



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

ORIGINAL

RECEIVED
CLERK'S OFFICE

JAN 18 2008

STATE OF ILLINOIS
Pollution Control Board

January 16, 2008

AC08-12

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

Re: Illinois Environmental Protection Agency v. Norma Eddington and Cecil Eddington
IEPA File No.1-08-AC; 0178055002—Cass County

Dear Mr. Therriault:

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

JAN 18 2008

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

ORIGINAL

Complainant,)

AC 08-12

v.)

(IEPA No. 1-08-AC)

NORMA EDDINGTON and CECIL)
EDDINGTON,)

Respondents.)

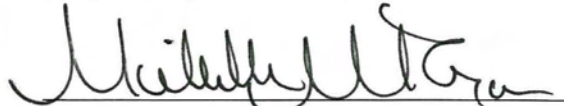
NOTICE OF FILING

To: Norma Eddington
4954 U.S. Highway 67
Beardstown, IL 62618

Cecil Eddington
801 E. Third Street
Beardstown, IL 62618

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

Respectfully submitted,



Michelle M. Ryan
Special Assistant Attorney General

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

Dated: January 16, 2008

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

JAN 18 2008

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

ORIGINAL

Complainant,

AC

08-12

v.

(IEPA No. 1-08 -AC)

NORMA EDDINGTON and CECIL
EDDINGTON,

Respondents.

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2004).

FACTS

1. That Norma Eddington is the present owner and Cecil Eddington is the operator (collectively "Respondents") of a facility located at 4954 U.S. Highway 67, Beardstown, Cass County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Hagener Township/Eddington #2.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0178055002.

3. That Respondents have owned/operated said facility at all times pertinent hereto.

4. That on December 6, 2007, Charles W. King, Jr. of the Illinois Environmental Protection Agency's Springfield Regional Office inspected the above-described facility. A copy of

his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Charles King during the course of his December 6, 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).

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 One Thousand Five Hundred Dollars (\$1,500.00). 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 February 15, 2008, 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.

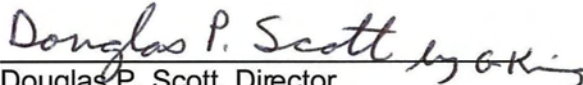
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2004), if Respondents fail to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall 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, Respondents' check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, 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 Respondent.


Douglas P. Scott, Director
Illinois Environmental Protection Agency

Date: 1/10/2008

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

RECEIVED
CLERK'S OFFICE
JAN 18 2008
STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Complainant,)
v.)
NORMA EDDINGTON and CECIL)
EDDINGTON,)
Respondents.)

ORIGINAL

AC 08-12
(IEPA No. 1-08-AC)

FACILITY: Hagener Township/Eddington #2 SITE CODE NO.: 0178055002
COUNTY: Cass CIVIL PENALTY: \$1,500.00
DATE OF INSPECTION: December 6, 2007

DATE REMITTED:
SS/FEIN NUMBER:
SIGNATURE:

NOTE

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

RECEIVED
CLERK'S OFFICE
JAN 18 2008
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:

Illinois Environmental
Protection Agency

vs.

Norma Eddington, and
Cecil Eddington

Respondents.

ORIGINAL

AC08-12

IEPA DOCKET NO.

Affiant, Charles W. King, Jr., being first duly sworn, voluntarily deposes and states as follows:

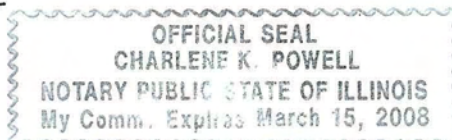
1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On December 6, 2007, between 10:20 a.m. and 11:45 a.m., Affiant conducted an inspection of an open dump, located in Cass County, Illinois and known as Hagener Township/Eddington # 2 by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC # 0178055002 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said open dump.

Charles W. King, Jr.

Charles W. King, Jr.

