BEFORE THE ILLINOIS POLLUTION CONTROL BOARDLERK'S OFFICE

ADMINISTRATIVE CITATION

OCT 16 2006

COUNTY OF MACON, ILLINOIS	STATE OF ILLINOIS Pollution Control Board
Complainant,)) AC 07 · D) (MCSWMD File No. 2006-004-AC)
V.	(
Phillip Pugsley,	,
Respondents.	ý

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the County of Macon by section 4(r) of the Illinois Environmental Protection Act, 415 ILCS 5/4(r) (2002).

FACTS

- That Respondent, Phillip Pugsley is the present owner and operator of a facility located at West Center Street, Macon County, Illinois.
- 2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1150155537.
 - 3. That Respondent has owned and operated said facility at all times pertinent hereto.
- 4. That on August 25, 2006, Darlene K. Powell of the Macon County Solid Waste Management Department inspected the above-described facility. A copy of this inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Darlene K. Powell during the course of her August 25, 2006 inspection of the above-named facility, the Macon County Solid Waste Management Department has determined that Respondents 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) (2002).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in Deposition of General Construction or Demolition Debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2002).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2002), 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 <u>Three Thousand Dollars (\$3,000.00)</u>. 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 December 15, 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 (2002), 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 Macon County Solid Waste Management Department 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) (2002), 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 Macon County Solid Waste Management Department and should be mailed to the attention of Darlene K. Powell, Macon County Solid Waste Management Department; 141 South Main Street, Room 212, Decatur, Illinois, 62523-1293. 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 Macon County State's Attorney may 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 (2002). If Respondents elect to contest this Administrative Citation, then Respondents shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Office of the Macon County State's Attorney, 253 E. Wood Street, Decatur, Illinois, 62523. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondents.

By:

Jack W. Ahola

Macon County States Attorney

By:

Kenneth Boles

Assistant State's Attorney Macon County, Illinois

Prepared by:

Darlene K. Powell, Inspector

Macon County Solid Waste Management Department

Date: October 10, 2006

141 South Main Street, Room 212 Decatur, Illinois 62523-1293

217-421-0291

RECEIVED CLERK'S OFFICE

OCT 16 2006

REMITTANCE FORM

)

STATE OF ILLINOIS Pollution Control Board

Cor v.	mplainant,	AC 07-20 (MCSWMD file No. 2006-004-AC)		
Phillip Pugsley,				
	Respondents.			
FACILITY:	Decatur/Pugsley, Phillip	SITE CODE NO.: 1150155537		
COUNTY:	Macon	CIVIL PENALTY: \$3,000.00		
DATE OF I	NSPECTION: August 25, 200	6		

DATE REMITTED:

COUNTY OF MACON

SS/FEIN NUMBER:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Darlene K. Powell, Macon County Solid Waste Management Department, 141 South Main Street, Room 212, Decatur, Illinois 62523-1293.

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT 1 6 2006

AFFIDAVIT

STATE OF ILLINOIS Pollution Control Board

IN THE MATTER OF:

Phillip Pugsley

(MCSWMD File No. 2006-004-AC)

Respondents

Affiant, Darlene K. Powell, being first duly sworn, voluntarily deposes and states as follows:

- 1. Affiant is a field inspector employed by the Macon County Solid Waste Management Department and has been so employed at all times pertinent hereto.
- 2. On August 25, 2006 between 11:09 in the morning and 12:03 in the afternoon, Affiant conducted an inspection of the site in Macon County, Illinois, known as Decatur/Pugsley, Phillip, Illinois Environmental Protection Agency Site No. 1150155537.
- 3. Affiant inspected said Decatur/Pugsley, Phillip by an on-site inspection which included 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 Affiants knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the Decatur/Pugsley, Phillip site.

Walnut Prod

Subscribed and Sworp to before me

this 11 of October

2004.

otary Public

"OFFICIAL SEAL"

KAREN BELLINGER

NOTARY PUBLIC, STATE OF ILLINOIS 3

MY COMMISSION EXPIRES 03/19/07



MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

141 S. Main St., Suite 212, Decatur, IL 62523 • phone 217/425-4505 • fax 217/424-1459

ADMINISTRATIVE CITATION

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

MACON COUNTY SOLID)	1150155537 – MACON COUNTY
WASTE MANAGEMENT DEPT,)	Decatur/Pugsley, Phillip
Complainant)	COMPLIANCE FILE
vs.	
)	
Phillip Pugsley,)	
Respondent)	

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 <u>additional</u> 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. Periodic inspection(s) will be conducted to verify cleanup and compliance, both during the cleanup process and after returning to compliance.

