

JACK W. AHOLA
STATE'S ATTORNEY
MACON COUNTY, ILLINOIS

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MICHAEL B. BAGGETT
ASSISTANT STATE'S ATTORNEY

October 20, 2011

Mr. John Therriault, Asst. Clerk of the Board Illinois Pollution Control Board 100 West Randolph Street James R. Thompson Center, Suite 11-500 Chicago, Illinois 60601-3218

Re: County of Macon v. Essie Neal

MCEMD File No. 2011-001-AC: LPC1158045029 - Macon County

Dear Mr. Therriault:

Attached for electronic filing with the Illinois Pollution Control Board, please find the Administrative Citation Package, including 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.

On this date, a copy of the Administrative Citation Package was sent to the Respondent 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,

Michael B Baggett

MBB/lr

Enclosures

Cc: Laurie Rasmus, Macon County Environmental Management Dept.

Jeff Turner, IEPA Champaign Regional Office

Ellen Robinson, IEPA

FOS File

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD ADMINISTRATIVE CITATION

MACON COUNTY ENVIRONMENTAL MGT. DEPT.,))
Complainant,) AC) (MCEMD No. 2011-001: 1158045029)
v.)
Essie Neal,)
Respondent.)

NOTICE OF FILING

To: Essie Neal

1464 E. Leafland Ave. Decatur, IL 62521

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.

DATE:

1116

Respectfully submitted,

Michael B. Baggett Assistant State's Attorney

MACON COUNTY STATE'S ATTORNEY'S OFFICE Macon County Courthouse 253 E. Wood St., 4th Floor Decatur, IL 62523 P: 217-424-1400

F: 217-424-1400

COUNTY OF MACON

AFFIDAVIT

MACON COUNTY ENVIRONMENTAL MANAGEMENT DEPT.,))
Complainant,) AC) (MCEMD 2011-001: 1158045029)
V.) (MCLIMD 2011-001: 1138043029)
ESSIE NEAL,)
Respondent.)

Affiant, Laurie Rasmus, being first duly sworn, voluntarily deposes and states as follows:

- 1. Affiant is a field inspector employed by the Macon County Environmental Management Department and has been so employed at all times pertinent hereto.
- 2. On September 26, 2011 between 2:30 p.m. and 3:05 p.m., Affiant conducted an inspection of a property owned by OWNER located in Macon County, Illinois and known as Harristown Twp/Neal by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1158045029.
- 3. Affiant inspected said Essie Neal property 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 Checklist form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the facility.

Subscribed and Sworn to before me

this 26 of 012. 2011

Notary Public

OFFICIAL SEAL LORRI A WATKINS NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:12/15/13

NOTICE OF FILING

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

MACON COUNTY ENVIRONMENTAL MGT. DEPT.,))
Complainant,) AC) (MCEMD 2011-001: 1158045029)
V.))
ESSIE NEAL,)
Respondent.)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Macon County Environmental Management Department, a delegated county of the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2008).

FACTS

- That Respondent, Essie Neal, is the land owner of a property located at 5840 W. Hill Road, Decatur, Macon County, Illinois.
- 2. That Respondent has owned and/or operated said property at all times pertinent hereto.
- 3. That on September 26, 2011, Laurie Rasmus of the Macon County Environmental Management Department inspected the above-referenced facility. A copy of her

inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

4. That on Oct. 20, 2011 , Laurie Kasmus sent this Notice of Filing of the Administrative Citation via United States Postal Service certified mail #7007 0220 0001 1331 2322.

VIOLATIONS

Based upon direct observations made by Laurie Rasmus during the course of her September 26, 2011 inspection of the above-referenced facility, the Macon County Environmental Management Department has determined that Respondent violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed 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 open dumping of any used or waste tire, a violation of Section 55(a)(1) of the Act, 415 ILCS 5/55(a)(1) (2008); and
- (3) That Respondent caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 5/55(k)(1) (2008).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2008), 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 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 December 20, 2011, 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(s) as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Macon County Environmental Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty of Four Thousand Five Hundred Dollars (\$4,500.00).

