

ILLINOIS POLLUTION CONTROL BOARD
March 19, 2015

GARY L. POLCHOW,)
)
 Complainant,)
)
 v.) PCB 15-157
) (Citizens Enforcement – Air, Water)
 VILLAGE OF RANKIN,)
)
 Respondent.)

ORDER OF THE BOARD (by J.A. Burke):

On February 9, 2015, Gary L. Polchow filed a complaint against the Village of Rankin (Village). The complaint concerns the Village’s public works property in Vermilion County. As explained below, the Board orders the Village to file an answer to the complaint by Friday, May 22, 2015 and includes a copy of the complaint and incorporated attachments with this order.

SUMMARY OF COMPLAINT

Under the Environmental Protection Act (Act) (415 ILCS 5 (2012)), any person may bring an action before the Board to enforce Illinois’ environmental requirements. *See* 415 ILCS 5/3.315, 31(d)(1) (2012); 35 Ill. Adm. Code 103. In this case, Mr. Polchow alleges that the Village violated Sections 3.115, 3.270, 9(a), 9(c), and 9(f) of the Environmental Protection Act (Act). 415 ILCS 5/3.115, 3.270, 9(a), 9(c), 9(f) (2012). Mr. Polchow alleges that the Village violated these sections by burning yard waste before removing items including chemicals, gas, oil, diesel fuel, plastic and rubber. Mr. Polchow asks the Board to order the Village to stop these activities and perform clean up.

PROOF OF SERVICE

According to the complaint, Mr. Polchow personally delivered the complaint to the Village Clerk and all Village Board members at the Village Board’s February 5, 2015 meeting. Mr. Polchow also mailed the complaint on February 5, 2015 by certified mail to the Village of Rankin, Aaron Warren, and Sean McAllister. According to the complaint, Mr. Warren is the Mayor of the Village and Mr. McAllister is a Village public works department worker. On March 2, 2015, Mr. Polchow filed notice with the Board that the three mailed complaints were not claimed from the postal service. Mr. Polchow also stated that he would again personally serve the complaint at the Village Board’s March 5, 2015 meeting. On March 9, 2015, Mr. Polchow filed a notarized proof of service with the Board. According to the proof of service, the complaint was served on the Village Clerk and all Village Board members at the Village Board’s March 5, 2015 meeting.

DUPLICATIVE OR FRIVOLOUS

Section 31(d)(1) of the Act provides that “[u]nless the Board determines that [the] complaint is duplicative or frivolous, it shall schedule a hearing.” 415 ILCS 5/31(d)(1) (2012); *see also* 35 Ill. Adm. Code 103.212(a). A complaint is duplicative if it is “identical or substantially similar to one brought before the Board or another forum.” 35 Ill. Adm. Code 101.202. A complaint is frivolous if it requests “relief that the Board does not have the authority to grant” or “fails to state a cause of action upon which the Board can grant relief.” *Id.*

Within 30 days after being served with a complaint, a respondent may file a motion alleging that the complaint is duplicative or frivolous. 35 Ill. Adm. Code 103.212(b). To date, the Village has filed no motion.

Sections 3.115 and 3.270 of the Act are definition sections and cannot be violated. However, the Board finds that the rest of the complaint meets the content requirements of the Board’s procedural rules, *see* 35 Ill. Adm. Code 103.204(c), and is neither duplicative nor frivolous.

INCORPORATION OF DOCUMENTS

The complaint includes references to attached photos, but no photos are attached to the complaint filed with the Board. The complaint in this case is almost identical to the amended complaint filed in Polchow v. Warren and McAllister, PCB 14-112 (Oct. 17, 2014). The Board takes official notice of the attachments to that amended complaint and incorporates those attachments into this proceeding. 35 Ill. Adm. Code 101.306; 35 Ill. Adm. Code 101.630. Because the record contains no proof that the attachments have been properly served on the Village, the Board includes the complaint and the incorporated attachments with this order.

NOTICE AND ANSWER

The Board’s procedural rules state that an enforcement proceeding will be commenced in part by the service of a notice and complaint upon the respondent. 35 Ill. Adm. Code 103.204(a). The notice must be directed to the respondents notifying them of the filing of the complaint and that they may be required to attend a hearing at a date set by the Board. 35 Ill. Adm. Code 103.204(b). The notice must also include the following language:

Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the Clerk’s Office or an attorney. 35 Ill. Adm. Code 103.204(f).

Mr. Polchow has not provided the Board with proof of service of the above notice language on the Village. The Board therefore extends the Village’s answer period. The Village has until Friday, May 22, 2015 to file an answer to the complaint. If the Village fails within that timeframe to file an answer specifically denying, or asserting insufficient knowledge to form a

belief of, a material allegation in the complaint, the Board will consider the Village to have admitted the allegations. *See* 35 Ill. Adm. Code 103.204(d).

CONCLUSION

The Board allows the Village until May 22, 2015 to file an answer to the complaint. The Board directs the Board Clerk to serve this order on the Village through certified mail, return receipt requested, attaching Mr. Polchow's complaint and the incorporated documents noted above.

IT IS SO ORDERED.

Board Member G. M. Keenan voted present.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on March 19, 2015, by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board

1. Your Contact Information

Name: GARY L PolcHow
Street Address: 319 NORTH GUTHRIE AVE
RANKIN IL 60960
County: VERMILION
State: ILLINOIS
Phone Number: (217) 397-2315

2. Place where you can be contacted during normal business hours (if different from above)

Name: N/A
Street Address: _____
County: _____
State: _____
Phone Number: () -

3. Name and address of respondent (alleged polluter)

Name: AARON WARREN + SEAN McALLISTER
Street Address: 116 SOUTH MAIN STREET PO Box 356
RANKIN IL 60960
County: VERMILION
State: _____
Phone Number: (217) 249-2795 217-504-5388

4. Describe the type of business or activity that you allege is causing or allowing pollution (e.g., manufacturing company, home repair shop) and give the address of the pollution source if different than the address above

11 pages of
Photos, esp
attached #4

The Rankin General Public dump unwanted Heavy Components Contaminants Accelerates all mixed in yard waste with no sorting out on strip. Aaron Warren and Mayor of Village of Rankin Supervisor of Public Works / Industrial during his course of Employment Activity order Sean McAllister during his course of Employment / Public works Dept WORKER duty 2 to 3 a week see attached photos The front end loader location NE 4-11-23-14 (50x565, Strip 62, 5856 Strip in the Village of Rankin IL see attached Property Record and Map pushed on side set on fire Burned for days on end on strip what ever strip has link on it no sorting a service which is not needed Man Binners building near Fire pit has car storage in it. House next to Building at 325 west 2nd Ave see attached Comment of Rankin Post Master they removed soil Curb to 300' East of Prognost # unknown ownership unknown insurance for storage see attached Photos (#4 Formal Complaint)