YOU ARE REQUIRED TO COMPLETE THE FOLLOWING CORRECTIVE ACTIONS:

- #1 Immediately cease all open dumping.
 - Do not dispose of any of the waste by open burning.
- #2 By December 15, 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 December 15, 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.
- #4 By December 15, 2006 submit to the Macon County Solid Waste Management Department, copies of receipts that document the proper disposal or recycling of the wastes.

WRITTEN RESPONSE REQUIRED

Within forty-five (45) calendar days of the date of this Citation, you must submit writing:

- 1. Information in rebuttal, explanation, or justification of each alleged violation:
- A proposed Compliance Commitment Agreement (CCA) that spells out how you plan to rectify each violation (including time frames) and return the area to compliance. If you feel compliance has already been achieved, please state such in your CCA;
- 3. If you desire, a request for a meeting with the Macon County Solid Waste Management Department regarding the alleged violations.

Your written response of all documents submitted in reply to this notice must be sent, via certified mail return-receipt, to:

Macon County Solid Waste Management Department Attn: Darlene K. Powell, Environmental Inspector 141 South Main Street, Room 212 Decatur, IL 62523 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.

Please note that this notice of violation may not address any other alleged violations that may fall under the jurisdiction of other Federal, State and/or County offices.

Failure to comply with the requirements of this notice may, at the sole discretion of the Macon County Solid Waste Management Department, result in the case being referred to the Macon County State's Attorney for prosecution.

An Administrative Citation carries a fine of \$1,500.00 for a first offense and \$3,000 for a second or subsequent offense for violation of any provision of Section 21(p).

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

Darlene K. Powell

Inspector

Date: October 10, 2006

CERTIFIED MAIL #: 70051820000697016145

Enclosure

cc: Rich Gerard, Illinois Environmental Protection Agency

Ellen Robinson, Illinois Environmental Protection Agency

FOS File

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY **Open Dump Inspection Checklist**

County:	Macon	LPC#: 1150155537 Region: 4 - Champa	aign	
Location/S	ite Name:	Decatur/Pugsley, Phillip		
Date:	08/25/2006	Time: From 11:09 am To 12:03 pm Previous Inspection Date:		
Inspector(s	s): Darlen	e K Powell, Dustin Burger Weather: mostly cloudy, dry, 80s		
No. of Pho	tos Taken: #	21 Est. Amt. of Waste: 220 yds³ Samples Taken: Yes# No		
Interviewe	d:	Complaint #:		
Latitude:		Longitude: Collection Point Description: -		
(Example: I	Lat.: 41.26493	Long.: -89.38294) Collection Method: -		
		Phillip Pugsley		
Responsib Mailing Ad		530 N. Hillcrest Blvd		
	· Number(s):	Decatur, IL 62522		
	, ,	(217) 422-7335		
	SECTION	DESCRIPTION	VIOL	
	SECTION	DESCRIPTION	VIOL	
	ILL	INOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS		
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS		
2.	9(c)	CAUSE OR ALLOW OPEN BURNING		
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS		
4.	12(d)	CREATE A WATER POLLUTION HAZARD		
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING		
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE-DISPOSAL OPERATION:		
	(1)	Without a Permit		
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	\boxtimes	
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	\boxtimes	
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	\boxtimes	
	(2)	Scavenging		
	(3)	Open Burning		

Deposition of Waste in Standing or Flowing Waters

Standing or Flowing Liquid Discharge from the Dump Site

Proliferation of Disease Vectors

(3)

(4)

(5)

(6)