Subscribed and Sworn to Before Me
this 20th day of Dec., 2007

Charlene K. Powell
Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

OLEK'S OFFICE
JAN 18 2008
 STATE OF ILLINOIS
 Pollution Control Board

County: Cass LPC#: 0178055002 Region: 5 - Springfield
 Location/Site Name: Hagener Township/Eddington # 2
 Date: 12/06/2007 Time: From 1120 To 1145 Previous Inspection Date: 09/11/2007
 Inspector(s): Charlie King Weather: Overcast, 25 deg. F., Winds W @ 15 mph
 No. of Photos Taken: # 14 Est. Amt. of Waste: 409 yds³ Samples Taken: Yes # No X
 Interviewed: Cecil Eddington Complaint #: C-08-001-C

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

Mr. Cecil Eddington
 801 E. Third Street
 Beardstown, IL 62618

ORIGINAL

Mrs. Norma Eddington
 4954 U. S. Highway 67
 Beardstown, IL 62618
 217/323-4635

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	
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	X
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	X
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	X
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	X
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	X
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	
	(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 # 0178055002

Inspection Date: 12/06/2007

	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	X
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	
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	X
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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

MEMORANDUM

DATE: December 21, 2007

TO: Land Division File

FROM: Charlie King, DLPC/FOS – Springfield Region

SUBJECT: LPC # 0178055002 – Cass County
Hagener Township/Eddington # 2
C-08-001-C
FOS File

NARRATIVE RE-INSPECTION REPORT DOCUMENT

The purpose of this memorandum is to serve as the Narrative Re-Inspection Report Document of a re-inspection conducted on December 6, 2007, from approximately 11:20 a.m. until 11:45 a.m., by this author. No one accompanied me on this re-inspection. The re-inspection was conducted to follow-up the previous site re-inspection conducted on September 11, 2007. I was accompanied on that re-inspection by my supervisor, David C. Jansen, Manager, DLPC/FOS – Springfield Region. That re-inspection followed-up the original site inspection conducted on August 10, 2007, by this author, in response to a complaint received at the DLPC/FOS – Springfield Regional Office. The two previous inspections were discussed in this author's narrative to the Land Division File, dated September 26, 2007. That document should be referenced for greater detail. Those first two inspections referenced above, resulted in the issuance of an Open Dump Administrative Citation Warning Notice (ACWN) dated September 27, 2007. As of the date of this memorandum, no written response, as required within 15 days in the ACWN, has been received.

This site has a history with the Illinois EPA. It was the subject of a series of inspections conducted by this inspector a few years ago. Specifically, an inspection was conducted on January 12, 2004. As a result, Open Dump Administrative Citation Warning Notices (ACWNs) were issued to Norma Eddington and Cecil Eddington (mother and son), on February 26, 2004 for the open dumping of a large volume of wastes, and open burning. The first re-inspection was conducted on April 27, 2004, which resulted in a clean-up time extension until July 15, 2004, as discussed in an Illinois EPA letter to Mr. Eddington dated May 11, 2004. Mrs. Eddington was copied on the letter. The site was then re-inspected on August 23, 2004. That re-inspection resulted in another clean-up time extension until October 31, 2004, as discussed in Illinois EPA letters to both respondents, dated September 9, 2004. The site was re-inspected again on November 18, 2004. The site was found to have returned to compliance. Final receipts documenting clean-up activities were received by the DLPC/FOS – Springfield Region on November 24, 2004.

Return to Compliance letters were sent to the respondents from the Illinois EPA dated December 30, 2004.

The geographic area of the August 10 and September 11, 2007 inspections was much smaller than the area addressed in 2004. Those inspections were primarily concerned with the repair shop, known as the "garage" during the 2004 inspections, and its immediate surroundings, up to 200' in any direction from the repair shop. Other areas of wastes, however, were observed during the brief September 11, 2007 re-inspection, which were observed in much greater detail during the December 6, 2007 re-inspection.

The site is located at 4954 U. S. Highway 67, Beardstown, IL 62618. The site is on the east side of Route 67, in a rural area, approximately five miles south of Beardstown. The garage repair shop is located behind the house. The house cannot be seen from the highway, as a long driveway through a wooded area precludes it from being seen. The garage repair shop is most easily accessed by turning east on Hagener Road, going a few hundred feet and turning north. There are two roads that split into a "Y" at that location. The eastern road should be taken. Going another 400' or so, the repair shop is on the left, or west side of the road, just north of a horse lot. The legal and specific location of the site is on the Warranty Deed, which was obtained during the 2004 inspections. It lists Thomas W. Eddington and Norma E. Eddington, husband and wife, as the owners. Thomas W. Eddington is deceased, leaving Norma E. Eddington as the sole owner of the site. That deed is No. 51471, filed December 20, 1972, in Book 138 of Deeds, Page 161. A search conducted at the Cass County Courthouse Tax Assessors Office and the Recorder of Deeds Office on August 15, 2007, revealed no updates to the deed or ownership.

