



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
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ORIGINAL

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CLERK'S OFFICE

MAR 31 2008

STATE OF ILLINOIS
Pollution Control Board

March 25, 2008

AC08-27

John Therriault, 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. Hiram Vanderheiden, Jr.
IEPA File No. 51-08-AC; 1258075004—Mason County

Dear Mr. Therriault:

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 sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, 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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

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MAR 31 2008
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

HIRAM L. VANDERHEIDEN, JR.,

Respondents.

ORIGINAL

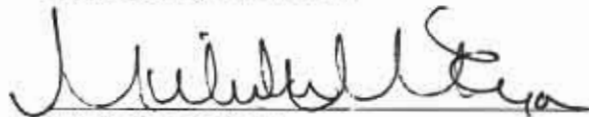
AC 08-27
(IEPA No. 51-08-AC)

NOTICE OF FILING

To: Hiram L. Vanderheiden, Jr.
510 N. Park Avenue
Manito, Illinois 61546-9221

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,



Michelle M. Ryan
Assistant Counsel

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

Dated: March 25, 2008

VIOLATIONS

Based upon direct observations made by Paul Eisenbrandt during the course of his February 7, 2008 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent 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) (2006).

- (2) That Respondent caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3)(2006).

- (3) That Respondent 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) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2006), Respondent is 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 Four Thousand Five Hundred Dollars (\$4,500.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than April 30, 2008, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects 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 (2006), and if the Illinois Pollution Control Board issues a finding of violation as 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. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

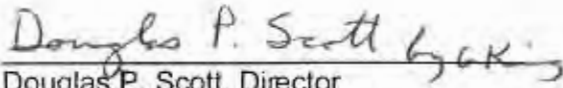
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2006), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board 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, Respondent's 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, Respondent 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 Respondent 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 Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2006). If Respondent elects to contest this Administrative Citation, then Respondent 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 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, Director
Illinois Environmental Protection Agency

Date: 3/25/08

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

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MAR 31 2008

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 HIRAM L. VANDERHEIDEN, JR.,)
)
)
)
 Respondent.)

AC 08-21
 (IEPA No. 51-08-AC)

FACILITY: Manito/Vanderheiden

SITE CODE NO.: 1258075004

COUNTY: Mason

CIVIL PENALTY: \$4,500.00

DATE OF INSPECTION: February 7, 2008

DATE REMITTED:

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 Illinois Environmental Protection Agency, Attn.: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

ORIGINAL

County: Mason LPC#: 1258075004 Region: 5 - Springfield
 Location/Site Name: Manito / Vanderheiden
 Date: 02.07.2008 Time: From 11:05 AM To 11:40 AM Previous Inspection Date: 01.08.2007
 Inspector(s): Paul Eisenbrandt Weather: ~30°F & Cloudy
 No. of Photos Taken: # 51 Est. Amt. of Waste: 80 yds³ Samples Taken: Yes # No X
 Interviewed: No One Complaint #: C-07-021-C

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

Mr. Hiram L. Vanderheiden Jr.
 510 N. Park Ave.
 Manito, IL 61546-9221
 (Work) 309-562-7555
 (Home) No Listing

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MAR 31 2008

STATE OF ILLINOIS
Pollution Control Board

	SECTION	DESCRIPTION	VIO
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	X
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	X
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	X
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	X
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	X
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 AND REGULATIONS	
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	X
	(2)	Scavenging	
	(3)	Open Burning	X
	(4)	Deposition of Waste in Standing or Flowing Waters	
	(5)	Proliferation of Disease Vectors	
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	

LPC #1258075004

Inspection Date: February 7, 2008

	(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 NEW VIOLATION →	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:	

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: February 27, 2008

TO: DLPC / Division File

FROM: Paul Eisenbrandt, DLPC/FOS Springfield Region

SUBJECT: LPC # 1258075004 - Mason County
Manito / Vanderheiden
C-07-021-C
FOS File

INSPECTION DATE: February 7, 2008

The purpose of this memorandum is to serve as the Narrative Inspection Report Document of a February 7, 2008 complaint investigation of the above referenced site. This third inspection took place from about 11:05 am to 11:40 am and fifty-one (51) digital photographs were taken. The weather was cloudy, approximately 30°F, with approximately 2 inches of snow on the ground. No one was interviewed at the time of the inspection.

