



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

(217) 782-9817

TDD: (217) 782-9143

September 14, 2012

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SEP 18 2012

STATE OF ILLINOIS  
Pollution Control Board

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

AC13-12

Re: Illinois Environmental Protection Agency v. David Chapman  
IEPA File No. 210-12-AC; 1171205002—Macoupin 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 given to an inspector from the Springfield Regional Office to be delivered to Respondent via hand delivery. As soon as I receive the affidavit of service, 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*

Michelle M. Ryan  
Assistant Counsel

by JGR

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

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STATE OF ILLINOIS  
Pollution Control Board

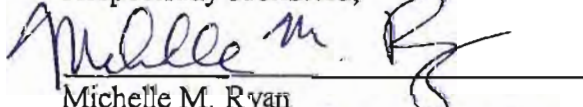
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, ) AC 13-12  
 )  
v. ) (IEPA No. 210-12-AC)  
 )  
DAVID CHAPMAN, )  
 )  
Respondent. )

**NOTICE OF FILING**

To: David Chapmin  
203 North Stemme  
Wilsonville, IL 62093

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  
Assistant Counsel by JGR

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

Dated: September 14, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

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SEP 18 2012  
STATE OF ILLINOIS  
Pollution Control Board

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

AC 13-12  
(IEPA No. 210-12-AC)

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 (2010).

FACTS

1. That David Chapman is the current operator ("Respondent") of a facility located at the north end of Stemme Street, Wilsonville, Macoupin County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Wilsonville/Chapman.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1171205002.
3. That Respondent has operated said facility at all times pertinent hereto.
4. That on July 19, 2012, Mark Weber of the Illinois Environmental Protection Agency's ("Illinois EPA") 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.

5. That on 9-14-12, Illinois EPA sent this Administrative Citation via Certified Mail No. Hand delivery.

#### VIOLATIONS

Based upon direct observations made by Mark Weber during the course of his July 19, 2012 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent 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) (2010).
  
- (2) That Respondent 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) (2010).

#### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), 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 Three Thousand Dollars (\$3,000.00). 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 October 1, 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 (2010), and if the Illinois

Pollution Control Board issues a finding of violation 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 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) (2010), 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 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, Respondent 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 Respondent 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 Respondent in Circuit Court 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 Section 31.1 of the Act, 415 ILCS 5/31/1 (2010). If Respondent elects to contest this Administrative Citation, then Respondent 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.

Handwritten signature of John J. Kim in blue ink, with the initials "Kim" and "SAP" written below the signature line.

John J. Kim, Interim Director  
Illinois Environmental Protection Agency

Date:

9/13/12

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

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SEP 18 2012

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

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

AC 13-12  
(IEPA No. 210-12-AC)

FACILITY: Wilsonville/Chapman  
SITE CODE NO.: 1171205002  
COUNTY: Macoupin  
CIVIL PENALTY: \$3,000.00  
DATE OF INSPECTION: July 19, 2012

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.



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Open Dump Inspection Checklist

County: Macoupin      LPC#: 1171205002      Region: 5 - Springfield  
 Location/Site Name: Wilsonville/Chapman  
 Date: 07/19/2012    Time: From 0920    To 0945    Previous Inspection Date: 05/28/2008  
 Inspector(s): Mark Weber      Weather: 80 degs. F cloudy w/5 - 10 mph SE wind  
 No. of Photos Taken: # 16    Est. Amt. of Waste: 100 yds<sup>3</sup>    Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: \_\_\_\_\_      Complaint #: C-08-109-C  
 Latitude: 39.07471    Longitude: -89.858251    Collection Point Description: Site Entrance -  
 (Example: Lat.: 41.26493      Long.: -89.38294)      Collection Method: Photo Interpolation -

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

David Chapman  
203 North Stemme  
Wilsonville, IL 62093  
217/835-4340

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**CLERK'S OFFICE**  
  
**SEP 18 2012**  
  
**STATE OF ILLINOIS**  
**Pollution Control Board**

	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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 AND REGULATIONS	<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 # 1171205002

Inspection Date: 07/19/2012

	(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)	<b>NO PERSON SHALL:</b>	
	(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"/>
10.	55(k)	<b>NO PERSON SHALL:</b>	
	(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"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
11.	812.101(a)	<b>FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL</b>	<input checked="" type="checkbox"/>
12.	722.111	<b>HAZARDOUS WASTE DETERMINATION</b>	<input type="checkbox"/>
13.	808.121	<b>SPECIAL WASTE DETERMINATION</b>	<input type="checkbox"/>
14.	809.302(a)	<b>ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST</b>	<input type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
15.		<b>APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:</b>	<input type="checkbox"/>
16.	OTHER:		<input type="checkbox"/>
	807.201	Operating transfer station without Development Permit	<input checked="" type="checkbox"/>
	807.202	Operating transfer station without Operating Permit	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- [Illinois] Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
- 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.
- 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).
- Items marked with an "NE" were not evaluated at the time of this inspection.



