



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

(217) 782-9817
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July 9, 2014

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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

AC15-3

Re: Illinois Environmental Protection Agency v Jamie & Angela Hollon
IEPA File No. 178-14-AC; 0690105017

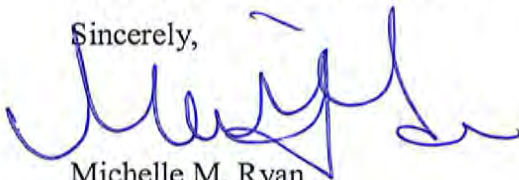
Dear Mr. Therriault:

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

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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
Complainant,)	
v.)	AC 15-3
JAMIE & ANGELA HOLLON,)	(IEPA No. 178-14-AC)
Respondents.)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2014).

FACTS

1. That Jamie & Angela Hollon are the current property owners and operators ("Respondents") of a facility located at R.R.2, Box 170A, Bassett Blacktop, Elizabethtown, Hardin County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Page, Brian & Tina.
2. That said facility is designated with Site Code No. 0690105017.
3. That Respondents have owned and operated said facility at all times pertinent hereto.
4. That on June 17, 2014, Maggie Stevenson of the Illinois Environmental Protection Agency's ("Illinois EPA") Marion 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 7-9-14, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 3000 9064.

VIOLATIONS

Based upon direct observations made by Maggie Stevenson during the course of the June 17, 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) (2014).

- (2) 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) (2014).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2014), 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 Three Thousand Dollars (\$3,000.00). 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 September 1, 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 (2014), 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) (2014), 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 (2014). 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.

^{PSM}

Date:

7-3-14

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

REMITTANCE FORM

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Complainant,)
)
v.)
)
JAMIE & ANGELA HOLLON,)
)
)
Respondents.)

AC **15-3**
(IEPA No. 159-14-AC)

FACILITY: Elizabethtown/Hollon, Jamie & Angela
SITE CODE NO.: 0690105017
COUNTY: Hardin
CIVIL PENALTY: \$3,000.00
DATE OF INSPECTION: June 17, 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.

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STATE OF ILLINOIS
Pollution Control Board

STATE OF ILLINOIS)
) SS
COUNTY OF JEFFERSON)

AFFIDAVIT

I, Maggie Stevenson, being first duly sworn upon oath, depose and state 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 June 17, 2014, between 10:00 a.m. and 10:15 a.m., Affiant conducted an inspection of the open dump in Jefferson County, Illinois, known as Elizabethtown/Hollon, Jamie & Angela, Illinois Environmental Protection Agency Site No. 0690105017.
3. Affiant inspected said Elizabethtown/Hollon, Jamie & Angela open dump site by an off-site inspection, which included photographing the site from the county road.
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 Elizabethtown/Hollon, Jamie & Angela open dump.

FURTHER AFFIANT SAYETH NOT.

Maggi Stevenson

Subscribed and Sworn to before

me this 17th day of June, 2014

Gail Stricklin
Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Hardin LPC#: 0690105017 Region: 7 - Marion
 Location/Site Name: Elizabethtown/Hollon, Jamie & Angela
 Date: 06/17/2014 Time: From 10:00 To 10:15 Previous Inspection Date: 10/16/2013
 Inspector(s): Maggie Stevenson Weather: ~83 F, windy, scattered clouds
 No. of Photos Taken: # 6 Est. Amt. of Waste: ~200 yds³ Samples Taken: Yes # _____ No
 Interviewed: _____ Complaint #: 13-010
 Latitude: 37.285787 Longitude: -88.174495 Collection Point Description: Site Entrance -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS - Photo Interpolation

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

Jamie & Angela Hollon
RR 2 Box 170a
Elizabethtown, IL 62931

	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 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 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 # 0690105017

Inspection Date: 10/16/2013

	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input checked="" type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
15.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.	<input type="checkbox"/>
OTHER REQUIREMENTS			
16.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
17.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 and subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

Illinois Environmental Protection Agency
Narrative Inspection Report

Site #: 0690105017

Date of Inspection: June 17, 2014

County: Hardin

Inspector: Maggie Stevenson

Site Name: Elizabethtown/Hollon, Jamie & Angela

General Remarks: This inspection was made as a follow-up to a complaint inspection conducted on October 16, 2013. The site is located at RR 2 Box 170A, Bassett Blacktop in rural Elizabethtown, Illinois. The site was easily visible from Bassett Blacktop. The inspection began at approximately 10:00 a.m. and concluded around 10:15 a.m. Six pictures were taken of the site. Waste observed included tires off rims, general construction demolition debris, metals, appliances, and miscellaneous debris.

