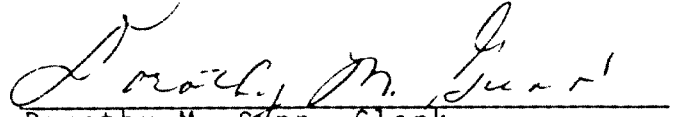
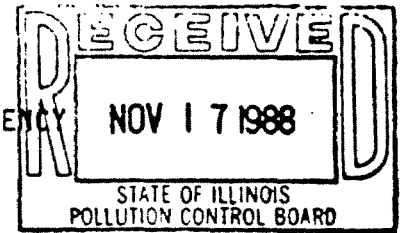




I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above Order was adopted on the 5<sup>th</sup> day of January, 1989, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
ADMINISTRATIVE CITATION



ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

v.

VILLAGE OF ROSSVILLE  
a municipal corporation  
of the State of Illinois,

Respondent.

*AC 88-95*  
IEPA DOCKET NO. 9269-AC

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by Ill. Rev. Stat. 1987, ch. 111½, par. 1031.1.

FACTS

1. That Respondent is the present owner and/or operator of a facility located in the County of Vermilion, State of Illinois.
2. That said facility is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with Site Code No. 1830800001. Said facility is commonly known to the Agency as Rossville/Municipal.
3. That Respondent has owned and/or operated said facility at all times pertinent hereto.
4. That on September 19, 1988, S. Dale Elenberger, of the Illinois Environmental Protection Agency, inspected the above-described facility. A copy of the inspection report setting forth the results of such inspection is attached hereto and made a part hereof.

### VIOLATIONS

On the basis of direct observation of S. Dale Elenberger, the Illinois Environmental Protection Agency has determined that Respondent has caused or allowed open dumping at the above-described facility in a manner which resulted in the following occurrences:

A. That on September 19, 1988 an on-site inspection of said facility disclosed the following:

- (i) Causing or allowing litter (Section 21(q)(1) of the Act).

### CIVIL PENALTY

Pursuant to Ill. Rev. Stat. 1987, ch. 111½, par. 1042(b)(4), Respondent herein is subject to a civil penalty of Five Hundred Dollars (\$500.00) for the violation specified above in Paragraph A(i), for a total of Five Hundred Dollars (\$500.00). Additionally, should Respondent elect to petition the Illinois Pollution Control Board under the review process described hereinbelow, and if there is a finding of the violations alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board, in addition to the Five Hundred Dollar (\$500.00) statutory penalty for each finding of violation.

If you acknowledge the violations cited hereinabove, the civil penalty specified above shall be due and payable no later than December 24, 1988. If you do not petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35)

days of service hereof or if you elect to contest this Administrative Citation, any judgment rendered against you shall specify the due date of the statutory civil penalty and any costs assessed against you.


When payment is made, your check should be made payable to the Illinois Environmental Protection Trust fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276. Also, please complete and return the enclosed Remittance Form, along with your payment, to assure proper documentation of payment.

If any civil penalty, by reason of acknowledgment, default or finding after adjudicatory hearing is not paid when due, the Offices of the Illinois Attorney General shall be requested to initiate proceedings in Circuit Court to collect said civil penalty. In addition to the previously assessed civil penalty, and hearing costs of the Illinois Environmental Protection Agency and the Illinois Pollution Control Board, if any; the Attorney General's Office will seek to recover their costs of litigation.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

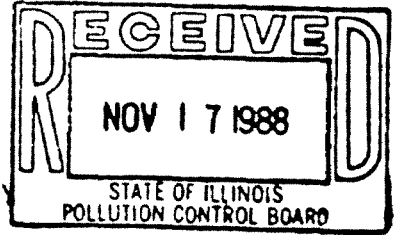
You have the right to contest this Administrative Citation. See Ill. Rev. Stat. 1987, ch. 111½, par. 1031.1. If you elect to contest this Administrative Citation, you must file a Petition for Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition for Review should be filed with the Illinois Environmental Protection Agency. Such Petition for Review must be filed within thirty-five

(35) days of the date of service of this Administrative Citation, or a default judgment shall be entered by the Pollution Control Board. The Petition for Review may be filed with the Clerk of the Illinois Pollution Control Board at the State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601; and, a copy of said Petition for Review filed with the Illinois Environmental Protection Agency at 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276, Attention: Enforcement Services.

  
Bernard P. Killian, Director  
Illinois Environmental Protection Agency

Prepared by: William Seltzer  
Illinois Environmental  
Protection Agency  
2200 Churchill Road  
P.O. Box 19276  
Springfield, IL 62794-9276  
(217)782-5544

Date: November 15, 1988



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF: )

VILLAGE OF ROSSVILLE )  
a municipal corporation )  
of the State of Illinois, )

AC 88-95

IEPA DOCKET NO. 9269-AC

Respondent )

Affiant, S. Dale Elenberger, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On September 19, 1988, between 2:58 p.m. and 3:35 p.m., Affiant conducted an inspection of the open dump in Vermilion County, Illinois, known as Rossville/Municipal, Illinois Environmental Protection Agency Site No. 1830800001.

3. Affiant inspected said Rossville/Municipal 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 Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said Rossville/Municipal open dump.

L. Dale Chambers

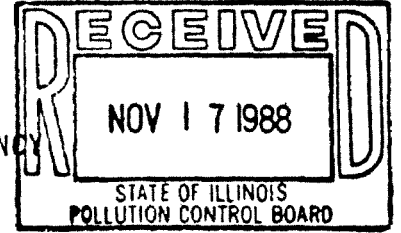
Subscribed and Sworn to before me  
this 14<sup>th</sup> day of October,  
1988.

Mary Stronach  
Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

REMITTANCE FORM



ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

v.

VILLAGE OF ROSSVILLE  
a municipal corporation  
of the State of Illinois,

Respondent.

} *AC 88-95*  
} IEPA DOCKET NO. 9269-AC  
}  
}  
}  
}  
}

FACILITY: Rossville Municipal

SITE CODE NO: 1830800001

COUNTY: Vermilion

CIVIL PENALTY: \$500.00

DATE OF INSPECTION: September 19, 1988

DATE REMITTED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

NOTE

Please enter the date of your remittance and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attention: Fiscal Services, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276.