**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
MEMORANDUM**

**DATE:** August 15, 2012  
**TO:** Bureau of Land File  
**FROM:** Mark Weber, DLPC/FOS – Springfield Region  
**SUBJECT:** LPC# 1171205002 – Macoupin County  
Wilsonville/Chapman  
FOS File

On July 19, 2012 Mr. Mark Weber, Division of Land Pollution Control/Field Operations Section (DLPC/DOS) - Springfield Regional Office (SRO), conducted a re-inspection of the Chapman site in Wilsonville, Illinois. The site was initially referred to the Illinois Environmental Protection Agency (IEPA) via a complaint which indicated the respondent was hauling bags of trash to the subject property where they were being allowed to accumulate. The initial IEPA inspection of the Chapman site was conducted on April 23, 2008 as a result of the complaint.

The Chapman site can be found at the north end of Stemme Street in Wilsonville, Illinois per the attached Macoupin County GIS and other aerial photos. Legally and specifically the property is located in the Southeast Corner of the North Half of Southwest Quarter of Section Numbered Three, Township Numbered Seven (7) North, Range Numbered Seven (7) West of the Third Principal Meridian in the County of Macoupin and the State of Illinois. This legal description was obtained from a Quit Claim Deed filed with the Macoupin County Recorder's Office on June 14, 1988. The owner on the deed is listed as David Chapman. Per the GIS photos, the address for the property was given as 203 North Stemme in Wilsonville, Illinois. Mr. Chapman maintains his primary residence at this address.

At the time of the initial April 23, 2008 inspection a relatively small volume of open dumped waste was observed at the Chapman site. The total volume was estimated at 5 cubic yards at that time. Open dumped wastes included carpet, plastics, insulation, dimensional lumber, aluminum cans, and closed/sealed trash bags. Almost all of the open dumped waste was found around a roll-off box located on the Chapman property. The roll-off box itself was empty at the time of the inspection. The IEPA inspector also observed two burn barrels located along the drive. One of the barrels was filled with landscape debris and the other with paper, cardboard, and landscape debris. The IEPA inspector did not observe any evidence that the open burning of waste on the ground.

The IEPA inspector also observed approximately 150 used tires located behind and to the north of the roll-off box. Upon returning to the office the inspector left a phone message

for Mr. Chapman informing him of an upcoming IEPA sponsored used tire collection taking place in White Hall, Illinois. Mr. Christ Chapman, David's brother, returned the call stating that the used tires would be hauled to the collection. A Consensual Removal Agreement (CRA) was signed by Mr. Chapman on April 25, 2008 indicating that 105 tires had been taken to the Greene County used tire collection in White Hall.

A follow-up inspection of the Chapman site was conducted on May 28, 2008 to determine that the used tires had been removed. The IEPA inspector met with and interviewed the Chapman brothers at that time. David Chapman stated that he was licensed by the Village of Wilsonville to provide waste hauling services at a fee to some Wilsonville residents. These wastes were emptied into the aforementioned roll-off box located at the property. The roll-off box was then emptied once a week by Allied Waste for disposal at an area landfill. Solid wastes such as dimensional lumber and carpet were open dumped in the immediate vicinity of the roll-off box due to the fact that it had been filled beyond capacity. Metal was being segregated from the solid waste by the Chapman brothers, accumulated and stored on-site, and hauled to an area scrap yard approximately once every 2 – 3 months. This inspector spoke with the Mayor of Wilsonville following the re-inspection. According to the Mayor, the Village of Wilsonville has not issued a permit or license to Mr. Chapman for waste hauling.

As a result of the two inspections a Violation Notice (VN) dated June 4, 2008 was sent to Mr. David Chapman. Violations of the Illinois Environmental Protection Act cited in the VN included Sections 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), and 55(a)(1). Apparent violations of the Regulations, 35 Illinois Administrative Code (IAC) 812.101(a), 807.201, and 807.202(a) were also cited, with the latter 2 violations being cited for operating a transfer station without IEPA permits. Mr. Chapman was given a deadline of August 15, 2008 to address the violations at his property cited in the VN.

