



JOHN B. ROE
STATE'S ATTORNEY OF OGLE COUNTY
106 S. 5th St. Suite 110
OREGON, ILLINOIS 61061

COPY

RECEIVED
CLERK'S OFFICE

Telephone: (815) 732-1170
Fax: (815) 732-6607

OCT 16 2006

STATE OF ILLINOIS
Pollution Control Board

AC07-18

Email: oglesa@oglecounty.org
www.oglecounty.org

2 October 2006

Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, IL 60601

Re: Administrative Citation—Chana Sale
AC#
IEPA-LPC Site #:1418195003
Inspection Date: 14 August 2006

Dear Clerk:

Enclosed for filing with the Board is an Administrative Citation packet issued against Donald Ebersole, Linda Ebersole, and Nathan Mattison.

I am forwarding one complete package which includes, among other items, the following:

1. The Administrative Citation
2. The Field Investigation Inspection report forms with accompanying photographs.
3. The Field Inspector's Affidavit
4. A Remittance Form

I am also enclosing ten (10) additional copies of the complete administrative citation packet in accordance with section 101.302 (h). Please stamp a copy of these materials as "filed" and return that copy to our Office. A self-addressed stamped envelope is enclosed for your convenience.

For your records, the Citation package has been sent via certified mail to Donald Ebersole, Linda Ebersole, and Nathan Mattison. As soon as I receive the certified mail receipt back from the Respondents, I will notify you so your files will reflect the thirty-five (35) days after which the Board can enter the required Default Order if a Petition for Review has not been filed. If the Respondent pays the civil penalty without filing a Petition for Review, I will notify your Office.

Respondents are to be served at:

Donald Ebersole and Linda Ebersole
17484 W. Stewart Rd.
Polo, IL 61064

COPY

Nathan Mattison
2406 S. Lowden Rd.
Oregon, IL 61061

Thank you for your assistance and kind attention to this matter. If there are further documents or materials which you need from us, please let me know. With the exception of letterhead, all other documents in this packet are printed on recycled paper.

Sincerely,



Michael Myzia
Ogle County Assistant State's Attorney

Enclosures:

CC: IEPA Rockford
IEPA Springfield
OCSWMD File

RECEIVED
CLERK'S OFFICE

OCT 16 2006

STATE OF ILLINOIS
Pollution Control Board

COPY

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

County of Ogle,)
)
Complainant,)
)
v.)
)
Donald and Linda Ebersole)
Nathan Mattison)
)
Respondents.)

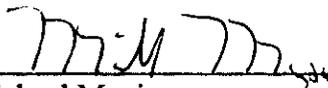
AC# 07-18

NOTICE OF FILING

TO: Donald Ebersole and Linda Ebersole
17484 W. Stewart Rd.
Polo, IL 61064

Nathan Mattison
2406 S. Lowden Rd.
Oregon, IL 61061

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board the Complaint for Administrative Citation, a copy of which is herewith served upon you.



 Michael Myzia
 Ogle County Assistant State's Attorney

CC: IEPA Rockford
IEPA Springfield
OCSWMD File

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COPY RECEIVED
CLERK'S OFFICE
OCT 16 2006
STATE OF ILLINOIS
Pollution Control Board

County of Ogle)
)
Complainant,)
)
v.)
)
Donald and Linda Ebersole)
Nathan Mattison)
)
Respondents.)

07-18
AC# ~~06~~
(Administrative Citation)

ENTRY OF APPEARANCE

The undersigned hereby enters his appearance in the above-captioned matter as
counsel for the Ogle County Solid Waste Management Department.

Respectfully submitted,

DATED: 2 October 2006


Michael Myzia
Ogle County Assistant State's Attorney

Michael Myzia
Ogle County Assistant State's Attorney
106 S. 5th Street, Suite 110
Oregon, IL 61061
(815) 732-1170

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

County of Ogle)
)
Complainant,)
)
iv. EBERSOLE)
)
Donald and Linda Ebersole)
Nathan Mattison)
)
Respondents)

AC# 07-18

(ADMINISTRATIVE CITATION)

RECEIVED
CLERK'S OFFICE
OCT 16 2006
STATE OF ILLINOIS
Pollution Control Board

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/1 *et. seq.* (2006), specifically 415 ILCS 5/31.1.

