



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

RECEIVED
CLERK'S OFFICE

DEC 12 2008

STATE OF ILLINOIS
Pollution Control Board

(217) 782-9817
TDD: (217) 782-9143

URGENT

December 10, 2008

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

AC09-28

Re: Illinois Environmental Protection Agency v. Theodore and Sally Jackson
IEPA File No. 322-08-AC: 1250205071—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,

[Handwritten signature of Michelle M. Ryan]

Michelle M. Ryan
Assistant Counsel

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

DEC 12 2008

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
THEODORE and SALLY JACKSON,)
)
Respondents.)

ORIGINAL

AC 09-28

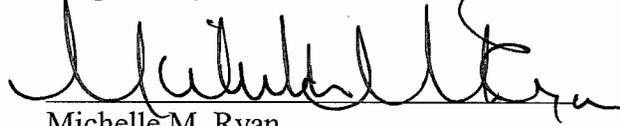
(IEPA No. 322-08-AC)

NOTICE OF FILING

To: Theodore and Sally Jackson
327 E. Market
Havana, IL 62644

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: December 10, 2008

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
DEC 12 2008
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
THEODORE and SALLY JACKSON,)
)
)
)
)
Respondents.)

AC 09-28
(IEPA No. 322-08-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2006).

FACTS

1. That Theodore and Sally Jackson are the current owners ("Respondents") of a facility located at 1203 South 10th Street, Havana, Mason County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Havana/Jackson 2.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1250205071.
3. That Respondents have owned and operated said facility at all times pertinent hereto.
4. That on October 28, 2008, William E. Zierath of the Illinois Environmental Protection Agency's ("Illinois EPA") Springfield Regional Office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on December 10, 2008 Illinois EPA sent this Administrative Citation via Certified Mail No. 7004 2510 0001 8618 9378.

VIOLATIONS

Based upon direct observations made by William E. Zierath during the course of his October 28, 2008 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondents have violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2006).

- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in Deposition of General Construction or Demolition Debris: or Clean Construction or Demolition Debris a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2006), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Three Thousand Dollars (\$3,000.00). If Respondents elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 15, 2009, 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 (2006), and if the Illinois

Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondents shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2006), 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, 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, Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondents from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2006). 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 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 Respondents.


Douglas P. Scott, Director
Illinois Environmental Protection Agency

Date: 12/10/08

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

RECEIVED
CLERK'S OFFICE

DEC 12 2008

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
 Complainant,)
 v.)
 THEODORE and SALLY JACKSON,)
 Respondents.)

ORIGINAL

AC 09-28

(IEPA No. 322-08-AC)

FACILITY: Havana/Jackson 2

SITE CODE NO.: 1250205071

COUNTY: Mason

CIVIL PENALTY: \$3,000.00

DATE OF INSPECTION: October 28, 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

RECEIVED
CLERK'S OFFICE

AFFIDAVIT

DEC 12 2008

IN THE MATTER OF:

ORIGINAL

STATE OF ILLINOIS
Pollution Control Board

AC09-28

IEPA DOCKET NO.

Respondent.

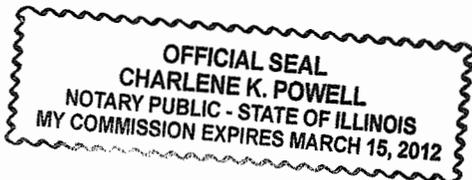
Affiant, William Zierath, being first duly sworn, voluntarily deposes and states as follow:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On October 28, 2008, between 11:40 AM and 12:00 PM, Affiant conducted an inspection of a disposal site operated without an Agency permit, located in Mason County, Illinois and known as Jackson 2 by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1250205071 by the Agency.
3. Affiant inspected said Jackson 2 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 Jackson 2 open dump.

William Zierath

Subscribed and Sworn To before me
This 35 day of November, 2008

Charlene K. Powell



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Mason LPC#: 1250205071 Region: 5 - Springfield
 Location/Site Name: Havana/Jackson 2
 Date: 10/28/08 Time: From 11:40 To 12:00 Previous Inspection Date: 04/22/08
 Inspector(s): William Zierath Weather: Sunny, 65F
 No. of Photos Taken: # 22 Est. Amt. of Waste: 100 yds³ Samples Taken: Yes # No
 Interviewed: No one Complaint #: C-07-101-C

