



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

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


RECEIVED
CLERK'S OFFICE

• JUN 25 2013

STATE OF ILLINOIS
Pollution Control Board

June 14, 2013

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

AC13-59
 **ORIGINAL**

Re: Illinois Environmental Protection Agency v. Donna Cockerill and Mark Johnson
IEPA File No. 143-13-AC; 1718530002—Scott County

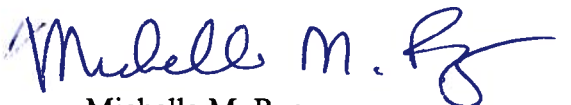
Dear Mr. Therriault:

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 by JLR

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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ADMINISTRATIVE CITATION

JUN 25 2013

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

DONNA COCKERILL and MARK JOHNSON,

Respondent.

AC

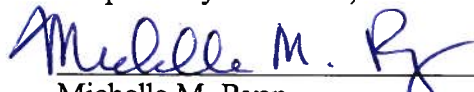
(IEPA No. 143-13-AC)

NOTICE OF FILING

To: Donna Cockerill & Mark Johnson
1239 Sauer Road
Winchester, IL 62694

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

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

Dated: June 14, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

JUN 25 2013

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.)
)
DONNA COCKERILL and MARK)
JOHNSON.)
)
)
)
Respondents.)

AC 13-59
(IEPA No. 143-13-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 Donna Cockerill is the current owner and Donna Cockerill and Mark Johnson are the current operators ("collectively Respondents") of a facility located at 1239 Sauer Road, in unincorporated Riggston, Scott County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Winchester Precinct/Cockerill.
2. That said facility is designated with Site Code No. 1718530002.
3. That Respondents have owned/operated said facility at all times pertinent hereto.
4. That on May 1, 2013, Mark Weber of the Illinois Environmental Protection Agency's ("Illinois EPA") Springfield Regional Office inspected the above-described facility. A copy of the inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 6-14-13, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 2998 5805.

VIOLATIONS

Based upon direct observations made by Mark Weber during the course of the May 1, 2013 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) (2010).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), 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 July 15, 2013, 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 (2010), 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) (2010), 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 (2010). If Respondents elect to contest this Administrative Citation, then Respondents shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondents.

 Lisa Bonnett *as SOP*

Date:

6/14/2013

Lisa Bonnett, Director
Illinois Environmental Protection Agency

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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CLERK'S OFFICE

JUN 25 2013

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.)
)
DONNA COCKERILL and MARK)
JOHNSON,)
)
)
)
Respondents.)

AC

13.59

(IEPA No. 143-13-AC)

FACILITY: Winchester Precinct/Cockerill

SITE CODE NO.: 1718530002

COUNTY: Scott

CIVIL PENALTY: \$1,500.00

DATE OF INSPECTION: May 1, 2013

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.

JUN 25 2013

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:)

Illinois Environmental)
Protection Agency)

vs.)

Donna M. Cockerill &)
Mark Johnson)

Respondents)

IEPA DOCKET NO.

AC13-59

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 May 1, 2013 between 11:10 AM and 11:30 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit located in Morgan County, Illinois, and known as Winchester Precinct/Cockerill by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1718530002 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Winchester Precinct/Cockerill 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 Winchester Precinct/Cockerill open dump.

Mark J. Weber
Mark J. Weber

Subscribed and Sworn To before me

This 5th day of June, 2013

Charlene K. Powell

Notary Public

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: Scott LPC#: 1718530002 Region: 5 - Springfield
 Location/Site Name: Winchester Precinct/Cockerill
 Date: 05/01/2013 Time: From 1110 To 1130 Previous Inspection Date: 02/16/2011
 Inspector(s): Mark Weber Weather: 70 degrees F sunny w/5 - 10 mph E wind
 No. of Photos Taken: # 12 Est. Amt. of Waste: 50 yds³ Samples Taken: Yes # No ☒
 Interviewed: Mark Johnson Complaint #: C-11-071-C
 Latitude: 39.694425 Longitude: -90.42484 Collection Point Description: Center of Site -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Photo Interpolation

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

Donna Cockerill
 1239 Sauer Road
 Winchester, IL 62694
 217/742-9286

Mark Johnson
 1239 Sauer Road
 Winchester, IL 62694

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STATE OF ILLINOIS
Pollution Control Board