The last address on record for Cecil Eddington was 801 E. Third Street, Beardstown, IL 62618. A check with the Cass County Courthouse on August 15, 2007, still shows him to live at this address, per his voting registration. Therefore, all mail to Cecil should be sent to him at his Third Street address. Norma Eddington owns the residence on Third Street. A deed for that property can be found in Book 174 of Deeds, Page 456, per a search by this inspector on August 15, 2007. A copy of that deed has not been obtained by the Illinois EPA. The garage repair shop business, operated by Cecil Eddington, is owned by his mother, Norma Eddington. All mail to Norma Eddington should be sent to her at 4954 U. S. Highway 67, Beardstown, IL 62618. Her telephone number is: 217/323-4635.

Upon arrival at the site on the day of the inspection, the weather was overcast with an air temperature of approximately 25° F. Winds were westerly at approximately 15 mph. Surface soil conditions were mostly dry.

Upon arrival at the site on the day of the December 6, 2007 inspection, initially, no one was observed in the area. I telephoned Norma Eddington and told her I was present, near the garage where Cecil operated his repair business. I told her I was there to conduct my re-inspection and asked if Cecil was there. She said that he was not. I then asked her if she minded if I conducted the re-inspection. She said that she guessed she didn't mind. I

told her if there was anything she needed to discuss, that I would be conducting the inspection. She concurred.

Although less waste was found around the garage used as a repair business, much more waste was observed elsewhere. North of the garage, waste plastics, paper, metals, general household refuse, an automobile battery, used tires both on and off rims, automobile parts, three apparent junk vehicles, a junk mobile home, furniture and wood were observed.

While leaving the site in the state vehicle, a pick-up truck approached with three men in it. I recognized the driver as Cecil Eddington. We both came to a stop adjacent to each other in the pick-up trucks we were in. I advised Mr. Eddington that I had just conducted a re-inspection of the property and had found continued apparent violations, especially north of the garage. He stated that he had cleaned the garage up and that I could see the inside of it if I wanted to (he had denied me access to the shop during a previous inspection, when another man and a strong solvent smell were present). I told him that would not be necessary on that day. He asked if everything looked o.k., and I reiterated that there were still a lot of wastes laying about from vehicle parts to used tires to an apparent junk mobile home. He admitted bringing the mobile home to the site for the purposes of stripping it, for the money that might bring. I told him that if we was going to strip it that he better get busy on it, because as the condition it was in, we would consider it waste. I told him that we never received a written response to the ACWNs we sent to him and his mother. He said he didn't know he had to respond. I told him the directions for a required response were in the ACWN. He said that he gave it to his sister or sister-in-law and thought that she was going to answer it. I reminded him that his ACWN was addressed to him, not his sister or sister-in-law. I further told him that I didn't know if he and his mother would receive a fine (civil penalty) or not. I told him it didn't look good that more wastes were observed and that neither he, nor his mother had responded to the ACWN as required. I told him that the Illinois EPA may very well decide to pursue a civil penalty based on the history of non-compliance at the property.

During the re-inspection, 14 photographs were taken during the inspection with a digital camera. They show the conditions at the property on the day of the inspection. From the inspection and the photos, a partially computer generated, partially hand drawn sketch of the site was developed by this author. The sketch shows the approximate layout, as well as the approximate locations and directions of the inspection photos. The digital camera provides a three digit number to each photograph, i.e. 001, 002, etc. This is how the photographs are referred to in this narrative and on the Digital Photographs. However, on the Site Sketch, real numbers were used, i.e., 1, 2, etc. Copies of the Digital Photographs and the Site Sketch accompany this report.