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 a finding of violation(s) as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's checks shall be made payable in equal amounts (50% of total penalty each) to:

- (1) Macon County Environmental Management Department and mailed to the attention of Debra Hughes-Garrett, Macon County Environmental Management Department, 141 South Main Street, Room 408, Decatur, Illinois 62523.
- (2) 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 payments, Respondent shall complete and return the enclosed Remittance Forms to ensure proper documentation of payments.

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 Macon County State's Attorney may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing

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 Macon County State's Attorney at 253 East Wood Street, Decatur, Illinois 62523. 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.

DATE:

costs, plus any interest accrued.

Michael B. Baggett

Assistant State's Attorney of Macon County

REMITTANCE FORM

MACON CO ENVIRONMEN	UNTY ITAL MANAGEMENT DEPT.,)		
	Complainant,))	AC (MCEMD No. 2011-0	001: 1158045029)
NAME,	v.)		
	Essie Neal.	ý		
FACILITY:	Harristown Twp/Neal		Land Pollution Contr	ol No.: 1158045029
COUNTY:	Macon		CIVIL PENALTY:	\$4,500.00
DATE OF INS	SPECTION: September 26, 2	2011		
DATE REMIT	TED:		_	
SS/FEIN NUN	MBER:		_	
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 Macon County Environmental Management Department, Attn.: Debra Hughes-Garrett, 141 South Main Street, Room 408, Decatur, Illinois 62523.

REMITTANCE FORM

MACON CO ENVIRONMEN	OUNTY NTAL MANAGEMENT DEPT.,)		
	Complainant,))	AC (MCEMD No. 2011-0	001: 1158045029)
NAME,)))		
	Essie Neal.)		
FACILITY:	Harristown Twp/Neal		Land Pollution Contr	ol No.: 1158045029
COUNTY:	Macon		CIVIL PENALTY:	\$4,500.00
DATE OF INS	SPECTION: September 26, 2	011		
DATE REMIT	TED:		_	
SS/FEIN NUI	MBER:		_	
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, IL 62794-9276.

Electronic Filing - Received, Clerk's Office, 10/20/2011 * * * * * AC 2012-009 * * * * * * ILLINOIS ENVIRONMENTAL PROTECTION AGENCY Open Dump Inspection Checklist

County:	Macon		LPC#:	115804	5029		Region: 4	- Champaign
Location/Sit	e Name:	Harristown T	wp/ Neal					
Date:	09/26/2011	Time: From	2:30 pm	า To	3:05 pm	Р	revious Inspection Date:	06/16/2011
Inspector(s)	: Laurie F	Rasmus			Weather:	_ N	Mostly cloudy, 63F, 15 mp	h SW winds
No. of Photo	os Taken: #	18 Est. /	Amt. of Wa	aste: 22	yds ³	Sa	amples Taken: Yes#	No 🗵
Interviewed:	:				Compl	ain	t#: 20110131	
Latitude: 3	39.82399	Longitude:	-89.05418	Colle	ection Point	De	escription: - Site entrand	ce
(Example: La	at.: 41.26493	Long.: -89	.38294)	Colle	ection Metho	od:	- Garmin GPS 60CS -	+/-20'
Responsible Mailing Addi and Phone I	ress(és)	Essie Neal 1464 E. Lea Decatur, IL (217/428-35	62521	9.			Site: 5840 W. Hill Rd. Decatur, IL 62522	

