

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 98-06-AC)
)	
MARLA LEWIS GATES, MARK GATES & MARK KINGSLEY LEWIS,)	
)	
)	
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 (2004).

FACTS

1. That Marla Lewis Gates and Mark Kingsley Lewis are the present owners and Mark Gates is the operator (collectively "Respondents") of a facility that is part of the W 1/2 of the SW 1/4 of Section 8 in Township 21 North and Range 2 West of the 3rd Principal Meridian in Logan County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Lincoln/Lewis.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1078075001.
3. That Respondents have owned/operated said facility at all times pertinent hereto.
4. That on April 26, 2006, Michelle Cozadd of the Illinois Environmental Protection Agency's Springfield Regional Office inspected the above-described facility. A copy of her

inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Michelle Cozadd during the course of her April 26, 2006 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) (2004).

- (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) (2004).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2004), 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 June 25, 2006, 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 (2004), 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) (2004), 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 (2004). If Respondents elect to contest this Administrative Citation, then Respondents shall file a Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276.

Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.

Douglas P. Scott
Douglas P. Scott, Director *by me*
Illinois Environmental Protection Agency

Date: 5/30/06

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

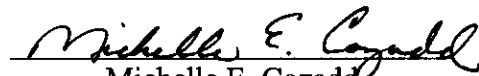
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Complainant)
)
vs.) IEPA DOCKET NO.
)
MARLA LEWIS GATES, MARK GATES)
& MARK KINGSLEY LEWIS,)
Respondents)

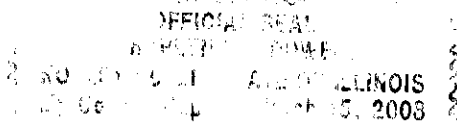
Affiant, Michelle E. Cozadd, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Division of Land Pollution Control of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On April 26, 2006, between 11:40 AM and 12:00 PM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Logan County, Illinois, and known as Lincoln/Lewis by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC #1078075001 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Lincoln/Lewis open dump site by an on-site inspection that 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 Lincoln/Lewis open dump.


Michelle E. Cozadd

Subscribed and Sworn To before me
This 12 day of May, 2006





Inspection Date: April 26, 2006

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	X
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	X
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	X
11.	722.111	HAZARDOUS WASTE DETERMINATION	
12.	808.121	SPECIAL WASTE DETERMINATION	
13.	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	
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	
15.	OTHER:		

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 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
MEMORANDUM**

DATE: May 3, 2006
TO: DLPC/Division File
FROM: Michelle Cozadd, DLPC/FOS Springfield Region
SUBJECT: LPC #1078075001 – Logan County
Lincoln/Lewis
FOS File

On April 26, 2006, I conducted a follow-up inspection at the above referenced site from about 11:40 am to 12:00 pm. Sixteen digital photographs were taken and the weather conditions were sunny with an air temperature of approximately 45°F. No one was interviewed at the time of the inspection. No one lives at this property so all the wastes observed appear to have been brought in from off site.

The attached quit claim deed indicates that the property owners are Marla Lewis Gates and Mark Kingsley Lewis (her son). Mr. Mark Gates (Marla's husband) is the responsible party that has submitted correspondence to the Agency and been interviewed at the site during previous inspections.

A previous inspection was conducted on May 24, 2005. The only changes to the site since the last inspection were the removal of one of the three abandoned mobile homes, one vehicle, and some scrap metal.

The area near the entrance to the property was inspected first. The attached photo #001 shows a mobile home, a rusted yellow metal box and a pile of siding located on the south side of the driveway near the entrance. The attached photo #005 shows two piles of rock in front of the mobile home. The piles of telephone poles and bricks east of the mobile home are shown in the attached photo #004. The bricks were stacked neatly on a wood pallet. The attached photo #006 shows a pile of telephone poles and damaged dimensional lumber on the west side of the mobile home. This area had not changed since the last inspection.

Two other piles were observed on the north side of the driveway. The first pile of corrugated metal siding and a metal table are illustrated in the attached photo #002. The attached photo #003 shows a red wagon, vinyl siding and a metal toolbox. The siding was covered by tarps and weighted with dimensional lumber. These two piles also remain unchanged since the last inspection.

The area near the garage was inspected next. A second abandoned mobile home is located along the driveway just south of the garage as shown in the attached photo #007. Although Illinois does not consider mobile homes to be motor vehicles, they are "vehicles" as defined in Section 1-

217 of the Illinois Vehicle Code, and must be titled through the Secretary of State's Office. The mobile homes appeared discarded and therefore waste as defined in the [Illinois] Environmental Protection Act.

Siding, dimensional lumber, wood pallets and other miscellaneous materials were located near the garage door on the southwest corner of the garage as illustrated in the attached photo #008. The mobile home and scrap metal on the south side of the garage have been removed from the site since the May 24, 2005 inspection (see attached photo #009).