Photograph 001 shows a dilapidated garage in the southwest corner of the Vanderheiden property. The garage was still missing a garage door. The other side of the door opening was partially closed off with two plastic tarps as they were during the September 2006 inspection. One of the tarps was torn and mostly on the ground (this has not changed in a year). Access to the garage remains unrestricted. As previously observed, the ridge board, of the garage roof, was noticeably sagging. Several of the roof rafters and exterior sheeting have been removed from the northeast corner since the January 2007 inspection. The remaining exterior paint was flaking off the building and exposing raw wood siding. No improvements have been made to the structure since that last inspection. The brown rusty heater, which was observed on the southwest corner of the garage in September 2006, has been moved, however other miscellaneous wastes now occupy its place.

Photograph 002 shows a large pile of miscellaneous items in front of the dilapidated garage. Stacked cinder block, various pieces of scrap metal, lawn tools, a stack of tongue and groove siding, and a torn plastic garbage can, among other items were still observed in front of the garage. The weeds and leaves on the woody vegetation are down for the season. Between the first and second inspections, a propane tank and several rail snow sleds had been removed. Now an engine block and a variety of items appear to be accumulating. In the last year and a half not much has changed at this location.

Photograph 003 is a view looking into the dilapidated garage. The garage is still filled wall to wall with a variety of items including a vehicle, tools, and miscellaneous stuff. Comparing photographs from the three inspections it appears as if things are being shuffled around, yet the amount of items has not decreased. The roof sheeting and shingles are still missing on the northern half of the garage, and several rafters and pieces of siding have also been removed. The

condition of the garage structure has worsened as repairs have not been made. Entry to the hazardous structure is still not restricted. The unprotected contents of the garage are considered waste.

Photograph 004 shows additional waste has been open dumped outside the southwest corner of the dilapidated garage since the last inspection.

Photograph 005 shows the approximate location of a burn pile located near the street on the west side of the property. The burn pile contained mostly landscape waste during the last inspection. During this inspection the exact location was not identified due to the snow cover. No debris was observed.

Photograph 006 shows a section of garden hose and a hose reel, a plastic cooler, and a stack of roofing shingles. A hot water heater and aluminum folding lawn chair have been removed since the last inspection. Two plastic lawn chairs remain against the south side of the house.

Photographs 007 and 011 show a weathered red gasoline can, two weathered wooden window units, a floor jack, a black bucket, a blue plastic bin, and miscellaneous debris. A red lawnmower and a fiber barrel containing stagnant water have been moved since the last inspection. Most of the items remain as observed during the September 2006 inspection

Photograph 008 is a view of the northeast side of the collapsing garage. It appears as someone has removed several roof rafters and wall sheeting since the January 2007 inspection. The structure is still severally damaged and repairs have not been made in the last year and a half. Two exterior "street style" lights and several pieces of grey PVC conduit have been moved from this location.

Photograph 009 shows two red lawn mowers, and miscellaneous debris surrounding a pile of dirt in the yard. A propane cylinder and folding chair have been removed from this area.

Photograph 010 shows a white plastic bucket and other miscellaneous debris that were previously observed under the trees in this area.

Photograph 012 is a view looking down into the home's basement. The south basement wall is still absent and exposed on the inside. An unfinished basement addition can be seen to the right in the photograph. The first floor decking or roof and the protective covering/sheeting appeared to be rotten. No improvements have been made to this portion of the structure since the initial inspection in 2006

Photograph 013 shows the exposed stud walls on the south and east portion of the house. The blue tarpaulin has weathered away. Nothing has changed since the initial inspection. The structure and contents of the home are still exposed to the weather and their condition has worsened.

Photograph 014 shows debris between the house and the covered trailer. A bucket of roof cement, storm doors, glass windows, ladders, and yard tools appear much as they did during the past two inspections. A set of saw horses, some fencing, and a bucket of Christmas lights have been removed.

Photograph 015 shows the roof and the rafters of the front porch are still missing. The porch was full of miscellaneous items and exposed to the winter weather. Nothing has changed since the initial inspection.