FACTS

1. The Respondents, Donald and Linda Ebersole and Nathan Mattison, are the present owners and in control and possession of a facility located in the County of Ogle, State of Illinois.
2. The facility is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with the Site Code # 1418195003. The facility is known to the Agency as Chana Sale.
3. That Respondents, Donald and Linda Ebersole and Nathan Mattison, have occupied, controlled and/or operated the facility at all relevant times hereto.
4. That on March 22, 2002 and September 24, 2002, Joy K. Bliton, Field Inspector, Ogle County Solid Waste Management Department, inspected the facility. Administrative Citation Warning Notices were sent for each of the two inspections to the following individuals: Donald and Linda Ebersole, John

COPY

M. Roe Trust and John M. Roe Trustee. Violations noted included 21 (p)(1) and 21 (p)(3).

5. That on August 14, 2006, Joy K. Bliton, Field Inspector, Ogle County Solid Waste Management Department, inspected the facility. A true and correct copy of the inspection report, along with an affidavit are attached.

VIOLATIONS

On the basis of Field Inspector, J. K. Bliton's direct observation on August 14, 2006, she has determined that the Respondents have caused or allowed open dumping at the above described facility in a manner that has violated the Illinois Environmental Protection Act (hereinafter, the "ACT") as follows::

1. The Respondents have caused or allowed littering in violation of 415 ILCS 5/21(p)(1)(2006).
2. The Respondents have caused or allowed open burning in violation of 415 ILCS 5/21(p)(3)(2006).
3. The Respondents have caused or allowed the deposition of general construction or demolition debris or clean construction or demolition debris in violation of 415 ILCS 5/21(p)(7)(2006).

CIVIL PENALTY

In accordance with 415 ILCS 5/42 (b)(4), the Respondents are subject to a civil penalty of \$1,500.00 for each violation specified above. This is a total of \$ 4500.00 for this Citation. Additionally, should the Respondents elect to petition the Illinois Pollution Control Board under the review process described below, after an adjudicatory hearing, the Respondents shall be

assessed the hearing costs incurred by the Pollution Control Board. The hearing cost would be in addition to the fine.

If you acknowledge the violations cited herein above, the civil penalty shall be due and payable no later than 35 days from the date of service hereof. If you do not petition the Pollution Control Board for review of the Administrative Citation within 35 days of service of the Administrative Citation, or contest the Citation, any judgment that may be rendered against you shall specify the due date of the civil fine and any additional costs assessed against you.

When payment is made, your check should be made payable to the Ogle County Solid Waste Fund and mailed to the attention of John Coffman, Ogle County Treasurer, P.O. Box 40, Ogle County Courthouse, Oregon, Illinois, 61061. Also, please complete and return the enclosed remittance form, along with your payment, to assure proper credit.

If any civil penalty is not paid within the prescribed time, the law allows for the accumulation and payment of interest on the remaining unpaid balance. If any civil penalty is not paid when due, the Office of the State's Attorney shall be requested to initiate proceedings in Circuit Court to collect the penalty. In addition to the civil penalty, hearing costs, and interest, if any, the Ogle County State's Attorney may seek to recover their costs of litigation.

PROCEDURE FOR CONTESTING ADMINISTRATIVE CITATION

You have the right to contest this Citation, pursuant to 415 ILCS 5/31.1. If you elect to contest this Citation, you must file a Petition For Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition For Review shall be filed with the Ogle County State's Attorney. **Your Petition For Review must be filed within 35 days of the date of service of**

the present citation on you. If you fail to file your Petition, a Default Order against you will entered by the Pollution Control Board.

COPY

Your original Petition must be filed with the Clerk of the Board at:

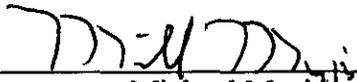
Clerk
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

A copy must also be sent to:

Office of the State's Attorney
Ogle County Judicial Center
106 S. 5th Street, Suite 110
Oregon, IL 61061

Ogle County Solid Waste Management Department
909 W. Pines Road
Oregon, IL 61061

DATED: 2015-06



Michael Myzid,
Ogle County Assistant State's Attorney

C: IEPA Rockford
IEPA Springfield
OCSWMD File
Ogle County State's Attorney File

INFORMATIONAL NOTICE

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS!

