



# 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  
**RECEIVED**  
CLERK'S OFFICE

APR 17 2014

STATE OF ILLINOIS  
Pollution Control Board

AC 14-45

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

April 15, 2014

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

 ORIGINAL

Re: Illinois Environmental Protection Agency v Benjamin Raleigh & Rose Mary Raleigh  
IEPA File No. 99-14-AC; 0578175005—Fulton 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

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APR 17 2014

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
BENJAMIN & ROSE MARY RALEIGH, )  
 )  
Respondents. )

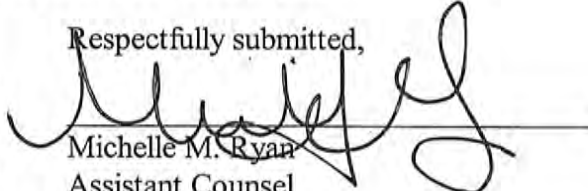
AC 14-45  
(IEPA No. 99-14-AC)

**NOTICE OF FILING**

To: Benjamin Raleigh & Rose Mary Raleigh  
1560 Coal Road  
Colchester, IL 62326

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 NSPECTION 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: April 15, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APR 17 2014

ADMINISTRATIVE CITATION

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 Complainant, )  
 v. )  
 BENJAMIN & ROSE MARY RALEIGH )  
 Respondents. )

AC 14-45  
 (IEPA No. 99-14-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 (2012).

FACTS

1. That Benjamin & Rose Mary Raleigh are the current owners and operators ("Respondents") of a facility located at 1560 Coal Road, in Colchester, McDonough County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Raleigh, Benjamin & Rose Mary.
2. That said facility is designated with Site Code No. 1098045004.
3. That Respondents have owned and operated said facility at all times pertinent hereto.
4. That on March 10, 2014, Robert J. Wagner of the Illinois Environmental Protection Agency's ("Illinois EPA") Peoria 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 4-15-14, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 3000 8081.

#### VIOLATIONS

Based upon direct observations made by Robert J. Wagner during the course of the March 10, 2014 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) (2012).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2012).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris: or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2012).

#### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2012), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty

specified above shall be due and payable no later than May 23, 2014, 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 (2012), 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) (2012), 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, 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, 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 (2012). 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*

Date:

4-11-14

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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STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 BENJAMIN & ROSE MARY RALEIGH, )  
 )  
 )  
 Respondents. )

AC 14-45  
 (IEPA No. 99-14-AC)

FACILITY: Raleigh, Benjamin & Rose Mary  
 SITE CODE NO.: 1098045004  
 COUNTY: McDonough  
 CIVIL PENALTY: \$4,500.00  
 DATE OF INSPECTION: March 10, 2014

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

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APR 17 2014

STATE OF ILLINOIS  
Pollution Control Board

AFFIDAVIT

IN THE MATTER OF )

)  
)  
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)

IEPA DOCKET NO.

RESPONDENT )

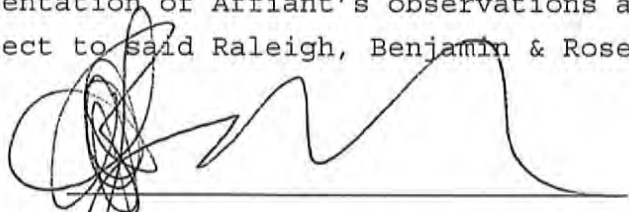
Affiant, Robert J. Wagner, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On March 10, 2014, between 9:45 AM and 10:00 AM, Affiant conducted an inspection of the open dump in McDonough County, Illinois, known as Raleigh, Benjamin & Rose Mary, Illinois Environmental Protection Agency Site No. 1098045004.

3. Affiant inspected said Raleigh, Benjamin & Rose Mary open dump 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 Raleigh, Benjamin & Rose Mary open dump.



Subscribed and Sworn to before me this 24 day of March 2014

Melodee L Campbell  
Notary Public





# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Open Dump Inspection Checklist

County: McDonough      LPC#: 1098045004      Region: 3 - Peoria  
 Location/Site Name: Colchester twp / Raleigh, Benjamin & Rose Mary  
 Date: 03/10/2014    Time: From 9:45 AM To 10:00 AM    Previous Inspection Date: 10/03/2013  
 Inspector(s): Robert J. Wagner      Weather: 78 F, Sunny, Dry  
 No. of Photos Taken: # 4    Est. Amt. of Waste: 1 yds<sup>3</sup>    Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: No One On Site      Complaint #: C-2013-073-P  
 Latitude: 40.446057    Longitude: -90.800224    Collection Point Description: Dump Location -  
 (Example: Lat.: 41.26493      Long.: -89.38294)      Collection Method: GPS -

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

Benjamin & Rose Mary Raleigh  
1560 Coal Road  
Colchester, Illinois 62326

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	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"/>
	(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"/>

LPC # 1098045004

Inspection Date: 03/10/2014

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>ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS</b>			
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"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" 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"/>
<b>OTHER REQUIREMENTS</b>			
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.