LPC# 1150155537

Inspection Date: 08/25/2006

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	\boxtimes
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	
	(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	\boxtimes
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	
1		OTHER REQUIREMENTS	
14.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	
15.	OTHER:		
	21(q) (3)(B)	No person shall conduct a landscape waste composting operation without an agency permit, provided, however, that no permit shall be required for any personoperating a landscape waste composting facility on a farm, if the facility meets all of the following criteriathe property on wich the composting facility is located, and any associated property on which the compost is usedis not owned, leased, or otherwise controlled by any waste hauler	\boxtimes
	21(w)	No person shall conduct any generation, transportation, or recycling of construction or demolition debris, clean or general,without maintenance of documentation identifying the hauler, generator, place of origin of the debris, the weight and volume of the debris, and the location, owner, and operator of the facility where the debris was transferred, disposed, recycled, or treated.	\boxtimes

Informational Notes

- 1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- 2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- Statutory and regulatory references herein are provided for convenience only and should not be construed as legal
 conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes

- and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
- 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.

LPC #1150155537 - Macon County Decatur/Pugsley, Phillip FOS File

Inspector(s): Darlene K. Powell, Dustin Burger

Inspection Date: Friday August 25, 2006

Inspection Report Narrative

This site was inspected on August 25, 2006 between the hours of 11:09 in the morning and 12:03 in the afternoon. The inspection was conducted by Darlene K. Powell (author of report) and Sherri Ludlam, representing the Macon County Solid Waste Management Department, and Dustin Burger, representing the Illinois Environmental Protection Agency. Weather conditions at the time of the inspection were mostly cloudy, dry, with an air temperature in the eighties. Twenty-one photographs were taken. Two people were interviewed. The first person, whose name we did not get, was an employee with Dunn Paving Company and was interviewed onsite. The owner of the property, Mr. Phillip Pugsley, was interviewed by phone on August 28, 2006 and again on August 29, 2006. No samples were collected.

General Information/Site History

The site is located in central Macon County on the south side of West Center Street, in Decatur Township. Stevens Creek runs through the property. There are two entrances to the site, one on the east side of Stevens Creek and one on the west side of Stevens Creek. This inspection was conducted after receiving a complaint regarding open dumping on site.

Property Ownership

This property is owned by Phillip Pugsley. The name of the site is Pugsley Farms. The property is located between the 2700 and 3450 blocks of West Center Street. There are no homes on the property. A physical address is not assigned to this property. This information was obtained from the Macon County Supervisor of Assessment's Office and the Macon County Recorder's Office.

Inspection Findings

The initial destination was the west portion of the property. While driving west on West Center Street we noticed a truck dumping material on the east portion of the property. We turned around and pulled into the east portion of the property to speak to the man dumping the material at 11:09 in the morning. The worker was with Dunn Paving Company. The worker indicated he had permission to dump on the site. He dumped clean rock and asphalt. A gravel pile was located east of the entrance, and to the west of the entrance near the tree line was a pile of debris that contained dimensional lumber, concrete with rebar and landscape waste (photographs 1-5). The

worker who dumped the rock and asphalt did not dump the other debris and was unaware of who put the other debris on the site.

We drove up the road and parked by the entrance to the west portion of the property. A wire rope, which was held in place by a pad lock, blocked the vehicle from entering the site. We observed an estimated 220 yds³ of landscape waste and other debris on site. Wood chips were spread over the ground to the east of the entrance (photograph 6). We entered the site and proceeded toward the south end of the property. To the west of the entrance were two piles of wood chips (photograph 7). A tub grinder was located on site (photograph 8). As we walked toward the south end of the property we noticed landscape waste sitting next to animal bedding (photographs 9 and 10). We observed metal, shingles, and litter mixed in with brick and gravel (photograph 11). Upon closer observation we noticed bricks with black tar as well as dimensional lumber (photograph 12). Further south, after crossing a small bridge, we observed railroad ties, fence posts, cyclone fencing, brick, dimensional lumber, plywood, and a plastic pipe in two piles that had weeds growing up around them (photographs 13 and 14). Across from the two piles we observed landscape waste that appeared to be from a vacuum truck sitting next to animal bedding (photograph 15).

