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November 30, 2012

Marie E. Tipsord
Hearing Officer
Illinois Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, IL 60601

Hand Delivered

Re: In The Matter of Proposed Amendments To Clean Construction Or Demolition Debris Fill Operations (CCDD): Proposed Amendments to 35 Ill. Adm. Code 1100, R12-9(B) (Rulemaking-Land)

To The Hearing Officer:

Please accept this letter as the public comment of Citizens Against Ruining the Environment (CARE). My Appearance as CARE's attorney in this matter is on file with the Board, as are two sets of post-hearing comments I submitted on CARE's behalf. Also for CARE, I submitted comments to the Joint Committee on Administrative Rules as part of its review of the Board's Order. A true and accurate copy of CARE's comments to JCAR is attached and labeled as CARE Public Comment Exhibit One.

CARE's members live in Will County, the location of the greatest number of CCDD sites in Illinois. Like most Will County residents, CARE's members rely on groundwater as the source of their public and private water supplies. As to the matter which is now open for public comment, CARE continues to urge the Board to mandate groundwater monitoring at CCDD sites to ensure that aggregated fill material does not affect vital groundwater resources now or in the future, and, to ensure that if a release occurs, it can be identified and addressed efficiently before affecting private or public wells.

CARE has consistently asserted that proactive groundwater monitoring is appropriate. CARE makes this assertion for three basic reasons. First, for "perfect compliance" sites that only accept loads of fill material that are always appropriately screened, there nonetheless could be an aggregation of material that cumulatively affects groundwater quality over time. This is

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especially true because fill sites are not required to have liners, and can be located where there is a direct hydrogeologic connection between the disposed material and groundwater.

Second, it is the unconditional mandate of the Illinois Legislature that groundwater must be protected in order for the Board to act consistently with its mandate in this matter. Section 22.51(f)(1) of the Act, as amended by Public Act 096-1416, unconditionally dictates that “The rules must include standards and procedures necessary to protect groundwater...”. It is also the unambiguous legislative mandate in the Illinois Groundwater Protection Act, 415 ILCS 55/2 (“...it is the policy of the State of Illinois to restore, protect, and enhance the groundwaters of the State, as a natural and public resource”). Notably, consistent with the IL EPA’s position, the Illinois Groundwater Protection Act mandates a preventative approach. 415 ILCS 55/2(b).

CARE’s has a third reason for asserting that proactive groundwater monitoring should be required. There is ample evidence in Illinois that “perfect compliance” will not be achieved by CCDD generators and the sites that accept this material for disposal. To demonstrate why it is unreasonable to assume compliance, CARE conducted a ten-year survey of completed Illinois enforcement cases against CCDD generators and disposal sites. CARE identified more than 150 administrative and judicial enforcement cases in which Illinois asserted that CCDD generators and/or disposal sites operated in violation of mandated legal standards. It is not possible for CARE or any other person to assess compliance with legal requirements that have not been implemented. It is possible for CARE and this Board to review compliance in this industry with the requirements that have existed over the past ten years. This compliance survey unmistakably evidences that the assumption that, in the future, only “properly run” facilities will operate is naïve. The inventory of these enforcement cases is attached to these comments and labeled as CARE Public Comment Exhibit Two.

Notably, this inventory was not developed by CARE in order to influence this rulemaking, but rather is part of Illinois EPA’s ongoing, neutral catalogue of all existing Enforcement Orders resolving administrative and judicial environmental Complaints. This on-line inventory is freely available at <http://www.epa.state.il.us/cgi-bin/en/orders/orders.pl>. The Enforcement Order inventory provided by CARE is accessible by choosing “solid waste” as the program and “construction” as the case summary text.

Care Public Comment Exhibit Three consists of the case summaries developed by Illinois EPA of each Enforcement Order on the inventory. Again, these case summaries were not developed by CARE to influence the Board in this rulemaking; rather, they are independently developed by Illinois EPA to summarize Enforcement Orders in administrative and judicial enforcement actions. These case summaries and the Orders to which they refer chronicle more than 150 examples of improperly run CCDD facilities subject to enforcement under the laws that existed during this ten year period. CARE questions why the Board believes that establishing new regulations will magically transform the actors in this industry into perfectly compliant operators, in every case managing “properly run” facilities. If this perfect compliance is not magically achieved, the most direct and devastating potential impact on innocent parties will be on the groundwater resources they use via public or private wells in proximity to a disposal site.

Administrative agencies may take notice of matters of which circuit courts may take judicial notice. 5 ILCS 100/10-40(c). Therefore, an administrative tribunal may take judicial notice of matters of record in another administrative order, determination or judgment. All Purpose

Nursing Service v. Illinois Human Rights Commission, 205 Ill.App.3d 816, 823-4, 150 Ill.Dec. 717, 563 N.E.2d 844 (1990). Notice may also be taken of generally recognized technical or scientific facts within the agency's specialized knowledge, and its experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence. 5 ILCS 100/10-40(c).

Of the cases contained on the inventory, CARE requests the Board to take particular note of three cases, all of which were decided by the Board itself either immediately prior to or during the pendency of the present rulemaking.

1. People v. Western Sand & Gravel Co., LLC, No. PCB 10-022 (Ill. Pollution Control Bd. March 18, 2010).

On September 30, 2009, the State of Illinois (State) filed a three-count complaint against Western Sand & Gravel Co., LLC (Western) alleging violations of §§ 21 (d)(2), 22(e) and 22.51(a) of the Illinois Environmental Protection Act (Act), 415 ILCS 5/1 *et seq.* (2008), and §§ 1100.201(a), 1100.205(a)(1), (b)(1), (c), (g), and (h), 1100.207(a)-(b), and 1100.210 of the Illinois Administrative Code. 35 Ill. Adm. Code 101 *et seq.* Opinion & Order of the Bd. at 1, *People v. Western Sand & Gravel Co., LLC*, No. PCB 10-022 (Ill. Pollution Control Bd. Mar. 18, 2010). On January 19, 2010, the parties filed a stipulation and proposed settlement. *Id.* at 2. On March 18, 2010, the Illinois Pollution Control Board (Board) determined that a hearing was not required, accepted the parties' proposed settlement, and ordered Western to pay a civil penalty of \$3,120. *Id.*

According to the settlement agreement, Western operated a clean construction and demolition debris (CCDD) facility in LaSalle County, Illinois (Site). Stipulation & Proposal for Settlement at 2, *Western Sand*, No. PCB 10-022. On September 26, 2007 the Illinois EPA inspected the Site and noted a fill area containing broken concrete, rocks and soil. *Id.* The inspection also revealed that Western failed to visually inspect each load; failed to conduct random discharge inspections; and failed to use a photo ionization detection (PID) instrument in conducting inspections. *Id.* In addition, Western failed to properly train its employees in screening procedures; failed to keep written policies and procedures; and failed to maintain an operating record at the Site. *Id.* Finally, Western failed to restrict unauthorized access to the Site, and failed to post a sign stating that the Site only accepted CCDD. *Id.* at 3.

The settlement proposal noted that when Western was notified of its noncompliance with the Act and the applicable regulations, it acted diligently to correct the situation, with most violations "addressed by the Respondent's February 7, 2008 compliance commitment agreement and subsequent actions." *Id.* at 7. However, it also noted that "[h]uman health and the environment were threatened and the Illinois EPA's information gathering responsibilities [were] hindered by the Respondent's violations." *Id.* at 6. The State retains a right of entry to the Site "at all reasonable times" to conduct inspections and evaluate Western's continuing compliance with the law. *Id.* at 9.

2. *People v. Reliable Materials Lyons, LLC*, No. PCB 12-52 (Ill. Pollution Control Bd. Oct. 6, 2011).

On September 26, 2011, the State of Illinois (State) filed a four-count complaint against Reliable Materials Lyons, LLC (Reliable), GSG Consultants, Inc. (GSG), O.C.A. Construction LLC (OCA), Speedy Gonzales Landscaping, Inc. (SGL), the Public Building Commission of Chicago (PBC), and the Board of Education of the City of Chicago (CPS), alleging multiple violations of the Illinois Environmental Protection Act (Act), 415 ILCS 5/1 *et seq.* (2010) and related provisions of the Illinois Administrative Code, 35 Ill. Adm. Code 101 *et seq.* Order of the Bd. at 1–2, *People v. Reliable Materials Lyons, LLC*, No. PCB 12-52 (Ill. Pollution Control Bd. Oct. 6, 2011).

On September 26, 2011, the State also filed a proposed stipulation and settlement agreement with SGL, and a separate proposed settlement with PBC and CPS. *Id.* at 2. On October 6, 2011, after determining that no hearings were required, the Illinois Pollution Control Board (Board) accepted both proposed settlements, ordered SGL to pay a civil penalty of \$10,000, and ordered PBC and CPS to jointly pay a civil penalty of \$17,500. *Id.*

The charges related to the construction of Westinghouse Vocational High School on CPS-owned property in Chicago, Illinois (Site). *Id.* at 1. According to the complaint, contaminated soil excavated from the Site was deposited at Reliable’s clean construction and demolition debris (CCDD) facility in Lyons, Illinois (CCDD facility). *Id.* Count I charged all of the Respondents with open dumping in violation of §21(a) of the Act; Count II charged SGL and CPS with violations of § 21 (d)(2) of the Act, and §§ 808.121(a) and (b), 808.122 and 809.301 of the Illinois Administrative Code. 35 Ill. Adm. Code 101 *et seq.*, for failing to make a valid special waste determination for the soil, and for delivering the contaminated waste without manifests; Count III charged Reliable, which accepted the waste, with conducting a waste disposal operation without a permit, in violation of § 21(d)(1) of the Act; and Count IV charged Reliable with violating § 21(d)(2) of the Act and § 809.302(a) of the Illinois Administrative Code, 35 Ill. Adm. Code 101 *et seq.*, for accepting the waste without manifests designating the CCDD facility as the destination for the waste. *Id.*

According to the SGL settlement agreement, OCA was the general contractor on the Westinghouse project, and SGL, a subcontractor to OCA, was responsible for excavating and disposing of soil from the Site. Stipulation & Proposal for Settlement with SGL at 2, *Reliable Materials*, No. PCB 12-52. In March 2006, SGL contracted with Reliable for disposal of excavated soil from the Site at Reliable’s CCDD Facility. *Id.* at 3. From at least early April to mid-July 2006, contaminated soil excavated from the Site was disposed of at the CCDD facility. *Id.* at 5. Although disposal of the contaminated soil at the CCDD facility ceased as soon as SGL and the other Respondents became aware of their non-compliance, *id.* at 6, the contaminated soil deposited at the CCDD facility had the potential “to impact the groundwater at and around the facility, [posing] a risk to the environment.” *Id.* at 5–6.

According to the PBC / CPS settlement agreement, PBC managed construction of the Westinghouse project pursuant to an agreement between PCB and CPS. Stipulation & Proposal for Settlement with PBC & CPS at 2, *Reliable Materials*, No. PCB 12-52. PBC hired GSG, an

engineering and consulting firm, to provide environmental consulting services for the project. *Id.* GSG was responsible for determining how to dispose of construction debris and soil excavated from the Site. *Id.* at 3.

PBC and CPS acted in reliance on GSG and Reliable, both of whom asserted that the Reliable CCDD facility could properly accept the excavated soil from the Site. *Id.* at 6. When they were notified of their non-compliance, PBC and CPS stopped the transfer of contaminated soil from the Site to the Reliable CCDD facility; they also developed new procedures to prevent the problem from reoccurring. *Id.* The agreement noted that “[i]mproper disposal of contaminated soil poses a risk to the environment,” *id.*, and PBC and CPS were required to “cease and desist from future violations.” *Id.* at 8.

On July 12, 2012, the Board accepted a stipulation and settlement proposal with GSG, and issued a second order in connection with the *Reliable Materials* case. Opinion & Order of the Bd. at 1, *People v. Reliable Materials Lyons, LLC*, No. PCB 12-52 (Ill. Pollution Control Bd. Jul. 12, 2012).

According to the GSG settlement agreement, after consulting with the Illinois EPA, PBC, CPS and Reliable, GSG concluded that the Reliable CCDD facility could properly receive soils from the Site as CCDD. Stipulation & Proposal for Settlement with GSG at 6, *Reliable Materials*, No. PCB 12-52. However, when the Illinois EPA inspected soil that had been excavated from the Site and deposited at the CCDD facility, it asserted that the soil was contaminated, and could not be classified as CCDD. *Id.*

In its answer to the complaint, GSG denied that the excavated soil was contaminated. *Id.* However, the settlement agreement noted that “[i]mproper disposal of contaminated soil can pose a risk to the environment,” *id.*, and the Board ordered GSG to pay a civil penalty of \$25,000. Opinion & Order of the Bd. at 2, *Reliable Materials*, No. PCB 12-52.