The photographs are described as follows:

Photo # 001 shows a white Oldsmobile Delta 88 with no plates, a red Chevrolet Lumina with Illinois license no. 110037, Exp. 12-06, a vehicle cab apparently being worked on, and a small amount of litter were observed around this garage, which is used as an auto

repair and auto body repair shop by Cecil Eddington, the business owner. Norma Eddington owns the building.

Photo # 002 shows that the waste observed in this specific area during the previous site inspection had been removed from the ground in front of the garage.

Photo # 003 shows a silver-blue Chevy pick-up truck with current Illinois license no. 25381P, Exp. 04-08. The car is shown again in photo # 007.

Photo # 004 shows an apparent waste Duralast automobile battery found on the ground.

Photo # 005 shows Norma Eddington's backyard.

Photo # 006 shows behind the garage used as a repair shop.

Photo # 007 shows an old, blue, Chevrolet Nova, also shown in photo # 003, had the word "Junk" printed on the trunk lid.

Photo # 008 shows a Lincoln Continental front end body without a motor, hood, frame or other parts, metals, used tires, mostly on rims, plastics and wood on the ground in an area that measured approximately 15' x 20' x 2'.

Photo # 009 shows approximately 30 used tires, some on rims and some off rims, on both the ground and on a flatbed trailer. At right is an apparent junk Lincoln Continental.

Photo # 010 shows used tires, wood, carpet, furniture, automobile parts, metals and a junk mobile home.

Photo # 011 shows approximately 19 more tires, some on rims and some off rims, and piles of wood wastes in an area measuring collectively, approximately 20' x 10' x 2'.

Photo # 012 shows a partially stripped mobile home measuring approximately 14' x 70' x 8'.

Photo # 013 shows the inside of the open mobile home door revealed apparent refuse and garbage on the floor of the trailer.

Photo # 014 shows the junk mobile home from another angle and a small refuse pile containing general household refuse, garbage and clothes.

During the December 8, 2007 inspection, apparent violations of the Illinois Environmental Protection Act (Act) were noted. Most of the apparent violations noted during the previous site inspection were still alleged, however some of those had changed. Of the Act, Section 55(a)(2) was no longer observed. Those apparent violations of the Act that were observed were Sections: 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(3) and 55(a)(1). Sections 21(d)(1), 21(d)(2) and 21(e) were new apparent violations and are alleged because Cecil Eddington told this inspector that he had brought

the mobile home onto the site for stripping. That is, he brought outside waste onto the site. Due to this, an apparent violation of the regulations, 35 Illinois Administrative Code, Subtitle G, Section 812.101(a) is alleged. The Open Dump Inspection Checklist that accompanies this report provides additional information.

Other Comments:

1. The identity of the two men with Cecil Eddington in his truck are unknown.
2. Norma Eddington did not come out to talk with me during the inspection.