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

Theodore and Sally Jackson
 327 E Market
 Havana, Illinois, 62644
 309-543-3715

RECEIVED
 CLERK'S OFFICE
 DEC 12 2008
 STATE OF ILLINOIS
 Pollution Control Board

| | SECTION | DESCRIPTION | VIOL |
|---|---------|--|-------------------------------------|
| ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS | | | |
| 1. | 9(a) | CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS | <input type="checkbox"/> |
| 2. | 9(c) | CAUSE OR ALLOW OPEN BURNING | <input 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 AND REGULATIONS | <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 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 # 1250205071

Inspection Date: 10/28/08

| | | | |
|--|------------|---|-------------------------------------|
| | (7) | Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b) | <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 type="checkbox"/> |
| | (3) | Cause or Allow Water to Accumulate in Used Tires | <input 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 checked="" type="checkbox"/> |
| 12. | 808.121 | SPECIAL WASTE DETERMINATION | <input checked="" 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.

MEMORANDUM

Date: October 28, 2008

To: BOL File

From: William E. Zierath, BOL/FOS - Springfield Region

Subject: LPC# 1250205071 – Mason County
Havana/Jackson 2
Complaint C-07-101-C
FOS File

A complaint re-investigation was conducted at this lot on the south edge of Havana on October 28, 2008. No one else was present. The weather was 65°F, and sunny during this inspection.

The complaint stated “accumulation of junk & vehicles at Jackson’s property.” An investigation was conducted at this site on April 22, 2008. See the memorandum of that date for details. The purpose of this follow-up investigation was to determine if the refuse observed during the April 22, 2008 investigation had been cleaned up.

There had been five abandoned cars on this site during the April 22, 2008 inspection. Two of the cars had been removed prior to the October 28, 2008 investigation. The three remaining abandoned cars are shown in photographs 1250205071~10282008-001, 1250205071~10282008-002, and 1250205071~10282008-012. The area where the other two cars used to be is shown in photograph 1250205071~10282008-005. There was one abandoned pickup truck on the site. This pickup truck is shown in photographs 1250205071~10282008-008, 1250205071~10282008-009, and 1250205071~10282008-010.

There were two abandoned mobile homes on this property during the April 22, 2008 investigation. The two mobile homes had been removed prior to the October 28, 2008 investigation. The previous locations of these two mobile homes are shown in photographs 1250205071~10282008-008 and 1250205071~10282008-012.

There was scrap metal and wooden demolition waste, along with three possibly empty 55-gallon drums located along the west side of the north building at this site. This waste is shown in photographs 1250205071~10282008-003 and 1250205071~10282008-004.

The drums located along the west side of the north building had wood boards stacked on them along with other items leaning against them. The usual method for determining

whether drums contain liquids or solids is to rap on the sides of the drums. Empty drums ring with a distinctive sound. However, significant weight on top of an empty drum will deaden the sound. For this reason I was unable to determine if the drums were empty or contained wastes. Apparent violations of 35 Ill. Adm. Code 722.111 (hazardous waste determination) and 808.121 (special waste determination) are marked to address the necessity that any wastes in the drums be identified and the disposed of properly.

An orange trailer with old windows that was observed at the site during the April 22, 2008 investigation was located in the same location during this investigation. This trailer is shown in photograph 1250205071~10282008-005.

There was wooden demolition waste, scrap metal and assorted junk located along the west side of the site. This waste is shown in photographs 1250205071~10282008-006, 1250205071~10282008-007, and 1250205071~10282008-008.

The semi trailer observed at this site during the April 22, 2008 investigation was still present during this investigation. This semi trailer is shown in photograph 1250205071~10282008-008.

As observed during the April 22, 2008 investigation, there were the metal frames from the bases of mobile homes behind the semi trailer. The mobile home bases are shown in photograph 1250205071~10282008-009.

There was scattered junk in the wooded area at the south end of the site. This waste included two used tires not on rims. The waste in the southern end of the site is shown in photographs 1250205071~10282008-010, 1250205071~10282008-011, 1250205071~10282008-013, 1250205071~10282008-014, 1250205071~10282008-015, 1250205071~10282008-016, 1250205071~10282008-017, and 1250205071~10282008-018.

At the south end of the south building was a small amount of scrap metal, demolition waste and assorted junk. This waste is shown in photograph 1250205071~10282008-019.

There was wooden demolition waste stacked along the western wall of the south building. This demolition waste is shown in photograph 1250205071~10282008-020.