5. List specific sections of the Environmental Protection Act, Board regulations, Board order, or permit that you allege have been or are being violated

Section 3115 3.270 9A 9c 9f (415 ILCS 5/3.115 was 415 ILCS 5/3.02) (415 ILCS 5/3.270) was 415 ILCS 5/3.20) (415 ILCS 5/9 (FROM CH 111 1/2 PAR 1009) (415 ILCS 5/8) (FROM CH 111 1/2 PAR 1008) (415 ILCS 5/3.125 was 111 415 ILCS 5/3.68 Breakdown (unnatural By Fire)

see attached Photos MAP Warren McAllister work in this area only two! (FF #5 Formal Complaint) When it Rains washes and runs down into creek 75 away Accelerates Contaminant's Components

6. Describe the type of pollution that you allege (e.g., air, odor, noise, water, sewer back-ups, hazardous waste) and the location of the alleged pollution. Be as specific as you reasonably can in describing the alleged pollution

see attached photos after Burning Amhe map property touches ground Formal Complaint #5 PCB #6 Chemicals gas oil Diesel Fuel plastic Rubber mixed with several waste trees branches not able to sort out of paper strips No. 14-23-14 When it Rains water flows to Creek makes Water Pool for wildlife to drink see attached photos Marked #6 (4 Pages) of Photos

7. Describe the duration and frequency of the alleged pollution. Be as specific as you reasonably can about when you first noticed the alleged pollution, how frequently it occurs, and whether it is still continuing (include seasons of the year, dates, and times of day if known)

(FF #7 of Formal Complaint) 2 times a week 2 years still continuing Morning afternoon at night for days Summer Fall Spring Chemicals used to start Burn Big tree trunk started Burning see attached photos after Burning soil Ash stored unknown property maybe. State property needs to be investigated need to be removed Cleared up for Natural Walk

8. Describe any bad effects that you believe the alleged pollution has or has had on human health, on plant or animal life, on the environment, on the enjoyment of life or property, or on any lawful business or activity

8th of formal complaint. Menace to public health and wildlife near by homes. Deterioration of value in area, soil water, air. Benders, Building at Fire Risk. See attached photos. Accelerates chemicals in air, soil water, poor climate for wildlife. Poor visibility at times, odor in side homes with cystitis who have Breathing Problems. Half to keep windows closed at times other 1/2 of community does not use this service.

9. Describe the relief that you seek from the Board (e.g., an order that the respondent stop polluting, take pollution abatement measures, perform a cleanup, reimburse cleanup costs, change its operation, or pay a civil penalty (note that the Board cannot order the respondent to pay your attorney fees or any out-of-pocket expenses that you incur by pursuing an enforcement action))

Stop this service. Operation of Village of Rabin Mr. Lerner and Jeanie McIlister perform cleanup, take pollution out of Harold's waste pit to a fire, where it is allowed to be stored or destroyed. take abatement measures. An order that both respondents stop polluting. Closed claim fire pit.

#7

3 pages of photos attached

10. Identify any identical or substantially similar case you know of that is already pending before the Board or in another forum against this respondent for the same alleged pollution (note that you need not include any complaints made to the Illinois Environmental Protection Agency or any unit of local government)

#10 Amended Complaint Unknown Formal Complaint

11. State whether you are representing (a) yourself as an individual or (b) your unincorporated sole proprietorship. Also, state whether you are an attorney and, if so, whether you are licensed and registered to practice law in Illinois. (Under Illinois law, an association, citizens group, unit of local government, or corporation must be represented before the Board by an attorney. Also, an individual who is not an attorney cannot represent another individual or other individuals before the Board. However, an individual who is not an attorney is allowed to represent (a) himself or herself as an individual or (b) his or her unincorporated sole proprietorship, though the individual may prefer having attorney representation.)

Myself Not Attorney

12. _____
(Complainant's signature)

[Handwritten signature]

CERTIFICATION
(optional but encouraged)

I, GARY L Polytow, ~~on oath~~ or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

(Complainant's signature)

Subscribed to and ~~sworn~~ ^{affirmed} before me

this 15th day

of October, 2014.

Beth E Kaeb
Notary Public

My commission expires: 10-24-15



CERTIFICATE OF SERVICE

I, the undersigned, ~~on oath~~ or affirmation state that on 10/15, 2014,
I served the attached formal complaint and notice on the respondent by

- certified mail (attach copy of receipt if available, otherwise you must file receipt later with Clerk)
- registered mail (attach copy of receipt if available, otherwise you must file receipt later with Clerk)
- messenger service (attach copy of receipt if available, otherwise you must file receipt later with Clerk)
- personal service (attach affidavit if available, otherwise you must file affidavit later with Clerk)

at the address below:

RESPONDENT'S ADDRESS:

Name AARON WOODEN SEAN McALLISTER

Street 116 MAIN STREET PO Box 356

City, state, zip code RANKIN ILLINOIS 60960

(list each respondent's name and address if multiple respondents)

[Signature]
Complainant's signature

Street 319 North Guthrie

City, state, zip code Rankin Illinois 60960

Subscribed to and ~~sworn~~ ^{affirmed} before me

this 15th day

of October, 2014.

Beth E Kaeb
Notary Public

My commission expires: 10-24-15



PROPERTY ADDRESS

LEGAL DESCRIPTION 1.88A

MAP #

FORMER RR PROPERTY
NE 4 11-23-14
50' x 565' STRIP +
62.5' x 856' STRIP
DEC #07-92-22
EXEMPT 100% TAX 2007

LAND CHARACTERISTICS			
UNPAVED	WATER	WOODED	
CORNER LOT	SEWER	LAKE/POND	
IRREGULAR	GAS	RIVER/CRK	
NEIGHBORHD.	ELECTRIC	ROLLING	

#5

PROPERTY RECORD

RESIDENTIAL - RURAL

TRACT NO. BTLR-385

ZONING	TWP #	TAX CODE	EO 77	HIE	O/O	OVER 65	AREA	SEC.	BLOCK	PARCEL	IN
		57	1000				01	11	800	04	00

RECORD OF OWNERSHIP		DATE	DEED #	PRICE	REMARKS
VILLAGE OF RANKIN	116 S MAIN RANKIN, IL 60090	6-16-03	97167	N/S	

Doel Mc Gury
Needs to be reviewed carefully.