CK

cc: DLPC/FOS – Springfield Region

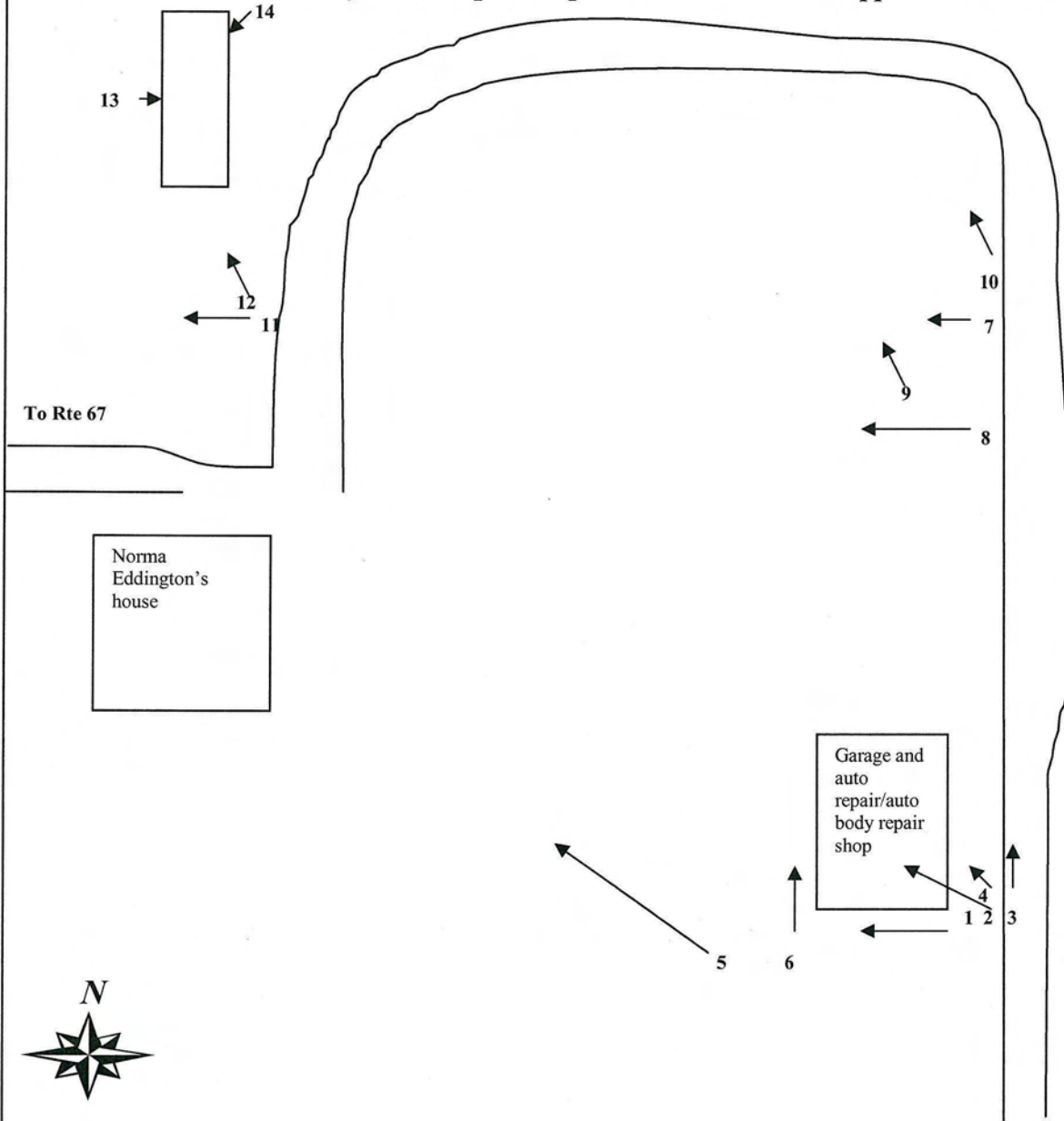
SITE SKETCH

Site name: Hagener Township/Eddington # 2
LPC #: 0178055002
Inspector: Charlie King

County: Cass
Date: December 6, 2007
Time: 11:20 a.m. – 11:45 a.m.

FOS File

A digital camera was used for the Inspection photos. Distances are approximate – Not drawn to scale



- LEGEND
- Photo number and direction
 - Open dumping
 - Used tires
 - Apparent junk vehicles



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:24 a.m.
Direction: W/NW
Photo by: Charlie King
Exposure #: 001
Comments: A white Oldsmobile Delta 88 with no plates, a red Chevrolet Lumina with Illinois license no. 110037, Exp. 12-06, a vehicle cab apparently being worked on, and a small amount of litter were observed around this garage, which is used as an auto repair and auto body repair shop by Cecil Eddington, the business owner. Norma Eddington owns the building.



Date: December 6, 2007
Time: 11:24 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 002
Comments: The waste observed in this specific area during the previous site inspection had been removed from the ground in front of the garage

File Names: 0178055002~12062007-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:24 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 003
Comments: A silver-blue Chevy pick-up truck with current Illinois license no. 25381P, Exp. 04-08. The car is shown again in photo # 007.



Date: December 6, 2007
Time: 11:24 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 004
Comments: An apparent waste Duralast automobile battery found on the ground.

h
File Names: 0178055002~12062007-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:28 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 005
Comments: Norma
Eddington's backyard.



Date: December 6, 2007
Time: 11:28 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 006
Comments: Behind the
garage used as a repair
shop.

File Names: 0178055002~12062007-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:30 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 007
Comments: An old, blue, Chevrolet Nova, also shown in photo # 003, had the word "Junk" printed on the trunk lid.