The Board noted that a settlement proposal with OCA had recently been filed, and that it would issue a separate order after the 21-day statutory period for requesting a hearing had expired. *Id.* at 1. The Board also noted that Reliable was not a party to either the GSG stipulation or the OCA stipulation. *Id.*

3: *People v. 87th & Greenwood, LLC.*, No. PCB 10-71 (Ill. Pollution Control Bd. Aug. 19, 2010).

On March 19, 2010, the State of Illinois (People) filed a three-count complaint against Land Reclamation Services (LRS), 87th & Greenwood, LLC (Greenwood), and Innovative Recycling Technologies, Inc. (IRT), alleging violations of §§ 21(a), (d)(1) and (e) of Illinois Environment Environmental Protection Act (Act), 415 ILCS 5/1 *et seq.* (2008) by all three respondents. Order & Opinion of the Bd., at 1.

According to the Complaint, Greenwood, which was constructing a storage facility in Cook County (excavation site), had tested the soil and determined that it was contaminated. *Id.* at 3. Greenwood hired IRT to remove and dispose of the contaminated soil. *Id.* LRS, which operated

a clean construction and demolition and debris fill business in Kane County (LRS site), reviewed the test results and agreed to accept the contaminated soil, even though the LRS site was not covered by a permit for storage or disposal of waste. *Id.* From mid-January through mid-February 2006, approximately 350 truckloads of contaminated soil from the excavation site were deposited at the LRS site. *Id.*

Because LRS did not answer the Complaint, in June 2010 the Illinois Pollution Control Board (Board) granted the State's uncontested motion to deem all facts admitted and for summary judgment on all three counts against LRS. *Id.* at 1. In its analysis, the Board found that the discarded, contaminated soil met the definition of "waste" under the Act, and it emphasized that LRS had agreed to accept the soil *after* reviewing test results showing that it was contaminated. *Id.* at 8. Moreover, LRS had never tried to obtain a waste disposal permit from the Illinois EPA; without the permit, the LRS site did not qualify as a "sanitary landfill." *Id.* at 9. Thus, by "clearly solicit[ing]" and "knowingly dispos[ing] of" the contaminated soil on the unpermitted LRS site, LRS had violated the prohibitions of §§ 21(a), (d)(1) and (e) of the Act. *Id.* at 8–9.

In fashioning an appropriate remedy, the Board noted that two of the aggravating factors set forth under § 33(c) of the Act were present. Specifically, the Board found that the violations "created a significant risk to the environment and persons situated near the LRS site," and that because the contaminated waste could easily have been taken to a permitted facility, these risks could have been avoided. *Id.* at 10. Because the aggravating factors set forth in § 42(h) of the Act were also present, the Board concluded that imposition of a \$20,000 civil penalty was justified. *Id.* at 12.

By way of conclusion, CARE asserts the Board's September 21, 2012 Order is not framing the groundwater inquiry appropriately when it asks for evidence of impacts by "properly run facilities." As evidenced by more than 150 enforcement cases over the past ten years, including cases that the Board itself adjudicated, it is not appropriate for the Board to assume facilities will be "properly run." This supports the prudent position taken by the Illinois EPA in its rulemaking proposal, and reflected in the testimony of its experts ("...since the IL EPA cannot be sure that the front-end screening process will keep 100% of contamination out of the fill operations, the groundwater monitoring requirement is necessary to detect any contamination of groundwater and provide timely corrective action and remediation." IL EPA Statement of Reasons, p. 6. As Rick Cobb stated in his March 12th testimony: "Again, the Agency's larger point is because of imperfect certification and screening procedures that are just inherent in screening procedures of any type and the strong likelihood of maybe an imperfect performance of certification in the screening procedures...[t]here is no certification process that's absolutely perfect." TR 3/12/12 a.m. at 22.).

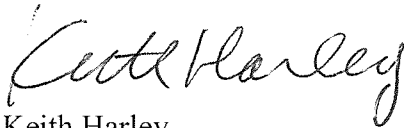
Under these circumstances, the Board should accept the Illinois EPA's prudent, preventative approach, an approach which is endorsed by the Illinois Attorney General and Will County government officials. As stated in Illinois EPA expert testimony "...a groundwater monitoring program is important at fill operations because the facilities are not required to have a protective liner to control contaminant migration and because they are consolidating a large volume of offsite materials into one area with that material often placed directly into the groundwater flow." *Id.* at 32. As Rick Cobb stated in his March 12th testimony:

“And with the acceptance of large quantities of soil over time, and nearly the complete absence of any technical control such as liners to prevent any contamination, and the location of such facilities in these extremely highly sensitive geological areas with heavy reliance on groundwater as not only a current and future source of fresh water, we really think that for the CCDD and uncontaminated soil fill operations, that we must –that the Board should consider the potential to cause groundwater contamination, and not just be thinking about contamination that’s been caused and allowed.” Id. at 22.

CARE stresses that the Illinois EPA’s concern is not mere speculation, but is justified by a well-documented history of non-compliance and enforcement, the evidence of which CARE now submits to the Board to include in its deliberative process.

Thank you for your consideration of these comments and the attached exhibits.

Respectfully Submitted,

A handwritten signature in black ink that reads "Keith Harley". The signature is written in a cursive, flowing style.

Keith Harley
Attorney for Citizens Against Ruining the Environment

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July 5, 2012

Deborah Connelly
Joint Committee on Administrative Rules
CONNELLY@ILGA.Gov

Re: Illinois Pollution Control Board Rulemaking Case R 2012-009 (Land) – Clean Construction and Demolition Debris

Dear Ms. Connelly:

Please be advised that I represent Citizens Against Ruining the Environment. Citizens Against Ruining the Environment (“CARE”) is a Will County-based environmental organization comprised of members who live, work and recreate in Will County.

CARE is very concerned that the Illinois Pollution Control Board (“Board”) concluded that groundwater monitoring should not be required at clean construction and demolition debris (“CCDD”) and uncontaminated soil fill operation (“USFO”) sites. CARE asserts this decision is contrary to the legislative mandate the Board must fulfill, against the manifest weight of evidence before the Board and contrary to the more prudent positions taken by the Illinois Environmental Protection Agency, the Illinois Attorney General and Will County. On a more basic level, CARE’s members are among the 350,000 residents of Will County who rely on groundwater as their drinking water supply. In the absence of protective groundwater monitoring, the first evidence of a release will be realized in the private or public wells on which these residents depend for their potable water.

There are eleven (nine active) CCDD and/or USFO sites in Will County, the most in the State of Illinois. PC 6 at 1. At the same time, many communities in Will County - including the Lockport and Joliet areas where CARE is most active - use groundwater as the source of their private well and public water supplies. Id. Consequently, CARE’s primary concern is the cumulative impact of aggregated contaminated material in a CCDD or Soil Fill Operation on groundwater, over time. That is, even if no individual load of CCDD or soil exceeds contaminant thresholds, thousands of loads directed to a single location could cumulatively cause endangering conditions. This is particularly true for contaminants that are persistent and toxic. This could occur while a facility is operating, or at any time after a facility concludes operations. These risks to groundwater resources are even greater if self-screening protocols are not perfectly implemented, a scenario that the Illinois Environmental Protection Agency (“IL EPA”) characterizes as “inherent” in the screening process. TR 3/12/12 a.m. at 22.

CARE's position on the necessity of groundwater monitoring is consistent with the legislative mandate which must be met in this rulemaking. Section 22.51(f)(1) of the Act, as amended by Public Act 096-1416, unconditionally mandates that "The rules must include standards and procedures necessary to protect groundwater...". In order to protect groundwater resources, the Board may include requirements regarding: 1. Testing, 2. Certification, 3. Surface water runoff, 4. Liners, 5. Other protective barriers, 6. Monitoring, 7. Groundwater monitoring, 8. Corrective action, 9. Recordkeeping, 10. Reporting, 11. Closure, 12. Post-closure care, 13. Financial assurance, 14. Post-closure land use controls, 15. Location standards, 16. Modification of existing permits, and 17. Other standards and procedures necessary to protect groundwater. Id.

As an initial matter, CARE points out that the Legislature clearly intended for the Board to use the full arsenal of regulatory requirements as necessary to protect groundwater. The protection of groundwater is the unmistakable, unconditional and paramount legislative priority, without reference to the costs to regulated entities or the additional administrative requirements for Illinois EPA. The protection of groundwater is not constrained by a time horizon; any regulatory regime must protect groundwater now and in the future. As stated by IL EPA:

"We emphasize that, because really the State's policy of preventing groundwater contamination is to prevent and protect groundwater resources from – for current and future beneficial uses. And we believe that's potential reason enough to justify groundwater monitoring in fill operations. This policy and the importance of the groundwater resource requires the uncertainties really be resolved in favor of groundwater monitoring." TR 3/12/12 a.m. at 23.

Importantly, the "State's policy of preventing groundwater contamination" that IL EPA espouses is not merely internal IL EPA guidance, it is the unambiguous legislative mandate in the Illinois Groundwater Protection Act, 415 ILCS 55/2 ("...it is the policy of the State of Illinois to restore, protect, and enhance the groundwaters of the State, as a natural and public resource). Notably, consistent with the IL EPA's position, the Illinois Groundwater Protection Act mandates a preventative approach. 415 ILCS 55/2(b).

The evidence before the IPCB in this matter clearly demonstrates the importance of a proactive, preventative approach that includes groundwater monitoring. CARE points to the following evidence in this rulemaking.

1. "A map of the current permitted CCDD fill operations shows that both public and private wells are found in close proximity to CCDD fill operations due to the fact that the same geologic material that is good to be quarried is also appropriate material in which to sink a groundwater well." IL EPA Statement of Reasons, p. 6.

2. As to Will County, the IL EPA presented uncontroverted evidence that there are 398 potential private wells, 31 public non-community wells and 12 community water supply wells within 2,500 feet of the existing CCDD and USFO sites. TR 3/12/12 a.m. at 20; see also Exhibit 27 "CCDD and USFO Sites In Relation to the Potential For Aquifer Recharge Within Will County".

3. There are 350,000 people served by groundwater supplies in Will County. TR 3/12/12 a.m. at 20.

4. As IL EPA witness Rick Cobb testified on March 12th:

“Basically the existing and potential locations of fill operations covered under the proposed Part 1100 are in some of the most geologically susceptible areas of the State of Illinois. And moreover, the importance of groundwater as a fresh water source within the Chicago metropolitan area really can hardly be overstated... Therefore, really, the sand and –shallow sand and gravel and the Siurian Dolomite aqifer systems will be the primary source of drinking water in northeastern Illinois.” TR 3/12/12 a.m. at 15, 16.

5. Moreover, “...since the IL EPA cannot be sure that the front-end screening process will keep 100% of contamination out of the fill operations, the groundwater monitoring requirement is necessary to detect any contamination of groundwater and provide timely corrective action and remediation.” IL EPA Statement of Reasons, p. 6. As Rick Cobb stated in his March 12th testimony:

“Again, the Agency’s larger point is because of imperfect certification and screening procedures that are just inherent in screening procedures of any type and the strong likelihood of maybe an imperfect performance of certification in the screening procedures... [t]here is no certification process that’s absolutely perfect.” TR 3/12/12 a.m. at 22.

This evidence is based on IL EPA’s decades-long history of enforcing regulations, including many cases that are adjudicated by the IPCB.

6. This is especially important because, as IL EPA states, “...a groundwater monitoring program is important at fill operations because the facilities are not required to have a protective liner to control contaminant migration and because they are consolidating a large volume of offsite materials into one area with that material often placed directly into the groundwater flow.” Id. at 32. As Rick Cobb stated in his March 12th testimony:

“And with the acceptance of large quantities of soil over time, and nearly the complete absence of any technical control such as liners to prevent any contamination, and the location of such facilities in these extremely highly sensitive geological areas with heavy reliance on groundwater as not only a current and future source of fresh water, we really think that for the CCDD and uncontaminated soil fill operations, that we must –that the Board should consider the potential to cause groundwater contamination, and not just be thinking about contamination that’s been caused and allowed.” Id. at 22.

7. The demands on groundwater resources in northeastern Illinois including Will County will increase. As stated by Rick Cobb in his testimony:

Northeastern Illinois could be facing a future shortage of supplies, and really the biggest driver of the water use is population. In the year 2000, there were about 8.6 million people in Illinois’ northeastern region, and that number could grow to 12 million by the

year 2050. And based on growth trends, the metropolitan area may need as much as 50% more water within the next 50 years. TR 3/12/12 a.m. at 22.

This increased demand for water cannot be satisfied by Lake Michigan Water because of Supreme Court-imposed allocation limits. *Id.* at 16. It also cannot be satisfied by deeper bedrock aquifers because they are contaminated with radionuclides and are not being replenished. *Id.* Instead, the shallow sand and gravel and the Silurian Dolomite aquifer systems will be the primary drinking water in northeastern Illinois. *Id.* The future availability of clean and adequate supplies from this source “will be vital to the Illinois population and economy.” *Id.* Yet, it is precisely this groundwater source that is at risk of contamination by virtue of undetected releases from CCDD sites. IL EPA Statement of Reasons, p. 6. This evidence is uncontroverted.