NOTE: THIS ADMINISTRATIVE CITATION REFERS TO ONE STATE AGENCY AND TWO COUNTY ENTITIES.

The one state agency is: Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

The two county entities are: Ogle County State's Attorney Office
Attention: John Roe
106 S. 5th Street, Suite 110
Oregon, IL 61061

Ogle County Solid Waste Management Department
Stephen J. Rypkema, Director
909 W. Pines Road
Oregon, IL 61061

If you elect to contest the enclosed Administrative Citation, you must file a Petition for Review within 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 at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Ogle County State's Attorney's Office, Attention: John Roe, at the address given above. Also, a copy of the Petition for Review should be either hand-delivered or mailed to the Ogle County Solid Waste Management Department at the address given above.

OCT 16 2006

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

COPY

County of Ogle)	
)	
Complainant,)	
)	
v.)	AC# 07-18
)	
Donald and Linda Ebersole)	
Nathan Mattison)	
)	
Respondents)	

FACILITY: Chana Sale

COUNTY: Ogle

DATE OF INSPECTION: August 14, 2006

SITE CODE: 1418195003

CIVIL PENALTY: \$ 4500.00

Date Remitted _____

SS/FEIN # _____

Signature _____

NOTE

Please include the information on the blank lines. Mail this form with your check to:

Ogle County Solid Waste Fund
Ogle County Treasurer
Ogle County Courthouse
P.O. Box 40
Oregon, IL 61061

RECEIVED
CLERK'S OFFICE

OCT 16 2006

STATE OF ILLINOIS
Pollution Control Board

COPY

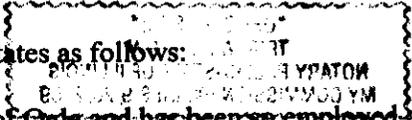
AC0748

State of Illinois, Ogle County

Affidavit

County of Ogle)	
)	
Complainant,)	
)	AC No.:
v.)	
)	
Donald and Linda Ebersole)	
Nathan Mattison)	
)	
Respondent(s).)	

Affiant, Joy Bliton, being first duly sworn, voluntarily deposes and states as follows:



1. Affiant is a field inspector employed by the County of Ogle and has been so employed at all times pertinent hereto.
2. On , August 14, 2006, between 11:35 a.m. and 12:38 p.m., Affiant conducted an inspection of an open dump operated without an Agency permit, located in Ogle County, Illinois and known as Chana Sale by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1418195003 by the Agency.
3. Affiant inspected said Chana Sale Open Dump site by an on-site inspection which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of

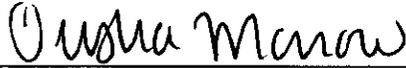
STATE OF ILLINOIS
NOTARY PUBLIC

Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said Chana Sale Open Dump site.


Joy K. Blanton, Ogle County

Subscribed and Sworn to Before Me

this 29 Day of September, 2006


Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

COPY

County: Ogle LPC#: 1418195003 Region: 1 - Rockford
 Location/Site Name: Chana Sale
 Date: 08/14/2006 Time: From 11:35 am To 12:38 pm Previous Inspection Date: 08/07/2002
 Inspector(s): J.K. Bliton Weather: Mostly sunny, 77 deg., winds NW @ 13 mph
 No. of Photos Taken: # 23 Est. Amt. of Waste: 200 yds³ Samples Taken: Yes # No
 Interviewed: Don Ebersole Complaint #:
 Latitude: Longitude: Collection Point Description: -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: -

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

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT	<input checked="" type="checkbox"/>
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input checked="" type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>

LPC # 1418195003

Inspection Date: 08/14/2006

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<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 checked="" type="checkbox"/>
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	<input checked="" type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
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	<input type="checkbox"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:		<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 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.

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

COPY

NARRATIVE INSPECTION REPORT

Date of Inspection: August 14, 2006 Inspector: J.K. Bliton
Site Code: 1418195003 County: Ogle
Site Name: Chana Sale Time: 11:35 a.m. – 12:38 p.m.