### **July 19, 2012 Re-Inspection**

The IEPA inspector arrived at the Chapman site at approximately 0920 hours on July 19, 2012. The temperature was approximately 80° Fahrenheit. Skies were cloudy and overcast with a 5 – 10 mile per hour southeast wind. Soil conditions were dry. The responsible party was not home at the time of the inspection.

Based upon observations made by the IEPA inspector during the July 19, 2012 inspection it appears that site conditions have actually worsened since the April 23 and May 28, 2008 inspections. There is now a greater volume of open dumped waste at his property. Open dumped wastes are located all throughout the site. Wastes open dumped on-site include white goods, carpet, air conditioning units, buckets of paint, furniture, insulation, windows and doors, plastics, inoperable mowers, mixed metals, dimensional lumber, and landscape waste. It appears that Mr. Chapman is removing materials from wastes hauled to the site that are recyclable and disposing of some of the non-recyclable wastes in a large dumpster that remains on-site and on the ground. The dumpster is surrounded on 3 sides by a tall fence, and exceeds the size of most residential refuse containers.

The IEPA inspector also observed and documented approximately fifteen 5 five gallon metal and plastic buckets located on-site. All of the buckets had lids, and nearly all of them were full. Most of the buckets were marked as paint, but a few were clearly placarded as containing flammable liquids. Those buckets contained no further markings that would identify the contents within. Their origin or whether or not they had useable contents could not be determined.

It appears that open burning is occurring on-site as well, likely to obtain metal for scrap. The IEPA inspector observed and documented box springs, mattresses, and car seats where the cover material and padding had been burned away. An open burn area is located immediately northwest of the residence. At the time of the re-inspection there was a 20 cubic yard waste pile located within the burn area composed of landscape waste, wallboard, carpet, dimensional lumber, paper, glass, and mixed metals. All of the materials located within that particular waste pile are fairly combustible. It was also evident that open burning has occurred at this particular location in the past. The IEPA inspector observed ash located under the open dumped wastes and the vegetation in this area had been burned away. The total volume of open dumped waste on-site is estimated at 100 cubic yards. Please refer to the attached photographs for depictions of site conditions as they existed during the July 19, 2012 re-inspection.

Photograph #1 depicts a pile of dimensional lumber and assorted metals.

Photograph #2 provides a view of one of two vehicles parked on-site. Both had current registration.

Photograph #3 is of a second vehicle parked on-site. The registration was current. Some of the dimensional lumber and metal shelving units stored on-site can be seen as well.

Photograph #4 was taken of a large dumpster located on-site. It appears that Mr. Chapman is taking in wastes that he feels can be recycled and putting at least some of the wastes that cannot be reused in the dumpster or on the ground.

Photograph #5 shows some of the open dumped wastes located in proximity of the dumpster. Wastes in this area include mixed metals, plastics, furniture, and glass.

Photograph #6 depicts windows and doors stacked alongside the dumpster.

Photograph #7 is of roughly fifteen 5 five gallon metal and plastic buckets located on-site. All of the buckets had lids, and nearly all of them were full.

Photograph #8 shows that most of the buckets were marked as paint but a few were clearly placarded as containing flammable liquids.

Photograph #9 shows more of the windows and dimensional lumber open dumped on-site. Also visible are bags of insulation some of which have broken open.

Photograph #10 provides a better view of the bags of insulation open dumped on-site.

Photograph #11 provides a view of some of the mixed metals and windows located on site. The rusty metals located in the foreground are the remnants of a sleeper sofa and mattress. The cover material and padding have been burned off.

Photograph #12 is of a white good, rolled wire fencing, and an air conditioning unit open dumped on-site.

Photograph #13 provides another view of some of the wastes open dumped on-site. Plastics, glass, mixed metals, and an inoperable riding mower are all visible.

Photograph #14 shows a significant waste pile composed of landscape waste, wallboard, dimensional lumber, paper, glass, and mixed metals open dumped in the location of an inactive open burn area. The box spring in the foreground has had the cover material and padding burned away.

Photograph #15 depicts a car seat from which the non recyclable materials have been burned away.

Photograph #16 is of carpet, dimensional lumber, paper, glass, and mixed metals all open dumped on-site. Open burning has occurred in this particular location in the past. There is ash located under the open dumped wastes and the vegetation has been burned away.