Date: December 6, 2007
Time: 11:32 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 008
Comments: A Lincoln Continental front end body without a motor, hood, frame or other parts, metals, used tires, mostly on rims, plastics and wood on the ground in an area that measured approximately 15' x 20' x 2'.

File Names: 0178055002~12062007-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:32 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 009
Comments:
Approximately 30 used tires, some on rims and some off rims, on both the ground and on a flatbed trailer. At right is an apparent junk Lincoln Continental.



Date: December 6, 2007
Time: 11:35 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 010
Comments: Used tires, wood, carpet, furniture, automobile parts, metals and a junk mobile home.

File Names: 0178055002~12062007-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:37 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 011
Comments:
Approximately 19 more
tires, some on rims and
some off rims, and
piles of wood wastes in
an area measuring
collectively,
approximately 20' x 10'
x 2'.



Date: December 6, 2007
Time: 11:37 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 012
Comments: A partially
stripped mobile home
measuring
approximately 14' x 70'
x 8'.

File Names: 0178055002~12062007-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 6, 2007
Time: 11:39 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 013
Comments: The inside of the open mobile home door revealed apparent refuse and garbage on the floor of the trailer.



Date: December 6, 2007
Time: 11:40 a.m.
Direction: SW
Photo by: Charlie King
Exposure #: 014
Comments: The junk mobile home from another angle and a small refuse pile containing general household refuse, garbage and clothes.

File Names: 0178055002~12062007-[Exp. #].jpg

ORIGINAL

RECEIVED
CLERK'S OFFICE

JAN 18 2008

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

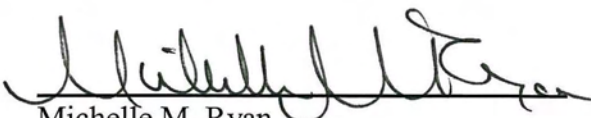
I hereby certify that I did on the 16th day of January 2008, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Norma Eddington
4954 U.S. Highway 67
Beardstown, IL 62618

Cecil Eddington
801 E. Third Street
Beardstown, IL 62618

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: John Therriault
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601


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

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

John Therriault, Clerk
 Illinois Pollution Control B
 James. R. Thompson Center
 100 W. Randolph St., Suite 11-500
 Chicago, IL 60601

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee
X

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7004 2510 0001 8619 0756

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL™



7004 2510 0001 8619 0756
 7004 2510 0001 8619 0756

U.S. Postal Service™ SK: B0L: DLC: #21
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$	
Certified Fee		2.65
Return Receipt Fee (Endorsement Required)		2.15
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Postmark
Here

Sent To
 John Therriault, Clerk
 Street, Apt. No.,
 or PO Box No. 100 W. Randolph St, Ste 11-500
 City, State, ZIP+4
 Chicago, IL 60601

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Norma Eddington
4954 U.S. Highway 67
Beardstown, IL 62618

2. Article Number

(Transfer from service label)

7004 2510 0001 8619 0732

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL



7004 2510 0001 8619 0732
7004 2510 0001 8619 0732

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT

SK: BOL: DLC: #21

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	
Certified Fee		2.65
Return Receipt Fee (Endorsement Required)		2.15
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Postmark
Here

Sent To

Norma Eddington

Street, Apt. No.,
or PO Box No.

4954 U.S. Highway 67

City, State, ZIP+4

Beardstown, IL 62618

PS Form 3800, June 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cecil Eddington
801 E. Third St.
Beardstown, IL 62618

2. Article Number

(Transfer from service label)

7004 2510 0001 8619 0749

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail


Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

PLEASE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.



CERTIFIED MAIL™

7004 2510 0001 8619 0749

7004 2510 0001 8619 0749

U.S. Postal Service™ SK:BOL:DLC: #21

CERTIFIED MAIL™ RECEIPT

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For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$	
Certified Fee		2.65
Return Receipt Fee (Endorsement Required)		2.15
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Postmark Here

Sent To

Cecil Eddington

Street, Apt. No.,
or PO Box No.

801 E. Third St.

City, State, ZIP+4

Beardstown, IL 62618

PS Form 3800, June 2002

See Reverse for Instructions