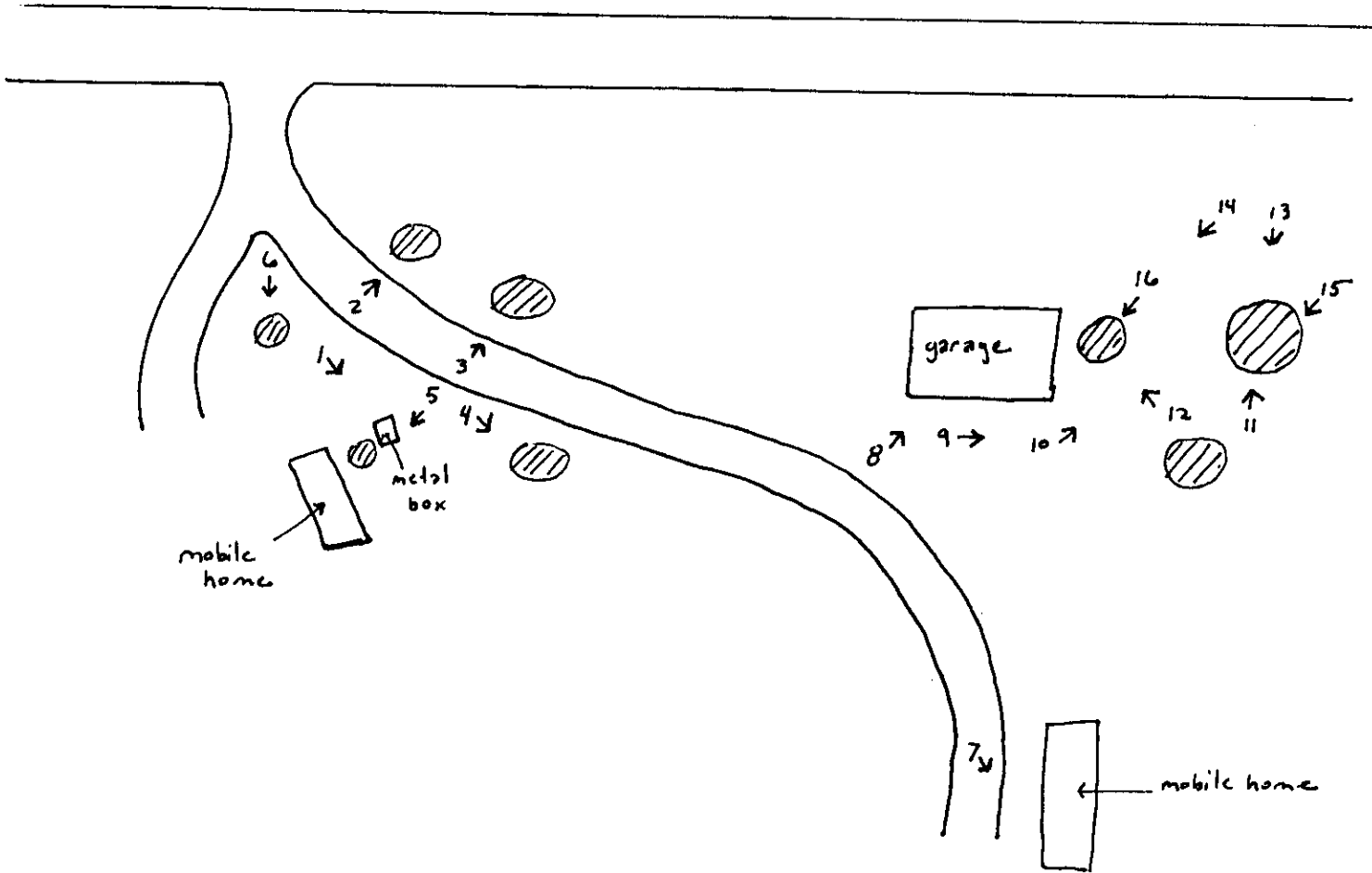
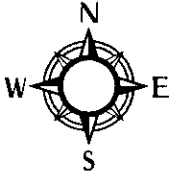
The waste materials on the east side of the garage are shown in the attached photos #010 through #016. The waste materials included scrap metal, sheets of weathered drywall in poor condition, damaged dimensional lumber, a pile of gravel, wood pallets, axles, a metal tool box, a metal bathtub, shingles, concrete blocks, discarded equipment, and other miscellaneous debris. The abandoned vehicle in the area has been removed from the site since the last inspection.