Inspection Findings: I arrived at the site and observed approximately 15 tires off rim in several locations (photos 001, 003, 005). General construction demolition debris was also located in at least two locations (photos 001, 004). Weeds had grown up around the tires and construction debris. A trash dumpster was on site but the dumpster was not clearly marked with a disposal company. The mobile home located on the northwest side of Bassett Blacktop had waste remaining from the previous site inspection. The waste around this home consisted of appliances, metals, and miscellaneous debris. The mobile home located on the northeast side of Bassett Blacktop had waste accumulated in the vicinity since the previous inspection (photos 001, 003, 004, 005).

A pickup truck was loaded with metals and parked in an adjacent driveway.

Additional Remarks: The inspection was conducted from off-site and photos were taken from Bassett Blacktop. A sign was posted on the property, "Beware of Dog."

Jamie nor Angela Hollon responded to the ACWN dated October 29, 2013. The clean-up deadline given in the ACWN was April 30, 2014. Although it appeared that some effort to clean-up the site had been made, the Hollons have not contacted the Agency regarding the notice received in October 2013. The Hollons have not submitted any receipts for the proper disposal or recycling of waste evidenced at the site in October 2013.

It was also noted by satellite image that some waste has accumulated near the center of the approximately 40 acres that comprises the site (noted on the attached site map).

Summary of Alleged Violations:

The Illinois Environmental Protection Act: 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(7) and 55(a)(1).
The 35 Illinois Administrative Code Subtitle G: 812.101(a)