SIZE OF LOT OR NUMBER ACRES	UNIT VALUE OR WGT. P.L.	LAND COMPUTATION			ADJUSTED UNIT VALUE	FULL VALUE	ASSESSED VALUE
		DEPTH	INFLUENCE	OTHER FACTOR			
500	0				500		

SUMMARY OF ASSESSMENTS

LOT	FARMLAND	IMPROVEMENTS	FARM BLDGS.	TOTAL
1	520	0	0	520
BTLR 0385-02 2005 RRD/REVIEW				
2007S/A FCT 1.0396				
596				

1-31-02 BTLR 9554 out to BTLR 385-02 former RR property. See Book Deal

SUMMARY OF ASSESSMENTS

LOT	FARMLAND	IMPROVEMENTS	FARM BLDGS.	TOTAL
LOT				
LOT				
LOT				

LOT	FARMLAND	IMPROVEMENTS	FARM BLDGS.	TOTAL
LOT				

LOT	FARMLAND	IMPROVEMENTS	FARM BLDGS.	TOTAL
LOT				

#5

...right
apparent by
which the G
Illinois.

EXEMPT under
Section 31-45,

[Signature]
Buyers, Seller

Attest: *[Signature]*
Assistant

STATE OF ILLINOIS
COUNTY OF VERMILION

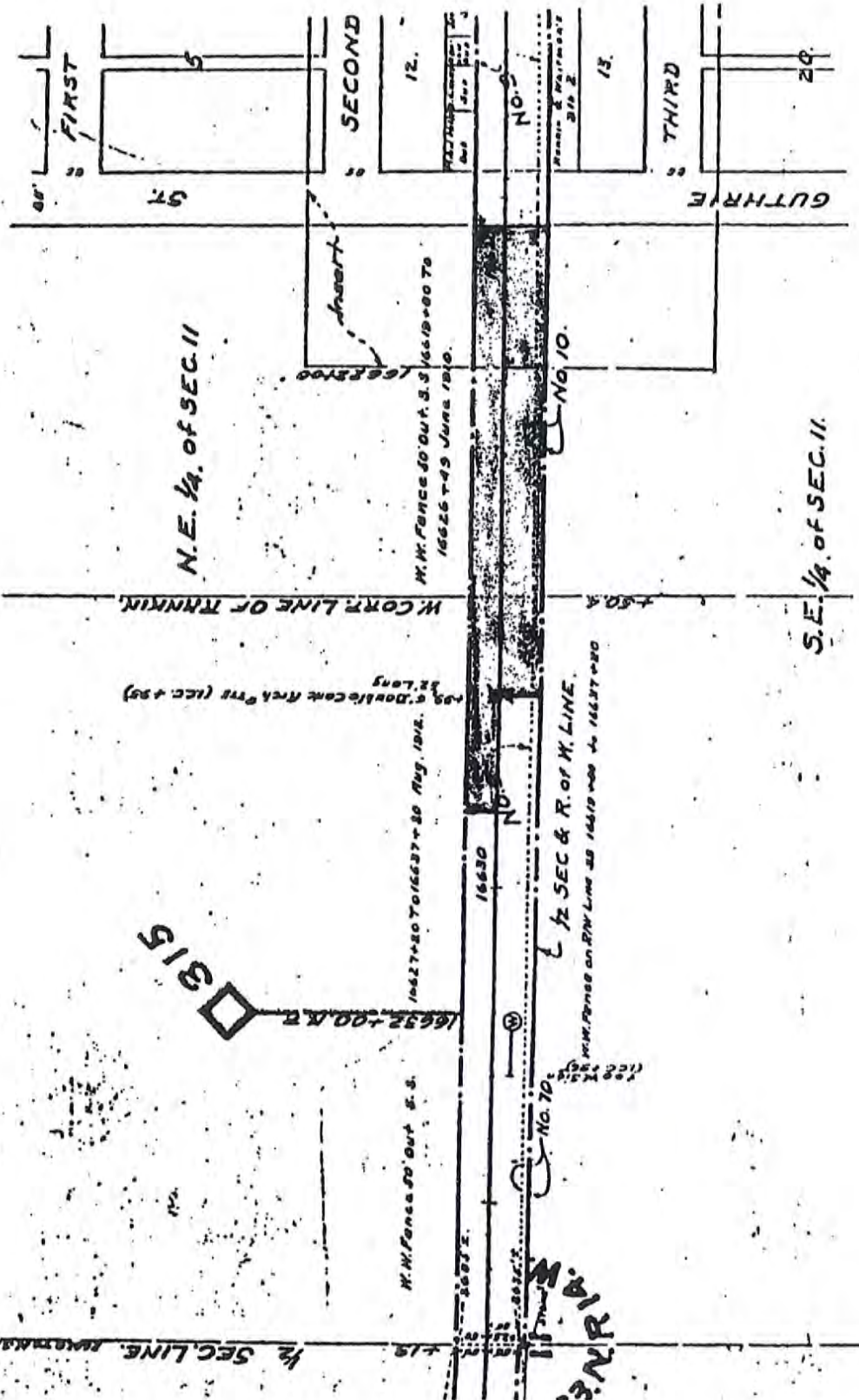
I, the undersigned, do hereby personally known and also known to and signing, sealing a act of said Bank, if they were duly authorized corporation.

IN WITNESS WHEREOF
June, 2003.

TRUSTEE'S DEED

Mail To:
Village of Rankin
116 So. Main
Rankin, IL 60960

Name & Address of Taxpayer
Village of Rankin
116 So. Main
Rankin, IL 60960



03-0009767 06/16/2003 02:31P FILED
NANCY J. KELLEY, RECORDER, VERMILION COUNTY, IL

315

APR 11 2003



#4





#4





#4





#4



#4



4#

oil + Chem
Hardcore Waste
Asks



Plastic



Mature
Walk!



