



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

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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

July 13, 2010

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. Link Truck Service, Inc.
IEPA File No. 213-10-AC: 1570600013—Randolph 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,

A handwritten signature in black ink, appearing to read "Michelle M. Ryan".

Michelle M. Ryan
Assistant Counsel

Enclosures

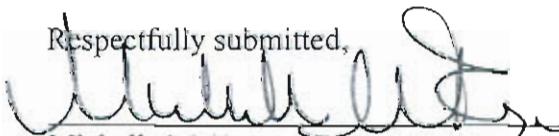
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 213-10-AC)
)	
LINK TRUCK SERVICE, INC.,)	
)	
Respondent.)	

NOTICE OF FILING

To: Link Truck Service Inc.
Attn: Robert Link
718 Industrial Drive
Sparta, IL 62286

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: July 13, 2010

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 213-10-AC)
)	
LINK TRUCK SERVICE INC.,)	
)	
)	
)	
Respondent.)	

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 (2008).

FACTS

1. That Link Truck Service Inc. ("Respondent") is the present owner and operator of a facility located at 718 Industrial Drive, Sparta, Randolph County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Sparta/Link Truck Service Inc.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1570600013.
3. That Respondent has owned and operated said facility at all times pertinent hereto.
4. That on May 26, 2010, Kendall Couch of the Illinois Environmental Protection Agency's Collinsville 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.

VIOLATIONS

Based upon direct observations made by Kendall Couch during the course of his May 26, 2010 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) (2008).

- (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)(2008).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2008), 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 Three Thousand Dollars (\$3,000.00). 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 August 1, 2010, 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 (2008), 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.

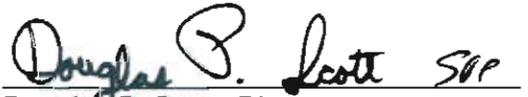
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2008), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board 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 (2008). 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: 7/8/2010

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

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 213-10-AC)
)	
LINK TRUCK SERVICE INC.,)	
)	
)	
)	
Respondent.)	

FACILITY:	Sparta/Link Truck Service Inc.	SITE CODE NO.:	1570600013
COUNTY:	Randolph	CIVIL PENALTY:	\$3,000.00
DATE OF INSPECTION:	May 26, 2010		

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

AFFIDAVIT

IN THE MATTER OF:)	
)	
)	IEPA DOCKET NO.
)	
Sparta/Link Truck Service Inc.)	
Rob Link)	
)	
Respondent.)	

Affiant, Kendall Couch, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Bureau of Land of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On May 26, 2010, between 1:00pm and 1:30pm, Affiant conducted an inspection of the open dump in Randolph County, Illinois, known as Sparta/Link Trucking Service Inc., Illinois Environmental Protection Agency Site No. 1570600013.
3. Affiant inspected said Link Truck Service Inc. open dump by an on-site inspection which included walking the site and taking photographs.
4. As a result of the activities referred to in Paragraph 3 above, Affiant assisted in the completion of the Inspection Report form attached hereto and made a part hereof, which, to the best of the Affiant ' s knowledge and belief, is an accurate representation of Affiant ' s observation and factual conclusions with respect to said Sparta/Link Truck Service Inc..

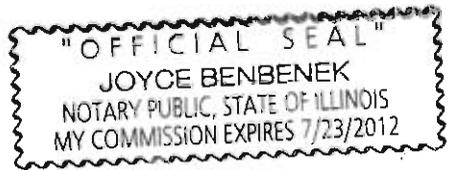
Kendall Couch

 Kendall Couch

Subscribed and Sworn to before me
this 8th day of June 2010

Joyce Benbenek

 Notary Public



Electronic Filing - Received, Clerk's Office, July 27, 2010
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: Randolph LPC#: 1570600013 Region: 6 - Collinsville
 Location/Site Name: Sparta/Link Truck Service Inc.
 Date: 05/26/2010 Time: From 1:00pm To 1:30pm Previous Inspection Date: N.A.
 Inspector(s): Kendall Couch-Andy Jankowski Weather: Cloudy, wet and 70 degrees F.
 No. of Photos Taken: # 7 Est. Amt. of Waste: 15 yds³ Samples Taken: Yes # No
 Interviewed: Rob Link Complaint #: C-2010-117
 Latitude: 38.14450 Longitude: -89.71809 Collection Point Description: Dump Location -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Other - Google Earth

Responsible Party Mailing Address(es) and Phone Number(s):	Link Truck Service Inc. Attn. Rob Link 718 Industrial Drive Sparta, IL. 62286 Ph. 618/443-4848	
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	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 type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input 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 checked="" type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>

LPC # 1570600013

Inspection Date: 05/26/2010

	(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 type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input checked="" type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	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"/>
15.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.	<input type="checkbox"/>
OTHER REQUIREMENTS			
16.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: _____ ORDER ENTERED ON: _____	<input type="checkbox"/>
17.	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 and subsection (k) of Section 55 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#-1570600013-Randolph County
Sparta/Link Truck Service
Inspector: Kendall Couch
Date: June 4, 2010

Narrative

General Remarks

On May 26, 2010, Andy Jankowski (BOA) and I went to Sparta, Illinois to investigate a complaint of open burning at the Link Truck Service Inc. site. The weather was cloudy, wet, and the temperature was 70° degrees. The operator-owner, Rob link, was present at time of this inspection. This site operates a truck service and hauling operation.

