

OFFICE OF
PERRY COUNTY STATE'S ATTORNEY

Perry County Courthouse • One Public Square
Pinckneyville, IL 62274

State's Attorney
David N. Stanton

Telephone (618) 357-6221
FAX (618) 357-3923

Assistant State's Attorneys
Martin M. Beltz
David H. Searby, Jr.

October 17, 2011

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

RE: Administrative Citation – Perry County/Angie Woodrome
Site Code: 1458520002
Inspection Date: September 15, 2011

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against Angie Woodrome of Tamaroa, Illinois. The Respondent's mailing address is PO Box 113, Tamaroa, IL 62888.

I will file proof of service once that is obtained on Respondent. Please acknowledge receipt and filing of the enclosed materials. Thank you.

Sincerely,


David Searby
Assistant State's Attorney
Perry County, Illinois

Enclosures

cc: Rebecca Tracy, Perry County Solid Waste w/enclosures
IEPA Springfield (Ellen Robinson w/enclosures)
IEPA Marion (Sheila Williams w/enclosures)

RECEIVED
CLERK'S OFFICE

OCT 27 2011

STATE OF ILLINOIS
Pollution Control Board

AC12-10

ORIGINAL

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF PERRY)
)
 Complainant,)
)
 vs.)
)
 ANGIE WOODROME,)
)
 Respondent.)

12-10
AC 11 - _____

NOTICE OF FILING

To: Angie Woodrome, PO Box 113, Tamaroa, IL 62888

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board the Complaint for Administrative Citation, a copy of which is herewith served upon you.

David Searby, Assistant State's Attorney
Perry County, Illinois

Perry County State's Attorney's Office
Perry County Courthouse
1 Public Square
Pinckneyville, IL 62274
(618) 357-6221

DATED: October 21, 2011

ORIGINAL

RECEIVED
CLERK'S OFFICE
OCT 27 2011
STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF PERRY)
)
 Complainant,)
)
 vs.)
)
 ANGIE WOODROME,)
)
 Respondent.)

12-10
AC 11 - ____

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STATE OF ILLINOIS
Pollution Control Board

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the County of Perry.

2 ORIGINAL

David Searby, Assistant State's Attorney
Perry County, Illinois

Perry County State's Attorney's Office
Perry County Courthouse
1 Public Square
Pinckneyville, IL 62274
(618) 357-6221

DATED: October 21, 2011

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF PERRY)
)
 Complainant,)
)
 vs.)
)
 ANGIE WOODROME,)
)
 Respondent.)

12-10
AC 11 - _____

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OCT 27 2011
STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/1 *et. Seq.*, specifically 415 ILCS 5/31.1.

FACTS

1. The Respondent, Angie Woodrome, is the present owner; and is in control and possession of a facility located in the County of Perry, State of Illinois.
2. The facility is an open dump and designated with the Site Code #1458520002. The facility is known to the Agency as the Tamaroa/Angie Woodrome site.
3. The Respondent has owned, occupied, controlled and/or operated the facility at all relevant times hereto.
4. On September 15, 2011, Rebecca Tracy, Field Inspector, Perry County Solid Waste Department, inspected the facility. A true and correct copy of the inspection report, along with Ms. Tracy's affidavit, are attached and incorporated herein by reference as Exhibit A.

VIOLATIONS

On the basis of Field Inspector, Rebecca Tracy's, direct observation, she has determined that the Respondent has caused or allowed open dumping at the above described facility in a manner that resulted in the following violations:

That on September 15, 2011, an on-site inspection of the facility disclosed the following:

1. The Respondent has caused or allowed litter at the facility in violation of 415 ILCS 5/21(p)(1).
2. The Respondent has caused or allowed open burning at the facility in violation of 415 ILCS 5/21(p)(3).
3. The Respondent has caused or allowed the deposition of general construction or demolition debris in violation of 415 ILCS 5/21(p)(7).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5), Respondent is 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 Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 2, 2012, unless otherwise provided by order of the Illinois Pollution control Board.