General Remarks

On August 14, 2006, I received a call that there was black smoke rising from a location on Stone Hill Road, north of IL Highway 64. I drove to the site. I saw the smoke rising from the north side of the Chana Sale property. I drove up to the fire. The fire contained upholstered furniture, lots of various metals, wooden doors or windows, wooden pieces from a structure and some tires on rims. Nearby to the pile were couches and mattresses.

I drove to the Chana Sale office. Behind the office, there was a small pile of waste laying on the ground. That pile contained 2 tires, plastic buckets, chairs, an ironing board and other miscellaneous waste.

I spoke to Don Ebersole and Nate Mattison. They identified themselves as co-owners. They gave me their addresses and phone numbers. I explained that as a business, they are not allowed to burn anything. I told them that the fire would have to be put out right away or I would need to call the fire department.

Don and I walked over to the waste pile behind the office. Don said that this is where they put the items left over from a sale and a junk collector picks them up. Some items, however, are left behind. I told him that they have to get that pile off the ground. They may put it on a wagon and cover it or in a building.

We drove over to the fire. Don said that the pile has been there for a few years. He said they added a large tree to the pile today. I told them that as a business, they are not allowed to burn anything. He said that they do have garbage service. They add a wagon of junk next to the dumpster and Rochelle Disposal Service adds that on to their bill.

Don had a neighbor with a skid loader come by and cover the burn pile with dirt. The skid loader was able to put out the fire. I told Don that all the waste needs to go to a sanitary landfill. Metals may be recycled. I asked him to send us copies of receipts to verify proper disposal. Don said he could have the clean up done in a week. He asked if he could bury it. I told him no.

We walked to another area north of the burn pile. The ground appeared to have been disturbed. I questioned Don as to whether anything had been buried there. Don said no, but I could probe into the ground to check if I want to. I took photos of all piles during the inspection.

I left the site at 12:38 p.m.

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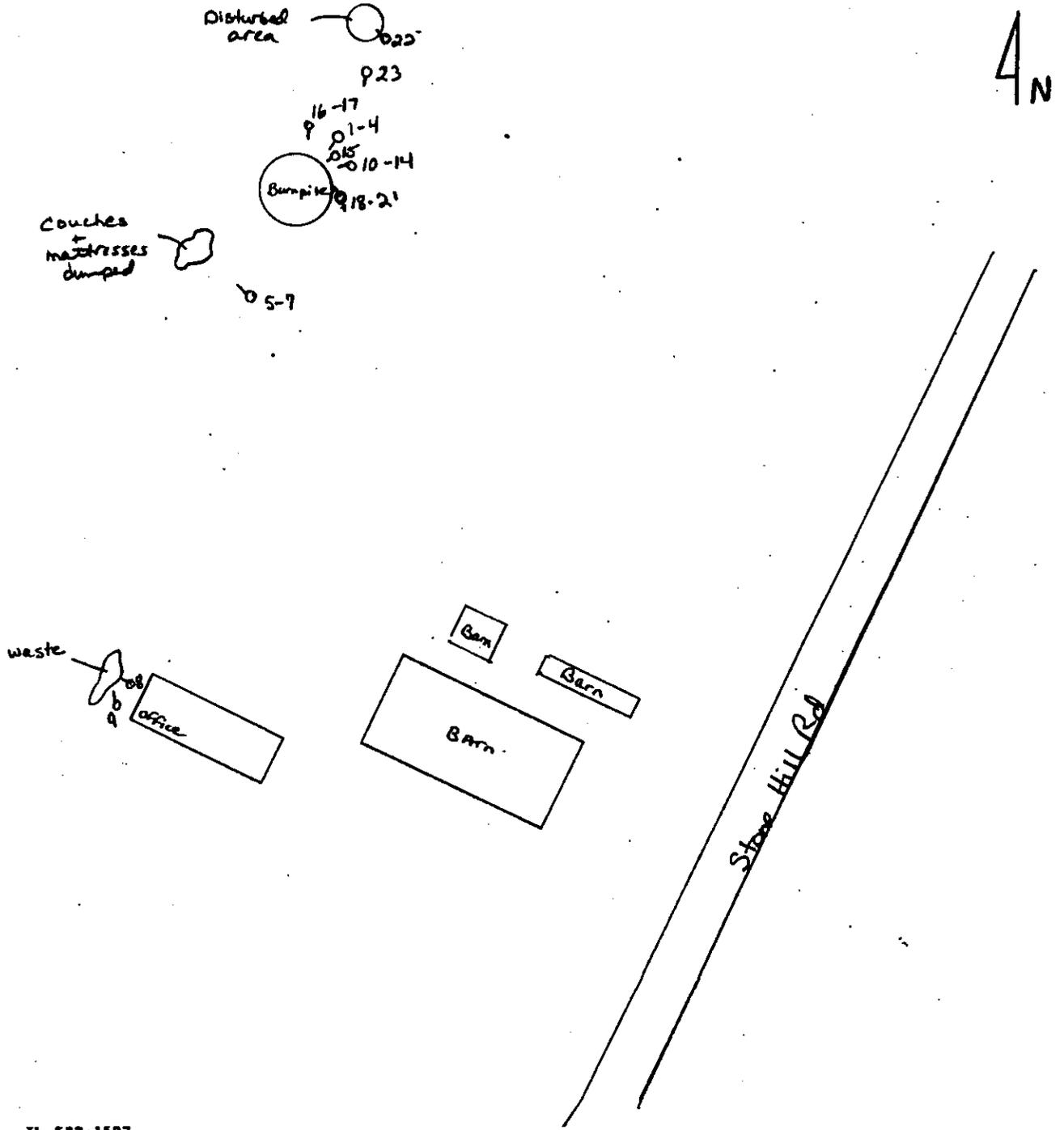
STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 8-14-06 Inspector: _____