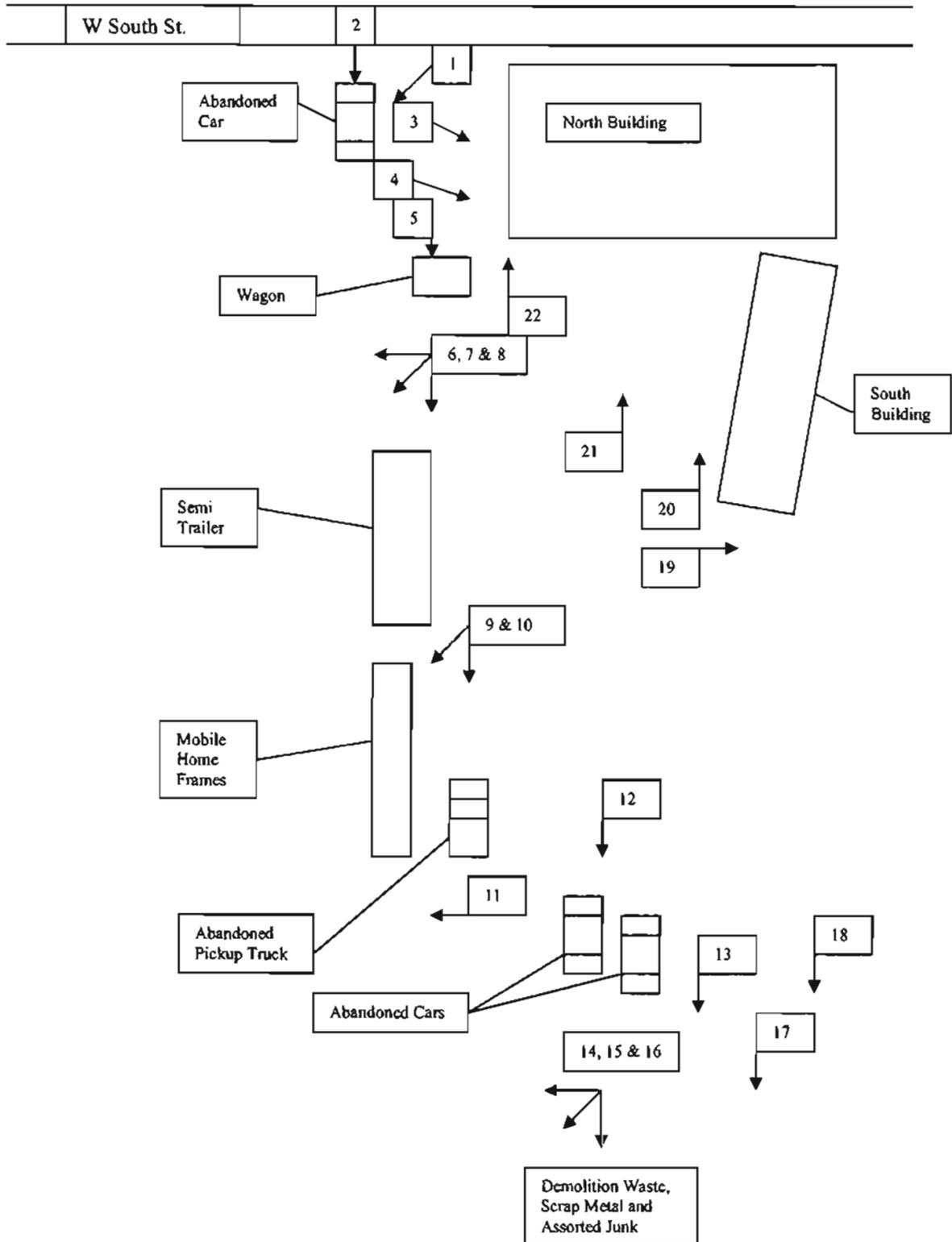
Most of the waste in the area south of the north building and west of the south building had been removed prior to this investigation. The area is shown in photograph 1250205071~10282008-021. There were some used tires on rims leaning against the south wall. In addition, there was some scrap metal south of the southwest corner of the north building. This scrap metal is shown in photograph 1250205071~10282008-022.

Apparent violations are marked on the attached checklist.

cc: BOL/FOS – Springfield Regional File
Chief John Kachanuk, Havana Fire Department