Facing southeast it was possible to see wood chips spread over the field and two piles of debris on the south end of the property next to the tree line (photograph 16). The first pile contained dimensional lumber and concrete with rebar (photographs 17 and 18). The second pile contained what appeared to be the remains of a house that caught fire including dimensional lumber, scorched bricks, linoleum, metal conduit, plastic plumbing, wire, green carpet, and pillows (photographs 19 and 20). While walking back to the vehicle we noticed a piece of dimensional lumber sitting on top of the tub grinder. Upon observing the interior of the tub grinder we discovered shingles and plywood (photograph 21). We concluded the inspection and left the property at 12:03 in the afternoon.

Follow-up Interview

We tried to call Mr. Pugsley to discuss what we observed while on his property and left a message on his answering machine. Mr. Pugsley returned our call and left a message on Saturday August 26, 2006. I spoke with Mr. Pugsley on Monday August 28, 2006 and Tuesday August 29, 2006. Between our two conversations we discussed what had been observed during the inspection and what needed to be done in order to correct the situation.

Mr. Pugsley knew about the landscape waste and debris placed on his site. He has allowed other persons to dispose of materials on his site. Mr. Pugsley was fully aware that the debris on his property is his responsibility and was planning on getting the debris removed from his site as soon as possible. Some of the landscape waste on the east portion of the property came from the site itself. I advised Mr. Pugsley that he can cut down trees on his property and leave the material on site; however, landscape waste can not be used as fill. I advised Mr. Pugsley he can not store landscape waste from other persons on his property. Mr. Pugsley thought he would still be able to use landscape waste (i.e. wood chips) on his farm since he is growing alfalfa. I advised Mr. Pugsley that he can not use landscape waste on his site because he is a waste hauler.

Also anyone associated with Mr. Pugsley would not be able to use landscape waste that he has collected. The landscape waste needs to go to a licensed composting facility.

Mr. Pugsley was planning on using the railroad ties on site for landscaping around his home. I advised Mr. Pugsley materials for personal use need to be stored in a manner that preserves the value of the materials. Otherwise, the materials appear to be waste. Mr. Pugsley was also advised that as a transporter he is not allowed to store or treat waste on his site. I explained the tub grinder is used for treating waste, and it appeared as though he was also storing waste in the grinder. I advised Mr. Pugsley he would need to be sited and get a permit in order to conduct storage or treatment of waste. At the end of the conversation, Mr. Pugsley understood all of the debris needs to be removed from the site and taken to a licensed facility. Mr. Pugsley is going to work with the other persons who dumped debris and landscape waste on his site in order to get everything removed. Mr. Pugsley stated he would begin cleaning up the site on the evening of August 28, 2006. Starting the week of September 4, 2006 Mr. Pugsley will be working full time at Pugsley Container in order keep up with business. I thanked Mr. Pugsley for his time and advised I would be in touch at a later date.

Summary of Apparent Violations

Environmental Protection Act ILCS 5/1 et seq. (formerly III Rev. Stat. Ch. 111 ½, 1001 et seq.) {hereinafter referred to as the "Act"}

Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

 A violation of Section 21(a) is alleged because evidence of open dumping of waste was observed during the inspections.

Pursuant to Section 21(d)(1) of the Act, in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted there under.

 A violation of Section 21(d)(1) is alleged because waste was disposed of and/or stored without a permit granted by the Agency. Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

 A violation of Section 21(d)(2) is alleged because waste was disposed of and/or stored in a way that violates regulations and standards adopted by the Board.

Pursuant to Section 21(e) of the Act, no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards there under.

 A violation of Section 21(e) is alleged because waste was disposed of and/or stored in a manner that does not meet the requirements of the Act.

Pursuant to Section 21(p), (1) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...litter.

 A violation of Section(s) 21(p), (1) is alleged because open dumping of waste was caused or allowed that resulted in litter.

Pursuant to Section 21(p), (7) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...General Construction or Demolition Debris as defined in Section 3.160(a) of this Act.

 A violation of Section(s) 21(p), (7) is alleged because open dumping of waste was caused or allowed that resulted in the deposition of general construction debris.

Pursuant to Section 21(q), (3), (B) of the Act, no person shall conduct a landscape waste composting operation without an agency permit, provided, however, that no permit shall be required for any person...operating a landscape waste composting facility on a farm, if the facility meets all of the following criteria...the property on which the composting facility is located, and any associated property on which the compost is used...is not owned, leased or otherwise controlled by any waste hauler...