Narrative

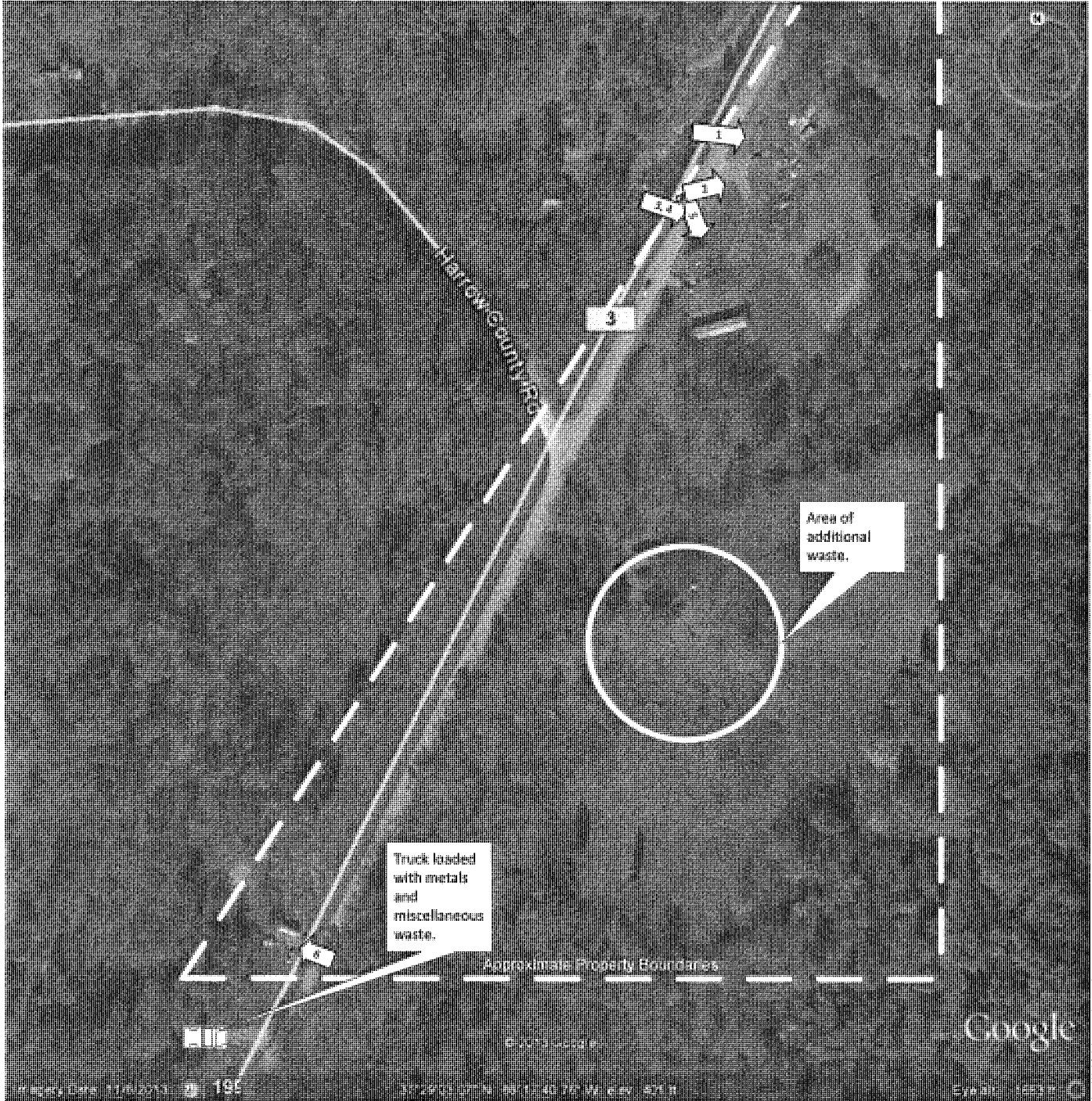
LPC #XXXXXXXXXX – XXXXXXXX County

Town/File Name

Page 2 of 2



FILENAME	DESCRIPTION	Map Key All locations are approximate/Not drawn to scale Photo/Direction..... 
AC Site Map	LPC # 0690105017 - Hardin County Elizabethtown/Hollon, Jamie & Angela 6/17/2014	





DIGITAL PHOTOGRAPHS



**Date: 06/17/2014
Time: 10:06 a.m.
Direction: east
Photo by: M. Stevenson
Exposure #: 001
Comments: tires off rim
and miscellaneous debris**



**Date: 6/17/2014
Time: 10:06 a.m.
Direction: northeast
Photo by: M. Stevenson
Exposure #: 002
Comments: small trash
dumpster**

File Names: 0690105017~06172014-001 through 006.jpg



DIGITAL PHOTOGRAPHS



Date: 06/17/2014
Time: 10:06 a.m.
Direction: east
Photo by: M. Stevenson
Exposure #: 003
Comments: tires off rims
and miscellaneous debris



Date: 6/17/2014
Time: 10:06 a.m.
Direction: east
Photo by: M. Stevenson
Exposure #: 004
Comments: construction
demolition debris

File Names: 0690105017~06172014-001 through 006.jpg



DIGITAL PHOTOGRAPHS



**Date: 06/17/2014
Time: 10:07 a.m.
Direction: southeast
Photo by: M. Stevenson
Exposure #: 005
Comments: tires off rims**



**Date: 6/17/2014
Time: 10:08 a.m.
Direction: northwest
Photo by: M. Stevenson
Exposure #: 006
Comments: miscellaneous
waste including
appliances**

File Names: 0690105017~06172014-001 through 006.jpg

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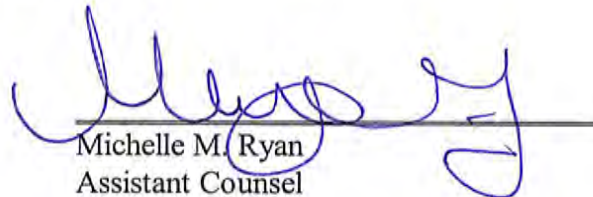
PROOF OF SERVICE

I hereby certify that I did on the 9th day of July 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: Jamie & Angela Hollon
R.R. 2, Box 170A
Elizabethtown, IL 62931

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
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