### Narrative

On March 10, 2014, I (Robert J. Wagner DLPC/FOS-Peoria) re-inspected property owned by Benjamin Raleigh and Rose Mary Raleigh. The property is located at 1560 Coal Road, Colchester, Illinois.

This site was originally inspected on October 3, 2013 as an open dump because of a citizen complaint. On October 30, 2013, Benjamin Raleigh and Rose Mary Raleigh were sent an Open Dump Administrative Citation Warning Notice (ACWN) for the following violations: Sections 9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(3), and 21(p)(7) of the Act and Section 812.101(a) of the Regulations. Mr. and Mrs. Raleigh did not respond to the ACWN.

Upon arrival, I could see open dumped and open burnt debris in a ravine adjacent to the road. I began a walk around inspection of the ravine located on the property. Photographs 1, 2, 3, and 4 show the ravine. The photographs show the charred remains of processed wood, paper, siding, and metal debris. The photograph also shows chunks of concrete.

I knocked on the door to the residence on the property but did not get a response. I finished the walk around inspection and departed the site at 10:00 AM. I have been unable to contact the property owner. According to internet website searches the property is the location of Raleigh Builders. Raleigh Builders is a general construction contractor.

The following alleged violations were observed and indicated on the open dump inspection checklist:

1. Pursuant to Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)), no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

A violation of Section 9(a) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the open dumping of waste in a manner which resulted in open burning.**

2. Pursuant to Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)), no person shall cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act.

A violation of Section 9(c) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the open dumping of waste in a manner which resulted in open burning.**

3. Pursuant to Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the open dumping of waste.**

4. Pursuant to Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit.

A violation of Section 21(d)(1) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused of allowed a waste disposal operation without a permit granted by the Agency.**

5. Pursuant to Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

A violation of Section 21(d)(2) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed a waste disposal operation in violation of regulations adopted by the Illinois Pollution Control Board.**

6. Pursuant to Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the disposal of waste at this site which does not meet the requirements of the Act and regulations thereunder.**

7. Pursuant to Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in litter.

*The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.*

A violation of Section 21(p)(1) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the open dumping of waste in a manner which resulted in litter.**

8. Pursuant to Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in open burning.

A violation of Section 21(p)(3) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the open dumping of waste in a manner which resulted in open burning.**

9. Pursuant to Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)), no person shall cause or allow the open dumping of waste in a manner that results in deposition of (i) general construction or demolition debris as defined in Section 3.160(a) of this Act; or (ii) clean construction or demolition debris as defined in Section 3.160(b) of this Act.

A violation of Section 21(p)(7) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh caused or allowed the open dumping of waste in a manner which resulted in deposition of general or clean construction or demolition debris.**

10. Pursuant to 35 Ill. Adm. Code 812.101(a), all persons, except those specifically exempted by Section 21(d) of the {Illinois} Environmental Protection Act, shall submit to the Agency an application for a permit to develop and operate a landfill.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: **Benjamin Raleigh and Rose Mary Raleigh operated a waste disposal site without submitting to the Illinois EPA an application for a permit to develop and operate a landfill.**





**DATE:** March 10, 2014

**TIME:** 9:55 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the west.

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**  
1098045004~03102014-001.jpg

**COMMENTS:** The photograph  
shows the site.



**DATE:** March 10, 2014

**TIME:** 9:55 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northwest.

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**  
1098045004~03102014-002.jpg

**COMMENTS:** The photograph  
shows the site.





**DATE:** March 10, 2014

**TIME:** 9:55 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the west.

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**  
1098045004~03102014-003.jpg

**COMMENTS:** The photograph  
shows the site.



**DATE:** March 10, 2014

**TIME:** 9:55 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the west.

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**  
1098045004~03102014-004.jpg