 A violation of Section 21(q), (3), (B) is alleged because evidence was observed that indicated a composting facility was being operated on a farm that is owned by a waste hauler. **Pursuant to Section 21(w) of the Act**, no person shall conduct any generation, transportation, or recycling of construction of demolition debris, clean or general,...without maintenance of documentation identifying the hauler, generator, place of origin of the debris, the weight or volume of the debris, and the location, owner, and operator of the facility where the debris was transferred, disposed, recycled or treated.

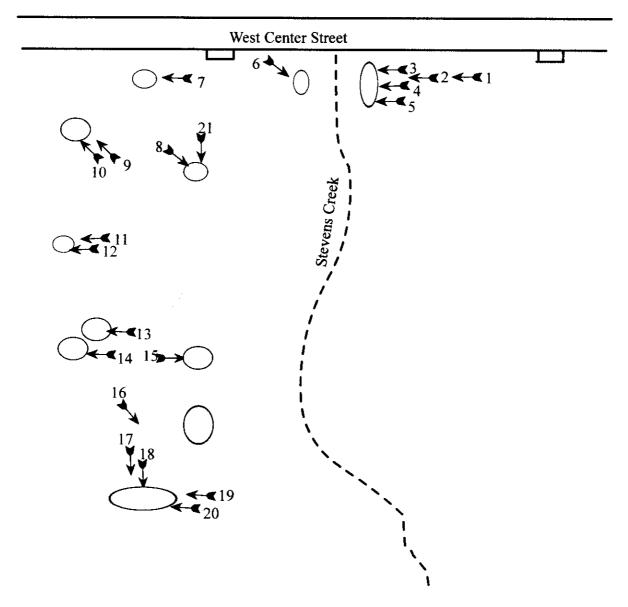
 A violation of Section 21(w) is alleged because evidence was observed that indicated demolition debris was being treated and/or stored on the property without maintenance of documentation identifying the hauler, generator, place of origin of the debris, the weight or volume of the debris, and the location, owner, and operator of the facility where the debris was transferred, disposed, recycled or treated.

35 Illinois Administrative Code. (Title 35: Environmental Protection, Subtitle G: Land Pollution, Chapter I: Pollution Control Board) [Regulations]

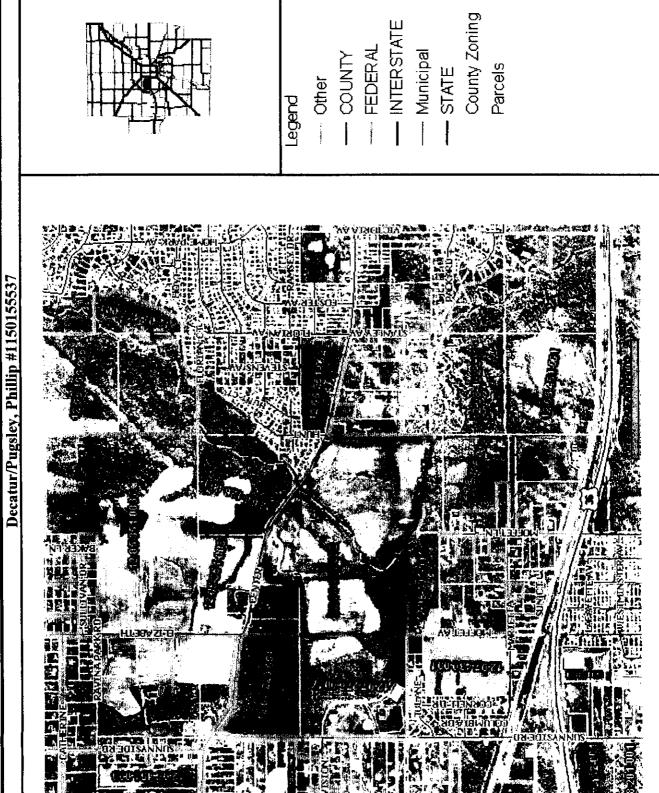
Pursuant to Section 812.101(a) the Regulations, all persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (III. Rev. Stat. 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] shall submit to the Agency an application for a permit to develop and operate a landfill. The applications must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 III. Adm. Code 817.