Installation
#4



Mohel
Pousquet
Amohel



#4



0



#4





~~Cannot find
here because
of smoke~~



325 ↑ 2nd
Ave

#4



Ponour x
Smoke
wind change

#4

MTMayer
LAST NUMBER ^{POSTMASTER}
ASSIGNED ON
SOUTH SIDE OF
2ND AVE IS
HOUSE # 325 W 2ND
AVE
NO OTHER BUILDINGS
HAVE NUMBERS WEST
OF THAT HOUSE

MTMayer
LAST NUMBER ^{POSTMASTER}
ASSIGNED ON
SOUTH SIDE OF
2ND AVE IS
HOUSE # 325 W 2ND
AVE
NO OTHER BUILDINGS
HAVE NUMBERS WEST
OF THAT HOUSE

576

going
to
east
side

7



#546





5
East
side





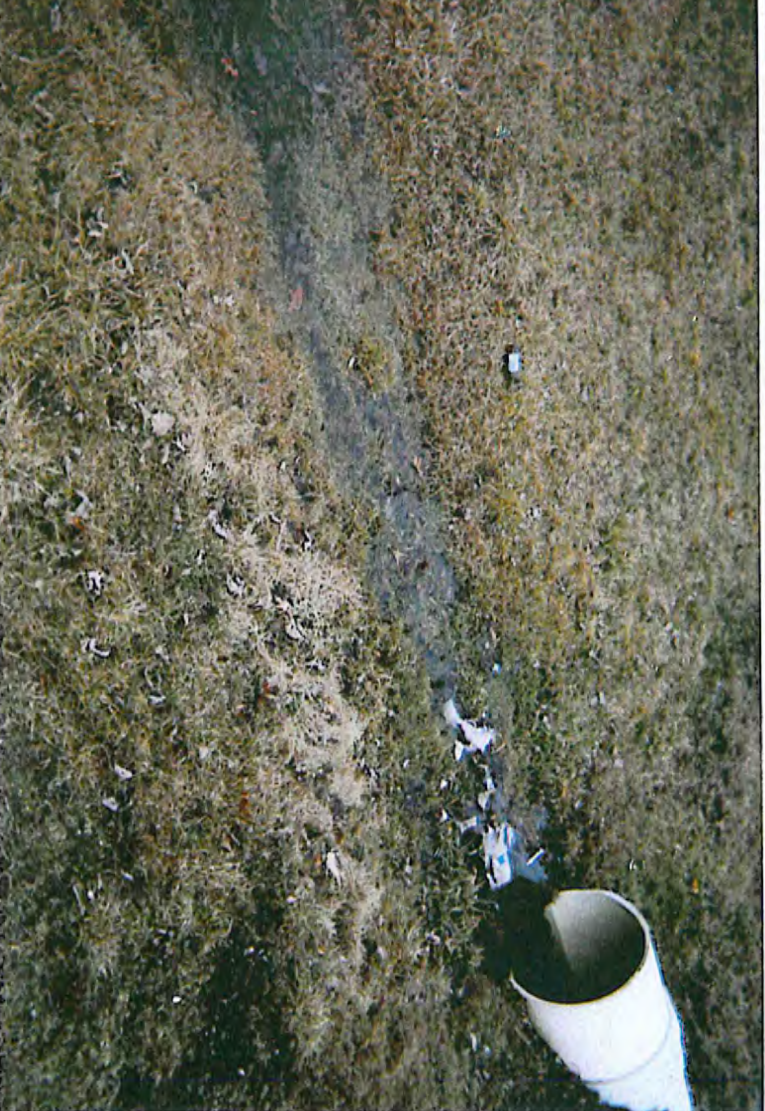
#6 #7



In Good K. Olin will be 7:12



To Good Killings Birds Study #6 7 and 8



Chemicals prevent washing to road

#C 7



#6



←



Grass 7.5"

#6 7 (Farmland and Canceled Community)



#6 #7 to Road

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

RANKIN IL 60960

OFFICIAL USE

Postage	\$ 0.70	0942	
Certified Fee	\$3.30	02	
Return Receipt Fee (Endorsement Required)	\$2.70		Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 6.70	10/15/2014	

Sent To *Clarey Warren*
 Street, Apt. No.,
 or PO Box No. *116 South Main Street P.O. Box 356*
 City, State, ZIP+4 *Rankin, Illinois 60960*

PS Form 3800, August 2006

See Reverse for Instructions

STRT 6991 1000 DTLT ET02

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

RANKIN IL 60960

OFFICIAL USE

Postage	\$ 0.70	0942	
Certified Fee	\$3.30	02	
Return Receipt Fee (Endorsement Required)	\$2.70		Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00		
Total Postage & Fees	\$ 6.70	10/15/2014	

Sent To *Sean McAllister*
 Street, Apt. No.,
 or PO Box No. *116 South Main Street P.O. Box 356*
 City, State, ZIP+4 *Rankin, IL 60960*

PS Form 3800, August 2006

See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 70
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.70

Sent To
 VILLAGE OF RANKIN WARREN
 5 MAIN ST PO BOX 356
 RANKIN IL 60960

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 70
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.70

Sent To
 VILLAGE OF RANKIN
 5 MAIN ST PO BOX 356
 RANKIN IL 60960

PS Form 3800, August 2006 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
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Postage	\$ 70
Certified Fee	3.30
Return Receipt Fee (Endorsement Required)	2.70
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.70

Sent To
 VILLAGE OF RANKIN SEAN ACCALLISTER
 5 MAIN PO BOX 356
 RANKIN IL 60960

PS Form 3800, August 2006 See Reverse for Instructions

Proof each Respondent
 was served new
 Complaint By
 Certified Mail 2/5/15

Hand Delivered in
 Person by Mr Polchow
 at Village Board
 Meeting 2/5/15

PUB
 15-157

Clerk is Mayor Warren
 wife and I have Conflict
 of Interest to Mail
 Postmaster will not use
 refused stamp 2/6/15

PO Box 23
Rankin, IL
60960

Village of Rankin
116 S Main St
Rankin, IL
60960

(Attempt Register service type)
(Certified)

To all Village Board
Members Board Meeting

To Clerk of
The Village of Rankin
2/5/15

Village of Rankin
116 S Main St
Rankin, Illinois
60960

FEB 14-1
(Clerk)
(Hand Delivered
Village Board
Meeting)

Hand Delivered
in person at Board
Meeting (Lynn Mays trustee + Postmaster)
Witness

To The Clerk of
the Village of Rankin Illinois
Clerk to Heaps on Feb 6 60960
2/5/15 time 6:00 PM
Hand Delivered Personally to Clerk
Copy

State of Illinois
Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
<http://www.ipcb.state.il.us/>

Witness + +
Postmaster + trustee
Lynn Mayer
2/5/15
Board Member

FORMAL COMPLAINT

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In The Matter Of:

MR GARY L Polchow

(Insert your name(s) in the space above)
Complainant(s),

PCB 14-112

Citizens Enforcement
for air Water

PCB 20
(For Board use only)

Village of Rankin

(Insert name(s) of alleged polluter(s))
Respondent(s)

Note: If you do not use this formal complaint form and instead draft and type your own, it must contain all of the information requested by this form. All items must be completed. If there is insufficient space to complete any item, you may attach additional sheets, specifying the number of the item you are completing. Once completed, you must file the original and nine copies of the formal complaint, notice to respondent, and certificate of service with the Clerk of the Board at the above address.