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

LPC # 1718530002

Inspection Date: 05/01/2013

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 checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS			
11.	95(a)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	95(b)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	95(c)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A CED OR OTHER LISTED DEVICE WITH WASTE THAT IS INTENDED FOR DISPOSAL BY BURNING OR INCINERATION	<input type="checkbox"/>
14.	95(d)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	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"/>
19.	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			
20.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
- 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, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that 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); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).
- Items marked with an "NE" were not evaluated at the time of this inspection.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY MEMORANDUM

DATE: June 4, 2013
TO: Bureau of Land File
FROM: Mark Weber, DLPC/FOS – Springfield Region
SUBJECT: LPC# 1718530002 – Scott County
Winchester Precinct/Cockerill
FOS File

On May 1, 2013 Mr. Mark Weber, Division of Land Pollution Control/Field Operations Section (DLPC/DOS) - Springfield Regional Office (SRO), conducted a re-inspection of the Cockerill site located in unincorporated Riggston, Illinois. The Cockerill site had been referred to the SRO thru a complaint indicating that the respondent had been open dumping and burning garbage at two separate properties owned by the respondent. The complainant also indicated that a number of “junk” vehicles had been abandoned at both properties. As a result of the complaint an IEPA inspection of the property was conducted on February 16, 2011.

The Cockerill site encompasses two separate properties that are adjacent to one another. The properties are located immediately north and south of and separated by Sauer Road in Riggston, Illinois. Legally and specifically the properties are located on Lots Numbered Fourteen (14), Fifteen (15) and Nine (9) in the Town of Riggston, Scott County, Illinois. The legal descriptions were obtained from a Quitclaim Deed filed with the Scott County Recorder’s Office on October 14, 1994 and a Warranty Deed filed on June 30, 2003. The owner on both deeds is listed as Donna Mae Cockerill. A mailing address for Ms. Cockerill was provided by Scott County Treasurer’s Office as 1239 Sauer Road Winchester, Illinois. Please refer to the attached aerial photograph for a depiction of the site location.

Open dumped wastes observed at the Cockerill site during the initial February 16, 2011 complaint inspection included dimensional lumber, mixed metals, mechanical and electrical automotive parts, glass, plastics, white goods, paper, air conditioning units, and at least one liquid propane cylinder. There were also numerous bags of aluminum cans and household refuse on both properties as well as plastic drums and garbage cans filled with waste. The total volume of wastes excluding the used tires, lead acid batteries, abandoned vehicles, and white goods was estimated at 50 cubic yards.

As a result of the complaint inspection an Administrative Citation Warning Notification (ACWN) dated March 20, 2011 was sent to Ms. Cockerill and Mr. Mark Johnson. Violations of the Illinois Environmental Protection Act cited in the ACWN included Sections 9(a), 9(c), 21(a), 21(p)(1), 21(p)(3), and 55(a)(1). The responsible parties were given a deadline of May 31, 2011 to remove all wastes from the site per the conditions of

the ACWN. To date the responsible parties have not provided the SRO with any receipts or manifests documenting the proper identification, disposal, or recycling of wastes from the site per the conditions of the ACWN.

May 1, 2013 Re-Inspection

The IEPA inspector arrived at the Cockerill site at approximately 1110 hours on May 1, 2013. The temperature was approximately 70° Fahrenheit. Skies were mostly sunny and there was a 5 - 10 mile per hour east wind. Site soil conditions were dry. Open dumped wastes on both properties are still clearly visible from the public right of way.

Mr. Mark Johnson was present during the re-inspection. During the February 16, 2011 complaint inspection Mr. Johnson was present as well and told the IEPA inspector that he lived at the residence located on the south side of Sauer Road with Ms. Cockerill. He also stated that Ms. Cockerill's son lived in the mobile home located on the north side of Sauer Road. After the IEPA inspector informed Mr. Johnson of the purpose for the May 1, 2013 re-inspection he expressed an opinion that he felt he was living in a "communist country", and questioned whether or not the IEPA inspector had the authority to enter Ms. Cockerill's property. The IEPA inspector responded by indicating that he could just as easily conduct the inspection from the public right of way and would leave the property if Mr. Johnson demanded it. Mr. Johnson said, "Go ahead and take your f__king pictures." and walked away from the inspector continuing to mutter invectives.