 A violation of 35 III. Adm. Code 812.101(a) is alleged because a landfill is being operated, but no application has been submitted to the Agency to develop and operate a landfill. Site sketch for Decatur/Pugsley, Phillip Site #1150155537 - Macon County Inspector(s):Darlene K. Powell, Dustin Burger Inspection Date: Friday August 25, 2006





* Drawing not to scale
Arrows indicate direction/location of photographs
Entrance ____
Bridge _____



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:16 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 01

DATE: 8/25/2006

TIME: 11:16 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:17 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West

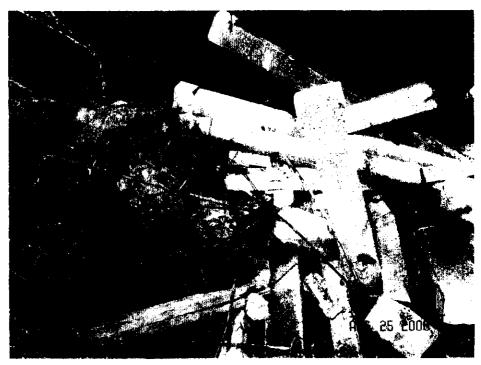


PHOTO #: 03

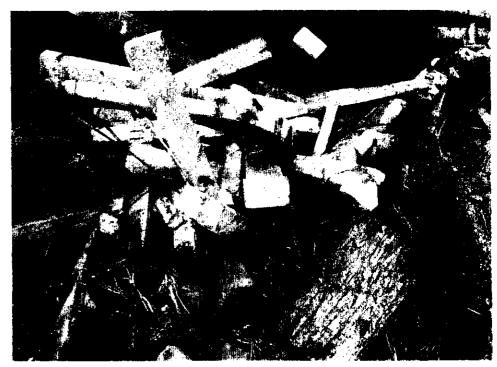
DATE: 8/25/2006

TIME: 11:17 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:17 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 05

DATE: 8/25/2006

TIME: 11:25 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: Southeast



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:26 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 07

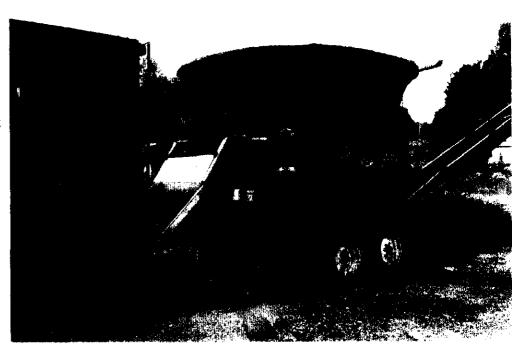
DATE: 8/25/2006

TIME: 11:31 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: Southeast



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:34 am

SITE NAME: Decatur/Pugsely, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: Northwest



PHOTO #: 09

DATE: 8/25/2006

TIME: 11:34 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: Northwest



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:35 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 11

DATE: 8/25/2006

TIME: 11:36 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:39 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 13

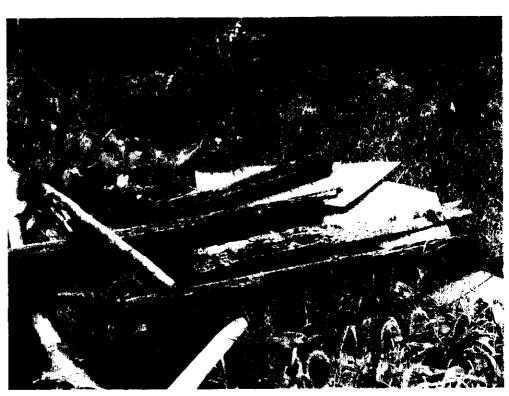
DATE: 8/25/2006

TIME: 11:40 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:43 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: East



PHOTO #: 15

DATE: 8/25/2006

TIME: 11:45 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: Southeast



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:47 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: South



PHOTO #: 17

DATE: 8/25/2006

TIME: 11:47 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: South



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:48 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



PHOTO #: 19

DATE: 8/25/2006

TIME: 11:48 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: West



DATE: 8/25/2006

SITE #: 1150155537

COUNTY: Macon

TIME: 11:59 am

SITE NAME: Decatur/Pugsley, Phillip

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo Taken Toward: South