8. The costs of sampling groundwater monitoring wells, even for all parameters set forth in the Class I groundwater regulations, is estimated to be \$3,000.00. Ex. 12 at 6; see also PC7 at 1. The IL EPA is proposing annual sampling. This cost on an annual basis is not an adequate factual basis to support the IPCB’s broad conclusion that this cost will have a detrimental fiscal impact on site owners and operators. IPCB Proposed Rule First Notice, Opinion and Order at 55-56.

9. Other provisions of the proposed regulations do not substitute for groundwater monitoring. For example, financial assurance and post-closure land use controls are not alternatives to groundwater monitoring, but rather something that is used after groundwater has been contaminated. TR 3/12/12 a.m. at 31.

Coupled with its clear legislative mandate, the evidence now before the IPCB unmistakably establishes the need for groundwater monitoring at CCDD sites. The Board’s failure to include groundwater monitoring in light of this evidence would be contrary to the manifest weight of the evidence.

In its decision to excise groundwater monitoring requirements, the IPCB is acting in isolation from other units of government in Illinois which are invested with statutory authority to protect public health, safety and welfare. The IPCB is rejecting the rulemaking proposal put forward by the IL EPA and acting in a manner which is contrary to the positions of the Illinois Attorney General. Just as importantly, the IPCB is rejecting the recommendations of local government officials in Will County, which hosts the most regulated facilities, many of which are in immediate proximity to residents who rely on groundwater for their drinking water. TR 3/12/12 a.m. at 20; see also Exhibit 27 “CCDD and USFO Sites In Relation to the Potential For Aquifer Recharge Within Will County”.

In the absence of on-site groundwater monitoring, contamination will not be detected until it has migrated off-site. For the members of CARE and the millions of Illinois residents who like them rely on groundwater, this would be too late. Ironically, it will also be too late for regulated entities to detect and address releases while they are still on-site, and to limit the potentially catastrophic enforcement and tort liability they will face if they contaminate private or public water supplies. The IL EPA, the Illinois Attorney General, Will County officials and members

of the public like CARE are clearly not willing to take this risk, based on a well-grounded understanding of Illinois legal mandates and the evidence in the record of this proceeding.

Thank you for your consideration of the comments. Please contact me if you have any questions or if I can be of any assistance in this matter.

Sincerely,

A handwritten signature in black ink that reads "Keith Harley". The signature is written in a cursive style with a large initial "K".

Keith Harley
Attorney for Citizens Against Ruining the Environment



Enforcement Order Search Results

Listing Records Where: Case Summary contains "construction"; Program is "Solid Waste"

Sorted by Order Date in Descending order.

	Case Name	Order Date	County	Docket #
View	Reliable Materials Lyons, LLC, et al.	Jul 12, 2012	Cook	PCB 12-52
View	William Bryant	Jun 07, 2012	Champaign	AC 12-37
View	William C. Hagerman	Jun 07, 2012	Logan	AC 12-44
View	Town & Country Utilities, Inc., Kankakee Regional Landfill, LLC, Edward F. Heil, and Thomas A. Volini	Jun 06, 2012	Kankakee	07 CH 303
View	David N. Lutz	May 17, 2012	Shelby	AC 12-34
View	John K. Croslow	May 17, 2012	Lawrence	AC 12-42
View	Ray Newingham	Apr 05, 2012	Greene	AC 11-13
View	Johnson Truck Sales, Inc.	Mar 15, 2012	White	AC 12-25
View	Dale Gordon Spradlin and Barbara J. Spradlin	Mar 15, 2012	Pike	AC 12-23
View	Dennis Heck and Deanna Harris	Mar 15, 2012	Jefferson	AC 11-24
View	Harold Dean Foster	Feb 06, 2012	Pike	AC 12-14
View	Reliable Materials Lyons, LLC, et al.	Dec 01, 2011	Cook	PCB 12-52
View	David W. Edwards and Linda Edwards	Dec 01, 2011	Williamson	AC 12-6
View	John Pohar & Sons, Inc.	Oct 21, 2011	La Salle	11 CH 257
View	James Harris	Oct 06, 2011	Knox	AC 11-27
View	Brandon DeHart and Robert Evans	Sep 22, 2011	Pike	AC 11-32
View	Patrick and Monique D. Patterson	Sep 08, 2011	Sangamon	AC 11-31
View	William and Patricia Hajek	Sep 08, 2011	DeKalb	AC 09-35

View	Northwest Illinois Construction LLC	Sep 02, 2011	Whiteside	11 CH 137
View	Dennis Heck and Raymond A. & Deanna Harris	Aug 04, 2011	Jefferson	AC 11-24
View	Rodney Pinter	Jul 21, 2011	Bureau	AC 11-30
View	Whelan's Inc. & Thomas Whelan	Jul 21, 2011	Cook	AC 11-29
View	Kenneth Verbout	Jul 07, 2011	Bureau	AC 10-25
View	Dennis Weiler	Jul 07, 2011	Jasper	AC 11-23
View	87th & Greenwood, LLC, Innovative Recycling Technologies, Inc. and Land Reclamation Services, Inc.	Jun 16, 2011	Cook	PCB 10-71
View	John and Debra Watson	Jun 16, 2011	Union	AC 11-18
View	Jason D. & Angela R. Marrs d/b/a Marrs Hauling, Landscaping & More	May 19, 2011	Champaign	AC 09-55
View	Richard Pagel	Apr 21, 2011	Piatt	AC 11-20
View	John J. and Kathy D. Still	Mar 03, 2011	Brown	AC 10-23
View	Timothy Crouch	Mar 03, 2011	Livingston	AC 11-19
View	Busse-Yard 20, Inc., B-Lady Trust 2001 and Helene Van Hying	Mar 01, 2011	Winnebago	09 CH 824
View	J.T. Einoder, Inc., Tri-State Industries, Inc., John Einoder and Janice Einoder	Feb 08, 2011	Cook	00 CH 10635
View	Paul Aureden	Jan 20, 2011	Jo Daviess	AC 11-15
View	David Antrim	Jan 06, 2011	Effingham	AC 10-15
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Oct 14, 2010	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Oct 14, 2010	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Aug 31, 2010	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Aug 31, 2010	Cook	04 CH 8063

View	Greg Pinter, and individual, d/b/a Pinter General Contracting	Jul 20, 2010	Bureau	10 CH 45
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Jun 10, 2010	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Jun 10, 2010	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Jun 10, 2010	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	May 24, 2010	Cook	04 CH 8063
View	Carol G. Prieb and Margaret Dillavou	Apr 01, 2010	Union	AC 08-18
View	Carol G. Prieb	Apr 01, 2010	Union	AC 08-01
View	Western Sand & Gravel Company, LLC	Mar 18, 2010	La Salle	PCB 10-22
View	Tony A. Luttrell	Mar 18, 2010	Clay	AC 10-09
View	Fischer Brothers, L.L.C.	Mar 11, 2010	Ogle	09 CH 228
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Mar 03, 2010	Cook	04 CH 8063
View	The Blickhan Family Corporation, Inc. and Blick's Construction Co. Inc.	Feb 04, 2010	Adams	AC 09-43
View	Tony A. Luttrell	Jan 21, 2010	Clay	AC 10-09
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Dec 22, 2009	Cook	04 CH 8063
View	Northwest Illinois Construction LLC	Nov 18, 2009	Carroll	2009-CH-55

View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Nov 06, 2009	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Nov 06, 2009	Cook	04 CH 8063
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady	Nov 06, 2009	Cook	04 CH 8063
View	Greater Rockford Airport Authority	Nov 06, 2009	Winnebago	2009 CH 1786
View	Bradley and Carol Corzine	Nov 05, 2009	Union	AC 09-22
View	Gordon Investment Group, LLC	Oct 01, 2009	McDonough	AC 09-44
View	Gene Breeden	Oct 01, 2009	Iroquois	AC 08-16
View	Quality Ready Mix Concrete Co.	Sep 13, 2009	Whiteside	09 CH 111
View	City of Princeton	Aug 07, 2009	Bureau	09 CH 71
View	Town & Country Utilities, Inc., Kankakee Regional Landfill, LLC, Edward F. Heil, and Thomas A. Volini	Jul 20, 2009	Kankakee	07 CH 303
View	J.T. Einoder, Inc., Tri-State Industries, Inc., John Einoder and Janice Einoder	Jun 29, 2009	Cook	00 CH 10635
View	Mark Gates	Jun 04, 2009	Logan	AC 06-50
View	Jack Campbell	May 07, 2009	White	AC 09-34
View	Info Corner Materials, Inc.	Apr 16, 2009	Sangamon	AC 09-37
View	David Swearingen	Mar 19, 2009	Coles	AC 09-33
View	Theodore and Elizabeth Hollembeak and Hollembeak Construction, Inc.	Feb 19, 2009	Brown	AC 09-2
View	Troy Voss and Shirley Voss	Jan 08, 2009	Henry	AC 09-18
View	Joseph Flick	Dec 04, 2008	Union	AC 08-32
View	Joseph Combs	Dec 04, 2008	Greene	AC 08-34
View	Charles F. Kinsel	Dec 04, 2008	Fulton	AC 08-36
View	Reynolds Service Co.	Dec 04, 2008	Union	AC 09-14
View	Charles Kissick	Dec 04, 2008	Morgan	AC 09-20
View	Darrell Knox	Dec 04, 2008	Morgan	AC 09-21
View	Ruby Acklin and Joseph Flick	Oct 16, 2008	Union	AC 09-11

View	Billy Hammond, Sr.	Oct 16, 2008	Franklin	AC 09-13
View	Timothy Pearce	Jun 19, 2008	Clay	AC 05-61
View	William Dixon	Jun 05, 2008	Union	AC 08-23
View	Gire Properties, Inc. and Gire Construction, Inc.	Jun 05, 2008	Douglas	AC 08-24
View	Edward W. Fisher, Rhonda L. Fisher and DEM/EX Group, Inc.	Jun 05, 2008	Mason	AC 08-26
View	John A. & Kay E. Oldham	May 01, 2008	Clay	AC 07-62
View	Fred Honaker	Oct 04, 2007	Moultrie	AC 08-4
View	Swami Oil Company	Sep 06, 2007	Iroquois	AC 08-3
View	Charles Stuller	Sep 06, 2007	Macoupin	AC 08-2
View	Harold Graves (Tower Hill/Eilers-Graves)	Sep 06, 2007	Shelby	AC 06-23
View	Harold Graves (Tower Hill/Graves-Ambrose)	Jul 26, 2007	Shelby	AC 06-22
View	Marcelo Mendoza	Jul 26, 2007	Champaign	AC 07-64
View	Ben and Destiny Wyant	Jul 12, 2007	Williamson	AC 07-61
View	Joseph Combs	Jul 12, 2007	Greene	AC 07-60
View	Doug Hensley and Eric and Charmin Joseph	Jun 21, 2007	Henderson	AC 07-50
View	James Stutsman	Jun 07, 2007	Mason	AC 05-70
View	Herman F. Meyers and Karen Meyers	May 17, 2007	Massac	AC 07-49
View	Renee C. Lo	May 17, 2007	Champaign	AC 07-53
View	Michael Moreton	May 03, 2007	Coles	AC 04-51
View	Stacy Hess	May 03, 2007	Tazewell	AC 05-47
View	Adolph M. Lo	Apr 19, 2007	Champaign	AC 07-46
View	Harold Tomlinson, Larry Tomlinson, and Jerry Tomlinson	Apr 19, 2007	Marshall	AC 07-44
View	Stacy Hess	Mar 01, 2007	Tazewell	AC 05-47
View	Ted Harrison and Gerald S. Gill	Feb 15, 2007	Cass	AC 05-8
View	Michael Moreton	Feb 01, 2007	Coles	AC 04-51
View	Northern Illinois Service Company	Jan 26, 2007	Winnebago	AC 05-40
View	Norbert and Wilma Adams	Dec 21, 2006	Woodford	AC 07-2
View	Curtis Jim Hammond	Dec 07, 2006	Fulton	AC 07-23
View	James Stutsman	Nov 16, 2006	Mason	AC 05-70
View	Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elebady	Oct 20, 2006	Cook	04 CH 8063