SECTION	DESCRIPTION	VIOL				
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS						
9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS					
9(c)	CAUSE OR ALLOW OPEN BURNING					
12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS					
12(d)	CREATE A WATER POLLUTION HAZARD					
21(a)	CAUSE OR ALLOW OPEN DUMPING	\boxtimes				
21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE-DISPOSAL OPERATION:					
(1)	Without a Permit	\boxtimes				
(2)	In Violation of Any Regulations or Standards Adopted by the Board					
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	\boxtimes				
21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH R IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	ESULTS				
(1)	Litter					
(2)	Scavenging					
(3)	Open Burning					
(4)	Deposition of Waste in Standing or Flowing Waters					
(5)	Proliferation of Disease Vectors					
(6)	Standing or Flowing Liquid Discharge from the Dump Site					
	9(a) 9(c) 12(a) 12(d) 21(a) 21(d) (1) (2) 21(e) 21(p) (1) (2) (3) (4) (5)	ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS 9(a) CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS 9(c) CAUSE OR ALLOW OPEN BURNING 12(a) CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS 12(d) CREATE A WATER POLLUTION HAZARD 21(a) CAUSE OR ALLOW OPEN DUMPING CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE-DISPOSAL OPERATION: (1) Without a Permit (2) In Violation of Any Regulations or Standards Adopted by the Board DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS 21(p) CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH R IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE: (1) Litter (2) Scavenging (3) Open Burning (4) Deposition of Waste in Standing or Flowing Waters (5) Proliferation of Disease Vectors				

LPC# 1158045029

Inspection Date: 09/26/2011

	(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)	
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	
		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	
12.	722.111	HAZARDOUS WASTE DETERMINATION	
13.	808.121	SPECIAL WASTE DETERMINATION	
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	
15.	815.201	FAILURE TO FILE AN INITIAL FACLITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.	
re.ii		OTHER REQUIREMENTS	
16.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	
17.	OTHER:		

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 #1158045029 - Macon County Location/Name: Harristown Twp/ Neal

FOS File

Inspector(s): Laurie Rasmus

Inspection Date: September 26, 2011

GPS Location: 39.82399, -89.05418 +/-20'

Inspection Report Narrative

The above-referenced site was inspected on September 26, 2011 between the hours of 2:30 p.m. and 3:05 p.m. The inspection was conducted by Laurie Rasmus, representing the Macon County Environmental Management Department (MCEMD). Weather conditions at the time of the inspection were mostly cloudy skies, southwest winds of approximately fifteen miles per hour and near 63 degrees Fahrenheit. Eighteen photographs were taken. No samples were collected. No persons were observed on site.

General Information/Site History

This rural, residential property of approximately three acres is located at 5840 W. Hill Road in the Harristown Township and designated as Macon County parcel 06-11-23-251-006. An initial inspection on February 17, 2011 was conducted after receiving a complaint regarding open dumping. A Periodic Site Observation (PSO) was conducted on March 02, 2011 and noted that some waste material had been removed from the property and other waste materials had been moved to other areas of the same property. An Administrative Citation Warning Notice (ACWN) was issued to Essie Neal on March 07, 2011. Inspections on May 02, 2011 and June 16, 2011 each resulted in the issuance of a continuing violations letter. This inspection of September 26, 2011 was conducted to determine compliance with the Act and Regulations.

Property Ownership

The Macon County Recorder's Office and Supervisor of Assessments Office list Albert Neal, Jr. and Essie Neal as the owners. Telephone conversations with Essie Neal on February 10, 2011 and Phyllis Neal on February 14, 2011 communicated that Albert Neal, Jr. is deceased. The property is cited in the Circuit Court of the Sixth Judicial Circuit in the County of Macon records for Case No. 11 CH 15. Citimortgage, Inc. is the plaintiff in the case while the defendants are the unknown heirs of Albert Neal, Jr., Essie B. Neal, Cross Country Bank, unknown tenants, unknown owner and non-record claimants.

Pre-Inspection Communication

On August 24, 2011 at 8:45 a.m. a man who identified himself as Reggie Anderson and a friend of the Neal family visited the MCEMD. Mr. Anderson said that due to the efforts by Citicorp to foreclose on the property that the Neals were locked out of the house and padlocks were on the doors. Mr. Anderson that he feared that it would

be considered trespassing if he went on the property. He inquired about the foreclosure activities. I showed Mr. Anderson to the Recorder's Office and explained how to retrieve records from the Circuit Clerk's website.