Photograph 016 shows the Ranger 372-V boat, partially filled with debris, that was removed prior to the last inspection, is still gone.

Photograph 017 shows a covered trailer that has been parked in front of the house since the first inspection in September 2006. Several ladders, window units, chain link fencing, and several boxes of miscellaneous nails and construction materials were still observed against and around the trailer. No appreciable change has occurred.

Photograph 018 shows numerous boxes and buckets of miscellaneous items scattered north of the covered trailer. The debris is still resting on the ground and some of it is still covered with a tarp. No clean up efforts could be recognized.

Photograph 019 shows four pallets of unwrapped stacked shingles and tar paper rolls, and an air conditioning condenser northwest of the house. These items remain unchanged.

Photograph 020 shows several stacks of dimensional lumber, vinyl siding, and sheet metal on the east side of the garage. The lumber piles were covered between the first two inspections; however it appears as if more building supplies are accumulating. A gasoline can, several garage door sections, and multiple wheelbarrows were still observed to the rear of the garage.

Photograph 021 shows a trailer stacked with plywood and covered with tarps. It appears as if the trailer has not moved since the initial inspection. A Dixie Chopper mower has been removed from the area and as previous noted, the blue Oldsmobile and an air tank were removed prior to the last inspection.

Photograph 022 shows a truck bed trailer, two boats, and miscellaneous debris as observed during this inspection. The area is the same as it was during previous inspections of 2006 and 2007.

Photograph 023 shows vehicle parts and miscellaneous waste beneath and around the truck bed trailer and boats. Little has changed since the last inspection.

Photograph 024 shows an area between a camper, a boat, and a truck bed trailer. The blue parts cleaner seen in the photograph appears to have been moved from closer to the dilapidated garage. Also, the partially crushed fiber drum may have been moved from around the tree seen in Photographs 007 and 011. The red and silver Chevy pickup truck, and its debris filled bed were not observed again during this inspection.

Photographs 025 and 026 show a camper, a trailer, a stack of sheet metal, a broadcast seeder, a rusty barrel, and miscellaneous debris. Much of this waste has remained unchanged. Small diameter trees were still observed grown up around the debris indicating most of it had not been used for several years.

Photograph 027 shows piles of debris stored on the ground near the multi colored sheet metal building and within the scrub trees. A storage box, an on rim used tire, several wooden ladders, and piles of miscellaneous materials were again observed. It does not appear as if much has changed or been cleaned up in this area. The quantity of weathered materials remains similar to previous inspections.

Photograph 028 shows twenty seven used tires stacked and covered outside the east side of the multicolored shed. Snow and leaves covered the metal or wood sheeting, and shielded the used tires from precipitation. There are other used tires observed on site as can be seen in Photographs 027, 032, & 033. At least thirty used tires were observed at this site.

Photographs 029, 030, and 031 show the tree line east of the house, garage, and shed. The tree line was littered with building materials, truck toppers, trailers, and miscellaneous debris as it was during the September 2006 inspection. A blue topper, a white and maroon topper, and two black truck toppers, black corrugated drain tile, and stacks of wood and sheet metal were observed in this vicinity. A hot water heater appears to have been moved from this location.

Photographs 032, 033, and 034 show another two pickup truck trailers, an on rim used tire, an off rim used tire, three wooden ladders, a stack of heavy timbers, two vehicle engines resting on the ground, several motor vehicle parts, a green snowmobile, a well weathered shower stall, and miscellaneous debris scattered throughout this low area east of the house.

Photographs 035 and 036 show another section of tree line scattered with more trailers, additional truck toppers, stacks of shingles, and other miscellaneous debris stored in the vegetation. A red truck bed trailer, a blue truck bed trailer, a truck bed and topper resting on the ground, a red farm grain trailer bed (also on the ground), a white truck storage box, orange snow fencing, and a rolled up tarp were observed along the northern edge of the property. It appears that two snow blades, an empty 250 gallon fuel tank, a black barrel, and several 5-gallon buckets have been removed from this area.

Photographs 037 and 038 shows one snow blade, two wheel barrows, a cement mixer, sheet metal, hoses, and miscellaneous debris remain open dumped in the tree line.