A site sketch and digital photograph photocopies accompany this narrative for the DLPC/Division File. Digital copies of the photographs will be provided to the responsible parties upon request.

cc: LCHD, Kathy Waldo
Logan County Zoning Administrator, Dewey Colter
DLPC/FOS Springfield Region



SITE SKETCH



April 26, 2006 Inspection
Measurements Approximate
Direction of Photo →
Photo Directions Approximate
Not to Scale
● WASTES



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:45 am
Direction: SE
Photo by: M. Cozadd
Exposure #: 001
Comments: Metal box,
mobile home. and vinyl
siding



Date: 26 April 2006
Time: 11:45 am
Direction: NE
Photo by: M. Cozadd
Exposure #: 002
Comments: Corrugated
metal siding and metal
table

File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:45 am
Direction: NE
Photo by: M. Cozadd
Exposure #: 003
Comments: Red wagon,
vinyl siding and metal
toolbox



Date: 26 April 2006
Time: 11:45 am
Direction: SE
Photo by: M. Cozadd
Exposure #: 004
Comments: Telephone
poles and a pile of bricks
on a wood pallet

File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:45 am
Direction: SW
Photo by: M. Cozadd
Exposure #: 005
Comments: Mobile home, metal box, siding and piles of gravel

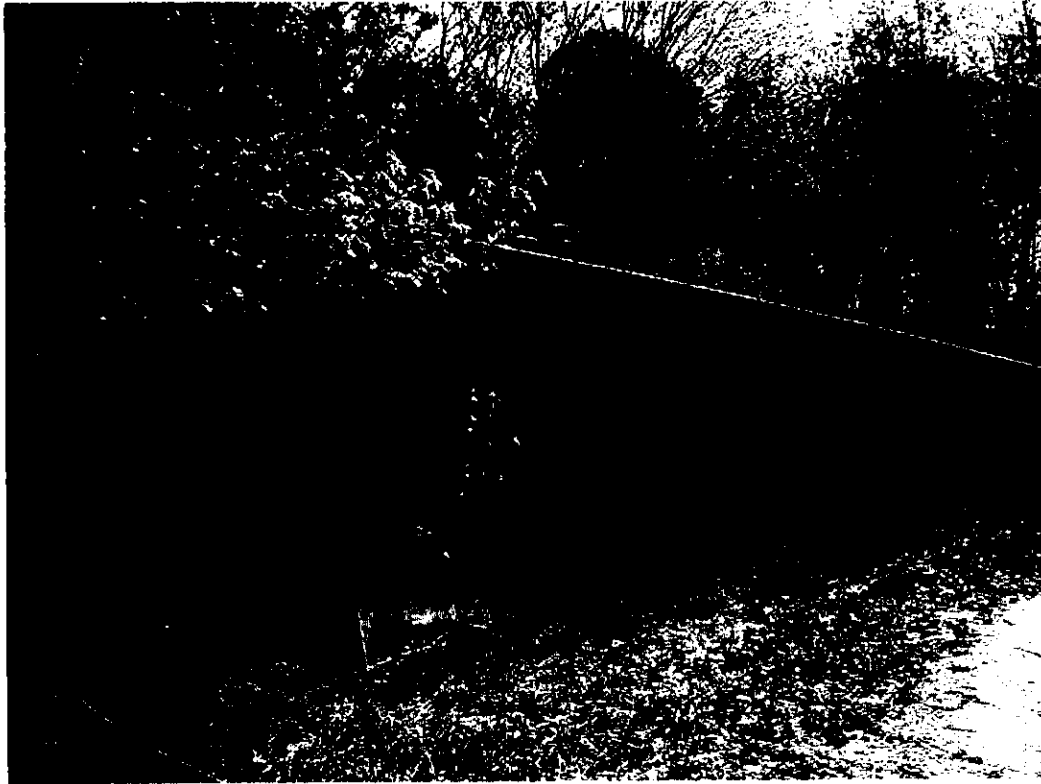


Date: 26 April 2006
Time: 11:46 am
Direction: S
Photo by: M. Cozadd
Exposure #: 006
Comments: Telephone poles and damaged dimensional lumber