View	Marla Lewis Gates, Mark Gates, and Mark Kingsley Lewis	Oct 19, 2006	Logan	AC 06-50
View	Northern Illinois Service Company	Sep 21, 2006	Winnebago	AC 05-40
View	James Stutsman	Sep 21, 2006	Mason	AC 05-70
View	Georgia Shank and Steve Shank	Sep 07, 2006	Bond	AC 06-20
View	Rick Linnabury	Sep 07, 2006	Douglas	AC 06-30
View	Ron Lawver	Aug 04, 2006	Fulton	AC 06-57
View	Larry Payne Sr.	Jul 20, 2006	Fulton	AC 06-48
View	Paul Freeman and Freeman Environmental Services, Inc.	Jul 06, 2006	Williamson	AC 06-11
View	Charles L. Parker	May 18, 2006	Logan	AC 04-75
View	John R. Malloch	May 18, 2006	Champaign	AC 05-63
View	William Shrum	May 18, 2006	Perry	AC 05-18
View	Leo Harn	Mar 16, 2006	McDonough	AC 05-33
View	Charles L. Parker	Mar 16, 2006	Logan	AC 04-75
View	John R. Malloch	Mar 16, 2006	Champaign	AC 05-63
View	William Shrum	Mar 16, 2006	Perry	AC 05-18
View	Logsdon Sand and Gravel and M.K. O'Hara Construction, Inc.	Feb 02, 2006	Cass	AC 05-54
View	Maurice L. Thompson Trust	Jan 19, 2006	Fulton	AC 06-18
View	Maurice L. Thompson Trust	Jan 19, 2006	Fulton	AC 06-19
View	J & F Hauling, Inc.	Jan 06, 2006	Cook	04 CH 01737
View	John Groff	Dec 01, 2005	Marion	AC 05-20
View	John Groff	Oct 20, 2005	Marion	AC05-20
View	Arthur J. Lootens & Son, Inc.	Sep 01, 2005	Kane	03 CH K 661
View	Mary Lou and H. Frank Record	Aug 18, 2005	Fulton	AC 04-6
View	John Brown d/b/a John Brown Painting	Jul 07, 2005	Massac	AC 04-82
View	William Baize	Jun 10, 2005	Williamson	2001-CH-117
View	Loxley, Inc.	Jun 02, 2005	Cass	AC 03-5
View	Charles Bellemey and Willie Doucher	Jun 02, 2005	Champaign	AC 05-64
View	John Brown d/b/a John Brown Painting	May 19, 2005	Massac	AC 04-82
View	Edward and Betty Jo Cain and Edward Cain d/b/a Cain Roofing Company	Apr 21, 2005	Champaign	AC 05-7
View	Landers' Children Family, LLC and Ray Landers	Apr 21, 2005	Sangamon	AC 05-49
View	Harold Bruley	Apr 07, 2005	Macoupin	AC 05-55

View	Christopher A. and Jenny L. Good	Apr 07, 2005	Douglas	AC 05-56
View	Equipping The Saints Ministry, International, Inc.	Feb 17, 2005	Macoupin	AC 04-31
View	David and Shelby Hill and N.E. Finch Co.	Feb 17, 2005	Fulton	AC 05-19
View	Guiffre II, LLC	Jan 06, 2005	Winnebago	AC 05-31
View	Christopher Coleman	Dec 16, 2004	Union	AC 04-46
View	Troy Williamson and Swords Veneer and Lumber Company	Dec 02, 2004	Henry	AC 04-34
View	Florence Prophter and Prophter Construction Co.	Dec 02, 2004	Whiteside	AC 04-61
View	Willis E. Farley, Jr.	Nov 04, 2004	Mason	AC 05-21
View	G.T. & L., Inc.	Nov 04, 2004	Cook	AC 05-4
View	Christopher Coleman	Nov 04, 2004	Union	AC 04-46
View	Rosemary Pehm	Oct 21, 2004	Marshall	AC 04-32
View	Richard Groff	Oct 07, 2004	Fulton	AC 05-16
View	Arlyn Ray d/b/a Arlyn Ray Construction, Tom Romero d/b/a Arlyn Ray Exteriors, Robert J. Adams and Rita M. Adams	Aug 05, 2004	Woodford	AC 04-57
View	Luther Coleman	Aug 05, 2004	Saline	AC 04-18
View	Guiffre II, LLC and Reload, Inc.	Aug 05, 2004	Winnebago	AC 04-83
View	Bill Weis	Jul 22, 2004	St. Clair	AC 04-86
View	John Smith and Twilla Williams Smith	Jul 08, 2004	Union	AC 03-21
View	Olen G. Parkhill, Jr.	Jul 08, 2004	Champaign	AC 03-33
View	Olen G. Parkhill, Jr.	Jul 08, 2004	Champaign	AC 03-34
View	Luther Coleman	Jun 17, 2004	Saline	AC 04-18
View	Roger Ray	Jun 17, 2004	Moultrie	AC 04-08
View	Terry Wilkerson	Jun 03, 2004	Woodford	AC 04-58
View	Colorado Real Estate and Investment Company (Kingspark Mobile Estates)	May 06, 2004	Peoria	AC 04-25
View	Josiah W. Collins II and Lori Hilton	May 06, 2004	McDonough	AC 04-55
View	Bill Marshall	Apr 15, 2004	Marshall	AC 04-49
View	Charles Flick	Feb 05, 2004	Union	AC 04-26
View	Larry Lord	Feb 05, 2004	Marshall	AC 04-30
View	Roy Bauer d/b/a Baur Trucking	Jan 08, 2004	St. Clair	AC 04-23
View	Robert Thompson	Nov 20, 2003	Alexander	AC 04-17

View	William Baize	Jul 31, 2003	Williamson	01-CF-461 & 503
View	Larry Beam	May 15, 2003	Henry	AC 03-26
View	Indiana Harbor Belt Railroad, Inc. and ACN International, Inc.	May 01, 2003	Cook	PCB01-83
View	Terry Stanley	Mar 06, 2003	Marshall	AC03-16
View	Village of Metamora	Mar 06, 2003	Woodford	AC03-17
View	Jerry Summers	Mar 06, 2003	Fayette	AC03-18
View	Harley Lafary d/b/a Lafary Construction, Harris Lafary and Larry Payne, Sr.	Mar 06, 2003	McDonough	AC03-19
View	Bobby Keller	Nov 21, 2002	Macoupin	AC 03-10
View	Tony Luttrell	Oct 17, 2002	Clay	AC 03-1
View	Herb Flannel and Wallace Excavating Company	Oct 03, 2002	Moultrie	AC 03-7
View	Tony Luttrell	Sep 05, 2002	Clay	AC 03-1
View	Lesslie Yocum, Sandra Yocum, Rick L. Yocum, and Shawna B. Yocum (Birmingham Yocum #1) and Illinois EPA v. Lesslie Yocum and Sandra Yocum (Birmingham/Yocum #2)	Aug 08, 2002	Schuyler	AC 01-29&01-30
View	Bradney Luckhart	Aug 08, 2002	Logan	AC 02-18
View	Maurice Newcomer	Jul 11, 2002	Carroll	AC 02-52
View	Roeco Enterprises, Inc.	Jun 20, 2002	Champaign	AC 02-45
View	E. Lewis Look	May 16, 2002	Peoria	AC 02-35
View	Tony Luttrell	May 02, 2002	Clay	AC 02-48
View	William Plank d/b/a Demolition Plus	Feb 21, 2002	Douglas	AC 02-31
View	Robert Wiersema	Jan 24, 2002	Douglas	AC 02-25
View	Larry Beam	Jan 24, 2002	Henry	AC 02-28



Enforcement Orders

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Case Name: People v. Reliable Materials Lyons, LLC, et al.

Location: Chicago, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Jul 12, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311715020

DLC File#: 39-07

Docket#: PCB 12-52

Penalty: \$25,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: Contaminated soils from a high school construction site were sent to the Reliable Materials Lyons clean construction and demolition debris ("CCDD") fill site. Reliable is a former limestone quarry that is allowed to accept CCDD, but it is not a permitted landfill, and cannot accept waste and contaminated construction and demolition debris. The Illinois EPA brought an enforcement action against six defendants in this matter. GSG Consultants, Inc. is one of those defendants. On May 16, 2012, the Attorney General's Office filed a Stipulation and Proposal for Settlement with the Pollution Control Board regarding a settlement with GSG. The settlement requires the payment of a civil penalty of \$25,000. The settlement does not contain any other obligations or technical remedy, nor does it involve any other defendants.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. William Bryant

Location: Sidney Township, Champaign County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Jun 07, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0190855011

DLC File#: 67-12-AC

Docket#: AC 12-37

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On June 7, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of William Bryant, in AC 12-37. On February 10, 2012, the Illinois EPA inspected a facility located on 4.4 acres in the Northern Quarter of Section 15 Township 18 N Range 10 East in Sidney Township, Champaign County, Illinois and afterwards alleged in an administrative citation that Respondent violated the Environmental Protection Act (Act) by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Mr. Bryant failed to timely file a petition; accordingly, the Board found that William Bryant violated Section 21(p)(1) and 21(p)(7) of the Act and ordered him to pay a civil penalty of \$3,000.00, no later than July 9, 2012.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. William C. Hagerman
Location: Middletown, Logan County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Jun 07, 2012
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1078040006
DLC File#: 90-12-AC
Docket#: AC 12-44
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On June 7, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of William C. Hagerman, in AC 12-44. On March 6, 2012, the Illinois EPA inspected a facility located about 2 miles east of Middletown, Logan County, Illinois and afterwards alleged in an administrative citation that Respondent violated the Environmental Protection Act (Act) by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Mr. Hagerman failed to timely file a petition: Accordingly, the Board found that William Bryant violated Section 21(p)(1), 21(p)(3) and 21(p)(7) of the Act and ordered him to pay a civil penalty of \$4,500.00, no later than July 9, 2012.

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Enforcement Orders

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Case Name: People v. Town & Country Utilities, Inc.,
Kankakee Regional Landfill, LLC, Edward F.
Heil, and Thomas A. Volini

Location: Kankakee, Kankakee County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 06, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0910555208

DLC File#: 82-06

Docket#: 07 CH 303

Penalty: \$5,000.00

SEP? No

Compliance Plan No
Requirements?

Costs or No
Reimbursement?

Case Summary: This case involved the open dumping of construction and demolition debris at a site southwest of Kankakee, Illinois. On June 6, 2012, Town & Country Utilities entered into a consent order settling this case. Pursuant to the order, it paid a \$5,000 penalty. Previously, on July 29, 2009, Kankakee Regional Landfill, entered into a Consent Order settling the enforcement case against it. It had removed the waste from the site and paid \$25,000 in civil penalty. The two individual defendants, Edward Heil and Tom Volini, were dismissed with prejudice. With the entry of the June 6, 2012, Consent Order, this case is fully resolved.

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Enforcement Orders

View Order

Case Name: People v. Town & Country Utilities, Inc.,
Kankakee Regional Landfill, LLC, Edward F.
Heil, and Thomas A. Volini

Location: Kankakee, Kankakee County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 06, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0910555208

DLC File#: 82-06

Docket#: 07 CH 303

Penalty: \$5,000.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or No
Reimbursement?**

Case Summary: This case involved the open dumping of construction and demolition debris at a site southwest of Kankakee, Illinois. On June 6, 2012, Town & Country Utilities entered into a consent order settling this case. Pursuant to the order, it paid a \$5,000 penalty. Previously, on July 29, 2009, Kankakee Regional Landfill, entered into a Consent Order settling the enforcement case against it. It had removed the waste from the site and paid \$25,000 in civil penalty. The two individual defendants, Edward Heil and Tom Volini, were dismissed with prejudice. With the entry of the June 6, 2012, Consent Order, this case is fully resolved.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. David N. Lutz

Location: Shelbyville, Shelby County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: May 17, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1738175002

DLC File#: 61-12-AC

Docket#: AC 12-34

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On May 17, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of David N. Lutz, in AC 12-34. On January 30, 2012, the Illinois EPA inspected a facility located in Section 13, Township 11 N, Range 3E, of Rose Township in part of the southeast quarter of the northeast quarter of the southwest quarter, Shelby County, Illinois and afterwards alleged in an administrative citation that Respondent violated the Environmental Protection Act (Act) by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1), 21(p)(3) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), 5/21 (p)(3) and 5/21(p)(7)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Mr. Lutz failed to timely file a petition: Accordingly, the Board found that David N. Lutz violated Section 21(p)(1), 21(p)(3) and 21(p)(7) of the Act and ordered him to pay a civil penalty of \$4,500.00, no later than June 18, 2012.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. John K. Croslow
Location: Bridgeport, Lawrence County, Region 7
File Type: Administrative Citation, Section 31.1
Order Date: May 17, 2012
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1018025004
DLC File#: 80-12-AC
Docket#: AC 12-42
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On May 17, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of John K. Croslow, in AC 12-42. On February 15, 2012, the Illinois EPA inspected a facility located at 719 N 800 E. Road, Lawrence County, Illinois and afterwards alleged in an administrative citation that Respondent violated the Environmental Protection Act (Act) by causing or allowing the open dumping of waste resulting in litter, open burning, the deposition of general construction or demolition debris or clean construction or demolition debris and by causing or allowing water to accumulate in used or waste tires at the facility, in violation of Section 21(p)(1), 21(p)(3), 21(p)(7) and Section 55(k)(1) of the Act (415 ILCS 5/21(p)(1), 5/21(p)(3), 5/21(p)(7) and 5/55(k)(1)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Mr. Croslow failed to timely file a petition: Accordingly, the Board found that John K. Croslow violated Section 21(p)(1), 21(p)(3), 21(p)(7) and Section 55(k)(1) of the Act and ordered him to pay a civil penalty of \$6,000.00, no later than June 18, 2012.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. Ray Newingham

Location: Roodhouse, Greene County, Region 5

File Type: Enforcement

Order Date: Apr 05, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0610355023

DLC File#: 305-10-AC

Docket#: AC 11-13

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$315.00

Case Summary: On April 5, 2012, the Illinois Pollution Control Board entered an opinion and order in the case involving Ray Newingham in AC 11-13. On September 16, 2010, the Illinois EPA inspected a facility located at the southeast corner of the intersection of Worchester and Clay Streets in Roodhouse, Greene County, Illinois and afterwards alleged in an administrative citation that Mr. Newingham violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. This is in violation of Sections 21(p)(1) and 21(p)(7) of the Illinois Environmental Protection Act(Act)(415 ILCS 5/21 (p)(1), 21(p)(7)(2010)). Mr. Newingham timely filed a petition for review to contest the administrative citation. A hearing was held on November 2, 2011, at the City Hall in Carrollton, Greene County, Illinois. On February 16, 2012, the Board issued an interim opinion and order, finding that Ray Newingham violated Sections 21(p)(1) and 21(p)(7) of the Act and related regulations. The Board held that Mr. Newingham, by unsuccessfully contesting the administrative citation at hearing, is subject to pay the statutory civil penalty of \$1,500.00, for each violation. In addition, Mr. Newingham must pay the hearing costs of \$315.00. The total amount due of \$3,315.00, must be paid no later than May 21, 2012.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. Johnson Truck Sales, Inc.