Site Code: 1418195003 County: Ogle

Site Name: Chara Sale Time: 11:35am-12:38pm



COPY

LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:39 a.m.
DIRECTION: SW
PHOTO #: 1418195003~08142006-001
COMMENTS: Burn pile containing
metal, tires, wood, furniture etc.



TIME: 11:39 a.m.
DIRECTION: SW
PHOTO #: 1418195003~08142006-002
COMMENTS: Wooden structure
burning.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:40 a.m.
DIRECTION: SW
PHOTO #: 1418195003~08142006-003
COMMENTS: Various metal burning.



TIME: 11:40 a.m.
DIRECTION: Sw
PHOTO #: 1418195003~08142006-004
COMMENTS: Burn pile.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

COPY

TIME: 11:41 a.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-005
COMMENTS: Couch.



TIME: 11:41 a.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-006
COMMENTS: Couch.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:41 a.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-007
COMMENTS: Mattress.



TIME: 11:44 a.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-008
COMMENTS: Various waste including
tires dumped behind the building.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

COPY

TIME: 12:00 p.m.
DIRECTION: N
PHOTO #: 1418195003~08142006-009
COMMENTS: Various waste including
tires dumped behind the building.



TIME: 12:06 p.m.
DIRECTION: Down
PHOTO #: 1418195003~08142006-010
COMMENTS: Metal, tires and furniture,
etc. burning.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 12:06 p.m.
DIRECTION: Down
PHOTO #: 1418195003~08142006-011
COMMENTS: Burned tire.



TIME: 12:06 p.m.
DIRECTION: W
PHOTO #: 1418195003~08142006-012
COMMENTS: Burn pile.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

COPY

TIME: 12:06 p.m.
DIRECTION: W
PHOTO #: 1418195003~08142006-013
COMMENTS: Burn pile.