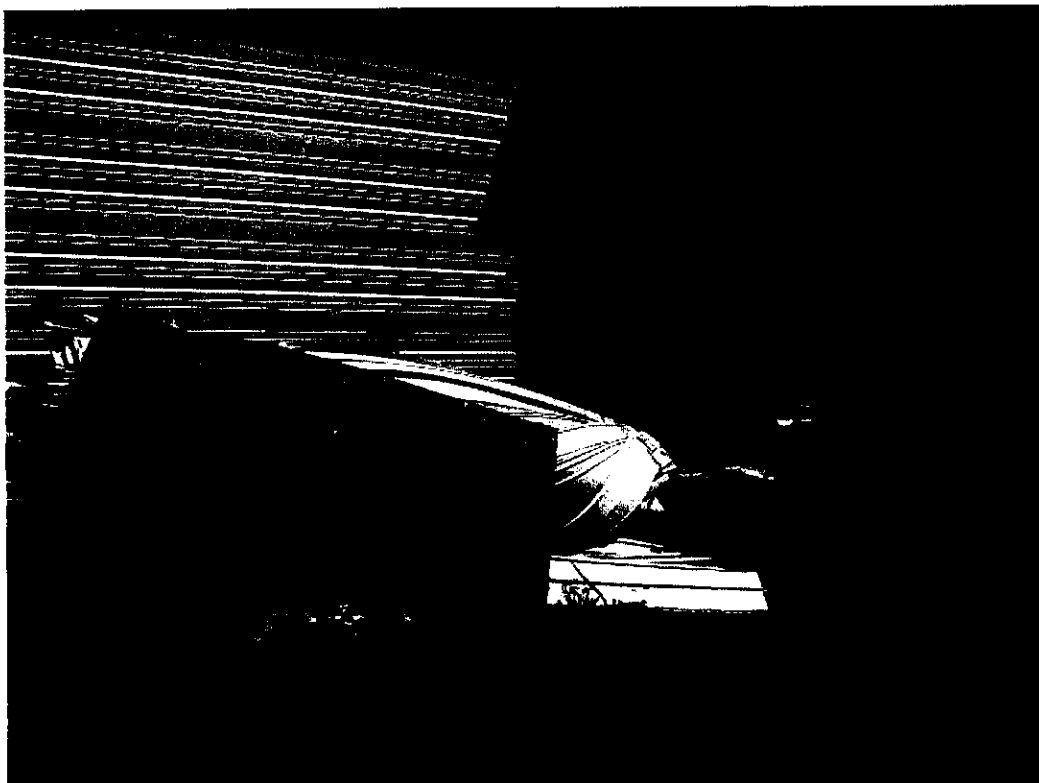
File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:47 am
Direction: SE
Photo by: M. Cozadd
Exposure #: 007
Comments: Mobile home



Date: 26 April 2006
Time: 11:48 am
Direction: NE
Photo by: M. Cozadd
Exposure #: 008
Comments: Siding, dimensional lumber, and miscellaneous materials

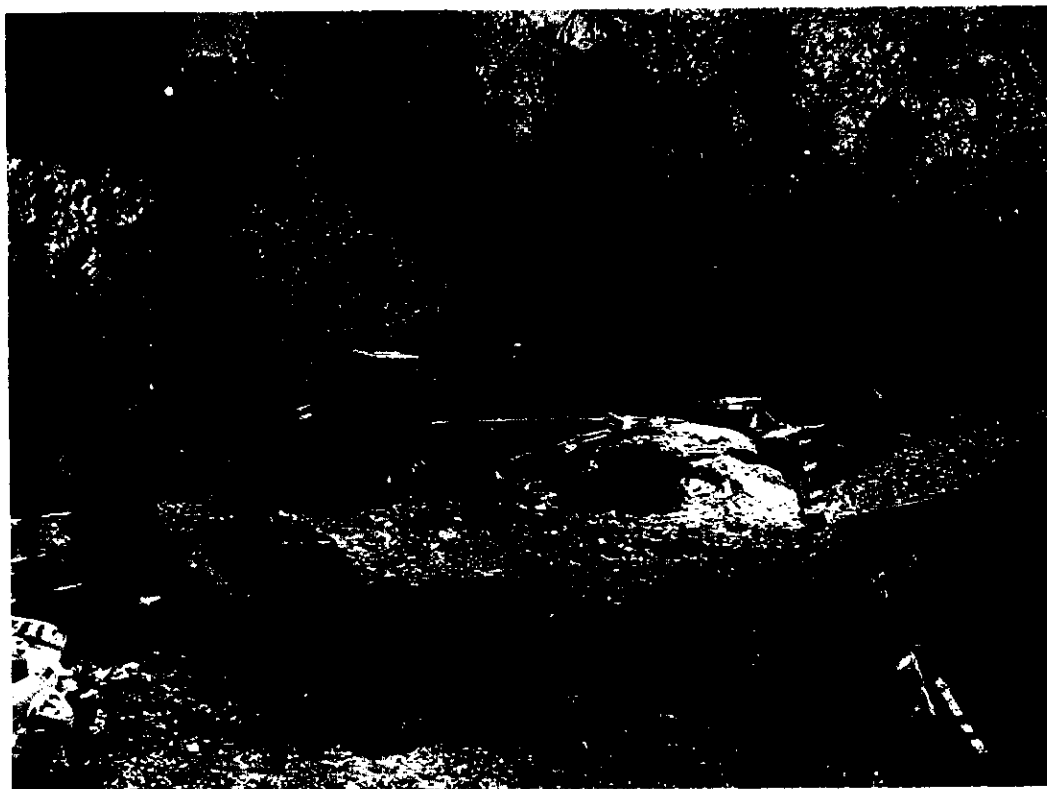
File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:48 am
Direction: E
Photo by: M. Cozadd
Exposure #: 009
Comments: Mobile home and scrap metal removed from this area south of the garage since the May 24, 2005 inspection