If Respondent elects 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 violations(s) as alleged herein, after an adjudicatory hearing, Respondent 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 Fifteen Hundred Dollars (\$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), if Respondent fails to petition or elects 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 a finding of violation(s) as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, checks shall be made payable in equal amounts (50% of total penalty each) to:

(1) Perry County Solid Waste, c/o Perry County Treasurer, Perry County Government Building, 3764 State Route 13/127, Pinckneyville, Illinois 62274; and,

(2) Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, PO Box 19276, Springfield, Illinois 62794-9276.

Respondent shall complete and return the enclosed Remittance Forms with payments 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 Respondent from the date payment is due up to and including the date that payment is received. The Complainant may initiate proceedings against Respondent in Circuit Court or other debt collection actions to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS ADMINISTRATIVE CITATION

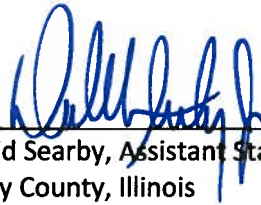
Respondent has the right to contest this Administrative Citation pursuant to and in accordance with 415 ILCS 5/31.1. If Respondent elects to contest this Administrative Citation, then Respondent shall file a Petition for Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition for Review shall also be filed with David Searby, Assistant State's Attorney, Perry County Courthouse, Pinckneyville, Illinois 62274. **Your Petition for Review must be filed within thirty-five (35) days of the date of service of this Administrative Citation. Your petition must state the reason(s) you believe the present matter should not be issued. If you fail to file your petition and state the reasons the present matter should not be issued, a default order against you will be entered by the Illinois Pollution Control Board.**

Your original Petition must be filed with the Clerk of the Board at:

Clerk, Pollution Control Board, 100 West Randolph, Suite 11-500, Chicago, IL 60601-3218

A copy must also be sent to:

Office of the State's Attorney, David Searby, Assistant State's Attorney, Perry County
Courthouse, Pinckneyville, IL 62274



David Searby, Assistant State's Attorney
Perry County, Illinois

DATE: 10-21-11

Perry County State's Attorney's Office
Perry County Courthouse
1 Public Square
Pinckneyville, IL 62274
(618)357-6221

REMITTANCE FORM TO THE COUNTY OF PERRY

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF PERRY)
)
Complainant,)
)
vs.)
)
ANGIE WOODROME,)
)
Respondent.)

12-10
AC 11 - _____

ORIGINAL

RECEIVED
CLERK'S OFFICE

OCT 27 2011

STATE OF ILLINOIS
Pollution Control Board

FACILITY: Tamaroa/Angie Woodrome

COUNTY: Perry

DATE OF INSPECTION:

SITE CODE: 1458520002

DATE REMITTED: _____

SS/FEIN NUMBER: _____

SIGNATURE: _____

NOTE

Please include the information on the blank lines. Mail this form with your check to:

Perry County Solid Waste
c/o Perry County Treasurer
Perry County Government Building
3764 State Route 13/127
Pinckneyville, IL 62274

REMITTANCE FORM TO THE ILLINOIS EPA

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF PERRY)
)
 Complainant,)
)
 vs.)
)
 ANGIE WOODROME,)
)
 Respondent.)

12-10
AC 11 - _____

RECEIVED
CLERK'S OFFICE
OCT 27 2011
STATE OF ILLINOIS
Pollution Control Board

FACILITY: Tamaroa/Angie Woodrome

COUNTY: Perry

DATE OF INSPECTION: September 15, 2011

SITE CODE: 1458520002

DATE REMITTED: _____

SS/FEIN NUMBER: _____

SIGNATURE: _____

ORIGINAL

NOTE

Please include the information on the blank lines. Mail this form with your check to:

Illinois Environmental Protection Agency
Attention: Fiscal Services
PO Box 19276
Springfield, IL 62794-9276

PROOF OF SERVICE

I hereby certify that I did on the 21st day of October 2011, transmit to the Perry County Sheriff's Department, a true and correct copy of the following instruments(s) entitled ADMINISTRATIVE CITATION, AFFIDAVITS, OPEN DUMP INSPECTION CHECKLIST, OPEN DUMP NARRATIVE, SITE SKETCH AND PHOTO SHEETS, which will be served upon the following:

To: Angie Woodrome
PO Box 113
Tamaroa, IL 62888

ORIGINAL

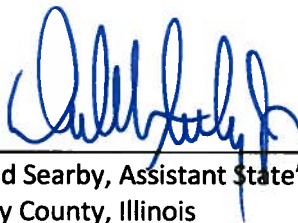
RECEIVED
CLERK'S OFFICE

OCT 27 2011

STATE OF ILLINOIS
Pollution Control Board

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: Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, IL 60601-3218



David Searby, Assistant State's Attorney
Perry County, Illinois

Perry County State's Attorney's Office
Perry County Courthouse
1 Public Square
Pinckneyville, IL 62274
(618)357-6221

IPC # 1458520002

Inspection Date: 09/15/2011

	(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 checked="" type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	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"/>
15.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.	<input type="checkbox"/>
OTHER REQUIREMENTS			
16.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
17.	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 and subsection (k) of Section 55 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.

**Perry County Solid Waste Management Department
Narrative Inspection Report**

Date of Inspection: 09/15/2011

Time: 9:46 a.m. -- 9:59 a.m.

Site Code: 1458520002

Site Name: Tamaroa/Angie Woodrome

County: Perry

Inspector: Rebecca Tracy

Est. Waste Volume: 500 cubic yards

Previous Inspection: 08/23/2011

Location: Lat 38.03985 Long -89.22886

**Subject: Angie Woodrome
PO Box 113
Tamaroa, IL 625888**

**Site Address: 7225 Parrot Road
Tamaroa, IL 62888**

On September 15, 2011, an inspection was performed at the above-referenced location. This inspection was made as a follow up regarding open dumping occurring on this property. Weather conditions were approximately 65 degrees.

The information obtained from the Perry County Assessor's office indicates that the owners of the property are Franklin and Edna Woodrome; however, further information obtained indicates that Franklin and Edna Woodrome are deceased and the property is now owned by Angie Woodrome, whose mailing address is PO Box 113, Tamaroa, IL 62888, which is where the tax bill for this property is sent. The property is described as part of the SW – SW of Section 1, Township 52, containing 10 acres with a property index number of 1-52-0010-130.

I arrived at the site at 9:46 a.m. The first portion of the site is on the north side of the road as you turn onto Parrot Road from Valier Carpet Road. Photos 001 through 007 depict the condition of the first portion of the site. The first portion of the site contains an uninhabitable home, a broken down shed and a junked out trailer. The office of the Perry County Solid Waste considers all of these structures open dumped construction waste as they are falling down, uninhabitable and not usable in their current condition. The trailer has been stripped of its siding and is down only to the studs and insulation where the walls were. The area is covered with open dumped debris, refuse, used/waste tires and construction/demolition debris. Debris, refuse and used/waste tires have been open dumped on the ground in the broken down shed; however, the shed is not a proper storage building as it has no roof to speak of and the open dumped refuse, debris and used/waste tires are still open to the elements and open dumped on the ground.

I then drove up the road to the second portion of the site. I arrived at the second portion of the site at 9:49 a.m. Photo 008 depicts a burn pile. The ground surrounding the pile is charred indicating that the fire was lit and burnt on the ground at the site; and, I could still smell the scent of burnt debris. The burn pile contained bits of debris, refuse and construction/demolition debris in the form of either drywall or insulation. Photo 009 depicts a junked out trailer, one end of which appears to have either fallen in or been torn down. The siding has been removed from the

trailer and all that remains is the studs and insulation where the walls were. Photos 010 through 012 depict other areas of the property where refuse, debris and used/waste tires are open dumped and littered about the property. Photo 013 depicts a second open burning area. The ground surrounding the pile is charred indicating that the fire was lit and burnt on the ground at the site. The burnt area contained the charred remains of lumber. Photos 014 through 023 depict other areas of the property where refuse, debris, used/waste tires and construction/demolition debris is open dumped and littered about the property.

I left the site at 9:59 a.m.