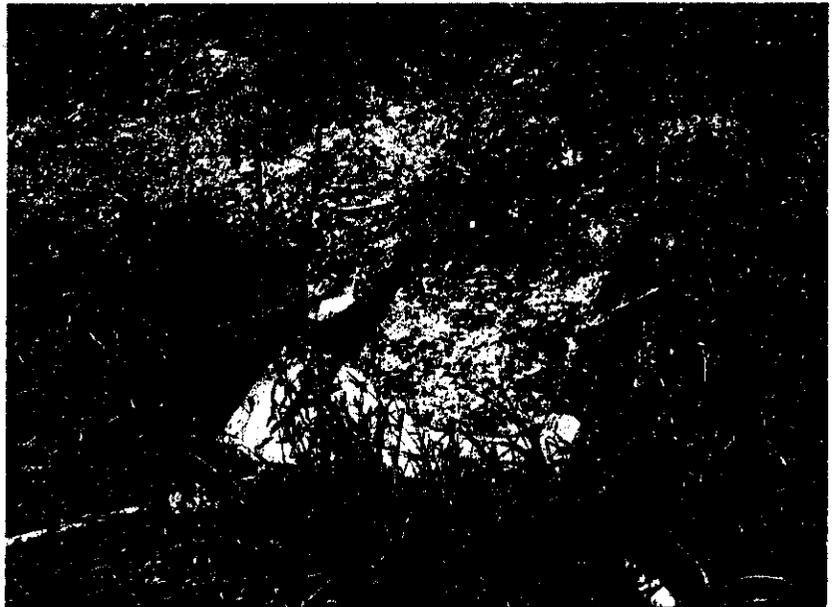
TIME: 12:09 p.m.
DIRECTION: W
PHOTO #: 1418195003~08142006-014
COMMENTS: Burned tire.



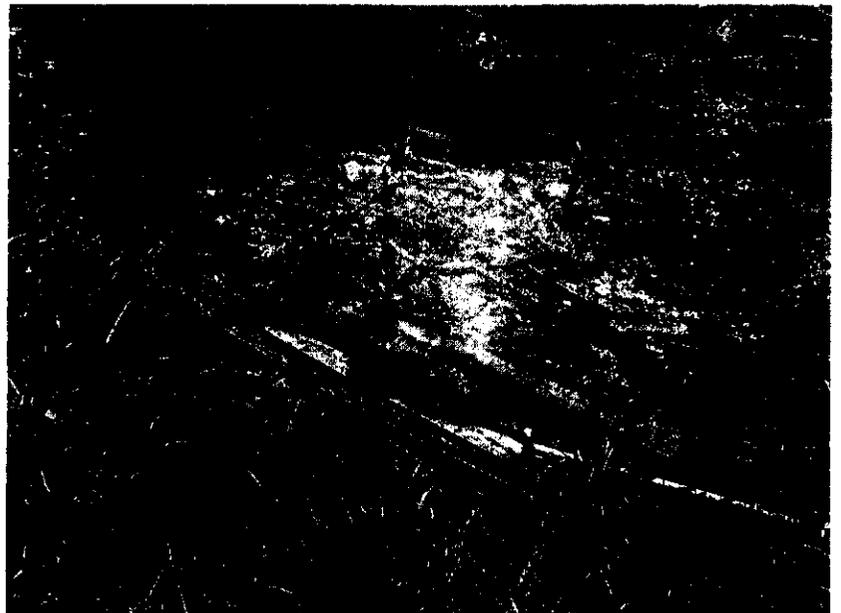
LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 12:09 p.m.
DIRECTION: Down
PHOTO #: 1418195003~08142006-015
COMMENTS: Wooden door/window.



TIME: 12:09 p.m.
DIRECTION: S
PHOTO #: 1418195003~08142006-016
COMMENTS: Wood from a structure.

