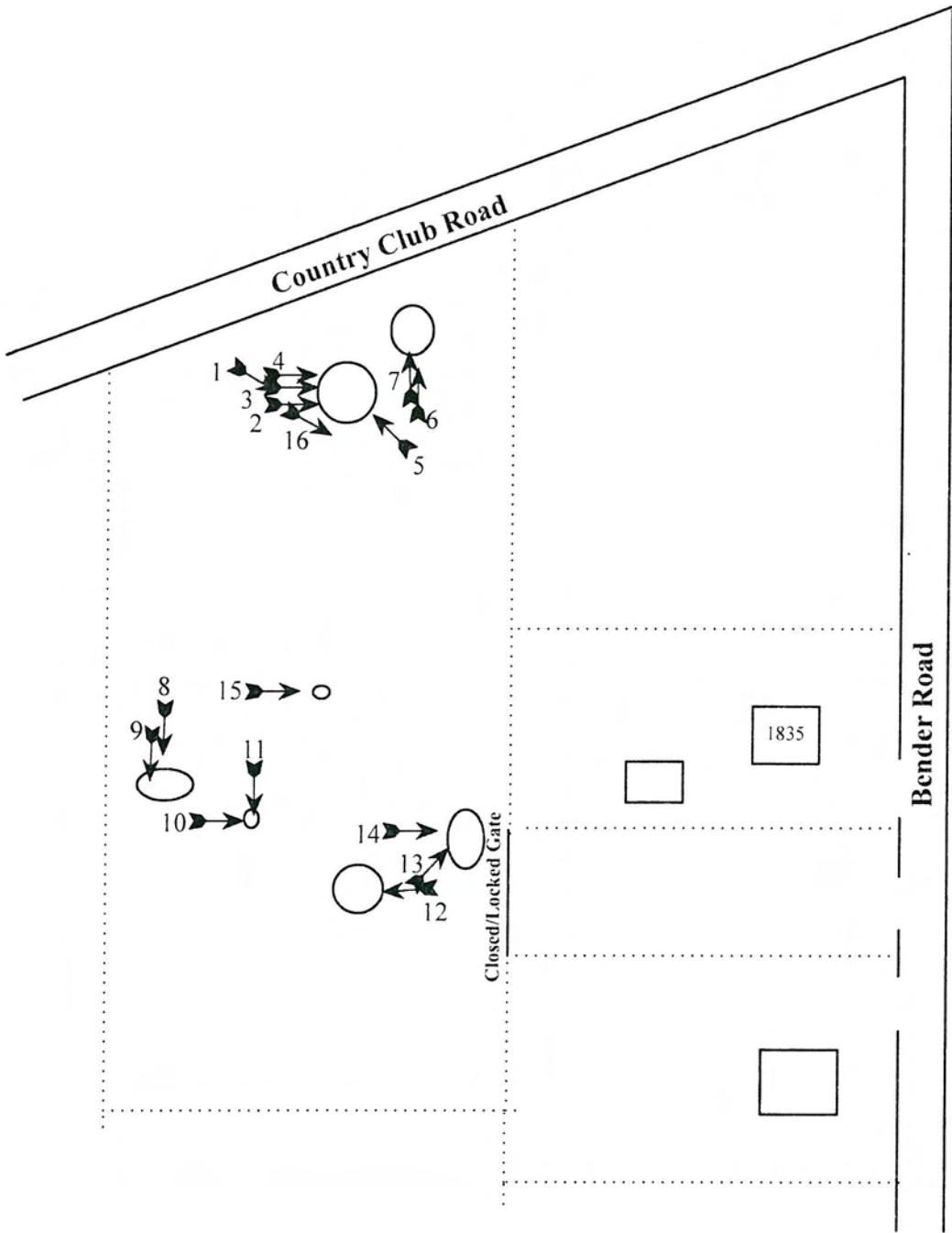
2005 Photograph



Legend

- ◆ Addresses
- Other
- COUNTY
- FEDERAL
- INTERSTATE
- Municipal
- STATE
- County Zoning
- Parcels

Site sketch for Oakley/Topps-Jones
Site #1158125008 - Macon County
Inspector(s): Darlene K. Powell, Sherri Ludlam
Inspection Date: Wednesday, July 11, 2007



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

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:14 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: Southeast
Pile of landscape waste
mixed with other debris



PHOTO #: 01

DATE: 7/11/2007

TIME: 10:15 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Metal in burn pile



PHOTO #: 02

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:15 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Metal in burn pile



PHOTO #: 03

DATE: 7/11/2007

TIME: 10:15 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Dimensional lumber and
other debris in burn pile



PHOTO #: 04

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:15 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: Northwest
Waste on other side of
burn pile



PHOTO #: 05

DATE: 7/11/2007

TIME: 10:16 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: North
Waste and burn pile



PHOTO #: 06

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:16 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: North
Tire beads in burn pile



PHOTO #: 07

DATE: 7/11/2007

TIME: 10:17 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: South
Tarp



PHOTO #: 08

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:18 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: South
Shingles under tarp



PHOTO #: 09

DATE: 7/11/2007

TIME: 10:19 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Debris in burn pile



PHOTO #: 10

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:19 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: South
Metal, glass, and other
debris in burn pile



PHOTO #: 11

DATE: 7/11/2007

TIME: 10:20 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: West
Clean burn pile



PHOTO #: 12

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 1021 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: Northeast
Chunks of railroad ties
mixed with firewood



PHOTO #: 13

DATE: 7/11/2007

TIME: 10:21 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Dimensional limber
mixed with firewood



PHOTO #: 14

INSPECTION PHOTOS

DATE: 7/11/2007

SITE #: 1158125008

COUNTY: Macon

TIME: 10:22 am

SITE NAME: Oakley/Topps-Jones

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Plastic, metal, glass, and
other debris in burn pile



PHOTO #: 15

DATE: 7/11/2007

TIME: 10:24 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: Southeast
Tire tracks around piles
of waste on north end of
property



PHOTO #: 16



MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

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

217-421-0291

August 9, 2007

Dorothy Gunn, Clerk
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218

Re: County of Macon
MCSWMD File No. 2007-002-AC: 1158125008 – Macon 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 inspectors Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondents.

On this date, a copy of the Administrative Citation Package was sent to the Respondents 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,

Darlene K. Powell
Inspector

Enclosures

Cc: Rich Gerard, Champaign Regional Office
Ellen Robinson
FOS File

ORIGINAL

RECEIVED
CLERK'S OFFICE
AUG 13 2007
AC08-5
STATE OF ILLINOIS
Pollution Control Board