Photograph 039 shows a saw horse, a wooden ladder, stacks of sheet metal, cinder block, and miscellaneous debris west of the camper and trailer in the northeast corner of the site.

Photographs 040 and 041 show numerous 5-gallon containers, yellow scaffolding, metal stakes, and stacks of scrap metal and miscellaneous waste stored in the trees.

Photographs 042, 043, and 044 shows four snowmobiles covered with green tarps, at least five bicycles, two covered boats, a blue van used for storage, several wooden ladders, an axle assembly, a recently added flat bed trailer (with dimensional lumber and miscellaneous items), a green rotary tiller, and miscellaneous debris. The boats, snowmobiles, and van do not appear to have moved in the last 1-1/2 years.

Photograph 045 shows a gray Acura sedan (with a current IL license plate #897 2603). This vehicle has a passenger side rear window broken and was new to the site as of the January 2007 inspection. This car at that time was located north across the yard.

Photograph 046 shows sheet metal duct work, another wheel barrow and debris on a small weedy dirt hill.

Photograph 047 shows a large exterior light, dimensional lumber, and miscellaneous items near the eastern section of the site.

Photographs 048 and 049 shows an area used for open burning. Landscape waste was predominantly the contents of the burn pile. The inspector brushed aside the snow and observed an aluminum beer can, charred processed wood, a rusty hose clamp, a wrench, and a rusty saw blade. It does not appear as if the open burnt waste previously observed at this location has been cleaned up.

Photograph 050 and 051 are alternate views of the debris from East Avenue. Several pallets full of brick and pavers were also observed in the southeast corner of the lot.

Numerous piles of miscellaneous building products and debris were still observed scattered throughout the Vanderheiden site. There are approximately 80 cubic yards of waste.

Any debris and unusable wastes located outside the house, garage, and shed must be cleaned up. Adequate repairs should be made to the structures onsite (enclosing the buildings with sheeting, siding, and roofing, etc.) to prevent precipitation from entering or they should be razed. Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center. All the remaining useable materials should be organized in a manner that depicts a useable storage area rather than an open dump. Non operational vehicles and motorized craft may be considered as litter if not in useable condition.

The apparent violations noted as a result of this inspection are checked on the attached checklist. A site sketch and digital photographs accompany this narrative.