Inspection

When we arrived we went to the western edge of this site. There we observed an SUV leaving the open burning site. We stopped to explain our presence at the site. Within the SUV was Rob Link. We explained the complaint and Mr. Link stated that he would be in his office if we had any questioned after our site inspection.

We then went to a large concrete blocked burn pile. Within this concrete blocked area was approximately 15 cubic yards of ignited waste. The partially burned waste consisted of wooden pallets, landscape timbers, tire wire, unknown fiber type material, fiberglass truck frontend, aerosol cans, landscape waste, 30-gallon plastic drum, plywood, and other unknown waste material. The concrete bunker contained a large amount of ash and unknown light brown powdery material. I took six pictures to depict the burn pile and then we went to the Link Truck Service office.

Mr. Link explained that some of his workers had collected some wooded blocks and other materials around his truck yard during a clean-up event and then ignited this material within the concrete blocked bunker the day before. We explained the IEPA Regulations prohibiting the open burning of waste and requested that Mr. Link extinguish the fire. Mr. Link then asked one of his employees to immediately extinguish the fire via on-site water truck.

We then went to the Randolph County Transfer Station and spoke Bruce Cobin, Transfer Station Manager. We explained the fact that a load of partially burnt material may be arriving at his facility within the next few days and to be aware of the "hot-load" potential.

We then returned to the Link Truck Service location and observed one of Mr. Link's employees placing water on the fire. Picture #7 depicts this activity. We then spoke again with Mr. Link and explained that fact that he would need to properly dispose of the partially burnt waste and retain the disposal receipts for review by Agency personnel. Mr. Link assured us that he would conduct the clean-up per IEPA Regulations and retain the aforementioned receipts. We then left this facility.

LPC#-1570600013-Randolph County
Sparta/Link Truck Service
FOS File

At the conclusion of this inspection, I noted several violations pursuant to the Illinois Environmental Protection Act:

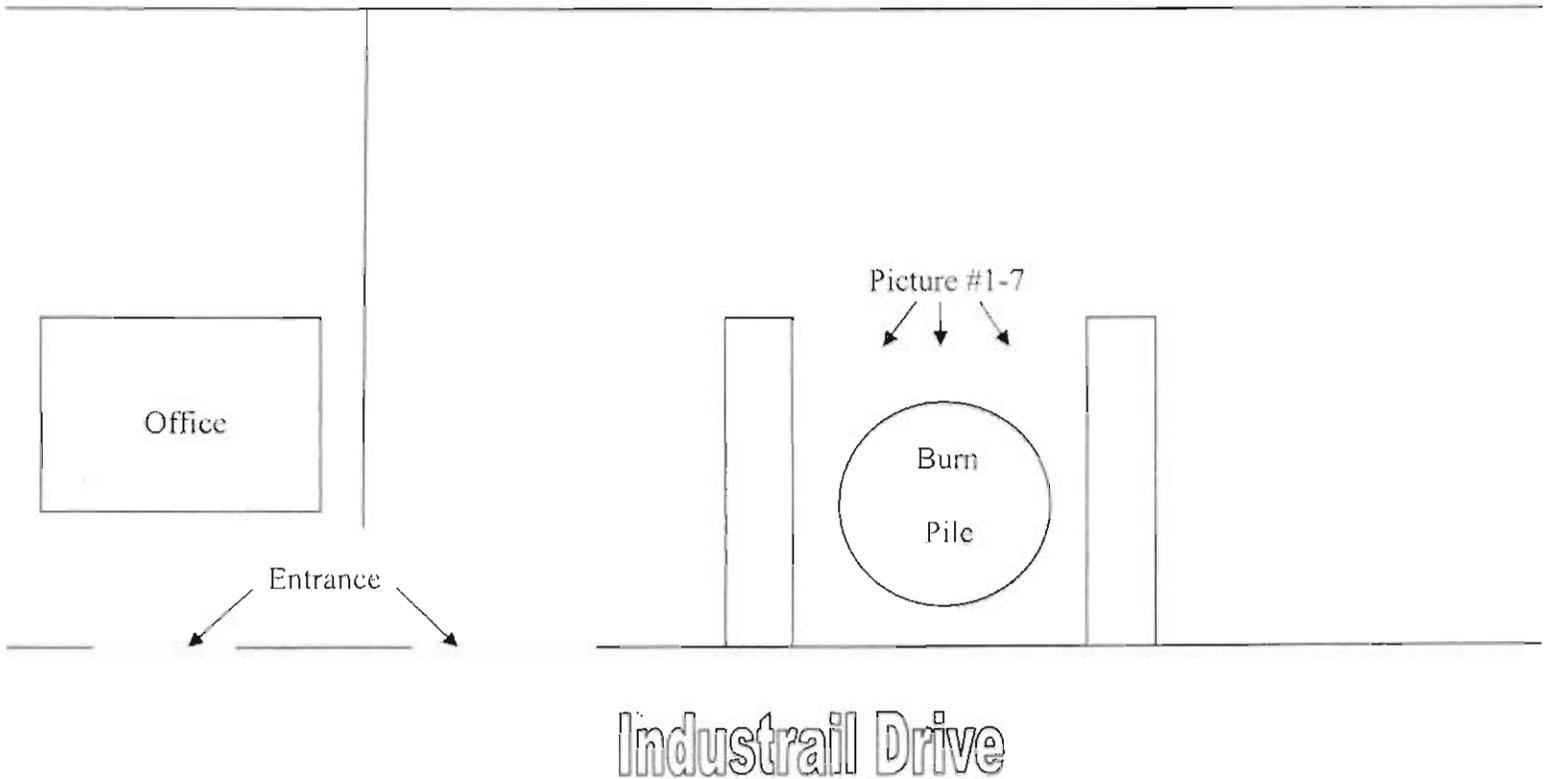
Violations of Sections 21(a), 21(e), 21(p)(1), 21(p)(3), 55(a)(1) and 55(a)(2) of the Illinois Environmental Protection Act will be alleged.

cc: DLPC/FOS- Collinsville Regional

State of Illinois
Environmental Protection Agency
Facility Diagram

Date of Inspection: May 26, 2010 Inspector: Kendall Couch
Site Code: 1570600020 County: Randolph
Site Name: Link truck Service Time: 1:00pm-1:30pm

North ↓
Pictures →

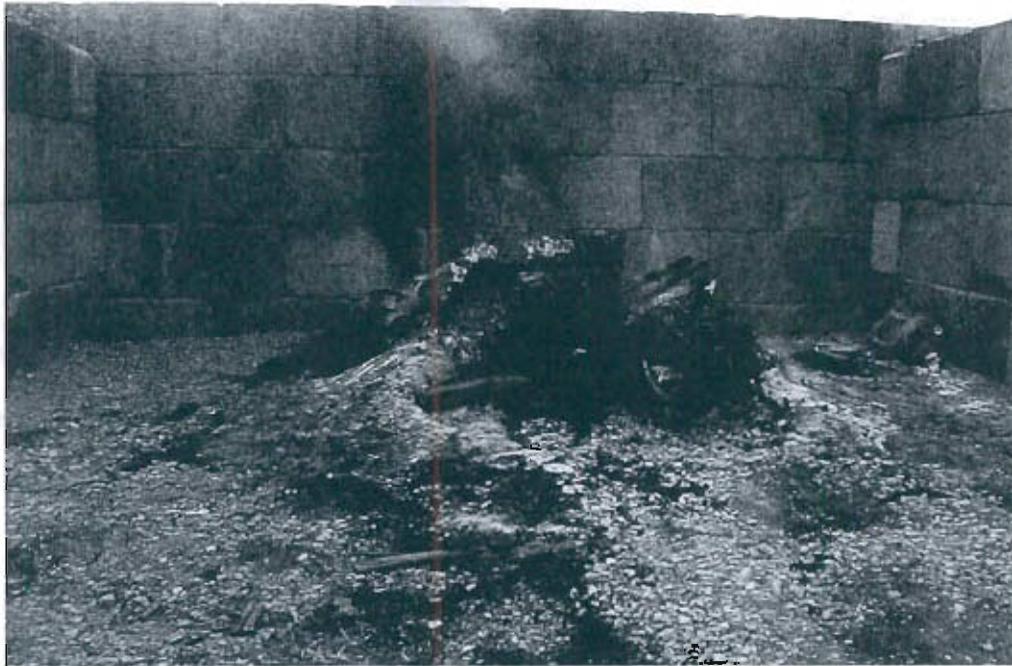




Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1570600013-Randolph County
Sparta/Link Truck Service Inc.
FOS File

DIGITAL PHOTOGRAPHS File Names: 1570600013~05262010-[Exp. #1-2].jpg



Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: North
Photo by: K. Couch
Exposure #: 001
Comments: Burn pile
with evergreen
limbs and treated
landscape posts.



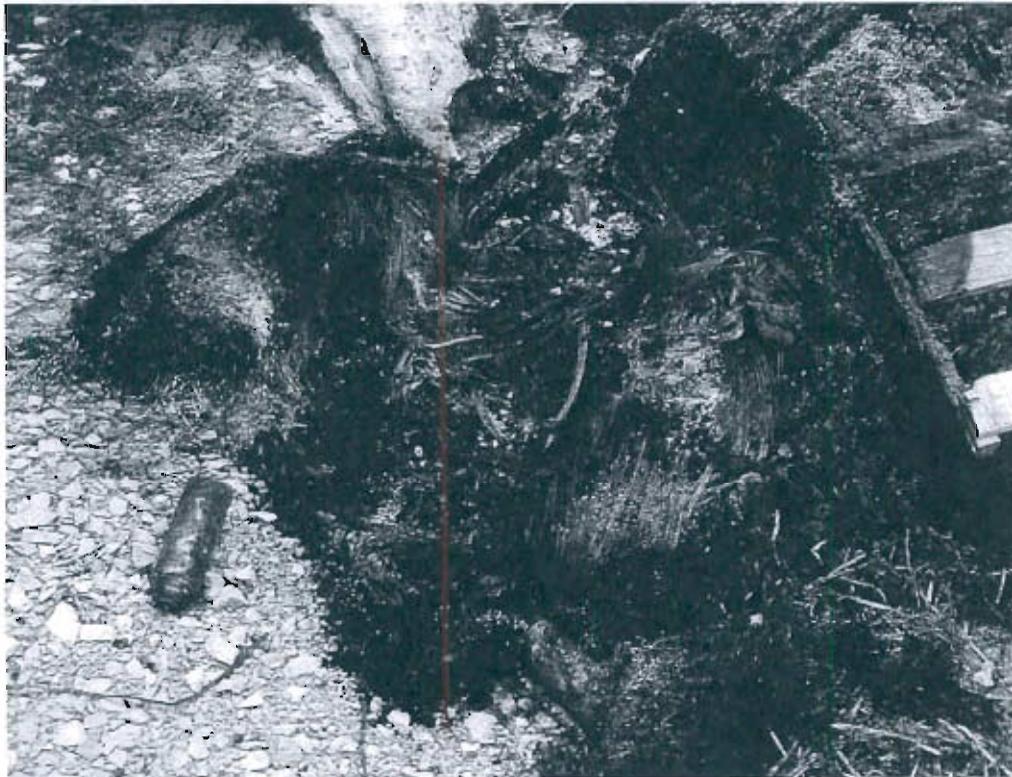
Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: North
Photo by: K. Couch
Exposure #: 002
Comments: Melted
blue plastic drum.



DIGITAL PHOTOGRAPHS File Names: 1570600013~05262010-[Exp. #3-4].jpg



Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: Northeast
Photo by: K. Couch
Exposure #: 003
Comments: Burn
pile.



Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: Down
Photo by: K. Couch
Exposure #: 004
Comments: Burnt
fibrous material
and aerosol can.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1570600013-Randolph County
Sparta/Link Truck Service Inc.
FOS File

DIGITAL PHOTOGRAPHS File Names: 1570600013~05262010-[Exp. #5-6].jpg



Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: Northeast
Photo by: K. Couch
Exposure #: 005
Comments: Burnt fiberglass truck hood.



Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: Northwest
Photo by: K. Couch
Exposure #: 006
Comments: Burnt fiberglass truck hood.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

1570600013-Randolph County
Sparta/Link Truck Service Inc.
FOS File

DIGITAL PHOTOGRAPHS File Names: 1570600013~05262010-[Exp. #7].jpg



Date: 05/26/2010
Time: 1:00pm-1:30pm
Direction: Northeast
Photo by: K. Couch
Exposure #: 007
Comments: Water
truck
extinguishing fire.

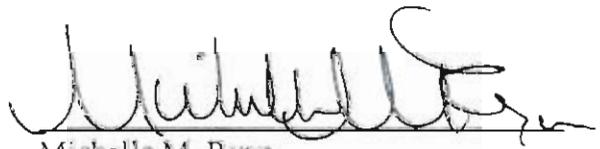
PROOF OF SERVICE

I hereby certify that I did on the 13th day of July 2010, 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: Link Truck Service Inc. *Certified # 7008 1830 0001 4720 8223*
Attn: Robert Link
718 Industrial Drive
Sparta, IL 62286

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

7008 1630 0001 4720 8230

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City, State, ZIP+4: *100 W. Randolph St. Suite 1500
Chicago IL 60601*

PS Form 3800, August 2006 See Reverse for Instructions