ENVIRONMENTAL PROTECTION ACT VIOLATIONS:

9(a) No Person Shall Cause, Threaten or Allow Air Pollution in Illinois

9(c) No Person Shall Cause or Allow Open Burning

21(a) No Person Shall Cause or Allow Open Dumping

21(d) No Person Shall Conduct Any Waste-Storage, Waste-Treatment, or Waste-Disposal Operation:

(1) Without a Permit

(2) In Violation of Any Regulations or Standards Adopted by the Board

21(e) No Person Shall Dispose, Treat, Store, or Abandon Any Waste, or Transport Any Waste Into the State at/to Sites Not Meeting Requirements of Act and Regulations

21(p) 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:

(1) Litter

(3) Open Burning

(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 3.16(b)

55(a) No Person Shall:

(1) Cause or Allow Open Dumping of Any Used or Waste Tire

During the inspection, the open dumping of waste that resulted in litter in the form of refuse, debris, used/waste tires and construction/demolition debris was observed. Further, open burning of refuse, debris and construction/demolition debris was also observed.



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:46 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 001
Comments:
 **construction/
 demolition debris
 and refuse**



Date: 09/15/2011
Time: 9:46 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 002
Comments: refuse and
 debris



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:46 a.m.
Direction: East
Photo by: R. Tracy
Exposure #: 003
Comments: refuse and debris



Date: 09/15/2011
Time: 9:46 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 004
Comments: refuse, debris and used/waste tires



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:47 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 005
Comments: refuse,
debris and used/
waste tires



Date: 09/15/2011
Time: 9:47 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 006
Comments: refuse,
debris and used/
waste tires



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:47 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 007
Comments:
 **construction/
 demolition debris,
 debris and refuse**



Date: 09/15/2011
Time: 9:49 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 008
Comments: open
 **burning of debris,
 refuse and
 construction/
 demolition debris**



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:49 a.m.
Direction: Northeast
Photo by: R. Tracy
Exposure #: 009
Comments:
 **construction/
 demolition debris**



Date: 09/15/2011
Time: 9:50 a.m.
Direction: Northwest
Photo by: R. Tracy
Exposure #: 010
Comments: debris and
 refuse



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:50 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 011
Comments: refuse and debris



Date: 09/15/2011
Time: 9:51 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 012
Comments: refuse and debris



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:51 a.m.
Direction: South
Photo by: R. Tracy
Exposure #: 013
Comments: open
burning of
construction/
demolition debris
and used/ waste tires



Date: 09/15/2011
Time: 9:52 a.m.
Direction: Northwest
Photo by: R. Tracy
Exposure #: 014
Comments: used/waste
tires



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:52 a.m.
Direction: West
Photo by: R. Tracy
Exposure #: 015
Comments: debris,
refuse and used/
waste tires



Date: 09/15/2011
Time: 9:53 a.m.
Direction: Northeast
Photo by: R. Tracy
Exposure #: 016
Comments: debris,
refuse and used/
waste tires



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:53 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 017
Comments: debris,
refuse and used/
waste tires



Date: 09/15/2011
Time: 9:54 a.m.
Direction: North
Photo by: R. Tracy
Exposure #: 018
Comments: debris,
refuse and used/
waste tires



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:54 a.m.
Direction: Northeast
Photo by: R. Tracy
Exposure #: 019
Comments: debris,
refuse and used/
waste tires



Date: 09/15/2011
Time: 9:55 a.m.
Direction: South
Photo by: R. Tracy
Exposure #: 020
Comments:
construction/
demolition debris



DIGITAL PHOTOGRAPHS



Date: 09/15/2011
Time: 9:55 a.m.
Direction: East
Photo by: R. Tracy
Exposure #: 021
**Comments: debris and
refuse**



Date: 09/15/2011
Time: 9:56 a.m.
Direction: East
Photo by: R. Tracy
Exposure #: 022
**Comments: debris and
refuse**



DIGITAL PHOTOGRAPHS



Date: 09/15/2011

Time: 9:56 a.m.

Direction: East

Photo by: R. Tracy

Exposure #: 023

**Comments: debris and
refuse**

SITE SKETCH

Date of Inspection: 09/15/2011

Time: 9:46 a.m. -- 9:59 a.m.