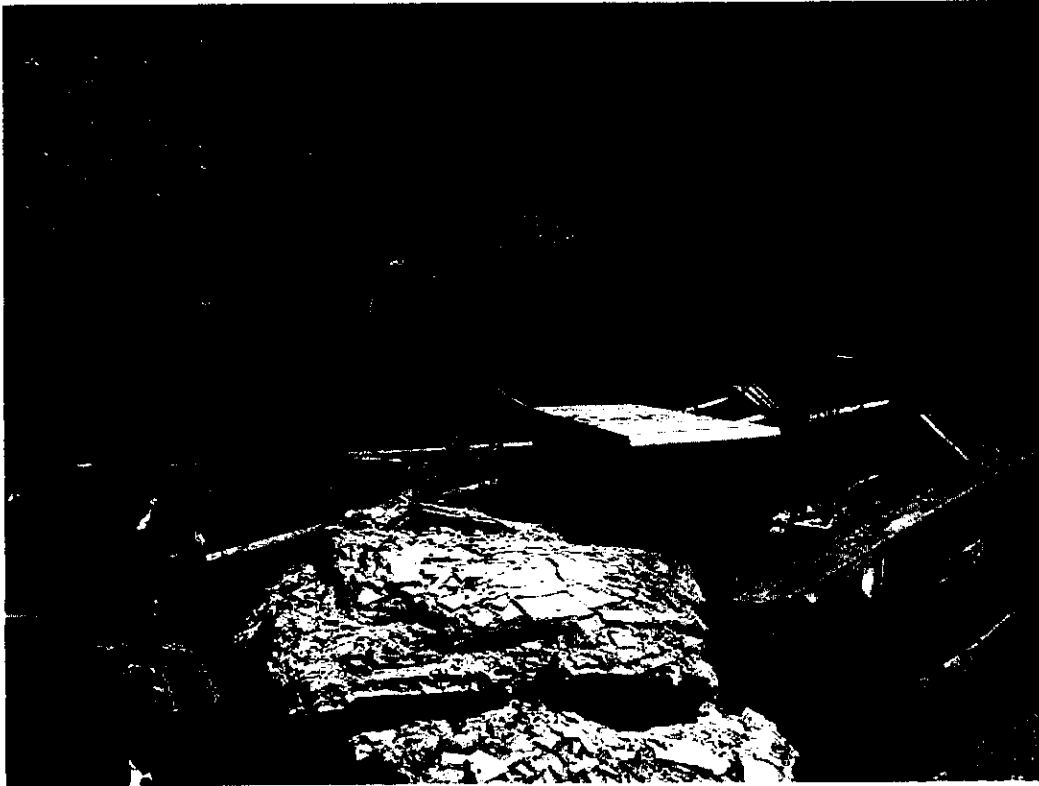


Date: 26 April 2006
Time: 11:49 am
Direction: NE
Photo by: M. Cozadd
Exposure #: 010
Comments: Drywall, damaged dimensional lumber, gravel pile, wood pallets, shingles, metal tool box, and scrap metal on east side of garage

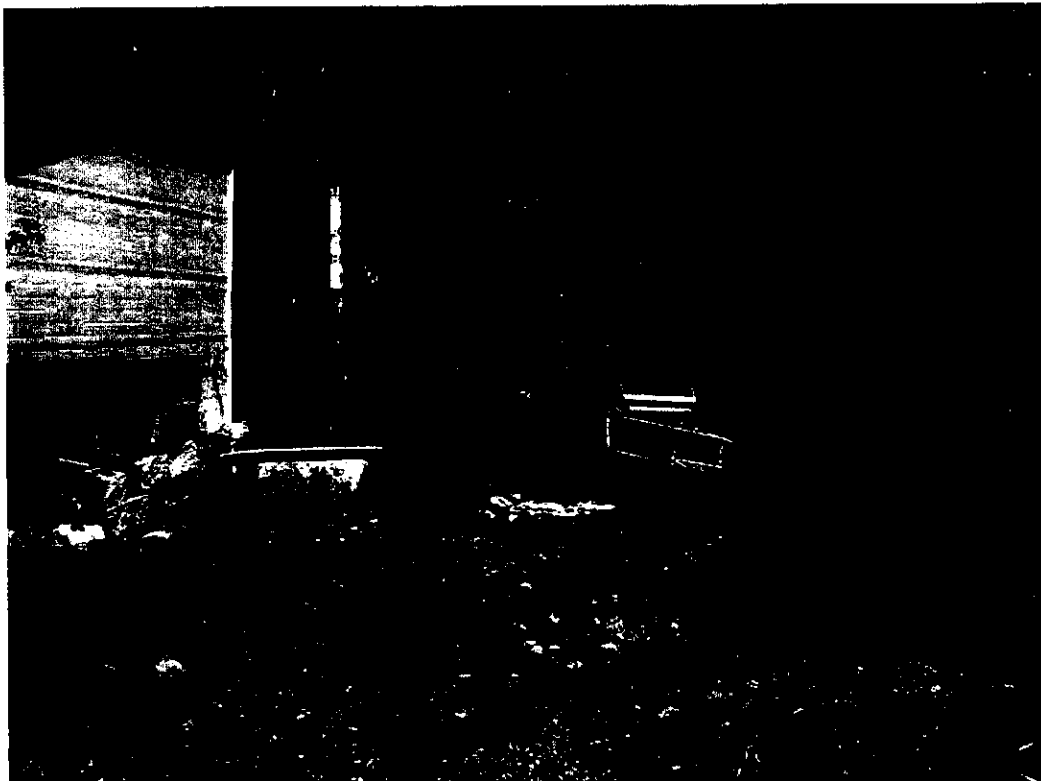
File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:50 am
Direction: N
Photo by: M. Cozadd
Exposure #: 011
Comments: Drywall, damaged dimensional lumber, gravel pile, wood pallets, shingles, metal tool box, and scrap metal on east side of garage