Location: Norris City, White County, Region 7

File Type: Administrative Citation

Order Date: Mar 15, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1930355008

DLC File#: 1-12-AC

Docket#: AC 12-25

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On March 15, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of Johnson Truck Sales Inc., in AC 12-25. On November 29, 2011, the Illinois EPA inspected a facility located at 508 US Highway 45 South of Norris City, White County, Illinois and afterwards alleged in an administrative citation that Johnson Truck Sales Inc. violated the Act by causing or allowing the open dumping of waste resulting in litter; deposition of waste in standing or flowing waters; the deposition of general construction or demolition debris or clean construction or demolition debris; and used tires, at this site, not altered, covered or otherwise prevented from accumulating water. This is a violation of Sections 21(p)(1), 21(p)(4), 21(p)(7) and 55(k)(1) of the Act (415 ILCS 5/21(p)(1), 21(p)(4), 21(p)(7) and 55(k)(1)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Johnson Truck Sales failed to file a timely petition: Accordingly, the Board found Johnson Truck Sales in violation of Sections 21(p)(1), 21(p)(4), 21(p)(7) and 55(k)(1) of the Act and related regulations and ordered Johnson Truck Sales Inc. to pay a civil penalty of \$6,0000.00, no later than April 16, 2012.

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Enforcement Orders

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Case Name: Illinois EPA v. Dale Gordon Spradlin and Barbara J. Spradlin

Location: Pittsfield, Pike County, Region 5

File Type: Administrative Citation

Order Date: Mar 15, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1498130002

DLC File#: 405-11-AC

Docket#: AC 12-23

Penalty: \$7,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On March 15, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of Dale Gordon Spradlin and Barbara J. Spradlin, in AC 12-23. On November 3, 2011, the Illinois EPA inspected a facility located at 37784 205th Street, R.R. 2, 1050 N. Pittsfield, Pike County, Illinois and afterwards alleged in an administrative citation that Dale Gordon Spradlin and Barbara J. Spradlin violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, deposition of waste in standing or flowing waters; the deposition of general construction or demolition debris or clean construction or demolition debris at the facility; and used tires, at this site, not altered, covered or otherwise prevented from accumulating water. This is a violation of Sections 21(p)(1), 21(p)(3), 21 (p)(4), 21(p)(7) and 55(k)(1) of the Act (415 ILCS 5/21(p)(1),5/21(p)3,5/21(p)(4)5/21(p)(7),5/55(k)(1)(2010)). On January 9, 2012, the Illinois EPA filed a motion to dismiss Dale Gordon Spradlin, because he had not been timely served the administrative citation. On January 18, 2012, the Spradlins filed a petition to contest the administrative citation. In a Board Order dated February 2, 2012, the Board granted the Illinois EPA's motion to dismiss Dale Gordon Spradlin. In the same order, the Board directed Barbara J. Spradlin to file an amended petition, curing specified deficiencies. In the opinion and order of the Board dated March 15, 2012, the Board found Barbara J. Spradlin in default, because she failed to submit an amended petition for review with the Board, as directed in the February 2, 2012 order: Accordingly, the Board, in finding Barbara J. Spradlin in violation of Sections 21(p)(1), 21(p)3, 21(p)(4), 21(p)(7), and 55(k)(1) of the Act and related regulations, ordered her to pay a civil penalty of \$7,500.00, no later than April 16, 2012.

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Enforcement Orders

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Case Name: Illinois EPA v. Dennis Heck and Deanna Harris

Location: Opdyke, Jefferson County, Region 7

File Type: Administrative Citation

Order Date: Mar 15, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0818155001

DLC File#: 84-11-AC

Docket#: AC 11-24

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On March 15, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of Dennis Heck and Deanna Harris, in AC 11-24. On March 29, 2011, the Illinois EPA inspected a facility located at 12112 N. Lighthouse Lane, Opdyke, Jefferson County, Illinois and afterwards alleged in an administrative citation that Dennis Heck and Raymond and Deanna Harris violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), 5/21(p)(7)(2010)). On June 2, 2011, the Board received a petition for review from respondent Deanna Harris, alleging that she did not cause the violation. On June 6, 2011 the Board received a petition for review from respondent Dennis Heck. The Board accepted both petitions as timely, but directed both petitions be amended to cure deficiencies. In a July 7, 2011 order, the Board granted the Illinois EPA's motion to dismiss respondent Raymond Harris, because he had not been properly served the administrative citation. On August 4, 2011, the Board entered a default judgment against Mr. Heck and Mrs. Harris, for failure to submit amended petitions. However, on October 6, 2011 the Board granted respondent Deanna Harris' motion for reconsideration and stayed the default order against Dennis Heck regarding a civil penalty, until final disposition of Deanna Harris' petition for review. On February 27, 2012, the Illinois EPA filed a motion for voluntary dismissal of the administrative citation against Deanna Harris, based on newly discovered circumstances surrounding the case. With regard to the remaining respondent, Dennis Heck, the Board found Dennis Heck in default, because he failed to submit an amended petition for review with the Board, as directed. Accordingly, the Board, in finding Dennis Heck in violation of Sections 21(p)(1) and 21(p)(7), of the Act and related regulations, ordered him to pay a civil penalty of \$3,000.00, no later than April 16, 2012.

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Enforcement Orders

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Case Name: Illinois EPA v. Harold Dean Foster

Location: Time, Pike County, Region 5

File Type: Administrative Citation

Order Date: Feb 06, 2012

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1490850001

DLC File#: 340-11-AC

Docket#: AC 12-14

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On February 16, 2012, the Illinois Pollution Control Board entered an opinion and order in the case of Harold Dean Foster, in AC 12-14. On September 23, 2011, the Illinois EPA inspected a facility located at 42998 Country Highway 8, Time, Pike County, Illinois and afterwards alleged in an administrative citation that Harold Dean Foster violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1) and 5/21(p)(7)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. On, December 20, 2011, Mr. Foster timely filed a petition for review, to contest the administrative citation. The Board accepted the petition for review on January 5, 2012, but found that the petition contained deficiencies that had to be remedied, before the case could be accepted for hearing. The Board directed Mr. Foster to file the amended petition by February 6, 2012. Mr. Foster failed to timely file an amended petition. Because Mr. Foster failed to timely file an amended petition, the Board found that Mr. Foster violated Sections 21(p)1, 21(p)(3) and 21(p)(7) of the Act. The Board, in finding Harold Dean Foster in violation of Sections 21(p)(1), 21(p)3 and 21(p)(7) of the Act and related regulations, ordered him to pay a civil penalty of \$4,500.00, no later than March 19, 2012.

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Enforcement Orders

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Case Name: People v. Reliable Materials Lyons, LLC, et al.

Location: Lyons, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Dec 01, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311715020

DLC File#: 39-07

Docket#: PCB 12-52

Penalty: \$27,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: Contaminated soils from a high school construction site were sent to the Reliable Materials Lyons clean construction and demolition debris ("CCDD") fill site. Reliable is a former limestone quarry that is allowed to accept CCDD, but it is not a permitted landfill, and cannot accept waste and contaminated construction and demolition debris. The Illinois EPA brought an enforcement action against six defendants in this matter. Speedy Gonzales Landscaping, the Public Building Commission of Chicago, and the Board of Education of the City of Chicago are three of those defendants. On December 1, 2011, the Pollution Control Board accepted two Stipulation and Proposals for Settlement between the State of Illinois and the above defendants. The settlement regarding the Public Building Commission of Chicago and Board of Education of the City of Chicago required the payment of a civil penalty of \$17,500. The settlement regarding Speedy Gonzales required the payment of a civil penalty of \$10,000. The settlements did not contain any other obligations or technical remedy, nor did they involve any other defendants.

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Enforcement Orders

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Case Name: Illinois EPA v. David W. Edwards and Linda Edwards

Location: Colp, Williamson County, Region 7

File Type: Enforcement, Section 31.1

Order Date: Dec 01, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1990205009

DLC File#: 315-11-AC

Docket#: AC 12-6

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 1, 2011, the Illinois Pollution Control Board entered an opinion and order in the case of David W. and Linda Edwards, in AC 12-6. On September 12, 2011, the Illinois EPA inspected a facility located at 305 Martin Luther King Road, Colp, Williamson County, Illinois and afterwards alleged in an administrative citation that David W. and Linda Edwards violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. This is a violation of Sections 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1) and 5/21(p)(7)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. David W. Edwards and Linda Edwards failed to timely file a petition. Accordingly, the Board found that the Edwards violated Sections 21(p)(1) and 21(p)(7) of the Act. The Board, in finding David W. Edwards and Linda Edwards in violation of Sections 21(p)(1) and 21(p)(7) of the Act and related regulations, ordered them to pay a civil penalty of \$3,000.00, no later than January 2, 2012.

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Enforcement Orders

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Case Name: People v. John Pohar & Sons, Inc.

Location: LaSalle, La Salle County, Region 1

File Type: Enforcement, Section 31

Order Date: Oct 21, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0990300029

DLC File#: 264-10

Docket#: 11 CH 257

Penalty: \$12,000.00

SEP? No

Compliance Plan Requirements? Yes

Costs or Reimbursement? No

Case Summary: A Consent Order was entered in LaSalle County Circuit Court, case 11 CH 257. The John Pohar & Sons, Inc. ("Pohar") site is located in LaSalle, LaSalle County, Illinois. Solid waste was seen strewn about the property during inspections performed on March 25, 2009, July 1, 2010 and March 12, 2011. A complaint was filed in LaSalle County Circuit Court on June 22, 2011. The Future Compliance section of the Consent Order requires that the Defendants cease accepting clean and general construction or demolition debris at the site as fill material unless properly permitted and that access controls be implemented at the site. The waste at the site has been disposed of. The violations alleged have been addressed. A \$12,000.00 penalty was tendered at the time of entry of the Consent Order.