Let it be known on 2/5/15 at 6:31 PM that Mr Polchow had delivered the New formal
Complaint and Proof of services By this letter to all Respondents During the Village
Board Meeting During public Comment on 2/5/15. The Clerk will keep Copy of Complaint
on File has requested in Writing By Mr Polchow Correcting deficiencies Witnessed
By all Board Members. 2/5/15 Lynn Mayer post master and village trustee
Mr Polchow will make another attempt also through Registered Service type to
all Respondents Complying with 35 ILCS 101302 101304 103.204
Respectfully
Mr Gary L Polchow

1. Your Contact Information

Name: GARY L Polc How
Street Address: 319 NORTH GUTHRIE AVE
RANKIN IL 60960
County: VERMILION
State: ILLINOIS
Phone Number: (217) 397-2315

2. Place where you can be contacted during normal business hours (if different from above)

Name: N/A
Street Address: _____
County: _____
State: _____
Phone Number: () -

3. Name and address of respondent (alleged polluter)

Name: ~~ARON WARREN~~ ~~JEAN McALLISTER~~
Street Address: 116 SOUTH MAIN STREET Po Box 356
RANKIN IL 60960
County: VERMILION
State: _____
Phone Number: (217) 249-2795 217-504-5388

Village of Rankin

4. Describe the type of business or activity that you allege is causing or allowing pollution (e.g., manufacturing company, home repair shop) and give the address of the pollution source if different than the address above

11 pages of photos, esp attached #4

The Rankin General Public dump unwanted their Components Contaminants Accelerates all mixed in yard waste with no sorting out on street. Aron Warren and Mayor of Village of Rankin Supervisor of Public Works Incriminated during his Course of Employment (Authority order) Jean McAllister during his Course of Employment Public Works Dept WORKER duty 2 to 3 a week see attached photo. The front end loader Location NE 4-11-23-14 (50x565 Strip 62,5856 Strip in the Village of Rankin IL see attached Property Record and Map pushed on pile set on Fire Burned for days on end on Strip what Ever Strip has liquids on it no sorting a service which is not needed Mrs Binder's building near 7th st has cars storage in it. House next to Building at 325 west 2nd Ave see attached. Comment of Rankin Post Master they removed soil Cuts to 300' East of Prognosis At unknown ownership unknown insurance for storage see attached Photos (#4 Formal Complaint)

5. List specific sections of the Environmental Protection Act, Board regulations, Board order, or permit that you allege have been or are being violated

Section 3115 3.270 9A 9c 9F (415 ILCS 5/3.115 was 415 ILCS 5/3.02) (415 ILCS 5/3.270) was 415 ILCS 5/3.20) (415 ILCS 5/9C FROM CH 111 1/2 PAR 1009) (415 ILCS 5/8) (FROM CH 111 1/2 PAR 1008) (415 ILCS 5/3.125 was 111 415 ILCS 5/3.68 Breakdown (unnatural) By Fire) See attached Photos MAP Warren McAllister work in this area only two! (H4+5 Formal Complaint) When it Rains washes and runs down into Creek 75 away Accelerates Contaminant Components

6. Describe the type of pollution that you allege (e.g., air, odor, noise, water, sewer back-ups, hazardous waste) and the location of the alleged pollution. Be as specific as you reasonably can in describing the alleged pollution

See attached photos after Burning In hole map property touching ground Formal Complaint #5 PCB #6 Chemicals, gas oil Diesel Fuel plastic Rubber mixed with liquid waste trees branches not able to sort out of pipe strip NE-14-23. When it Rains water flows to Creek makes Water Pool for wildlife to drink (see attached photos) Marked #6 (4 Pages) of Photos 2 pages attached Record

7. Describe the duration and frequency of the alleged pollution. Be as specific as you reasonably can about when you first noticed the alleged pollution, how frequently it occurs, and whether it is still continuing (include seasons of the year, dates, and times of day if known)

(#7 of Formal Complaint) 2 times a week 2 years still continuing morning afternoon at night for plants Summer Fall Spring Chemicals used to start Green Big tree trunk started Burning see attached photos after Burning soil Ash storage unknown property maybe state property needs to be investigated need to be removed cleaned up for Natural Walk

8. Describe any bad effects that you believe the alleged pollution has or has had on human health, on plant or animal life, on the environment, on the enjoyment of life or property, or on any lawful business or activity.

#8 of formal complaint, Menace to public health and wildlife
nearby homes, Deterioration of value in area, soil water air
Bending, Bulging of Fire Run, see attached photos
Accelerates Chemicals in Air, soil water poor climate for
wildlife poor vegetation at times color on side homes
with Cystitis who have Breathing Problems Half to keep windows
closed at times other 1/2 of community does not use this service

9. Describe the relief that you seek from the Board (e.g., an order that the respondent stop polluting, take pollution abatement measures, perform a cleanup, reimburse cleanup costs, change its operation, or pay a civil penalty (note that the Board cannot order the respondent to pay your attorney fees or any out-of-pocket expenses that you incur by pursuing an enforcement action))

Stop this service
Operation of Village of Rabin Mr. Kerren and Sean Millister
perform cleanup take pollution out of
Household waste soil top a fire, where it
is allowed to be stored or destroyed
take abatement measures an order that Both
respondents stop polluting closed down fire pit

10. Identify any identical or substantially similar case you know of that is already pending before the Board or in another forum against this respondent for the same alleged pollution (note that you need not include any complaints made to the Illinois Environmental Protection Agency or any unit of local government)

#10 Amended Complaint Unknown formal complaint

#7
3 pages
of photos
attached

11. State whether you are representing (a) yourself as an individual or (b) your unincorporated sole proprietorship. Also, state whether you are an attorney and, if so, whether you are licensed and registered to practice law in Illinois. (Under Illinois law, an association, citizens group, unit of local government, or corporation must be represented before the Board by an attorney. Also, an individual who is not an attorney cannot represent another individual or other individuals before the Board. However, an individual who is not an attorney is allowed to represent (a) himself or herself as an individual or (b) his or her unincorporated sole proprietorship, though the individual may prefer having attorney representation.)