Inspection Findings

After parking my vehicle at the entrance of the driveway on the property, I proceeded to walk and photograph the property, beginning at the south end of the property and following the lane to the north and then returning to the south end.

From the south side of the house I observed that the grass and vegetation on the property appeared as though it had not been mowed or maintained this season. The front door of the house was open and the storm door was an open frame (photo 1).

I then walked north along the lane on the east side of the house. A strong odor of animal droppings was apparent in the vicinity of the northeast corner of the house. As during previous inspections, a number of waste materials were visible north of the house in the dense vegetation including an upholstered chair and a damaged box spring (photo 02). In addition no less than seven rimmed waste tires and four waste tires without rims were on the ground within the dense vegetation north of the house (photos 03-05). No less than two of the waste tires without rims contained an accumulation of water (photo 04).

Farther to the north in the area of dense vegetation, a wooden hay wagon, stacked dimensional lumber and a wooden structure that appeared to be a workbench were present (photo 06). The garage to the north was open (photo 07).

I continued north and went around the east side of the garage. It appeared as though the area north of the garage previously had a length of six foot wooden fence, as a number of posts were in an east-west line. Within this area, I once again observed the same waste items as during previous inspections. No less than three waste tires without rims were adjacent to the south side of the line of posts and covered with the dense vegetation (photo 08). North of the line of posts other waste items were present including carpet, a plastic trash container and a section of a plastic orb (photo 09).

Along the lane northeast of the garage, waste was again present along a section of the lane and in a pile west of the lane. The waste primarily consisted of a masonry type of product (photo 10).

Farther north and west of the lane, I observed an accumulation of waste that was primarily composed of waste tires (photos 11-13). No less than three rimmed waste tires and three waste tires without rims including one tractor tire were observed. Water accumulations were present in no less than one of the waste tires without a rim and on one of the rims of a rimmed waste tire.

Beyond this point to the north, the accumulation of mixed waste materials that were observed during previous inspections was again present (photos 14-17). The pile appeared to be 30 feet north-south by twenty feet east-west and no more than five feet high at its highest point. Waste items observed in the accumulation included: no less than seven waste tires of which no less than three were without rims and no less than one contained an accumulation of water, wood-product furniture pieces, textile materials, cardboard, particle board panel fragments, plastic containers, carpet and no

less than two black garbage bags. The accumulation of waste was located southwest of the building frame on the north section of the site (photo 18).

I then walked back to the south and returned to my vehicle by way of the lane, once again observing the strong odor of animal droppings as I neared the vicinity of the house. I then concluded the inspection and drove from the property.

Summary of Apparent Violations

The following violations were once again observed during the inspection.

Environmental Protection Act ILCS 5/1 et seq. (formerly III Rev. Stat. Ch. 111 ½, 1001 et seq.) {hereinafter referred to as the "Act"}

Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

 A violation of Section 21(a) is alleged because evidence of open dumping of waste was observed during the inspection.

Pursuant to Section 21(d)(1) of the Act, in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted there under.

 A violation of Section 21(d)(1) is alleged because waste was disposed of and/or stored without a permit granted by the Agency.

Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

 A violation of Section 21(d)(2) is alleged because waste was disposed of and/or stored in a way that violates regulations and standards adopted by the Board.

Pursuant to Section 21(e) of the Act, no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards there under.

 A violation of Section 21(e) is alleged because waste was disposed of and/or stored in a manner that does not meet the requirements of the Act. Pursuant to Section 21(p)(1) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...litter.

 A violation of Section 21(p)(1) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in litter deposition on site was observed during the inspection.

Pursuant to Section 21(p)(7) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...clean construction and/or demolition debris as defined in Section 3.160(b) of this Act.

 A violation of Section 21(p)(7) is alleged because the open dumping of waste was caused or allowed to occur and resulted in the deposition of clean construction and/or demolition debris on site.

Pursuant to Section 55(a), (1) of the Act, no person shall cause or allow open dumping of any used or waste tire.