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Enforcement Orders

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Case Name: Illinois EPA v. James Harris	Incident#:
Location: Knoxville, Knox County, Region 3	Bureau ID#: 0958120001
File Type: Administrative Citation	DLC File#: 92-11-AC
Order Date: Oct 06, 2011	Docket#: AC 11-27
Order Type: Civil, Final	Penalty: \$9,000.00
Programs: Solid Waste	SEP? No
	Compliance Plan Requirements? No
	Costs or Reimbursement? No

Case Summary: On October 6, 2011, the Illinois Pollution Control Board entered an opinion and order in the case of James Harris, in AC 11-27. On March 29, 2011, the Illinois EPA inspected a facility located at the dead end of Market Street which abuts Haw Creek, Knoxville, Knox County, Illinois and afterwards alleged in an administrative citation that James Harris violated the Act by causing or allowing the open dumping of waste resulting in litter; open burning; deposition of waste in standing or flowing waters; proliferation of disease vectors; the deposition of general construction or demolition debris or clean construction or demolition debris; and used tires, at this site, not altered, covered or otherwise prevented from accumulating water. This is a violation of Sections 21(p)(1), 21(p)(3), 21(p)(4), 21(p)(5), 21(p)(7) and 55(k)(1) of the Act (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(4), 21(p)(5), 21(p)(7) and 55(k)(1)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Mr. Harris filed a timely petition for review on June 16, 2011. On September 27, 2011, Mr. Harris filed a "Voluntary Withdrawal of Petition for Review". Having withdrawn the petition for review, the Board found Mr. Harris violated the Act (415 ILCS 5(2010)) as set forth in the administrative citation. The Board, in finding James Harris in violation of Sections 21(p)(1), 21(p)(3), 21(p)(4), 21(p)(5), 21(p)(7) and 55(k)(1) of the Act and related regulations, ordered Mr. Harris to pay a civil penalty of \$9,000.00, no later than November 7, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Brandon DeHart and Robert Evans

Location: Pittsfield, Pike County, Region 5

File Type: Administrative Citation

Order Date: Sep 22, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1498190013

DLC File#: 150-11-AC

Docket#: AC 11-32

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On September 22, 2011, the Illinois Pollution Control Board entered an opinion and order in the case of Brandon DeHart and Robert Evans, in AC 11-32. On May 6, 2011, the Illinois EPA inspected a facility located at 750 Knapp Lane, Pittsfield, Pike County, Illinois and afterwards alleged in an administrative citation that Brandon DeHart and Robert Evans violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), 5/21(p)(3) and 5/21(p)(7)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. Mr. Evans failed to timely file a petition. On July 19, 2011, Mr. DeHart timely filed a petition. However, the petition filed by Mr. DeHart was deficient and the Board ordered an amended petition be filed by September 6, 2011. Mr. DeHart did not file the amended petition. Accordingly, the Board found that the respondents violated Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. The Board, in finding Brandon DeHart and Robert Evans in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act and related regulations, ordered them to pay a civil penalty of \$4,500.00, no later than October 24, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Patrick and Monique D. Patterson
Location: Springfield, Sangamon County, Region 5
File Type: Administrative Citation
Order Date: Sep 08, 2011
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1671209263
DLC File#: 128-11-AC
Docket#: AC 11-31
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On September 8, 2011, the Illinois Pollution Control Board entered an opinion and order in the case of Patrick and Monique D. Patterson, in AC 11-31. On April 6, 2011, the Illinois EPA inspected a facility located at 6009 Old Salem Lane, Springfield, Sangamon County, Illinois and afterwards alleged in an administrative citation that Patrick and Monique D. Patterson violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Act (415 ILCS 5/21(p)(1) and 5/21(p)(7)(2010)). To contest an administrative citation, a respondent must file a petition for review with the Board no later than 35 days after being served with the administrative citation. The Pattersons timely filed a petition for review to contest the administrative citation, on July 6, 2011. The Board accepted the petition for review on July 21, 2011, but found that the petition contained deficiencies that had to be remedied, before the case could be accepted for hearing. The Board directed the Pattersons to file the amended petition by August 22, 2011. The Pattersons failed to timely file an amended petition. Accordingly, the Board found that the Patterson's violated Sections 21(p)1, 21(p)(3) and 21(p)(7) of the Act. The Board, in finding the Pattersons in violation of Sections 21(p)(1), 21(p)3 and 21(p)(7) of the Act and related regulations, ordered them to pay a civil penalty of \$4,500.00, no later than October 11, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. William and Patricia Hajek

Location: Waterman, DeKalb County, Region 1

File Type: Administrative Citation

Order Date: Sep 08, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0370608008

DLC File#: 13-09-AC

Docket#: AC 09-35

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On September 8, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving William and Patricia Hajek, in AC 09-35. On January 23, 2009, the Illinois EPA inspected a facility located at 1683 McAllister Road, Waterman, DeKalb County, Illinois and afterwards alleged in an administrative citation that William and Patricia violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1) and 5/21(p)(7)(2010)). Respondents timely filed a petition for review, to contest the administrative citation, which the Board accepted on March 19, 2009. On September 1, 2011, respondents filed a "Stipulation of Settlement and Dismissal of Respondent's Petition for Administrative Review". Under the terms of the settlement, respondents admit to violating Section 21(p)(1) of the Act, by causing or allowing the open dumping of waste resulting in litter. Respondents agree to the dismissal of its petition contesting the administrative citation. Respondents further agree to cease and desist from further violations of the Act. In addition, the Agency agrees not to refer the violations that are the subject of the administrative citation to the Illinois Attorney General or any other prosecuting authority to initiate a civil enforcement action. The stipulation notes that the waste, that was the subject of the administrative citation, has been removed and properly disposed. The Board accepted the stipulation and proposal and therefore found respondent in violation of Section 21(p)(1) of the Act and assessed the statutory civil penalty of \$1,500 for the violation. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500, the Board dismissed the alleged violation of 21(p)(7) of the Act. The respondent must pay \$1,500 no later than October 11, 2011.

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Enforcement Orders

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Case Name: People v. Northwest Illinois Construction LLC

Location: Sterling, Whiteside County, Region 1

File Type: Enforcement, Section 31

Order Date: Sep 02, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1958095004

DLC File#: 31-11

Docket#: 11 CH 137

Penalty: \$8,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: A Consent Order was entered in Whiteside County Circuit Court on September 2, 2011. The Galt Road clean construction or demolition debris ("CCDD") site is located in Sterling, Whiteside County, Illinois. The site is owned and operated by Northwest Illinois Construction LLC. During an inspection performed on September 17, 2010 it was noted that material had been dumped at the site without the loads having been checked. A complaint was filed in Whiteside County Circuit Court on September 2, 2011. The alleged violations have been addressed. A site investigation was performed on April 28, 2011 showing that the fill material at the site was uncontaminated. A penalty in the amount of \$8,000.00 was tendered at the time of entry of the Consent Order.

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Enforcement Orders

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Case Name: Illinois EPA v. Dennis Heck and Raymond A. & Deanna Harris

Location: Opdyke, Jefferson County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Aug 04, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0818155001

DLC File#: 84-11-AC

Docket#: AC 11-24

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On August 4, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Dennis Heck and Raymond A. & Deanna Harris, in AC 11-24. On March 29, 2011, the Illinois EPA inspected a facility located at 12112 North Lighthouse Lane, Opdyke, Jefferson County, Illinois and afterwards alleged in an administrative citation that respondents violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. Raymond Harris was not properly served within 60 days as required by Section 31.1 of the Act. Therefore, the case against Mr. Harris was dismissed. In a June 16, 2011 order both Dennis Heck and Deanna Harris timely filed petitions for review with the Board. However, the Board found both petitions were deficient and directed Mr. Heck and Ms. Harris to amend their petitions by July 18, 2011. Mr. Heck and Ms. Harris failed to timely amend their petitions. Accordingly, the Board found that Mr. Heck and Ms. Harris violated Sections 21(p)(1) and 21(p)(7) of the Act (415 ILCS 5/21(p)(1), and 21(p)(7) (2010)) and ordered respondents to pay a civil penalty of \$1,500.00 for each violation for a total of \$3,000, no later than September 6, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Rodney Pinter

Location: Malden, Bureau County, Region 1

File Type: Administrative Citation, Section 31.1

Order Date: Jul 21, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0118010001

DLC File#: 135-11-AC

Docket#: AC 11-30

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 21, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Rodney Pinter, in AC 11-30. On April 8, 2011, the Illinois EPA inspected a facility located at 29760 1900 North Avenue, Malden, Bureau County, Illinois and afterwards alleged in an administrative citation that respondent violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. Respondent did not file a timely response to contest the administrative citation. Therefore, the Board found that the respondent, Rodney Pinter, violated the Act and related regulations and ordered respondent to pay a civil penalty of \$3,000, no later than August 22, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Whelan's Inc. & Thomas Whelan

Location: Palatine, Cook County, Region 2

File Type: Administrative Citation, Section 31.1

Order Date: Jul 21, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0312345310

DLC File#: 129-11-AC

Docket#: AC 11-29

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 21, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Whelan's Inc. & Thomas Whelan, in AC 11-29. On April 13, 2011, the Illinois EPA inspected a facility located at 2265 North Rand Road, Palatine, Cook County, Illinois and afterwards alleged in an administrative citation that respondents violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. Respondents did not file a timely response to contest the administrative citation. Therefore, the Board found that respondents, Whelan's Inc. & Thomas Whelan, violated the Act and related regulations and ordered respondents to pay a civil penalty of \$3,000, no later than August 22, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Kenneth Verbout	Incident#:
Location: Sheffield, Bureau County, Region 1	Bureau ID#: 0110955019
File Type: Administrative Citation, Section 31.1	DLC File#: 152-10-AC
Order Date: Jul 07, 2011	Docket#: AC 10-25
Order Type: Civil, Final	Penalty: \$1,500.00
Programs: Solid Waste	SEP? No
	Compliance Plan Requirements? No
	Costs or Reimbursement? No

Case Summary: On July 7, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Kenneth Verbout, in AC 10-25. On April 6, 2010, the Illinois EPA inspected a facility located at 220 West North Railroad Street, Sheffield, Bureau County, Illinois and afterwards alleged in an administrative citation that Kenneth Verbout violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, the deposition of general construction or demolition debris or clean construction or demolition debris and open dumping of used tires, not altered, covered, or otherwise prevented from accumulating water at the facility, in violation of Sections 21(p)(1), 21(p)(3), 21(p)(7), and 55(k)(1) of the Act. Respondent timely filed a petition for review, to contest the administrative citation, which the Board accepted on June 9, 2010. On June 28, 2010, the parties filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under its terms, Kenneth Verbout admitted that he violated Section 21(p)(1) of the Act by causing or allowing the open dumping of waste resulting in litter, and agrees to pay the statutory civil penalty of \$1,500.00, for this violation. Kenneth Verbout also agreed to the dismissal of his petition contesting the administrative citation. The stipulation further stated that the waste, which was the subject of the administrative citation, had been removed and properly disposed. In addition, the Agency agreed not to refer the violations that are the subject of the administrative citation, to the Office of the Illinois Attorney General or any other prosecuting authority to initiate a civil enforcement action. The Board accepted the stipulation and proposal for settlement. The Board assessed the statutory civil penalty of \$1,500 for the violation of Section 21(p)(1). To effectuate the parties' intent that Kenneth Verbout pay a total civil penalty of \$1,500.00, the Board dismissed the alleged violations of Section 21(p)(3), 21(p)(7), and 55(k)(1) of the Act. The respondent must pay \$1,500.00 no later than August 8, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Dennis Weiler
Location: West Liberty, Jasper County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Jul 07, 2011
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0798015002
DLC File#: 65-11-AC
Docket#: AC 11-23
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On July 7, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Dennis Weiler, in AC 11-23. On March 29, 2011, the Illinois EPA inspected a facility located along the 200 block of East Railroad Street, West Liberty, Jasper County, Illinois and afterwards alleged in an administrative citation that respondent violated the Act by causing or allowing the open dumping of waste resulting in litter, the deposition of general construction or demolition debris or clean construction or demolition debris, and open dumping of used tires, not altered, covered, or otherwise prevented from accumulating water at the facility, in violation of Section 21(p)(1), 21(p)(7) and 55(k)(1) of the Act. Respondent did not file a timely response to contest the administrative citation. Therefore, the Board found that the respondent, Dennis Weiler, violated the Act and related regulations and ordered respondent to pay a civil penalty of \$4,500.00, no later than August 8, 2011.

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Enforcement Orders

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Case Name: People v. 87th & Greenwood, LLC, Innovative Recycling Technologies, Inc. and Land Reclamation Services, Inc.

Location: Chicago, Cook County, Region 2

File Type: Enforcement

Order Date: Jun 16, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0316695088

DLC File#: 270-06

Docket#: PCB 10-71

Penalty: \$15,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: This order approves an agreed-upon Stipulation addressing the liability of 87th & Greenwood, LLC ("87th") and Innovative Recycling Technologies, Inc. ("IRT"), the two remaining respondents in the case. (A default order was entered against Land Reclamation Services, Inc. in this case on August 19, 2010.) This case involved a clean construction and demolition debris ("CCDD") landfill that accepted soils contaminated with inorganic and organic constituents. 87th was the developer and owner of a parcel for which IRT was hired to excavate and dispose of soils generated during the construction of a facility on 87th's site. The technical remedy in this case was the removal of contaminated soils to an appropriately permitted facility, which was completed prior to this Stipulation. The order requires a penalty of \$7,500.00 each from 87th and IRT, for a total of \$15,000.00.