Myself Not Attorney

12.

Mr Gary Polchow
(Complainant's signature)

CERTIFICATION
(optional but encouraged)

I, MR GARY POLCHOW, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

Mr Gary Polchow
(Complainant's signature)

Subscribed to and ~~sworn~~^{affirmed} before me

this 4th day

of February, 2015.

Beth E Kaeb
Notary Public



My commission expires: 10-24-15

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on 2/4, 2015,
I served the attached formal complaint and notice on the respondent by

certified mail (attach copy of receipt if available,
otherwise you must file receipt later with Clerk)

registered mail (attach copy of receipt if available,
otherwise you must file receipt later with Clerk)

messenger service (attach copy of receipt if available,
otherwise you must file receipt later with Clerk)

personal service (attach affidavit if available,
otherwise you must file affidavit later with Clerk)

at the address below: X Hand Delivered To Clerk on 2/5/15

RESPONDENT'S ADDRESS:

Name Village of Rankin

Street 116 Main Street PO Box 356

City, state, zip code Rankin, Illinois 60960
(list each respondent's name and address if multiple respondents)

[Signature]
Complainant's signature

Street 319 North Guthrie

City, state, zip code Rankin, IL 60960

Subscribed to and ~~sworn~~ ^{affirmed} before me

this 4th day

of Feb., 2015.

Beth E Kaeb
Notary Public



My commission expires: 10-24-15

B
P
5960

Village of Rankin
Rankin, IL 60960
Care of Aaron Warren

Witness Village Board
Trustee Lynn Meyer
and Postmaster

Attempt Register service type
(Certified)

Hand Delivered

all Village Board Members in person

Aaron Warren
116 S Main St
Rankin, IL 60960

PCB-14-112
Hand Delivered
Village Board Meeting
2/5/15 time off

10 Village of Hanby
Clerk to keep file
2/5/15 time 6:00 PM
Hand Delivered Personally
To Aaron Warren

State of Illinois
Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
<http://www.ipcb.state.il.us/>

Witness
Postmaster & trustee
Lynn Mayer
2/5/15
Board Member

FORMAL COMPLAINT

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In The Matter Of:

MR GARY L Polchow

(Insert your name(s) in the space above)

Complainant(s),

AARON Warren v.

(Insert name(s) of alleged polluter(s))

Respondent(s)

) PCB 14-112
)
) CITIZENS ENFORCEMENT
) (Soil Air Water)

) PCB 20
) (For Board use only)

Note: If you do not use this formal complaint form and instead draft and type your own, it must contain all of the information requested by this form. All items must be completed. If there is insufficient space to complete any item, you may attach additional sheets, specifying the number of the item you are completing. Once completed, you must file the original and nine copies of the formal complaint, notice to respondent, and certificate of service with the Clerk of the Board at the above address.

Let it Be Known on 2/5/15 at 6:21 PM that Mr Polchow Hand delivered the New Formal Complaint and Proof of Service By this Letter to all Respondents During the Village Board meeting During Public Comment on 2/5/15 The Clerk will keep Copy of Complaint on File Has requested in writing By Mr Polchow Correcting deficiencies Witnessed By all Board Members 2/5/15 Lynn Mayer Postmaster and trustee Mr Polchow will make Another attempt through Registered service type to all Respondents Complying with 35 Ill adm Code 101302 101304 103204
Respectfully
Mr Gary Polchow

1. Your Contact Information

Name: GARY L Polc How
Street Address: 319 NORTH GUTHRIE AVE
RANKIN IL 60960
County: VERMILION
State: ILLINOIS
Phone Number: (217) 397-2315

2. Place where you can be contacted during normal business hours (if different from above)

Name: N/A
Street Address: _____
County: _____
State: _____
Phone Number: () -

3. Name and address of respondent (alleged polluter)

Name: AARON WARREN + ~~SCOTT~~ Mc ALLISTER
Street Address: 116 SOUTH MAIN STREET Po Box 356
RANKIN IL 60960
County: VERMILION
State: _____
Phone Number: (217) 249-2795 217-504-5388

4. Describe the type of business or activity that you allege is causing or allowing pollution (e.g., manufacturing company, home repair shop) and give the address of the pollution source if different than the address above

11 pages of
Photos, excel
attached #4

The Rankin General Public dump unwanted Heavy Components Contaminants Accelerates all mixed in yard waste with no sorting out on strip Agrep Warren and Mayor of Village of Rankin Supervisor of Public Works Individual during his Course of Employment 'Citizens Order' Sean McAllister during his Course of Employment Public Works Dept WORKER duty 2 to 3 a week see attached photo. The front end loader Location NE 4-11-23-14 150x565 Strip 62,585 lbs in the Village of Rankin IL see attached Property Record and Map push on pile Act on Fire Brand For clays on end on strip worst Ever Strip Has lying on it no sorting a service which is not needed Mrs Binkers building near Fire pit has Car's storage in it. House next to Building at 325 west 2nd Ave see attached Comment of Rankin Post Master they removed soil Cuts to 300' East of Praeger # unknown ownership unknown insurance for storage see attached Photos (#4 Formal Complaint)

5. List specific sections of the Environmental Protection Act, Board regulations, Board order, or permit that you allege have been or are being violated

Section 3115 3.270 9A 9c 9F (415 ILCS 5/3.11.5 was 415 ILCS 5/3.02) (415 ILCS 5/3.270) was 415 ILCS 5/3.20) (415 ILCS 5/9 (FROM CH 111 1/2 PAR 1009) (415 ILCS 5/8) (FROM CH 111 1/2 PAR 1008) (415 ILCS 5/3.125 was 111 415 ILCS 5/3.68 Breakdown (unnatural By Fire) ...
 See attached Photos MAP Warren McAllister work in this area only two! Accelerates Contaminant Components
 (#4+5 Formal Complaint) When it Rains washes and runs down into creek 75 away

6. Describe the type of pollution that you allege (e.g., air, odor, noise, water, sewer back-ups, hazardous waste) and the location of the alleged pollution. Be as specific as you reasonably can in describing the alleged pollution

See attached photos after Burning In the map property
 Touching Ground Formal Complaint #5 PCB #6
 Chemicals, gas oil, Diesel Fuel plastic Rubber mixed
 with several waste trees branches not able to sort out of paper strips
 When it Rains water flows to Creek makes
 Water Pool for wildlife to drink (see attached photos)
 Marked #6 (4 Pages) of Photos
 2 pages attached
 Report NE-14-23

7. Describe the duration and frequency of the alleged pollution. Be as specific as you reasonably can about when you first noticed the alleged pollution, how frequently it occurs, and whether it is still continuing (include seasons of the year, dates, and times of day if known)

(#7 of Formal Complaint) 2 times a week 2 years still
 Continuing Morning afternoon at night for plants
 Summer fall Spring Chemicals used to start Green Big
 tree trunk started Burning see attached photos
 after Burning soil ash stored unknown property maybe
 state property needs to be investigated need to be
 removed cleaned up for Natural Walk

8. Describe any bad effects that you believe the alleged pollution has or has had on human health, on plant or animal life, on the environment, on the enjoyment of life or property, or on any lawful business or activity.