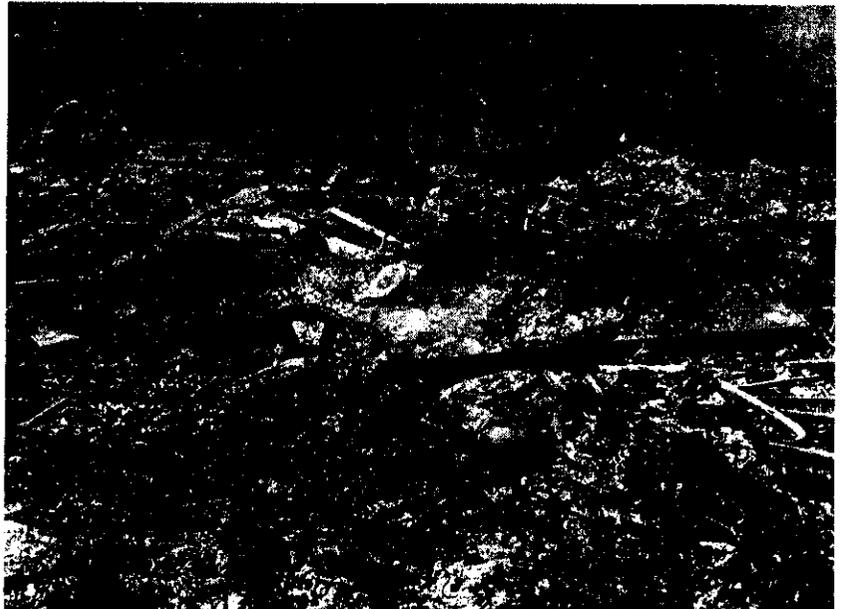


LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

COPY

TIME: 12:13 p.m.
DIRECTION: Down
PHOTO #: 1418195003~08142006-017
COMMENTS: Burn pile.



TIME: 12:15 p.m.
DIRECTION: Down
PHOTO #: 1418195003~08142006-018
COMMENTS: Tin roofing.



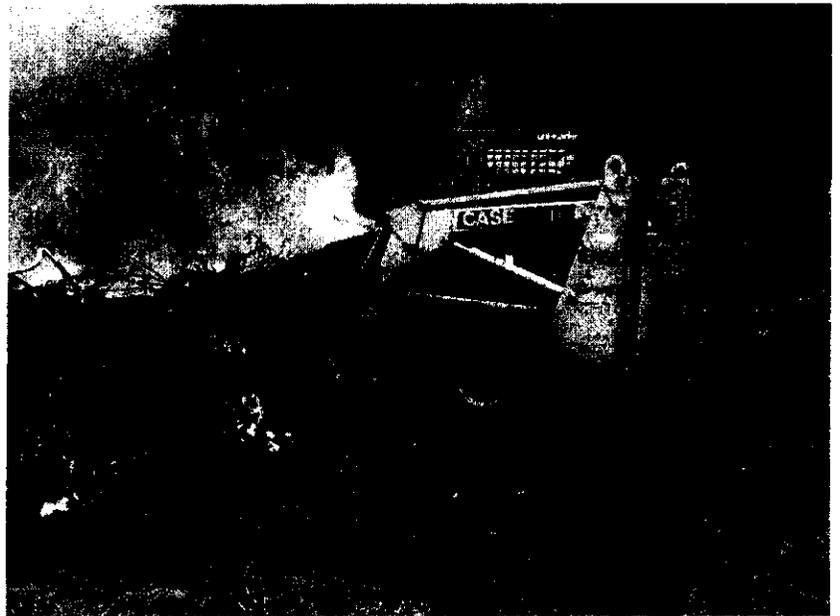
LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 12:18 p.m.
DIRECTION: SE
PHOTO #: 1418195003~08142006-019
COMMENTS: Proximity of burn pile to
Chana Sale Barn.



TIME: 12:29 p.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-020
COMMENTS: Pushing dirt onto pile.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

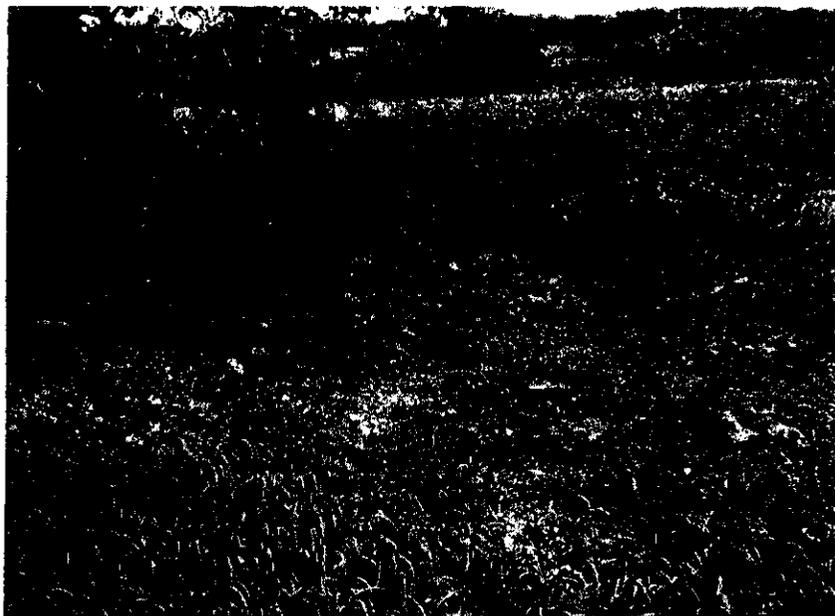
Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