**COMMENTS:** The photograph  
shows the site.



**DOCUMENT FILE NAME:**

1098045004~03102014.doc



CORPORATION WARRANTY DEED

MAY 1998  
CANCEL

Prepared by: Thomas F. Hartzell  
Hartzell, Glidden, Tucker & Hartzell  
P. O. Box 70, Carthage, IL 62321

McDONOUGH COUNTY  
REAL ESTATE  
TRANSFER TAX  
5-8-98  
\$ 24.50

Return to: Thomas F. Hartzell  
Hartzell, Glidden, Tucker & Hartzell  
P. O. Box 70, Carthage, IL 62321

Tax Bill to: Benjamin and Rose Mary Raleigh  
Colchester, IL 62326

98.2253  
State of Illinois  
McDonough County  
This instrument was filed in the Recorder's  
Office of McDonough County aforesaid on  
the 8 day of May AD 1998  
at 2:52 o'clock P M  
Flora Miller  
Recorder

(DOCUMENTARY STAMPS)

1500 Terminal

The Grantor, First Community Bank, FSB, formerly known as Hancock Savings and Loan Association, a corporation organized and existing under the Laws of the United States of America, having an office at Carthage, Illinois. for the consideration of One (\$1.00) Dollar, and other good and valuable consideration in hand paid, CONVEYS and WARRANTS to

BENJAMIN RALEIGH and ROSE MARY RALEIGH, husband and wife, of Colchester, Illinois,

as Joint Tenants and not as tenants in common, the following described real estate, to-wit:

Commencing at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section One (1), Township Five (5) North, Range Four (4) West of the Fourth Principal Meridian, McDonough County, Illinois; thence West 300 feet, thence South 300 feet, thence East 300 feet, thence Northerly along the West line of the Lake Argyle Road to the place of beginning; together with the right of ingress and egress over the existing roadway from said real estate to the Lake Argyle Road over and across a tract of ground lying in the Southwest Quarter of the Southeast Quarter of Section One (1), Township and Range aforesaid, more particularly bounded and described as follows: That part of the Southwest Quarter of the Southeast Quarter of Section One (1), being the portion lying West of the centerline of County Highway 8 (known as the Lake Argyle Road) in said Quarter Quarter Section;

situated in the County of McDonough, in the State of Illinois.

There is excepted from the covenants of warranty the lien of real estate taxes for 1997, due and payable in 1998, and the lien of real estate taxes for 1998, due and payable in 1998, which the Grantees herein assume and agree to pay.

This conveyance is expressly subject to any encroachments, overlaps, boundary line disputes, and other matters which would have been disclosed by an accurate survey and inspection of the property; reservations, restrictions, or claims of easement, whether or not showing by public record; easements for public or quasi public utilities over, across and under the property, if any; rights of the public, the State of Illinois, the County or Township, if any, in which the property is located in and to that part of the property taken or used for roads or highways; and rights of way for drainage ditches, drain tiles, feeders and laterals, if any.

IN TESTIMONY WHEREOF, the said corporation has caused its corporate seal to be affixed, and these presents to be signed by its Vice-Pres. and attested by its Vice-Pres. on 4<sup>th</sup> day of May, 1998.

FIRST COMMUNITY BANK, FSB,  
formerly known as Hancock Savings &  
Loan Association

By *Janet Rogers*  
Its Vice-Pres.

ATTEST:

By *Mary E. Beeson*  
Its Vice-Pres.

STATE OF ILLINOIS            )  
  ) SS  
COUNTY OF HANCOCK        )

I, *LISA EVANS*, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that *Janet K. Rogers*, personally known to me to be the Vice-Pres. of First Community Bank, FSB, and *Gary Beeson*, personally known to me to be the Vice-Pres. of said corporation, whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such respective officers, they signed and delivered the said instrument of writing of said corporation and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal on 4<sup>th</sup> day of May, 1998.



Lisa Evans  
Notary Public

**PROOF OF SERVICE**

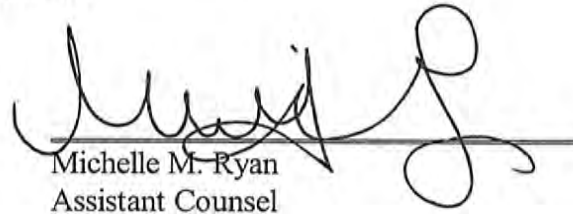
I hereby certify that I did on the 15th day of April 2014, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Benjamin Raleigh & Rose Mary Raleigh  
1560 Coal Road  
Colchester, IL 62326

RECEIVED  
CLERK'S OFFICE  
APR 17 2014  
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