LPC 1250205071 – Mason County
Havana/Jackson 2
October 28, 2008

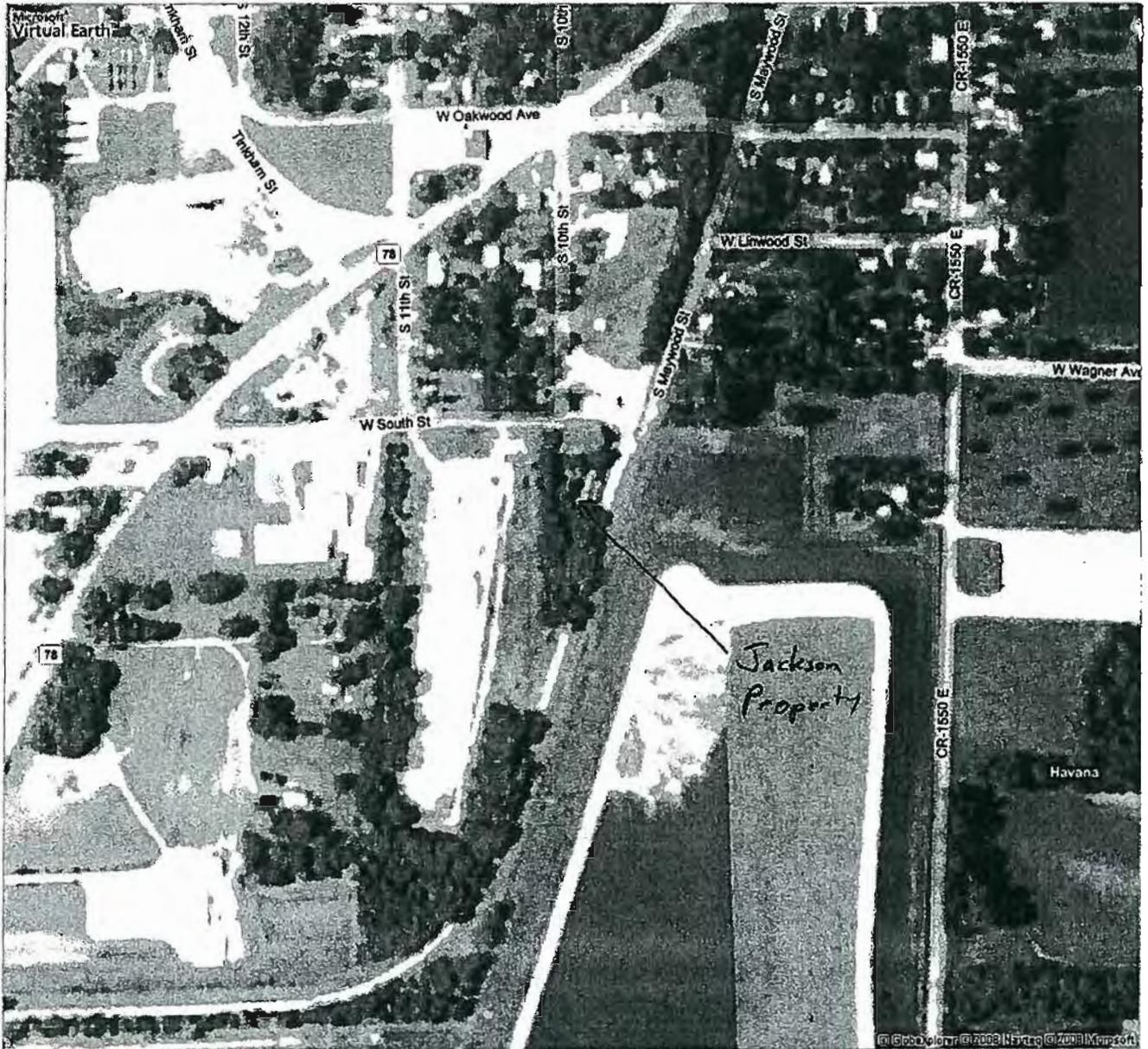
Site Plan



 Live Search Maps

LPC 1250205071 - Mason County
Havana/Jackson 2
fos file

FREE! Use Live Search 411 to find movies, businesses & more: 800-CALL-411.





DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:44 am
Direction: Southwest
Photo by: W Zierath
Exposure #: 001
Comments:
Abandoned car in the northwest part of the site. The gray and white structure in the background is a grain storage facility on another property.



Date: October 28, 2008
Time: 11:44 am
Direction: South
Photo by: W Zierath
Exposure #: 002
Comments: The rear license plate on the abandoned car shown in photograph 001. The sticker on the license plate expired in October, 1993.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:44 am
Direction: Southeast
Photo by: W Zierath
Exposure #: 003
Comments: Junk along the west side of the building, including demolition waste (including boards and plywood), scrap metal and 55-gallon drums. It is usually possible to determine if drums are empty by rapping on them. The weight of wood on top of the drums prevented the successful use of that method in this case.



Date: October 28, 2008
Time: 11:45 am
Direction: Southeast
Photo by: W Zierath
Exposure #: 004
Comments: Junk along the west side of the building, including demolition waste (including plywood and an old door), scrap metal and an open empty drum.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:45 am
Direction: South
Photo by: W Zierath
Exposure #: 005
Comments: An old trailer that contains old windows and other demolition waste. The large tire to the right of the trailer is a tractor apparently being used during the cleanup. The semi trailer in the background is also shown in photograph 008. The tractor at the right edge of the photograph appeared to be a functional piece of equipment used for the clean up.