COPY

TIME: 12:30 p.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-021
COMMENTS: Foam cushion, aerosol cans, springs etc.



TIME: 12:34 p.m.
DIRECTION: NW
PHOTO #: 1418195003~08142006-022
COMMENTS: Area disturbed nearby to pile.



LPC #1418195003 – Ogle County
Site Name: Chana Sale
Photos taken by: J.K. Bliton
Date: August 14, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 12:36 p.m.
DIRECTION: S
PHOTO #: 1418195003~08142006-023
COMMENTS: Finishing putting out the fire.



NOTICE OF CORRECTIVE ACTION REQUIRED FOR OPEN DUMPS

County of Ogle

Complainant

v.

Donald and Linda Ebersole
Nathan Mattison,

Respondents

Facility # 1418195003- Ogle County
Facility Name: Chana Sale

COMPLIANCE FILE

COPY

WARNING: CORRECTIVE ACTION REQUIRED

To contest the Administrative Citation you have received you must follow the instructions provided in the Administrative Citation. You may be served with additional Administrative Citations if you fail to complete the following corrective actions, and are found to be in violation of Section 21(p) of the [Illinois] Environmental Protection Act. Additional inspection(s) will be conducted to verify cleanup and compliance.

**YOU MUST COMPLETE THE
FOLLOWING CORRECTIVE ACTIONS:**

- #1 Immediately cease all open dumping, and open burning.
Do not dispose of any of the waste by burial.
- #2 By October 23, 2006 remove all waste to a permitted landfill or transfer station.
Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center.
- #3 By October 23, 2006 remove all used or waste tires to registered tire storage or tire disposal facility. Used or waste tires cannot be taken to a landfill or transfer station for the purpose of disposal. Do not open burn any of the tires. Loads of more than 20 tires must be hauled by a registered tire transporter.
- #4 By October 23, 2006 remove all white goods (i.e., large appliances) to a facility that can legitimately accept them for recycling. White goods cannot be taken to a landfill or transfer station for the purpose of disposal.
- #5 By October 23, 2006 remove all landscape waste to a permitted compost facility.
Landscape waste cannot be taken to a landfill or transfer station for the purpose of disposal.

#6 By October 30, 2006 submit to the Ogle County Solid Waste Management Department copies of receipts that document the proper disposal or recycling of the wastes.

Any written response submitted in reply to the corrective action requirements of this notice must be sent to:

Ogle County Solid Waste Management Department
909 W. Pines Road
Oregon, IL 61061

On any correspondence you send concerning this matter, please reference the IEPA designated facility number and facility name listed on the first page of this notice.

Should you have any questions concerning this notice or need further assistance contact OCSWMD at 815-732-4020.

Inspector

Date: _____

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

County of Ogle)
)
 Complainant)
)
 v.)
)
 Donald and Linda Ebersole)
 Nathan Mattison)
)
 Respondents)
)

Copy

PROOF OF SERVICE

The undersigned, under oath, that a copy of the TRANSMITTAL LETTER TO THE ILLINOIS POLLUTION CONTROL BOARD, NOTICE OF FILING, ENTRY OF APPEARANCE, ADMINISTRATIVE CITATION, INFORMATIONAL NOTICE, REMITTANCE FORM, INSPECTOR'S AFFIDAVIT, INSPECTION REPORT FORM WITH ATTACHMENTS, NOTICE OF CORRECTIVE ACTION, & PROOF OF SERVICE was mailed to the persons named above by United States Mail (Certified Mail, postage pre-paid and deposited in the United States Mail) from Oregon, Illinois on ~~date~~ 12 October 2006.



Michael Myzia
Ogle County Assistant State's Attorney