#1 of formal complaint, menace to public health and wildlife near by homes, Deterioration of value in area, soil water air, Bender's Building at Fire Run, see attached photos, Accelerates chemicals in air, soil, water, poor climate for wildlife, poor visibility at times, odor in side homes with children who have breathing troubles, half to keep windows closed at times other 1/2 of community does not use this service.

9. Describe the relief that you seek from the Board (e.g., an order that the respondent stop polluting, take pollution abatement measures, perform a cleanup, reimburse cleanup costs, change its operation, or pay a civil penalty (note that the Board cannot order the respondent to pay your attorney fees or any out-of-pocket expenses that you incur by pursuing an enforcement action))

Stop this service, Operation of Village of Rahin Mr. Yerran and Sean McEllister perform cleanup, take pollution out of Harbours waste pit, to a area where it is allowed to be stored or destroyed, take abatement measures, an order that both respondents stop polluting, closed down fire pit.

#17

3 pages of photos attached

10. Identify any identical or substantially similar case you know of that is already pending before the Board or in another forum against this respondent for the same alleged pollution (note that you need not include any complaints made to the Illinois Environmental Protection Agency or any unit of local government)

#10 Aneled Complaint Unknown formal complaint

11. State whether you are representing (a) yourself as an individual or (b) your unincorporated sole proprietorship. Also, state whether you are an attorney and, if so, whether you are licensed and registered to practice law in Illinois. (Under Illinois law, an association, citizens group, unit of local government, or corporation must be represented before the Board by an attorney. Also, an individual who is not an attorney cannot represent another individual or other individuals before the Board. However, an individual who is not an attorney is allowed to represent (a) himself or herself as an individual or (b) his or her unincorporated sole proprietorship, though the individual may prefer having attorney representation.)

Myself Not Attorney

12.

(Complainant's signature)

CERTIFICATION
(optional but encouraged)

I, GARY L POLEHOW, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

(Complainant's signature)

Subscribed to and ~~sworn~~ ^{affirmed} before me

this 4th day
of February, 2015.

Beth E Kaeb
Notary Public



My commission expires: 10-24-15

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on 2/4, 20 15, I served the attached formal complaint and notice on the respondent by

- certified mail (attach copy of receipt if available, otherwise you must file receipt later with Clerk)
- registered mail (attach copy of receipt if available, otherwise you must file receipt later with Clerk)
- messenger service (attach copy of receipt if available, otherwise you must file receipt later with Clerk)
- personal service (attach affidavit if available, otherwise you must file affidavit later with Clerk)

at the address below: X Hand Delivered to Aaron Warren 2/5/15

RESPONDENT'S ADDRESS:

Name AARON Warren
 Street 116 MAIN STREET PO Box 356
 City, state, zip code RANKIN ILLINOIS 60960
 (list each respondent's name and address if multiple respondents)

Complainant's signature _____
 Street 319 NORTH GUTHRIE
 City, state, zip code RANKIN ILLINOIS 60960

Subscribed to and ^{affirmed}~~sworn~~ before me

this 4th day of February, 2015.

Beth E Kaeb
Notary Public



My commission expires: 10-24-15

Certified

Jean McCallister
116 S Main St
Ranking, IL
60960

Attempt Register service
type!

Board Meeting
2/5/15


PCB-14-112

~~Had Delivered~~

Village Board Meeting
12/5/15

To all Village Board Members

Jean McCallister
116 S Main St
Ranking, IL
60960

Lynn Mayers
Trustee Foremaster
Witness 

13
1
160

Village of Rankin
Clerk to Keep on File
2/5/15
time 6:00 PM
Hand Delivered
Personally!

State of Illinois
Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
<http://www.ipcb.state.il.us/>

Witness
Postmaster & trustee
Lynn Mayer
2/5/15
Board Member

FORMAL COMPLAINT

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In The Matter Of:
MR GARY L Polchow
(Insert your name(s) in the space above)
Complainant(s),

) PCB 14-112
)
) CITIZENS ENFORCEMENT
)
) (Soil Air Water)
)

PCB 20
(For Board use only)

v.
SEAN McCallister
(Insert name(s) of alleged polluter(s))
Respondent(s)

Note: If you do not use this formal complaint form and instead draft and type your own, it must contain all of the information requested by this form. All items must be completed. If there is insufficient space to complete any item, you may attach additional sheets, specifying the number of the item you are completing. Once completed, you must file the original and nine copies of the formal complaint, notice to respondent, and certificate of service with the Clerk of the Board at the above address.

Let it Be Known on 2/5/15 at 6:31 PM that Mr Polchow Hand delivered the New Formal Complaint and Proof of service By this letter to all Respondents During the Village Board meeting during public Comment on 2/5/15 The Clerk will Keep Copy of Complaint on File Has requested in writing By Mr Polchow Correcting clerical mistakes Witnessed By all Board Member and Lynn Mayer postmaster and trustee Mr Polchow will make Another attempt through Registered service type! also complying with 35 ILL Adm Code 101.302 101.304 103.204

Respectfully
Mr. Gary Polchow

1. Your Contact Information

Name: GARY L Polc How
Street Address: 319 NORTH GUTHRIE AVE
RANKIN IL 60960
County: VERMILION
State: ILLINOIS
Phone Number: (217) 397-2315

2. Place where you can be contacted during normal business hours (if different from above)

Name: N/A
Street Address: _____
County: _____
State: _____
Phone Number: () -

3. Name and address of respondent (alleged polluter)

Name: ~~ARON WARREN~~ + ^{SEAN} Mc ALLISTER
Street Address: 116 SOUTH MAIN STREET PO Box 356
RANKIN IL 60960
County: VERMILION
State: _____
Phone Number: (217) 249-2795 217-504-5388