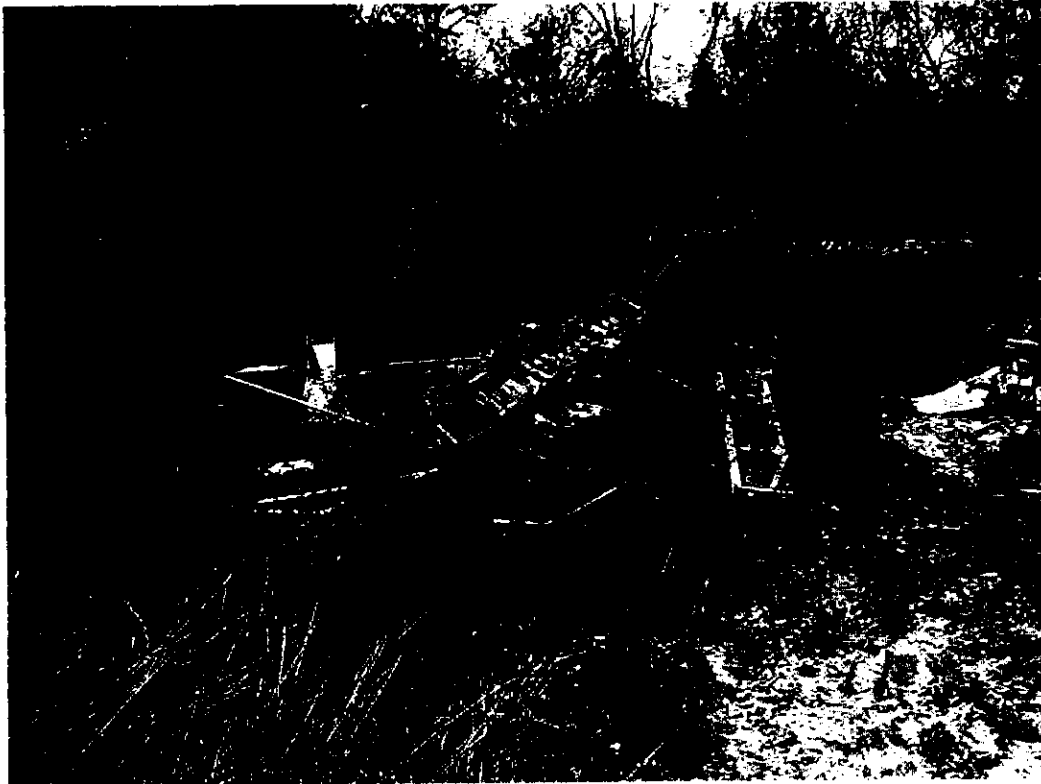


Date: 26 April 2006
Time: 11:50 am
Direction: N
Photo by: M. Cozadd
Exposure #: 012
Comments: Concrete blocks, plywood, metal bathtub, and scrap metal on east side of garage