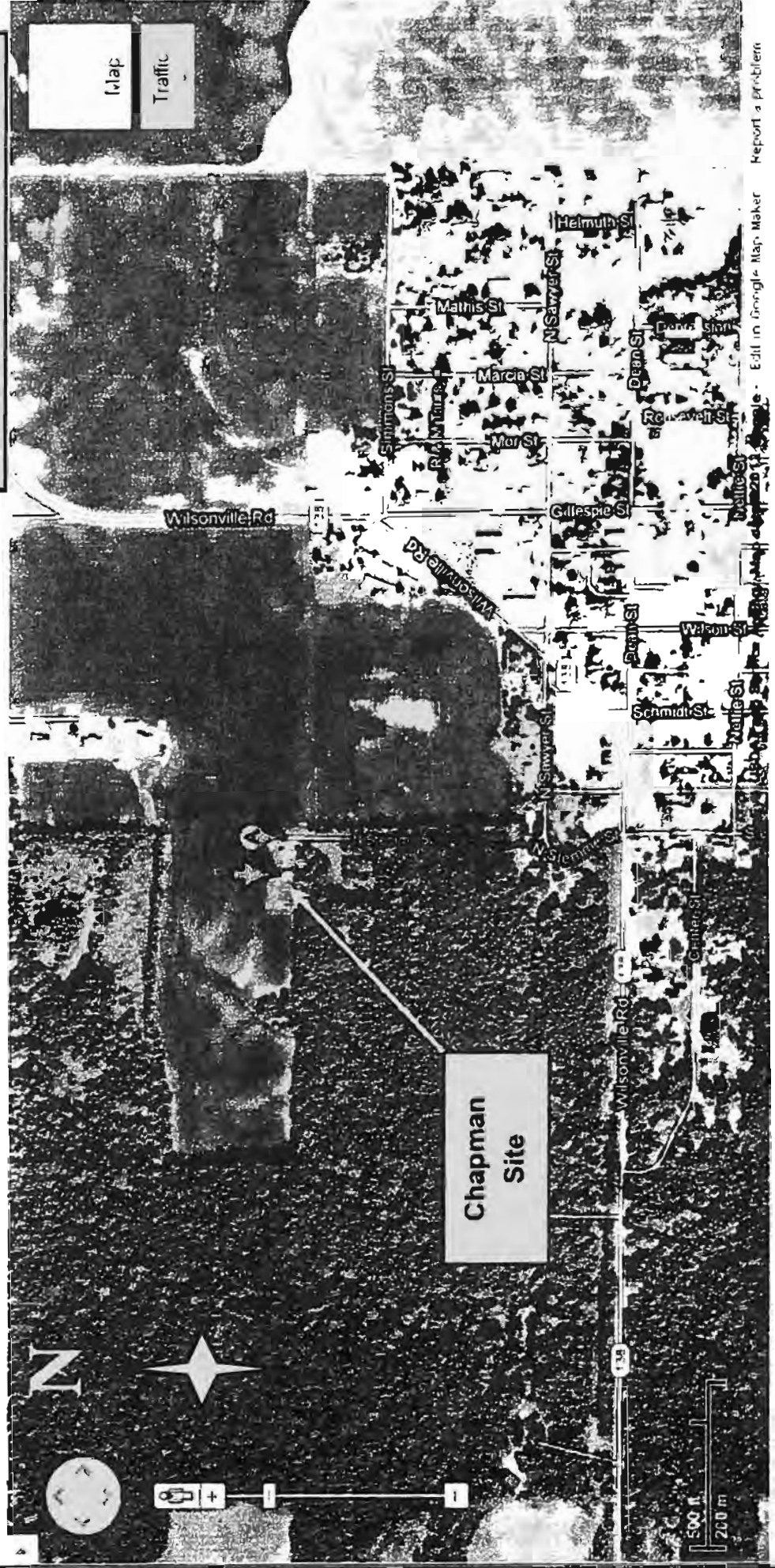
The July 19, 2012 re-inspection of the Chapman site was conducted in order to determine if violations cited in the January 20, 2011 VN had been rectified. It was determined that while some of the open dumped waste has been removed per the conditions of the VN, violations of the Illinois Environmental Protection Act persist. Violations of the Act that were observed during the re-inspection include Sections: 9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), and 21(p)(3). Apparent violations of the Regulations, 35 Illinois Administrative Code (IAC) Sections 807.201, 807.202, and 812.101(a) exist as well. Refer to the attached Open Dump Checklist for additional information.

The IEPA inspector left the Chapman site at approximately 0945 hours and returned to IEPA headquarters in Springfield, Illinois.

cc: DLPC/FOS - Springfield Region

LPC# 1171205002 - Macoupin Co.  
Wilsonville/Chapman  
FOS File

Go g le 39.07471,-89.858251



Map Traffic

LPCT# 1171205002

CHAAPMAN

FOS FILE

Property Search | Map | Search | Results | Parcel Details | Map

Map

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1.00

WILSONVILLE 31878

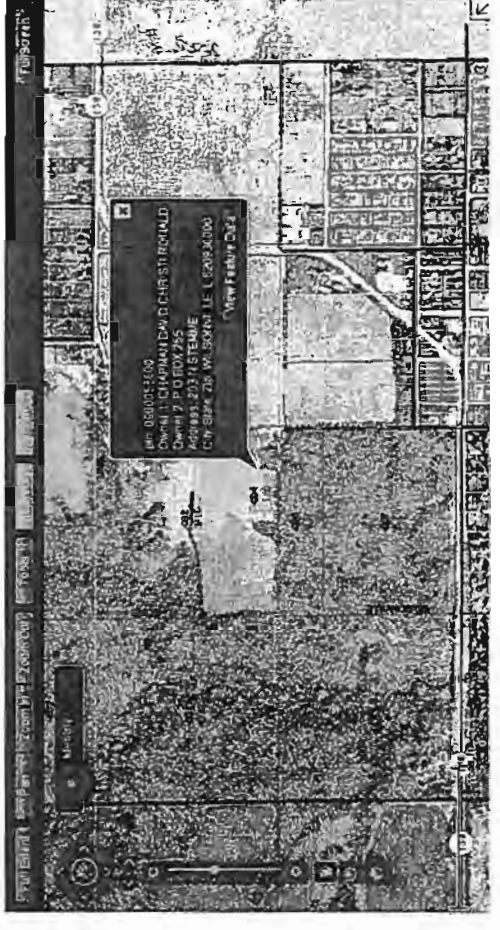
Developed by Illinois State Board of Agriculture

Internet Protected Mode On

100%



**Map**



APN: 0809014300  
OWNER: THOMPSON DAVID CHRISTOPHER  
OWNER: 2 P O BOX 255  
ADDRESS: 203 RYESTERIE  
CITY: BIRMGHAM AL 35203-0000  
View Property Data

**DIGITAL PHOTOGRAPHS**



**Date:** 07/19/2012  
**Time:** 0926  
**Direction:** SW  
**Photo by:** M. Weber  
**Exposure #:** 1  
**Comments:** A pile of dimensional lumber and assorted metals.



**Date:** 07/19/2012  
**Time:** 0926  
**Direction:** N  
**Photo by:** M. Weber  
**Exposure #:** 2  
**Comments:** One of two vehicles parked on-site. Both had current registration.



**DIGITAL PHOTOGRAPHS**



**Date:** 07/19/2012  
**Time:** 0926  
**Direction:** W  
**Photo by:** M. Weber  
**Exposure #:** 3  
**Comments:** A second vehicle parked on-site. The registration was current. Some of the dimensional lumber and metal shelving units stored on-site can be seen as well.



**Date:** 07/19/2012  
**Time:** 0927  
**Direction:** N  
**Photo by:** M. Weber  
**Exposure #:** 4  
**Comments:** Large dumpster located on-site. It appears that Chapman is taking in wastes that he feels can be recycled and putting any wastes that cannot be reused in the dumpster, and on the ground.



**DIGITAL PHOTOGRAPHS**



**Date:** 07/19/2012  
**Time:** 0927  
**Direction:** N  
**Photo by:** M. Weber  
**Exposure #:** 5  
**Comments:** Some of the open dumped wastes located in proximity of the dumpster. Wastes in this area include mixed metals, plastics, furniture, and glass.



**Date:** 07/19/2012  
**Time:** 0927  
**Direction:** NW  
**Photo by:** M. Weber  
**Exposure #:** 6  
**Comments:** Windows and doors stacked beside the dumpster.



**DIGITAL PHOTOGRAPHS**



Date: 07/19/2012  
Time: 0928  
Direction: W  
Photo by: M. Weber  
Exposure #: 7  
Comments: Roughly fifteen five gallon metal and plastic buckets located on-site. All of the buckets had lids, and nearly all of them were full.



Date: 07/19/2012  
Time: 0928  
Direction: W  
Photo by: M. Weber  
Exposure #: 8  
Comments: Most of the buckets were marked as paint but a few were clearly placarded as containing flammable liquids.



**DIGITAL PHOTOGRAPHS**



Date: 07/19/2012  
Time: 0928  
Direction: SW  
Photo by: M. Weber  
Exposure #: 9  
Comments: More windows and dimensional lumber open dumped on-site. Also visible are bags of insulation some of which have broken open.



Date: 07/19/2012  
Time: 0928  
Direction: S  
Photo by: M. Weber  
Exposure #: 10  
Comments: A better view of the bags of insulation open dumped on-site.



**DIGITAL PHOTOGRAPHS**



**Date:** 07/19/2012  
**Time:** 0928  
**Direction:** W  
**Photo by:** M. Weber  
**Exposure #:** 11  
**Comments:** Mixed metals and windows located on site. The metals located in the foreground are sleeper sofa and mattress. The cover material and padding have been burned off.



**Date:** 07/19/2012  
**Time:** 0928  
**Direction:** S  
**Photo by:** M. Weber  
**Exposure #:** 12  
**Comments:** White good, rolled wire fencing, and air conditioning unit open dumped on-site.



## DIGITAL PHOTOGRAPHS



**Date:** 07/19/2012  
**Time:** 0929  
**Direction:** NE  
**Photo by:** M. Weber  
**Exposure #:** 13  
**Comments:** Another view of some of the wastes open dumped on-site. Plastics, glass, mixed metals, and an inoperable riding mower are all visible.



**Date:** 07/19/2012  
**Time:** 0930  
**Direction:** W  
**Photo by:** M. Weber  
**Exposure #:** 14  
**Comments:** Landscape waste, wallboard, dimensional lumber, paper, glass, and mixed metals open dumped in the location of an inactive open burn area. The box spring in the foreground has already had the non recyclable material burned away.



**DIGITAL PHOTOGRAPHS**



**Date: 07/19/2012  
Time: 0930  
Direction: NE  
Photo by: M. Weber  
Exposure #: 15  
Comments: Car seat from  
which the non recyclable  
materials have been  
burned away.**



**Date: 07/19/2012  
Time: 0930  
Direction: NE  
Photo by: M. Weber  
Exposure #: 16  
Comments: Carpet,  
dimensional lumber,  
paper, glass, and mixed  
metals all open dumped  
on-site. Open burning  
has occurred in this  
particular location in the  
past. There is ash located  
under the open dumped  
wastes and the vegetation  
has been burned away.**

RECEIVED  
CLERK'S OFFICE

SEP 18 2012

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

LC13-12

IN THE MATTER OF: )  
)  
Illinois Environmental )  
Protection Agency )  
)  
vs. )  
)  
David Chapman, )  
)  
Respondent. )

IEPA DOCKET NO.

Affiant, Mark J. Weber, being first duly sworn, voluntarily deposes and states as follows:

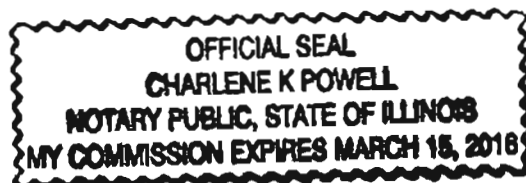
1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On July 17, 2012 between 9:20 AM and 9:45 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Macoupin County, Illinois, and known as Wilsonville/Chapman by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1171205002 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Wilsonville/Chapman open dump site by an on-site inspection, which included a walk through of the site and photo documentation of site conditions.
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 Wilsonville/Chapman open dump.

Mark J. Weber  
Mark J. Weber

Subscribed and Sworn To before me  
This 20<sup>th</sup> day of August, 2012

Charlene K. Powell

Notary Public





SEP 18 2012

STATE OF ILLINOIS  
Pollution Control Board

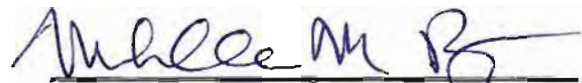
**PROOF OF SERVICE**

I hereby certify that I did on the 14th day of September, 2012 give to an inspector of the Springfield Regional Office of the Illinois EPA, a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST for hand delivery

To: David Chapman  
203 North Stemme  
Wilsonville, IL 62093

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

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

  
Michelle M. Ryan  
Assistant Counsel by JGR

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