4. Describe the type of business or activity that you allege is causing or allowing pollution (e.g., manufacturing company, home repair shop) and give the address of the pollution source if different than the address above

11 pages of
Photos, etc
attached #4

The Rankin General Public dump unwanted Heavy Components Contaminants
Accelerates all mixed in yard space with no sorting out on strip Agnes Warren and
Mayor of Village of Rankin Supervisor of Public Works Incharge during his
Course of Employment Activity order Sean Mc Allister during his Course of
Employment Public Works Dept WORKER duty 2 to 3 a week see attached photo.
The front end loader location NE 4-11-23-14 (50x565 Strip 62,5856 1 Strip
in the Village of Rankin IL see attached Property Record and Map pushed on side
set on Fire Blind for days on end on strip where ever strip has liquid on it no sorting
a service which is not needed May Bindery building near Fire pit has
Car storage in it House next to Building at 325 west 2nd Ave see attached
Comment of Rankin Post Master they removed soil Cubic to 300' East of frequent
unknown ownership unknown insurance for storage see attached Photos
(#4 Formal Complaint)

5. List specific sections of the Environmental Protection Act, Board regulations, Board order, or permit that you allege have been or are being violated

Section 3115 3270 9A 9c 9F (415 ILCS 5/3.115 was 415 ILCS 5/3.02) (415 ILCS 5/3.270) was 415 ILCS 5/3.20) (415 ILCS 5/9C FROM CH 111 1/2 PAR 1009) (415 ILCS 5/8) (FROM CH 111 1/2 PAR 1008) (415 ILCS 5/3.125 was 415 ILCS 5/3.68 Breakdown (unnatural By Fire) ::

See attached Photos MAP Warren McAllister work in this area only two! (414+5 Formal Complaint) When it Rains washes and runs down into creek 75 away Accelerates Contaminant Components

6. Describe the type of pollution that you allege (e.g., air, odor, noise, water, sewer back-ups, hazardous waste) and the location of the alleged pollution. Be as specific as you reasonably can in describing the alleged pollution

See attached photos after Burning Smoke map property touching ground Formal Complaint #5 PCB #6 Chemicals gas oil Diesel Fuel plastic Rubber mixed with liquid waste trees branches not able to support of paper strips NE-14-23. When it Rains water flows to Creek makes Water Bag for wild life to drink see attached photos (4 Pages) of Photos

7. Describe the duration and frequency of the alleged pollution. Be as specific as you reasonably can about when you first noticed the alleged pollution, how frequently it occurs, and whether it is still continuing (include seasons of the year, dates, and times of day if known)

(# of Formal Complaint) 2 times a week 2 years still continuing Morning afternoon at night for days Summer fall Spring Chemicals used to start Green Big tree trunk started Burning see attached photos after Burning soil cuts stored unknown property may be state property needs to be investigated need to be removed / cleaned up for Natural Walk

8. Describe any bad effects that you believe the alleged pollution has or has had on human health, on plant or animal life, on the environment, on the enjoyment of life or property, or on any lawful business or activity.

#8 of Formal Complaint Menace to public health and wildlife
Near by Homes Deterioration of value in area, soil water Air
Bending Building at Fire Risk see attached photos
Accelerated Chemicals in Air soil water poor Climate for
wildlife poor Vegetation at times color in side Homes
with Cystitis who have Breathing Problems Had to keep windows
Closed at times other 1/2 of Community does not use this service

9. Describe the relief that you seek from the Board (e.g., an order that the respondent stop polluting, take pollution abatement measures, perform a cleanup, reimburse cleanup costs, change its operation, or pay a civil penalty (note that the Board cannot order the respondent to pay your attorney fees or any out-of-pocket expenses that you incur by pursuing an enforcement action))

Stop this service +
Operation of Village of Radium Mr. Warren and Jean Malister
perform Cleanup take pollution out of
Hazardous waste soil top a area where not
is allowed to be stored or destroyed
take abatement Measures an order that Both
respondents stop polluting Closed down fire pit

10. Identify any identical or substantially similar case you know of that is already pending before the Board or in another forum against this respondent for the same alleged pollution (note that you need not include any complaints made to the Illinois Environmental Protection Agency or any unit of local government)

#10 Aired Complaint Unknown Formal Complaint
3 pages of Photos are attached

11. State whether you are representing (a) yourself as an individual or (b) your unincorporated sole proprietorship. Also, state whether you are an attorney and, if so, whether you are licensed and registered to practice law in Illinois. (Under Illinois law, an association, citizens group, unit of local government, or corporation must be represented before the Board by an attorney. Also, an individual who is not an attorney cannot represent another individual or other individuals before the Board. However, an individual who is not an attorney is allowed to represent (a) himself or herself as an individual or (b) his or her unincorporated sole proprietorship, though the individual may prefer having attorney representation.)

Myself Not Attorney

12. _____
(Complainant's signature)

Mr Gary Pochow

CERTIFICATION

(optional but encouraged)

I, MR GARY POCHOW, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

Mr Gary Pochow

(Complainant's signature)

Subscribed to and ~~sworn~~ ^{affirmed} before me

this 4th day

of February, 2015.

Beth E Kaeb
Notary Public



My commission expires: 10-24-15

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on 2/4, 2015,
I served the attached formal complaint and notice on the respondent by

 certified mail (attach copy of receipt if available,
otherwise you must file receipt later with Clerk)

X registered mail (attach copy of receipt if available,
otherwise you must file receipt later with Clerk)

 messenger service (attach copy of receipt if available,
otherwise you must file receipt later with Clerk)

 personal service (attach affidavit if available,
otherwise you must file affidavit later with Clerk)

at the address below: X Hand Delivered to Sen McCallister on 2/5/15

RESPONDENT'S ADDRESS:

Name SEAN McCallister

Street 116 Main Street Po Box 356

City, state, zip code Rankin, Illinois 60960
(list each respondent's name and address if multiple respondents)

[Signature]
Complainant's signature

Street 319 North Future

City, state, zip code Rankin, Illinois 60960

Subscribed to and ~~sworn~~^{affirmed} before me

this 4th day

of February, 2015.

Beth E Kaeb
Notary Public



My commission expires: 10-24-15

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: 1/22/15 B.M.
PCB 2014-112
Aaron Warren
116 S. Main Street
P.O. Box 356
Rankin, IL 60960

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 Agent
 Addressee

B. Received by (Printed Name)
Minette Warren

C. Date of Delivery
1-27-15

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
(Transfer from service label) 7014 0510 0001 5481 9996

PS Form 3811, July 2013

Domestic Return Receipt