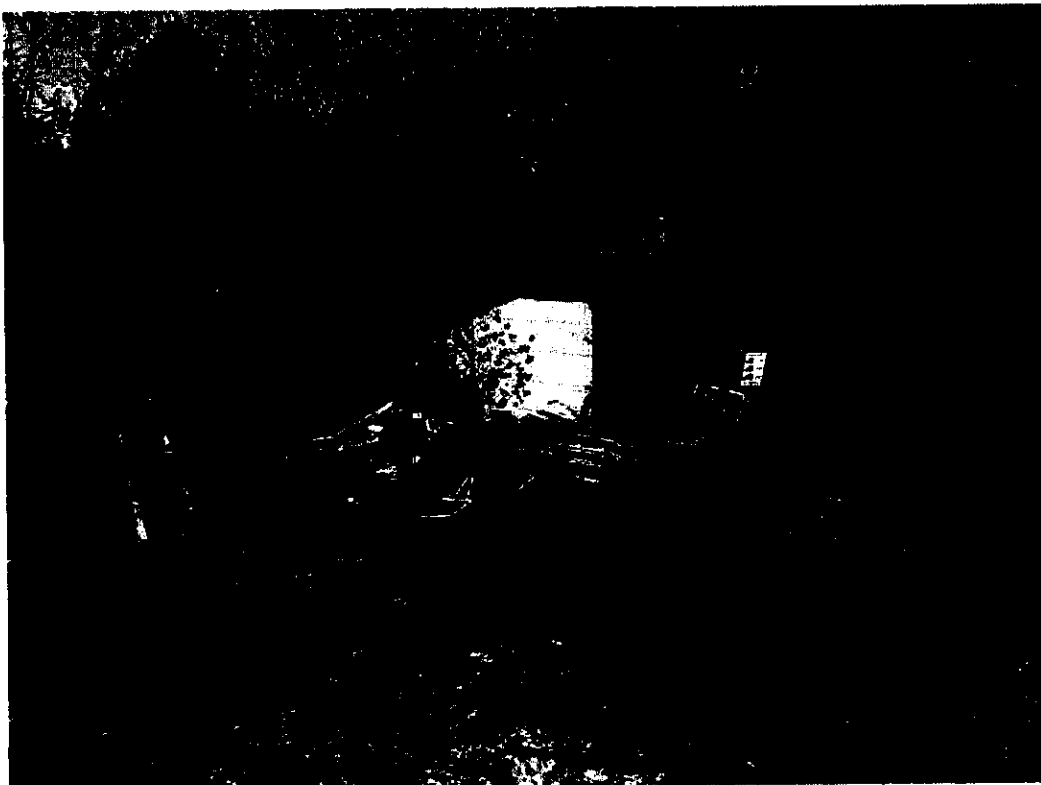
File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:51 am
Direction: S
Photo by: M. Cozadd
Exposure #: 013
Comments: Drywall, damaged dimensional lumber, gravel pile, wood pallets, shingles, metal tool box, and scrap metal on east side of garage



Date: 26 April 2006
Time: 11:51 am
Direction: SW
Photo by: M. Cozadd
Exposure #: 014
Comments: Concrete blocks, plywood, metal bathtub, and scrap metal on east side of garage

File Names: 1078075001~04262006-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 26 April 2006
Time: 11:52 am
Direction: SW
Photo by: M. Cozadd
Exposure #: 015
Comments: Close-up of axles, scrap metal, and gravel pile on east side of garage



Date: 26 April 2006
Time: 11:52 am
Direction: SW
Photo by: M. Cozadd
Exposure #: 016
Comments: Concrete blocks, plywood, metal bathtub, and scrap metal on east side of garage

File Names: 1078075001~04262006-[Exp. #].jpg

9-122

QUIT CLAIM DEED

Prepared By:
ELMORE & REID
500 S. 6th St.
Springfield, IL 62701

Grantee's:
Marla Lewis Gates
323 Decatur Street
Lincoln, IL 62656

Return To:
Marla Lewis Gates
323 Decatur Street
Lincoln, IL 62656

Tax Bill To:
Marla Lewis Gates
323 Decatur Street
Lincoln, IL 62656

NO EXP'S

1078075001-Logan Co.
Lincoln/Lewis
FOS File

409463

Logan County, Illinois
This instrument was filed for record at
12:02 P.M.

MAR 01 1999

Sally J. Lester
Recorder of Deeds, Recorder's Fee \$15.00

9-122

THE GRANTOR, MARLA LEWIS GATES, formerly known as MARLA S. LEWIS, a widowed person, of Lincoln, Logan County, Illinois, for and in consideration of other valuable consideration and Two Dollars in hand paid, CONVEYS and QUIT CLAIMS to MARLA LEWIS GATES and MARK KINGSLEY LEWIS, of Lincoln, Logan County, Illinois, as joint tenants with the right of survivorship,

the real estate described in Exhibit I attached hereto and made a part hereof, as shown by Plat of Survey dated May 10, 1981, filed of record in the Recorder's Office of Logan County, Illinois, on June 19, 1981 as Card No. P-491, Document No. 305900, subject to the permanent and perpetual roadway easement and right of way 25 feet in width in, over and across the said real estate described in said Exhibit I, the location of said easement begin shown by the Plat of Survey dated June 12, 1981, filed of record in the Recorder's Office of Logan County, Illinois, as Card No. MSI-4571, Document No. 305899, which said easement and right of way shall be as appurtenant to the real estate described in Exhibit II, attached hereto and made a part hereof, and every part or portion thereof, to be used in conjunction with the grantees of the real estate described in said Exhibit I, their heirs, successors, assigns and grantees all situated in the County of Logan, in the State of Illinois, hereby expressly declaring that the estate conveyed shall pass, not in tenancy in common, but in joint tenancy and hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Law of this State.

The Grantees, for valuable consideration, by filing this Deed, hereby acknowledge, accept and assume full responsibility and liability, if any, for the description stated herein and the surveys filed pertaining to said real estate.