cc: DLPC/FOS Springfield Region
Mason County Health Department, Becky Chaney

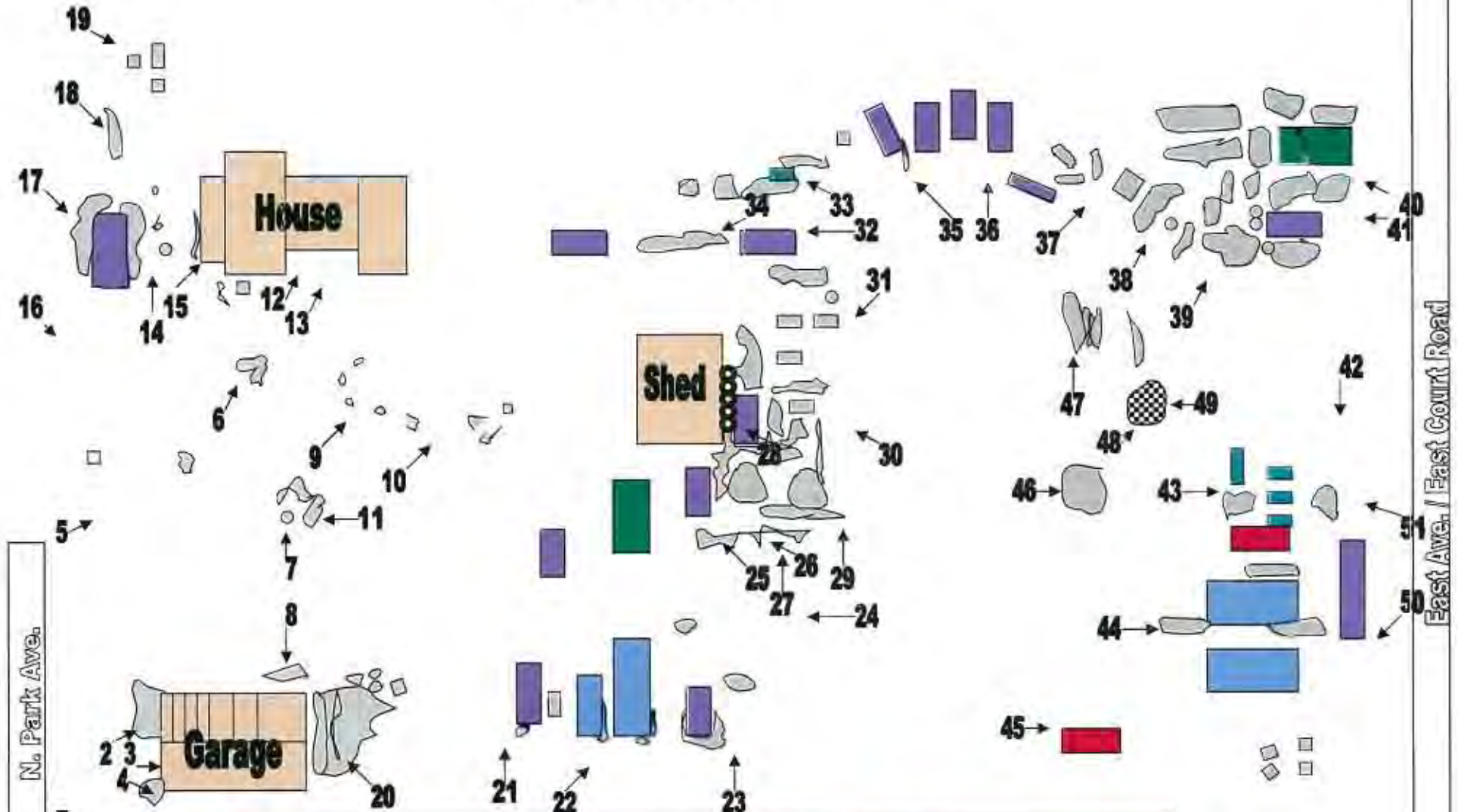


Illinois Environmental Protection Agency
 Bureau of Land
 Field Operations Section
 Springfield Region



SITE SKETCH

LPC #1258075004 - Mason County
 Manito / Vanderheiden
 FOS File
 February 7, 2008 Inspection



L E G E N D		
Structure	Camper	Measurements Approximate
Vehicle	Snowmobile	
Trailer	Material / Debris / Waste	Direction of Photograph →
Boat	Burn Pile	
Not to Scale		



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:09 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 001
Comments: Dilapidated garage in the southwest corner of the Vanderheiden property. No improvements have been made since the January 8, 2007 inspection. More debris is now present than previously observed.



Date: February 7, 2008
Time: 11:09 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 002
Comments: Stacked cinder block, scrap metal, lawn tools, wood tongue and groove siding, a torn plastic garbage can, and an engine block were among miscellaneous items observed in front of the dilapidated garage. No appreciable clean up was observed.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:10 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 003
Comments: View into the dilapidated garage. One-half of the roof sheeting and shingles were missing during the previous inspection. Now more of the garage structure has been removed. The roof rafters and ceiling joists are well weathered. Although miscellaneous debris inside the garage has been shifted around, no changes to the overall condition of the contents of the garage were observed.



Date: February 7, 2008
Time: 11:10 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 004
Comments: Additional waste open dumped outside the southwest corner of the dilapidated garage since the last inspection.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:11 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 005
Comments: A landscape waste burn pile, previously observed near the mailbox, was not observed during this inspection.



Date: February 7, 2008
Time: 11:11 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 006
Comments: Several sections of garden hose, a plastic cooler, a stack of roofing shingles, and plastic lawn chairs were observed south the house as they were during previous inspections. A blue tarp, an aluminum folding lawn chair, and a hot water heater have been removed.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:11 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 007
Comments: A weathered red gasoline can, two weathered wooden window units, and a black metal bucket are still observed at the base of one of the trees. This area has not been cleaned up.