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Enforcement Orders

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Case Name: Illinois EPA v. John and Debra Watson

Location: Dongola, Union County, Region 7

File Type: Administrative Citation

Order Date: Jun 16, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1818555006

DLC File#: 375-10-AC

Docket#: AC 11-18

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On June 16, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving John and Debra Watson, in AC 11-18. On November 9, 2010, the Illinois EPA inspected a facility located in Section 16, Township 13, Range 1W, Part of SE, NE, 8 acres and afterwards alleged in an administrative citation that the Watsons violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. By order of March 17, 2011, the Board found that the Agency timely served and filed the administrative citation. The Board also found that the Watsons timely filed a petition to contest the citation, but that the Watsons' petition was deficient, for failure to set forth the reasons why the Watsons believed that the administration citation was improperly issued. Additionally, the Board found that the petition was signed only by John Watson and not by Debra Watson. Therefore, the Board accepted the petition as timely filed, but directed that an amended petition be filed with the Board by April 18, 2011, to cure the deficiencies identified in the order. The Watsons timely filed an amended petition on April 14, 2011. However, the amended petition did not address the deficiencies in the original petition. The Board granted the Watsons until June 6, 2011, to file an amended petition to again address the noted deficiencies. The Watsons did not file an amended petition. The Board dismissed the Watsons' deficient April 14, 2011 petition for review. The Board found that John and Debra Watson violated Sections 21(p)(1) and 21(p)(7) of the Act and related regulations and ordered them to pay a civil penalty of \$3,000, no later than July 18, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Jason D. & Angela R. Marrs d/b/a Marrs Hauling, Landscaping & More

Location: Foosland, Champaign County, Region 4

File Type: Administrative Citation

Order Date: May 19, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0918010002

DLC File#: 130-09-AC

Docket#: AC 09-55

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$554.00

Case Summary: On May 19, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Jason D. & Angela R. Marrs d/b/a Marrs Hauling, Landscaping & more (Respondents), in AC 09-55. On May 18, 2009, the Illinois EPA inspected a facility located at 30 C.R. 3050 N, Foosland, Champaign County, Illinois and afterwards alleged in an administrative citation, dated June 18, 2009, that respondents violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1) and 21(p)(7)of the Act. Respondents timely filed a petition for review, to contest the administrative citation, which the Board accepted on August 6, 2009. A hearing was held on May 5, 2010. On March 3, 2011, the Board issued an interim opinion and order, finding that respondents caused or allowed the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1) and 21(p)(7)of the Act. The Board held that the respondents are subject to the statutorily fixed \$3,000 civil penalty. In addition, the Board held that, by unsuccessfully contesting the administrative citation at hearing, the respondents must also pay the hearing costs of the Agency and the Board. The Board assessed the statutory civil penalty of \$3,000.00 for the violations, as well as hearing costs of \$425.50 and \$128.50, for a total amount due of \$3,554.00. The respondents must pay \$3,554.00, no later than July 5, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Richard Pagel

Location: Mansfield, Piatt County, Region 4

File Type: Administrative Citation

Order Date: Apr 21, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1478010004

DLC File#: 48-11-AC

Docket#: AC 11-20

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On April 21, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Richard Pagel, in AC 11-20. On January 3, 2011, the Illinois EPA inspected a facility located at 2782 N 1500 East Road, near Champaign/Piatt County line, Piatt County, Illinois and afterwards alleged in an administrative citation that respondent violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. Respondent did not file a timely response to contest the administrative citation. Therefore, the Board found that the respondent, Richard Pagel, violated the Act and related regulations and ordered respondent to pay a civil penalty of \$3,000, no later than May 23, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. John J. and Kathy D. Still
Location: Mt. Sterling, Brown County, Region 5
File Type: Administrative Citation
Order Date: Mar 03, 2011
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0098050005
DLC File#: 132-10-AC
Docket#: AC 10-23
Penalty: \$1,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On March 3, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving John J. and Kathy D. Still, in AC 10-23. On March 18, 2010, the Illinois EPA inspected a facility located in the SE ¼ of the SW ¼ of Section 23, Township 1S, Range 3W, 4th Prime Meridian, Brown County, Illinois and afterwards alleged in an administrative citation that John J. and Kathy D. Still violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1) and 21(p)(7) of the Act. Respondents timely filed a petition for review, to contest the administrative citation, which the Board accepted on June 17, 2010. On February 15, 2011, respondents filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under the terms of the settlement, respondents admit to; violating Section 21(p)(1) of the Act, by causing or allowing the open dumping of waste resulting in litter; respondents agree to the dismissal of its petition contesting the administrative citation and; that the waste, which was the subject of the administrative citation, has been removed and properly disposed. The Board accepted the stipulation and proposal and therefore found respondent in violation of Section 21(p)(1) of the Act and assessed the statutory civil penalty of \$1,500 for the violation. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500, the Board dismissed the alleged violation of 21(p)(7) of the Act. The respondent must pay \$1,500 no later than April 4, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. Timothy Crouch

Location: Rooks Creek Township, Livingston County, Region 4

File Type: Administrative Citation

Order Date: Mar 03, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1058235001

DLC File#: 1-11-AC

Docket#: AC 11-19

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On March 3, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Timothy Crouch, in AC 11-19. On December 1, 2010, the Illinois EPA inspected a facility located in Rooks Creek Township, approximately ¼ mile west of County Highways 1200E and 1600N, Livingston County, Illinois and afterwards alleged in an administrative citation that respondent violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Section 21(p)(1) and 21(p)(7) of the Act. Respondent did not file a timely response to contest the administrative citation. Therefore, the Board found that the respondent, Timothy Crouch, violated the Act and related regulations and ordered respondent to pay a civil penalty of \$3,000, no later than April 4, 2011.

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Enforcement Orders

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Case Name: People v. Busse-Yard 20, Inc., B-Lady Trust 2001 and Helene Van Hyning
Location: Rockford, Winnebago County, Region 1
File Type: Enforcement, Section 31
Order Date: Mar 01, 2011
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 2010306499
DLC File#: 218-08
Docket#: 09 CH 824
Penalty: \$100,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: Busse-Yard 20, Inc. is a clean construction or demolition debris ("CCDD") site located at 2317 Seminary Street, Rockford, Illinois 61104. The site was inspected by the Illinois EPA on September 25, 2007, April 3, 7, 8, and 9, 2008, April 24, 2009, March 31, 2010, April 1, 2010, August 13, 2010 and February 15, 2011. During the 2007 and 2008 inspections, unscreened waste was observed being dumped at the site. Waste not meeting the definition of CCDD was disposed at the site. The April 24, 2009 inspection showed the gate to be unsecured and open. Piles of rock and concrete were seen in the back of the property. During the April 13, 2010 inspection a truck full of what appeared to be CCDD arrived at and was dumped at the site. On February 15, 2011 it was noted that the gate was locked and the site was snow covered. A complaint for Injunctive Relief and Civil Penalties was filed on June 23, 2009. Busse-Yard 20, Inc. did not answer the complaint. On April 19, 2010 a Motion for Default and Judgment Against defendant Busse-Yard 20, Inc. was filed in Winnebago County Circuit Court, Case 09CH824. Hearing on the Motion for Default was held on March 1, 2011. An Order/Judgment was filed on March 1, 2011. The Order/Judgment states that Busse-Yard 20, Inc.'s waste disposal operation violated numerous statutory and regulatory provisions. The Order required the Busse-Yard 20, Inc. site to be closed, prohibited Busse-Yard 20, Inc. from accepting any CCDD or any other type of waste at the site and assessed a civil penalty of \$100,000.00 against Busse-Yard 20, Inc. Judgment was entered in favor of the State on its complaint against Defendant, Busse-Yard 20, Inc. The case was voluntarily dismissed, without prejudice, as to the remaining defendants.

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Enforcement Orders

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Case Name: People v. J.T. Einoder, Inc., Tri-State Industries, Inc., John Einoder and Janice Einoder

Location: Lynwood, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Feb 08, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 229-98, 275-00

Docket#: 00 CH 10635

Penalty: \$1,800,000.00

SEP? No

Compliance Plan Requirements? Yes

Costs or Reimbursement? No

Case Summary: The Einoder case involves the open dumping of construction and demolition debris above grade at a site near Lynwood, Illinois. On June 29, 2009, the court found that the defendants are liable for violations of the Illinois Environmental Protection Act alleged in the complaint. On February 8, 2011, the court entered its order regarding the remedy and penalty in the case. The order directed the defendants to cease and desist from dumping waste at the site, and it directed the defendants to remove all waste above 631 feet in elevation above mean sea level. Additionally, the defendants are to submit a work plan for the clean up within 30 days of the entry of the order (March 10, 2011). All work is to be completed no later than 60 months after the entry of the order (February 8, 2016). A groundwater investigation plan is also to be submitted to the Illinois EPA within 30 of the entry of the order (March 10, 2011). Quarterly status reports are to be provided to the State, and the Illinois EPA is to be reimbursed for certain costs associated with the oversight and enforcement of the defendant's compliance with the order. The order also imposes the following civil penalties against the defendants: \$750,000 as to Tri-State Industries, Inc.; \$500,000 as to J. T. Einoder, Inc.; \$500,000 as to John Einoder; and \$50,000 as to Janice Einoder. The total civil penalty is \$1.8 Million.

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Enforcement Orders

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Case Name: Illinois EPA v. Paul Aureden

Location: East Dubuque, Jo Daviess County, Region 1

File Type: Administrative Citation

Order Date: Jan 20, 2011

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0850305002

DLC File#: 316-10-AC

Docket#: AC 11-15

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On January 20, 2011, the Illinois Pollution Control Board entered an opinion and order in the case involving Paul Aureden(Respondent), in AC 11-15. On October 6, 2010, the Illinois EPA inspected a facility located at 17607 US Highway 20 W near East Dubuque in JoDaviess County, Illinois and afterwards alleged in an administrative citation that Respondent violated the Act by causing or allowing the open dumping of waste resulting in litter; the deposition of general or clean construction or demolition debris; and used tires not altered, covered or otherwise prevented from accumulating water, at the facility, in violation of Sections 21 (p)(1), 21 (p) 7 and 55(k)(1) of the Act. Respondent did not file a timely response to contest the administrative citation. Therefore, the Board found that the respondent violated the Act and related regulations and must pay the subsequent civil penalty of \$4,500.00. The Board ordered respondent to pay the civil penalty of \$4,500.00, no later than February 21, 2011.

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Enforcement Orders

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Case Name: Illinois EPA v. David Antrim	Incident#:
Location: Altamont, Effingham County, Region 4	Bureau ID#: 0498085004
File Type: Administrative Citation	DLC File#: 64-10-AC
Order Date: Jan 06, 2011	Docket#: AC 10-15
Order Type: Civil, Final	Penalty: \$1,500.00
Programs: Solid Waste	SEP? No
	Compliance Plan Requirements? No
	Costs or Reimbursement? No

Case Summary: On January 6, 2011, the Illinois Pollution Control Board accepted a proposed settlement and dismissal in the case involving David Antrim(Respondent), in AC 10-15. On December 28, 2009, the Illinois EPA inspected a facility located south of Interstate 70, south of Altamont, Effingham County, Illinois and afterwards alleged in an administrative citation that Respondent violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning and the deposition of general or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1), 21 (p)(3), and 21 (p)(7) of the Act. Respondent timely filed a petition to contest the administrative citation, which the Board accepted on February 18, 2010. On December 20, 2010, the parties filed a stipulation of settlement and dismissal of respondents petition for administrative review. Under its terms, respondent admitted violating Section 21(p)(1) of the Act by causing or allowing the open dumping of waste resulting in litter, and agreed to pay the statutory civil penalty of \$1,500.00 for this violation. Respondent also agreed to the dismissal of the petition contesting the administrative citation. The stipulation further stated that the waste that was the subject of the administrative citation had been removed and properly disposed. The Board accepted the stipulation and proposal for settlement and found Respondent in violation of Section 21(p)(1) of the Act. The Board accordingly assessed a civil penalty of \$1,500.00. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500.00, the Board dismissed the alleged violations of Section 21(p)(3) and Section 21(p)(7) of the Act. The Board ordered respondent to pay the civil penalty of \$1,500.00, no later than February 7, 2011.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement

Order Date: Oct 14, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Dolci

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$275,750.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On May 24, 2010, a Consent Order was entered between the State and Dolci, Inc. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Dolci, Inc. to pay \$275,750 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$5,000.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Nov 06, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? Yes \$173,750.00

Costs or Reimbursement? No

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On November 6, 2009, Consent Orders were entered between the state and three defendants, H.F. Vegter Excavating, Dunleavy Construction, and Ricci/Welch, Inc. The Consent Orders require the three defendants to put \$173,750, \$15,000, and \$215,000, respectively, into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendants also had to pay a civil penalty of \$5,000 each. It is anticipated that additional consent orders with other defendants in the case will be filed in the up-coming months.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 10, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Wigboldy

Docket#: 04 CH 8063

Penalty: \$7,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$370,000.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On June 10, 2010, a Consent Order was entered between the State and Wigboldy Excavating Inc. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Wigboldy to pay \$370,000 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$7,500.00.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Aug 31, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Dawn Companies

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$71,500.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On August 31, 2010; a Consent Order was entered between the State and Dawn Companies, Inc. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Dawn Companies, Inc. to pay \$71,500.00 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$5,000.