99 10:30

FROM: LDC PURCHASING

12177355872

TO: 12177534010 Vol 549 PG 315
Lincoln Lewis Fos File
PAGE: 04
Vol 85 PG 3

EXHIBIT I
SIDNEY M. STEPHENS - KINGSLEY J. & MARLA S. LEWIS WARRANTY DEED

A part of the West 1/2 of the southwest 1/4 of section 8 in Township 21 north, Range 2 West of the 3rd Principal Meridian, Logan County, Illinois, and being more particularly described as follows:

beginning at the northwest corner of the west 1/2 of the southwest 1/4 of section 8 in Township 21 north, Range 2 West of the 3rd Principal Meridian, thence South 89°-57'-50" East along the 1/4 section line for a distance of 1,326.6 feet to a stone at the northeast corner of said west 1/2, Southwest 1/4, thence South 0°-19' west for a distance of 248.34 feet to a stone, thence South 83°-59'-28" West for a distance of 164.76 feet, thence South 58°-43' West for a distance of 260.38 feet, thence North 81°-23'-20" West for a distance of 285.72 feet, thence South 0°-24'-23" East for a distance of 392.34 feet, thence South 51°-27' West for a distance of 524.51 feet, thence South 76°-13'-36" West for a distance of 257.40 feet to a stone in the west line of said West 1/2, Southwest 1/4, thence in northerly direction along the West line of said Section 8 for a distance of feet to the place of beginning, containing in the aggregate 20.67 acres, EXCEPTING a tract of approximately 3.6 acres located and described as follows:

Starting at the northwest corner of the southwest 1/4 of section 8 in Township 21 north, Range 2 West of the 3rd P.M., thence South 256 feet to the point of beginning, thence East 252 feet, thence South 155 feet, thence East 138 feet, thence South 452 feet, thence West 399 feet, to the west line of the southwest 1/4 of said Section 8, thence North along the West line of the southwest 1/4 of said Section 8 for a distance of 691 feet to the point of beginning; along with a permanent nonexclusive easement along the West line of said southwest 1/4 of section 8 from the northwest corner of said southwest 1/4 to to said tract of land for the right of egress and ingress to said tract.

EXHIBIT II

SIDNEY M. STEPHENS - KINGSLEY J. & MARLA S. LEWIS WARRANTY DEED

Part of the West 1/2 of the Southwest 1/4 of section 8 in Township 21 North, Range 2 West of the 3rd Principal Meridian, Logan County, Illinois, and being more particularly described as follows:

Description of the place of beginning:

Commencing at a stone marking the northeast corner of the west 1/2 of the Southwest 1/4 of section 8 in Township 21 North, Range 2 West of the 3rd P.M., thence South 0°-19' West for a distance of 248.34 feet to a stone at the place of beginning.

From said place of beginning south 0°-01'-35" West for a distance of 1425.57 feet, thence north 89°-30'-14" West for a distance of 793.21 feet, thence north 89°-44' West for a distance of 329.60 feet, to a stone, thence north 0°-18'-41" West for a distance of 325.93 feet to a stone, thence north 70°-13'-30" East for a distance of 257.40 feet, thence north 31°-27' East for a distance of 324.51 feet, thence north 0°-24'-23" West for a distance of 392.34 feet, thence south 81°-23'-20" East for a distance of 265.72 feet, thence north 38°-43' East for a distance of 260.38 feet, thence north 83°-59'-28" East for a distance of 154.78 feet to the place of beginning and containing 30.72 acres.

Also: beginning at a point 20 rods north of the Southwest corner of said Section 8, thence North 40 rods, thence East 32 rods, thence South 40 rods, thence West 32 rods to the place of beginning, containing 8 acres, more or less.

PROOF OF SERVICE

I hereby certify that I did on the 31st day of May, 2006 send by messenger mail to the Springfield Regional Office of the Illinois EPA, a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST for hand delivery

To: Marla Lewis Gates
323 Decatur Street
Lincoln, Illinois 62656
(via Hand Delivery)
Mark Gates
323 Decatur Street
Lincoln, Illinois 62656
(via Hand Delivery)

Mark Kingsley Lewis
323 Decatur Street
Lincoln, Illinois 62656
(via Hand Delivery)

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

To: Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601
Cert #7004 2510 0001 8590 3524



Michelle M. Ryan
Special Assistant Attorney General

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



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 – (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 – (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

(217) 782-9817

TDD: (217) 782-9143

May 31, 2006

AC06-50

The Honorable Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Re: Illinois Environmental Protection Agency v. Marla Lewis Gates, Mark Gates & Mark Kingsley Lewis
IEPA File No. 98-06-AC; 1078075001—Logan County

Dear Clerk Gunn:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was given to an inspector from the Springfield Regional Office to be delivered to Respondent via hand delivery. As soon as I receive the affidavit of service, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures

INFORMATIONAL NOTICE !!!

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.

NOTE: This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at James R. Thompson Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative Citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL**.

Any person other than individuals **MUST** appear through an attorney-at-law licensed and registered to practice law. Individuals may appear on their own behalf, or through an attorney. 35 Ill. Adm. Code 101.400(a).