Date: February 7, 2008
Time: 11:12 AM
Direction: S
Photo by: Eisenbrandt
Exposure #: 008
Comments: View of the northeast side of the collapsing garage. Wall sheathing and numerous exposed rafters have been removed from the garage structure. Exterior "street style" lights and a stack of grey PVC conduit appear to have been moved. A metal cart is (seen in the foreground of the photograph) was not previously observed. No appreciable improvements have been made in this area.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:12 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 009
Comments: Two red lawn mowers and miscellaneous debris surround a pile of dirt in the yard. It appears that this area has not been cleaned up.



Date: February 7, 2008
Time: 11:12 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 010
Comments: A white plastic bucket and miscellaneous debris are still observed under the trees.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:13 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 011
Comments: A weathered red gasoline can, two weathered wooden window units, a floor jack, a blue bin, a black metal bucket, and miscellaneous automotive parts, were observed at the base of the tree. This area has not changed.



Date: February 7, 2008
Time: 11:13 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 012
Comments: View looking down into the basement of the home. The south basement wall is still exposed. An unfinished basement addition can be seen to the right in the photograph. The decking and protective covering appeared to be rotten. Nothing has been cleaned up at this location.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:13 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 013
Comments: The south and east stud walls of the back portion of the house were still exposed. The blue tarpaulin has weathered away. The house is exposed to the weather and its condition has worsened.



Date: February 7, 2008
Time: 11:14 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 014
Comments: A bucket of roof cement, storm doors, glass windows, and wooden ladders, were observed between the house and the covered trailer. This area has not been cleaned up.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:14 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 015
Comments: The roof and rafters of the front porch are still missing. The porch was full of miscellaneous items exposed to the weather. The porch has not been repaired.



Date: February 7, 2008
Time: 11:14 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 016
Comments: North end of North Park Avenue.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:14 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 017
Comments: A covered trailer was observed in front of the house. Several ladders, windows units, chain link fencing, and boxes of miscellaneous nails and construction materials were observed against the trailer. No improvements have been made near the covered trailer.



Date: February 7, 2008
Time: 11:14 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 018
Comments: A cooler and numerous boxes of miscellaneous items (covered with a canvas tarp) are still on the ground north of the trailer. This area remains unchanged.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:15 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 019
Comments: Several pallets of stacked shingles and roofing paper, and an air conditioning condenser were still observed northwest of the house.



Date: February 7, 2008
Time: 11:16 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 020
Comments: Stacks of dimensional lumber, vinyl siding, and sheet metal were observed along with miscellaneous debris, and wheel barrows to the rear of the garage. Sheet metal is still covering stacks of lumber.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:16 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 021
Comments: A stack of plywood covered with a blue tarp has not moved since previous inspections.



Date: February 7, 2008
Time: 11:17 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 022
Comments: A truck bed trailer, two boats, and miscellaneous debris were observed in the yard. This area is mostly unchanged.

Photograph File Names: 1258075004-02072008-[Exp. #].jpg File Name: 1258075004-02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:17 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 023
Comments: Vehicles parts and miscellaneous waste were still observed around the truck bed trailer.



Date: February 7, 2008
Time: 11:18 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 024
Comments: The blue parts cleaner (?) table has been moved from behind the garage to this area near the multicolored shed. Other miscellaneous weathered wastes were observed scattered throughout the area.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:18 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 025
Comments: A camper, a trailer, and stacks of sheet metal, and miscellaneous debris have not been moved.



Date: February 7, 2008
Time: 11:18 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 026
Comments: Piles of debris on the ground near the multicolored shed.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:18 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 027
Comments: The tree line east of the house and the garage was still littered with building materials, truck toppers, trailers, ladders, truck storage boxes, and miscellaneous waste.



Date: February 7, 2008
Time: 11:19 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 028
Comments: Twenty seven used tires were observed stacked outside the east side of the multicolored shed. Sheeting stretched across the top of the tires to shield them from precipitation.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:22 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 029
Comments: The numerous truck toppers and debris still litter the tree line.



Date: February 7, 2008
Time: 11:22 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 030
Comments: The numerous truck toppers, scrap metal, black corrugated plastic drain pipe, and debris still litter the tree line.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:22 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 031
Comments: More debris
in tree line east of
multicolored shed.



Date: February 7, 2008
Time: 11:22 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 032
Comments: View facing
west towards the house.
A pickup truck trailer, an
on rim used tire, three
wooden ladders, and
miscellaneous debris
were scattered
throughout this area.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:22 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 033
Comments: A green snowmobile, and a well weathered shower stall were among the debris behind the house.