• A violation of Section 55(a), (1) is alleged because waste tires were open-dumped on the site.

Pursuant to Section 55(k), (1) of the Act, no person shall cause or allow water to accumulate in used or waste tires.

 A violation of Section 55(k), (1) is alleged because water was allowed to accumulate in used or waste tires.



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:37 p.m.

Photographer: Laurie Rasmus

Photograph: 01

Direction of subject: N

Comments:



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:39 p.m.

Photographer: Laurie Rasmus

Photograph: 02

Direction of subject: N

Comments:



Inspection Photographs

Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:42 p.m.

Photographer: Laurie Rasmus

Photograph: 03

Direction of subject: NE

Comments: Tires in background denoted by

arrow



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:43 p.m.

Photographer: Laurie Rasmus

Photograph: 04

Direction of subject: NNE

Comments: Detail of subject matter in photo 03; White wall tire is on left side of frame; Accumulation of water

in tire south of white wall tire



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:45 p.m.

Photographer: Laurie Rasmus

Photograph: 05

Direction of subject: SE

Comments: Same tires in photos 03 & 04 are in

background and denoted with arrow



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:46 p.m.

Photographer: Laurie Rasmus

Photograph: 06

Direction of subject: SW

Comments: Area south of detached

garage



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:47 p.m.

Photographer: Laurie Rasmus

Photograph: 07

Direction of subject: NW

Comments:



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:50 p.m.

Photographer: Laurie Rasmus

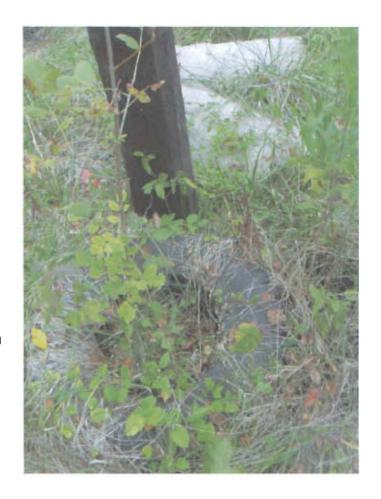
Photograph: 08

Direction of subject: N

Comments: Carpet in background,

unrimmed tire in foreground is the west tire in

group of three tires



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:51 p.m.

Photographer: Laurie Rasmus

Photograph: 09

Direction of subject: N

Comments: Wider view of area in photo 08



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:52 p.m.

Photographer: Laurie Rasmus

Photograph: 10

Direction of subject: NW

Comments:



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:54 p.m.

Photographer: Laurie Rasmus

Photograph: 11

Direction of subject: W

Comments: Tractor tire denoted with

white diamonds



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:55 p.m.

Photographer: Laurie Rasmus

Photograph: 12

Direction of subject: W

Comments: Detail of same subject as photo 11 of the tires in opening of tractor tire; water accumulation inside

of unrimmed tire and on rim of

rimmed tire



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 2:56 p.m.

Photographer: Laurie Rasmus

Photograph: 13

Direction of subject: W

Comments: Same viewpoint as photo 12, utilized flash on camera



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 3:00 p.m.

Photographer: Laurie Rasmus

Photograph: 14

Direction of subject: NW

Comments:



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 3:00 p.m.

Photographer: Laurie Rasmus

Photograph: 15

Direction of subject: NW

Comments: South end of waste

accumulation in photo 14



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 3:00 p.m.

Photographer: Laurie Rasmus

Photograph: 16

Direction of subject: NW

Comments: Detail of tire in foreground of photo 15; water

accumulation in tire



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 3:01 p.m.

Photographer: Laurie Rasmus

Photograph: 17

Direction of subject: W

Comments: Alternate view of waste

accumulation in photo 14



Site#: 1158045029

County: Macon

Site Name: Harristown Twp/Neal

Date: Sept. 26, 2011

Time: 3:01 p.m.

Photographer: Laurie Rasmus

Photograph: 18

Direction of subject: NNE

Comments:

