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STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

5	COUNTY OF VERMILION, ILLINOIS,)	Case No.: AC:
6	Complainant,)	County File No.: 10-01
7	vs.)	
8	CHARLES LONG,)	
9	Respondent)	

AC10-13
ORIGINAL

JURISDICTION

The Administrative Citation is issued pursuant to the statutory authority vested in the Illinois Environmental Protection Agency by section 4(e) and 31.1 of the Illinois Environmental Protection Act ("act") 415 ILCS 5/4(e), 5/31.1, and delegated to Vermilion County Pursuant to section 4(r) of the Act, 415 ILCS 5/4(r).

FACTS

1. That Respondent, Charles Long, is, and was at all times relevant to this Administrative Citation, the owner of property located at the area of 133 West Williams Street, Danville, more particularly Latitude 40.1340, Longitude - 87.6515.
2. That said property is operated as a mobile home park and vacant land which is not permitted as a sanitary landfill or dump area.
3. That on 11-10-2009 Douglas Toole of the Vermilion County Health Department inspected the above-described property. Douglas Toole's Affidavit and a copy of his inspection report are attached hereto and incorporated herein by reference.

VIOLATIONS

1. On the basis of direct observations personally made by Douglas Toole, the County of Vermilion has determined that on 11-10-2009 :
 - A. The Respondent was allowing the open dumping of waste which resulted in litter in violation of Section 21(p)(1).
 - B. The Respondent caused or allowed the open dumping of waste which resulted in open burning in violation of Section 21(p)(3).

1 C. The Respondent caused or allowed the open dumping of any waste which results
2 in the deposition of general construction or demolition debris and clean
3 construction and demolition debris in violation of Section 21(p)(7).

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5 **CIVIL PENALTY**

6 Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4), Respondent herein is
7 subject to a civil penalty of \$1,500.00 for each violation of each provision under
8 subsection p of Section 21, plus any hearing costs incurred by the Board should the
9 Respondent elect to petition the Illinois Pollution Control Board under the review
10 process described hereinbelow.

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12 **PROCEDURE FOR CONTESTING THIS ADMINISTRATIVE CITATION**

13 You have the right to contest this Administrative Citation under Section 31.1(d) of
14 the Act, 415 ILCS 5/31.1(d). If you elect to contest this Administrative Citation, you
15 must file a petition for Review with the Clerk of the Illinois Pollution Control, at
16 the State of Illinois Center, 100 West Randolph Street, Suite 11-500, Chicago,
17 Illinois 60601. Such Petition for Review must be filed with thirty-five (35) days of
18 the date of service of this Administrative Citation, or a default judgment will be
19 issued by the Illinois Pollution Control Board. A copy of the Petition for Review
20 should be filed with the Vermilion County State's Attorney's Office, Courthouse, 2nd
21 Floor, 7 N Vermilion Street, Danville, Illinois, 61832.

22 If you acknowledge the violation herein, the civil penalty specified above shall be
23 due and payable no later than 2-8-2010. If you do not petition the Illinois Pollution
24 Control Board for review of the Administrative Citation within thirty-five (35) days
25 of the service hereof and have not paid the civil penalty by the due date stated
26 above, or if you elect to contest this Administrative Citation, any judgment rendered
27 shall specify the due date of the statutory civil penalty and any costs assessed
28 against you.

29 When payment is made, your check should be made payable to the County of Vermilion,
30 Illinois and mailed to the Vermilion County Health Department, 200 South College
31 Street, Danville, Illinois, 61832, together with a completed copy of the remittance
32 form attached hereto.

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If any civil penalty, by reason of acknowledgment, default or finding after hearing, is not paid when due, the Vermilion County State's Attorney may initiate proceedings in the Circuit Court to collect said civil penalty. In addition to the previously assessed civil penalty and any hearing costs of the Illinois Pollution Control Board, the State's Attorney's Office will seek to recover its costs of litigation

Dated this January 4, 2010

Randall J. Brinegar

Randall J. Brinegar,
State's Attorney for
Vermilion County, Illinois

By: *William T. Donahue*
William T. Donahue
Assistant State's Attorney

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STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

IN THE MATTER OF
Charles Long

)
)
)
)

AC No. 10-13
County File No. 10-01

Respondent.

Facility/Property:

Charles Long Latitude - 40.1340
Longitude - 87.6515

ORIGINAL

County:

Vermilion

Date of Inspection:

November 10, 2009

Site Code No.:

1830200073

CIVIL PENALTY:

\$4,500.00

DATE REMITTED:

SSN/FEIN NO.:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security Number (SSN) if an individual, or Federal Employer Identification Number (FEIN) if a business, and sign this Remittance Form. Your check should be made out to the County of Vermilion, Illinois. Be sure your check is enclosed with this Remittance Form and mail to: Vermilion County Health Department, 200 S. College St., Danville, IL 61832