After Mr. Johnson walked away the IEPA inspector completed a walkthrough of the site. While some of the open dumped wastes observed during the February 16, 2011 complaint inspection have been removed, it appears that an equal volume has been open dumped on-site since that time. Wastes that have been removed included the numerous bags of aluminum cans and household refuse observed on both properties during the complaint inspection. The lead acid batteries have been removed as well although it is unknown if they have been simply moved indoors or properly disposed of. It also appears that the responsible parties have discontinued the open burning of wastes on-site.

As indicated a significant volume of open dumped wastes remains at various locations on both properties. Some of the wastes are strewn about without any sort of order while others are piled and segregated by type. Open dumped wastes observed at the Cockerill site during the May 1, 2013 re-inspection included dimensional lumber, landscape debris, mixed metals, mechanical and electrical automotive parts, glass, plastics, paper, vinyl siding, and air conditioning units. During the complaint inspection Mr. Johnson indicated that much of the open dumped wastes at both properties were construction materials that were to be used to remodel both of the residences, and that these materials were also going to be used to build a shed at the property. Over two years later all of these materials, and more that have been brought on-site, still remain unused. During the interview Mr. Johnson indicated that he had totaled out his vehicle in an accident resulting in an injury and had been unable to work for 6 months. At the time of the re-inspection Mr. Johnson was rotor-tilling a roughly ½ acre garden for planting.

The IEPA inspector also observed one unregistered vehicle that remains on-site. The inspector counted approximately one dozen off rim used tires between the two properties as well. Some of the used tires had been allowed to accumulate water as photo documented by the IEPA inspector. The total volume of open dumped wastes, excluding the off rim used tires and the abandoned vehicle, was estimated at 50 cubic yards. Please refer to the attached photographs for a depiction of site conditions as they existed during the May 1, 2013 re-inspection.

Photograph #1 depicts furniture, mixed metals, brick, power tools, and an abandoned vehicle at the Cockerill site. Registration for the vehicle expired in 2007.

Photograph #2 provides another view of some of the dimensional lumber, plastics, mixed metals, and auto parts have all been open dumped in this area of Cockerill site.

Photograph #3 is of vinyl siding that has either fallen off of the residence at the Cockerill siding or has never been installed.

Photograph #4 was taken of dimensional lumber, gasoline containers, mixed metals, and air conditioning units.

Photograph #5 shows off rim used tires, vinyl siding, various plastic containers/5 gallon buckets, and dimensional lumber open dumped at the site.

Photograph #6 depicts dimensional lumber open dumped at the site.

Photograph #7 is of more off rim used tires at the site. Plastics, landscape debris, and mixed metals are also visible.

Photograph #8 shows a pile of dimensional lumber. Mr. Johnson indicated that he had accumulated most of the construction materials at the property to build a shed. Mr. Johnson also stated during the February 16, 2011 complaint inspection over two years ago that he intended to put a shed on the property.

Photograph #9 shows off rim used tires that have been stored in such a manner that they have been allowed to accumulate water.

Photograph #10 depicts an air conditioning unit, vinyl siding, dimensional lumber, and mixed metals open dumped on-site.

Photograph #11 was taken to show that the responsible parties have discontinued the open burning of wastes at this particular property. A pile of asphalt shingles, some dimensional lumber, and other construction materials remain on-site.

Photograph #12 shows that the numerous bags of aluminum cans and household refuse have been removed from this lot. According to Mr. Johnson during the February 16, 2011 complaint inspection the open dumped vinyl siding near the concrete was supposed to be installed as skirting around the mobile home. That was over two years ago.

The May 1, 2013 re-inspection was conducted in order to determine if violations of the Illinois Environmental Protection Act cited in March 10, 2011 Administrative Citation Warning Notice (ACWN) persist at the Cockerill site. Based upon observations made during the inspection it was determined that while some violations were addressed others do indeed persist at the site including some new violations. Violations of the Act include Sections: 21(a), 21(p)(1), 55(a)(1), and 55(k)(1). Refer to the attached Open Dump Checklist for additional information.

The IEPA inspector left the Cockerill site at approximately 1130 hours and returned to IEPA headquarters in Springfield, Illinois.

cc: DLPC/FOS - Springfield Region

Google maps 39.694425, -90.42484

Search Maps

LPC# 1718530002 - Scott County
Winchester Precinct/Cockerill
FOS File





DIGITAL PHOTOGRAPHS



Date: 05/01/2013
Time: 1112
Direction: W
Photo by: Mark Weber
Exposure #: 1
Comments: Furniture, mixed metals, brick, power tools, and an abandoned vehicle at the Cockerill site.
Registration for the vehicle expired in 2007.



Date: 05/01/2013
Time: 1112
Direction: W
Photo by: Mark Weber
Exposure #: 2
Comments: Dimensional lumber, plastics, mixed metals, and auto parts have all been open dumped in this area of Cockerill site.

File Names: 1718530002~05012013-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 05/01/2013
Time: 1113
Direction: N
Photo by: Mark Weber
Exposure #: 3
Comments: Vinyl siding that has either fallen off of the residence at the Cockerill siding or has never been installed.



Date: 05/01/2013
Time: 1113
Direction: S
Photo by: Mark Weber
Exposure #: 4
Comments: Dimensional lumber, gasoline containers, mixed metals, and AC units are all pictured.

File Names: 1718530002~05012013-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 05/01/2013
Time: 1114
Direction: S
Photo by: Mark Weber
Exposure #: 5
Comments: Off rim used tires, vinyl siding, various plastic containers/5 gallon buckets, and dimensional lumber open dumped at the site.



Date: 05/01/2013
Time: 1114
Direction: S
Photo by: Mark Weber
Exposure #: 6
Comments: Dimensional lumber open dumped at the site.

File Names: 1718530002~05012013-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 05/01/2013
Time: 1114
Direction: S
Photo by: Mark Weber
Exposure #: 7
Comments: More off rim used tires at the site. Plastics, landscape debris, and mixed metals are also visible.



Date: 05/01/2013
Time: 1124
Direction: S
Photo by: Mark Weber
Exposure #: 8
Comments: Pile of dimensional lumber. Mr. Johnson indicated that he had accumulated most of the construction materials at the property to build a shed. Mr. Johnson also stated during the February 16, 2011 complaint inspection over two years ago that he intended to put a shed on the property.

File Names: 1718530002~05012013-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 05/01/2013
Time: 1124
Direction: S
Photo by: Mark Weber
Exposure #: 9
Comments: Off rim used tires that have been allowed to accumulate water.



Date: 05/01/2013
Time: 1124
Direction: S
Photo by: Mark Weber
Exposure #: 10
Comments: AC unit, vinyl siding, dimensional lumber, and mixed metals open dumped on-site.

File Names: 1718530002~05012013-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 05/01/2013
Time: 1125
Direction: NW
Photo by: Mark Weber
Exposure #: 11
Comments: It appears that the responsible parties have discontinued the open burning of wastes at this particular property. A pile of asphalt shingles, some dimensional lumber, and other construction materials remain on-site.



Date: 05/01/2013
Time: 1126
Direction: E
Photo by: Mark Weber
Exposure #: 12
Comments: The numerous bags of aluminum cans and household refuse have been removed from this lot. According to Mr. Johnson during the February 16, 2011 complaint inspection the open dumped vinyl siding near the concrete was supposed to be installed as skirting around the mobile home. That was over two years ago.

File Names: 1718530002~05012013-[Exp. #].jpg

PROOF OF SERVICE

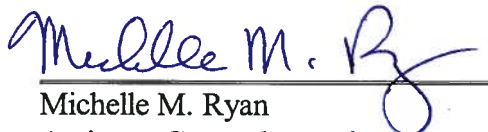
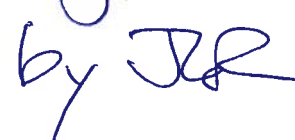
I hereby certify that I did on the 14th day of May 2013, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Donna Cockerill & Mark Johnson
1239 Sauer Road
Winchester, IL 62694

RECEIVED
CLERK'S OFFICE
JUN 25 2013
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: 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


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

THIS FILING SUBMITTED ON RECYCLED PAPER