Date: October 28, 2008
Time: 11:45 am
Direction: West
Photo by: W Zierath
Exposure #: 006
Comments: Demolition waste and assorted junk (including a broken picnic table) along the west side of site. The dark green and black objects just beyond the woody vegetation were large plastic culvert sections. This type of material was being stored along the east and west edges of the property to the west and was not on the Jackson property.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:45 am
Direction: Southwest
Photo by: W Zierath
Exposure #: 007
Comments: Demolition waste (wooden boards) along the west side of the site. Note: The black plastic culvert sections are on the property to the west.



Date: October 28, 2008
Time: 11:46 am
Direction: South
Photo by: W Zierath
Exposure #: 008
Comments: Demolition waste (boards), a bicycle frame and an old semi trailer along the west side of the site. The vehicle near the left edge of the photograph is also shown in photographs 009 and 010.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:46 am
Direction: Southwest
Photo by: W Zierath
Exposure #: 009
Comments: Old mobile home frames, an old trash can and an abandoned truck in the southern part of the site.



Date: October 28, 2008
Time: 11:46am
Direction: South
Photo by: W Zierath
Exposure #: 010
Comments: Demolition waste (partly covered by fallen branches) and a few pieces of household waste in the southern part of the site.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:47 am
Direction: West
Photo by: W Zierath
Exposure #: 011
Comments: Two used tires (off rims) and scrap metal (including the remains of a 55-gallon drum) in the southern part of the site.



Date: October 28, 2008
Time: 11:47 am
Direction: South
Photo by: W Zierath
Exposure #: 012
Comments: Two abandoned cars in the southern part of the site. Neither car was licensed, had usable tires or windows.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:48 am
Direction: South
Photo by: W Zierath
Exposure #: 013
Comments: Piles of wood demolition waste (boards) in the south part of the site. It was not clear if the trailer shown in this photograph was usable.



Date: October 28, 2008
Time: 11:48 am
Direction: West
Photo by: W Zierath
Exposure #: 014
Comments: Wood demolition waste (boards) in the south area of the site.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:48 am
Direction: Southwest
Photo by: W Zierath
Exposure #: 015
Comments: Wood
demolition waste and a
stack of railroad ties in
the south area of the
site.



Date: October 28, 2008
Time: 11:48 am
Direction: South
Photo by: W Zierath
Exposure #: 016
Comments: Wood
demolition waste
(boards) in the south
area of the site.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:48 am
Direction: South
Photo by: W Zierath
Exposure #: 017
Comments: Wood
demolition waste
(boards) in the south
area of the site. It was
not clear that the trailer
was not still usable.



Date: October 28, 2008
Time: 11:49 am
Direction: South
Photo by: W Zierath
Exposure #: 018
Comments: Wood
demolition waste, a
piece of used
corrugated metal, an
old door, scrap metal
in the south area of the
site. While the amount
of woody vegetation
around the cultivator
shown in this
photograph indicates
that it hadn't been
moved for some time,
but it was unclear that
it had been discarded.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:49 am
Direction: East
Photo by: W Zierath
Exposure #: 019
Comments: Scrap metal, demolition waste (a few boards) concrete blocks and other junk (including a bathroom sink) on the east side of the site. It was not clear if the trailer shown in the photograph was usable.



Date: October 28, 2008
Time: 11:49 am
Direction: North
Photo by: W Zierath
Exposure #: 020
Comments: Scrap metal and scrap wood stacked along the west side of the south building at the site.

File Names: 1250205071~10282008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: October 28, 2008
Time: 11:49 am
Direction: North
Photo by: W Zlerath
Exposure #: 021
Comments: The area south of the north building. The yellow end loader appeared to be operable and in use during the clean up. There were 6 tires (on rims) leaned up against the building. Scattered wastes to the left of the end loader are shown in photograph 022.



Date: October 28, 2008
Time: 11:50 am
Direction: North
Photo by: W Zlerath
Exposure #: 022
Comments: Scrap metal and other junk (including and old plastic tarp and an old truck topper) in the area immediately south of the southwest corner of the north building.

File Names: 1250205071~10282008-[Exp. #].jpg

ORIGINAL

RECEIVED
CLERK'S OFFICE

DEC 12 2008

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 10th day of December 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: Theodore and Sally Jackson
327 E. Market
Havana, IL 62644

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, Clerk
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