Date: February 7, 2008
Time: 11:22 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 034
Comments: Heavy timbers, two engines, and motor vehicle parts were observed on the ground behind the house.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:30 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 035
Comments: More trailers, truck toppers, and stacked shingles were still observed in the scrub trees.



Date: February 7, 2008
Time: 11:30 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 036
Comments: A red trailer, a truck bed trailer, a wheel barrow, snow fencing, a truck storage box, and a tarp were observed on the north edge of the property. It appears that more items have been added to this area since the last inspection.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:30 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 037
Comments:
Miscellaneous waste is still in the tree line



Date: February 7, 2008
Time: 11:30 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 038
Comments:
Miscellaneous waste is still in the tree line

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:30 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 039
Comments: A camper, a trailer, piles of scrap metal, and miscellaneous waste in the northeast corner of the site.



Date: February 7, 2008
Time: 11:31 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 040
Comments: Stacks of scrap metal, yellow scaffolding, plastic buckets, and miscellaneous waste stored in tree line.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:31 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 041
Comments:
Miscellaneous waste in
tree line.



Date: February 7, 2008
Time: 11:31 AM
Direction: S
Photo by: Eisenbrandt
Exposure #: 042
Comments: A large flat
bed trailer is new since
the last inspection. Four
bicycles, several
snowmobiles covered
with green tarpaulins,
were observed on the
east end of the property.
This area has not
changed much since the
last inspection.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:31 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 043
Comments: Wooden ladders, bicycles, a green rotary tiller, and miscellaneous debris were observed.



Date: February 7, 2008
Time: 11:31 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 044
Comments: Alternate view of scrap metal, boats, a blue van, two boats, and an axle were observed.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:32 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 045
Comments:, A gray Acura with a broken rear window is still on site. The vehicle has been moved since the last inspection



Date: February 7, 2008
Time: 11:32 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 046
Comments: Sheet metal air duct, another wheel barrow, and debris on a small weedy dirt hill.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:32 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 047
Comments: A large exterior light, dimensional lumber, and miscellaneous items near eastern section of site



Date: February 7, 2008
Time: 11:32 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 048
Comments: Landscape waste on the burn pile located in the rear yard.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:33 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 049
Comments: A beer can, charred processed wood, a hose clamp, a wrench, and a rusty saw blade were among the ash and charred waste beneath the landscape waste and snow covered. It does not appear as if the open burnt waste previously observed at this fire pit has been cleaned up.



Date: February 7, 2008
Time: 11:35 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 050
Comments: Alternate view of the recently added flat bed trailer, and the previous observed boat in the southeast section of the lot.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg File Name: 1258075004~02072008 .doc



DIGITAL PHOTOGRAPHS



Date: February 7, 2008
Time: 11:35 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 051
Comments: Alternate view of the items stored in the rear yard.

Photograph File Names: 1258075004~02072008-[Exp. #].jpg **File Name:** 1258075004~02072008 .doc

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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MAR 31 2008

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT

ORIGINAL

IN THE MATTER OF:)
)
Illinois Environmental)
Protection Agency)
)
vs.)
)
Hiram L. Vanderheiden, Jr.)
Respondent.)

IEPA DOCKET NO.

AC08-27

Affiant, Paul Eisenbrandt, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On February 7, 2008 between 11:05 AM and 11:40 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Mason County, Illinois, and known as Manito/Vanderheiden by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1258075004 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Manito/Vanderheiden 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 Manito/Vanderheiden open dump.

Subscribed and Sworn To before me
This 7th day of March, 2008

Charlene K. Powell

Notary Public

OFFICIAL SEAL
CHARLENE K. POWELL
NOTARY PUBLIC - STATE OF ILLINOIS
COMMISSION EXPIRES MARCH 15, 2012

Paul Eisenbrandt

ORIGINAL

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MAR 31 2008

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 25th day of March 2008, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Hiram L. Vanderheiden Jr.
510 N. Park Avenue
Manito, IL 61546-9221

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

To: John Therriault
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



Michelle M. Ryan
Assistant Counsel

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