Site Code: 1458520002

Site Name: Tamaroa/Woodrome, Angie

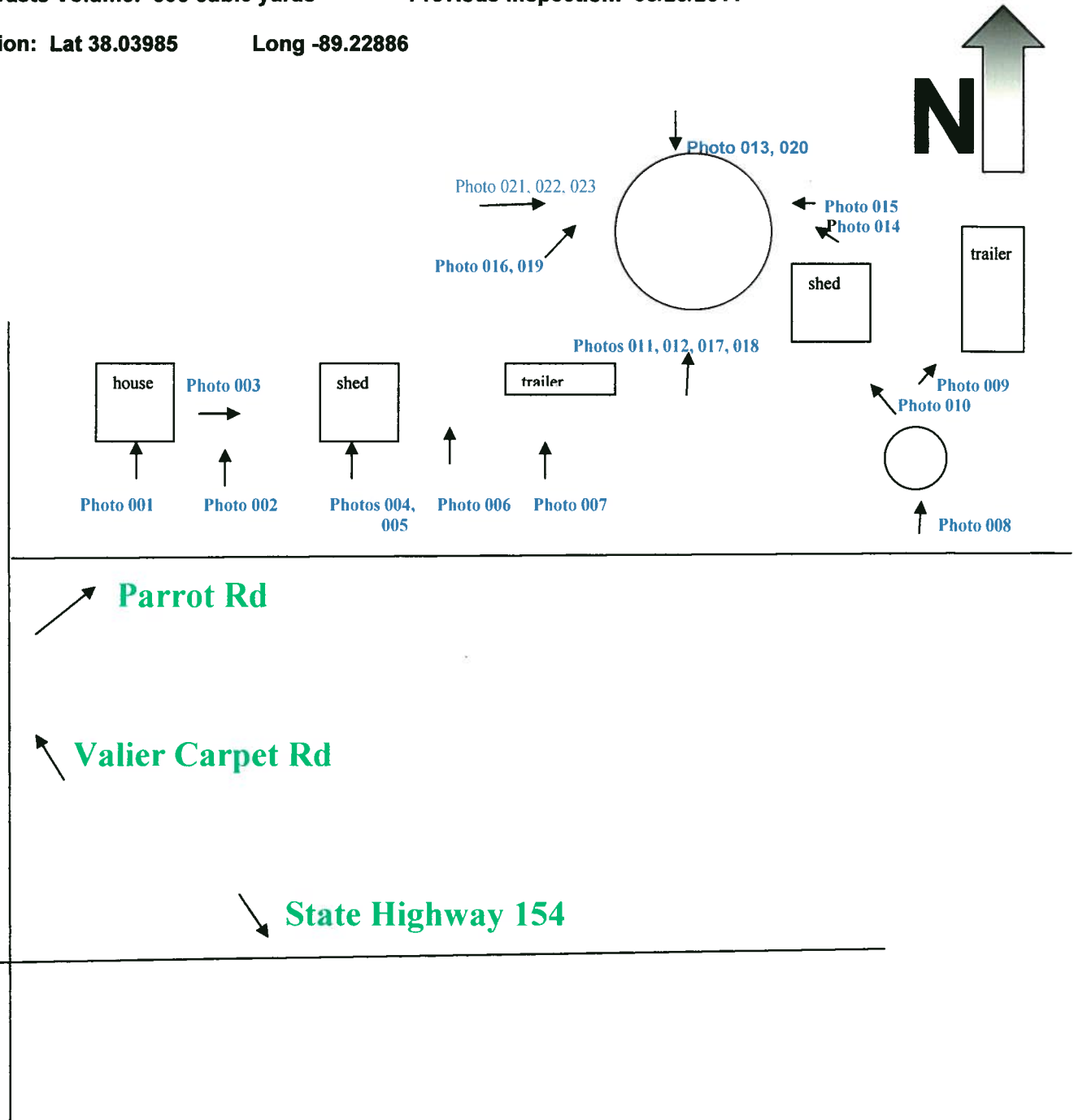
County: Perry

Inspector: Rebecca Tracy

Est. Waste Volume: 500 cubic yards

Previous Inspection: 08/23/2011

Location: Lat 38.03985 Long -89.22886



Not Drawn to Scale / All Location Approx. / photo direction →