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Enforcement Orders

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Case Name: People v. Greg Pinter, and individual, d/b/a Pinter General Contracting

Location: Malden, Bureau County, Region 1

File Type: Enforcement, Section 31

Order Date: Jul 20, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0118010001

DLC File#: 143-09

Docket#: 10 CH 45

Penalty: \$1,000.00

SEP? No

Compliance Plan Requirements? Yes

Costs or Reimbursement? No

Case Summary: The property that is the subject of this enforcement action is located at 29760 1900 North Avenue, Malden, Bureau County, Illinois 61337. On July 15, 2008 the Illinois EPA performed an inspection at the property. The inspection was performed to investigate a complaint of alleged open dumping and burning of demolition debris by Greg Pinter. On April 29, 2010 a complaint was filed against Greg Pinter in Bureau County Circuit Court, case 10 CH 45. A Consent Order was entered in Bureau County Circuit Court on July 20, 2010. The consent order requires the payment of a \$1,000.00 penalty that is to be paid upon entry of the consent order. The consent order also requires that by October 18, 2010 Greg Pinter remove the top 6 inches of soil from the area where the construction and demolition debris had been disposed. The soil removed is to be disposed at a permitted landfill with documentation to be submitted to the state. A licensed asbestos inspector is to take 3 confirmatory soil samples from the Excavation Area. The results are to be submitted to the state. Illinois EPA determines if the soil removal is considered complete. All soil excavation and disposal work is to be completed within 150 days (by December 17, 2010) of entry of the Consent Order.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 10, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Wigboldy

Docket#: 04 CH 8063

Penalty: \$7,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$370,000.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On June 10, 2010, a Consent Order was entered between the State and Wigboldy Excavating Inc. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Wigboldy to pay \$370,000 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$7,500.00.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 10, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Beverly

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$275,000.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On June 10, 2010, a Consent Order was entered between the State and Beverly Asphalt Paving Co. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Beverly Asphalt to pay \$275,000 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$5,000.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 10, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Hopkins

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$229,750.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On June 10, 2010, a Consent Order was entered between the State and J. P. Hopkins Sewer Contractor, Inc. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Hopkins to pay \$229,750 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$5,000.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: May 24, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Harvey Park

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$180,000.00

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On May 24, 2010, a Consent Order was entered between the State and the Harvey Park District. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Harvey Park District to pay \$180,000 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$5,000.

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Enforcement Orders

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Case Name: Illinois EPA v. Carol G. Prieb and Margaret Dillavou
Location: Jonesboro, Union County, Region 7
File Type: Administrative Citation, Section 31.1
Order Date: Apr 01, 2010
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1818580001
DLC File#: 24-08-AC
Docket#: AC 08-18
Penalty: \$1,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On April 1, 2010, the Illinois Pollution Control Board accepted a proposed settlement and dismissal of this administrative citation in AC 08-18. On January 10, 2008, the Illinois EPA inspected a facility located at 405 Barkhausen Lane, Jonesboro, Union County, Illinois and afterwards alleged in an administrative citation that Carol G. Prieb and Margaret Dillavou ("Respondents") violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1), 21 (p)(3) and 21(p)(7) of the Act. Respondents timely filed a petition for review to contest the administrative citation, which the Board accepted on April 4, 2008. On March 26, 2010, the parties filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under its terms, respondents admit they violated Section 21(p)(7) of the Act and respondents also agreed to the dismissal of their petition contesting the administrative citation. The stipulation and proposal for settlement was accepted by the Board. The Board accordingly assessed a civil penalty of \$1,500.00 To effectuate the parties' intent that respondents pay a total civil penalty of \$1,500.00, the Board dismissed the alleged violations of Sections 21(p)(1) and 21(p)(3) of the Act. The Board in finding respondents in violation of Section 21(p)(7) of the Act, ordered respondents to pay a \$1,500.00 civil penalty, no later than May 3, 2010, to the Illinois Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Carol G. Prieb

Location: Jonesboro, Union County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Apr 01, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1818580001

DLC File#: 173-07-AC

Docket#: AC 08-01

Penalty: \$1,500.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?**

Case Summary: On April 1, 2010, the Illinois Pollution Control Board accepted a proposed settlement and dismissal of this administrative citation in AC 08-01. On June 12, 2007, the Illinois EPA inspected a facility located at 405 Barkhausen Lane, Jonesboro, Union County, Illinois and afterwards alleged in an administrative citation that Carol G. Prieb ("Respondent") violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general or clean construction or demolition debris at the facility. This is a violation of Sections 21(p)(1) and 21(p)(7) of the Act. Respondent timely filed a petition for review to contest the administrative citation, which the Board accepted on August 21, 2007. On March 26, 2010, the respondent filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under its terms, respondent admits violating Section 21(p)(1) of the Act and respondent also agreed to the dismissal of the petition contesting the administrative citation. The stipulation and proposal for settlement was accepted by the Board. The Board accordingly assessed a civil penalty of \$1,500.00. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500.00, the Board dismissed the alleged violation of Section 21(p)(7) of the Act. The Board in finding respondent in violation of Section 21(p)(1) of the Act, ordered respondent to pay a \$1,500.00 civil penalty, no later than May 3, 2010, to the Illinois Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: People v. Western Sand & Gravel Company, LLC

Location: LaSalle, La Salle County, Region 1

File Type: Enforcement, Section 31

Order Date: Mar 18, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0990305107

DLC File#: 333-08

Docket#: PCB 10-22

Penalty: \$3,120.00

SEP? No

Compliance Plan Requirements? Yes

Costs or Reimbursement? No

Case Summary: The Western Sand & Gravel LLC (Cannon Pit) ("WS&G") case is a clean construction or demolition debris ("CCDD") case involving a CCDD site operated by WS&G. The WS&G site is located at Route 178 & I-80, LaSalle, LaSalle County, Illinois. The AGO filed the complaint with the Illinois Pollution Control Board on September 30, 2009, PCB 10-022. The complaint alleged that WS&G failed to (1) conduct visual inspections, inspections with a photo ionization detection ("PID") instrument for each incoming load, and discharge inspections of at least one randomly selected load delivered to the facility each day, (2) failing to retain records evidencing that a load checking program is being used at the facility, (3) failing to properly train its personnel at the facility to identify material that is not CCDD, and (4) failing to keep and maintain a calibrated PID instrument at the facility for checking loads of CCDD. A Stipulation was filed with the Pollution Control Board on January 19, 2010. The Pollution Control Board accepted the Stipulation on March 18, 2010. The Stipulation does not include any technical remedy since the violations that were the subject of the Complaint have been resolved. The Stipulation requires WS&G to pay a penalty of \$3,120.00 by April 19, 2010.

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Enforcement Orders

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Case Name: Illinois EPA v. Tony A. Luttrell

Location: Xenia, Clay County, Region 7

File Type: Administrative Citation

Order Date: Mar 18, 2010

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0258095001

DLC File#: 293-09-AC

Docket#: AC 10-09

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On March 18, 2010, the Illinois Pollution Control Board entered an opinion and order in the case involving Tony A. Luttrell in AC 10-09. On October 27, 2009, the Illinois EPA inspected a facility located at approximately 800 North Aspen Road, Xenia, Clay County and afterwards alleged in an administrative citation that Tony A. Luttrell violated the Act by causing or allowing the open dumping of waste in a manner resulting in litter and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1) and 21(p)(7) of the Act. Since Respondent did not file a petition for review to contest the administration citation, the Board found that the respondent committed the violations alleged and imposed the corresponding civil penalty. Because the administrative citation addresses a second or subsequent violation of Sections 21(p)(1) and 21 (p)(7), respondent is subject to a total civil penalty of \$6,000.00. The civil penalty for violating any provision of subsection (p) of Section 21 is \$1,500 for each violation, except that the penalty amount is \$3,000.00 for each violation that is the second or subsequent adjudicated violation of that provision. See 415 ILCS 5/42(b)(4-5) (2008): 35 Ill. Adm. Code 108.500(a). The Board in finding respondent in violation of Sections 21(p)(1) and 21(P)(7) of the Act, ordered respondent to pay a \$6,000.00 civil penalty, no later than April 19, 2010, to the Illinois Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Dec 22, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03 Dresden

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? Yes \$125,000.00

Costs or Reimbursement? No

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On December 22, 2009, a Consent Order was entered between the State and Dresden Land Improvements, Inc. This is one of a number of consent orders that will be entered in this case with each trucking company that hauled waste to the site. The Consent Order requires Dresden to pay \$125,000 into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendant also must pay a civil penalty of \$5,000.

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Enforcement

Enforcement Orders

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Case Name: People v. Northwest Illinois Construction LLC
Location: Brookville, Carroll County, Region 1
File Type: Enforcement, Section 31
Order Date: Nov 18, 2009
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0158200001
DLC File#: 312-08
Docket#: 2009-CH-55
Penalty: \$2,100.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On November 18, 2009 a consent order was entered in Carroll County Circuit Court, case No. 2009 CH 55 for the Northwest Illinois Construction LLC ("NIC") Brookville Quarry site. The Brookville Quarry site is located in Brookville, Carroll County, Illinois. This is a clean construction or demolition debris ("CCDD") facility owned and operated by NIC. The Brookville Quarry CCDD site is located at US Route 52 and Illinois Route 64 in Brookville, Carroll County, Illinois. The consent order sets forth the action taken by NIC to address the violations alleged by the State against NIC regarding the Brookville Quarry. An entrance gate was installed, and a permanent entrance sign stating that only CCDD would be accepted at the site, was ordered. NIC also screened the existing material at the site with a photo ionization detector ("PID") and found no readings in excess of background levels. In addition, procedures were implemented to inspect all incoming loads, conduct random discharge inspections, properly handle rejected loads, properly train personnel, employ the use of an instrument to screen incoming loads, and maintain the required documentation in the operating record. The violations alleged have been addressed so there is no technical remedy included in the consent order. The consent order requires NIC to pay a penalty in the amount of \$2,100.00.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Nov 06, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? Yes \$215,000.00

Costs or Reimbursement? No

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On November 6, 2009, Consent Orders were entered between the state and three defendants, H.F. Vegter Excavating, Dunleavy Construction, and Ricci/Welch, Inc. The Consent Orders require the three defendants to put \$173,750, \$15,000, and \$215,000, respectively, into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendants also had to pay a civil penalty of \$5,000 each. It is anticipated that additional consent orders with other defendants in the case will be filed in the up-coming months.

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Enforcement Orders

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elabady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Nov 06, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03

Docket#: 04 CH 8063

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? Yes \$15,000.00

Costs or Reimbursement? No

Case Summary: The Excavating and Lowboy Services case involves the open dumping of construction and demolition debris on property owned by the Harvey Park District, and used by the City of Harvey for a shooting range. On November 6, 2009, Consent Orders were entered between the state and three defendants, H.F. Vegter Excavating, Dunleavy Construction, and Ricci/Welch, Inc. The Consent Orders require the three defendants to put \$173,750, \$15,000, and \$215,000, respectively, into the Environmental Protection Trust Fund for waste removal and remediation at the site. The Defendants also had to pay a civil penalty of \$5,000 each. It is anticipated that additional consent orders with other defendants in the case will be filed in the up-coming months.

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Enforcement Orders

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Case Name: Illinois EPA v. Bradley and Carol Corzine

Location: Union County, Region 7

File Type: Administrative Citation

Order Date: Nov 05, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1818555005

DLC File#: 301-08-AC

Docket#: AC 09-22

Penalty: \$1,500.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On November 5, 2009, the Illinois Pollution Control Board entered an opinion and order in the case involving Bradley and Carol Corzine in AC 09-22. On September 18, 2008, the Illinois EPA inspected a facility located at SEC 23, T13, R1W, SW, SE, E1/2 of the NW, Union County, Illinois and afterwards alleged in an administrative citation that Bradley and Carol Corzine violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1) and 21(p)(7) of the Act. Respondents timely filed a petition for review, to contest the administrative citation, which the Board accepted on November 20, 2008. On October 16, 2009, respondents filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under the terms of the settlement, respondents admit to; violating Section 21(p)(1) of the Act, by causing or allowing the open dumping of waste resulting in litter; respondent agrees to the dismissal of its petition contesting the administrative citation and; that the waste, which was the subject of the administrative citation, has been removed and properly disposed. The Board accepted the stipulation and proposal and therefore found respondent in violation of Section 21(p)(1) of the Act and assessed the statutory civil penalty of \$1,500 for the violation. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500, the Board dismissed the alleged violation of Section 21(p)(7) and of the Act. The respondent must pay \$1,500 no later than December 7, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Gordon Investment Group, LLC
Location: Bushnell, McDonough County, Region 3
File Type: Administrative Citation
Order Date: Oct 01, 2009
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1090155029
DLC File#: 80-09-AC
Docket#: AC 09-44
Penalty: \$1,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On October 1, 2009, the Illinois Pollution Control Board entered an opinion and order in the case involving Gordon Investment Group, LLC in AC 09-44. On March 26, 2009, the Illinois EPA inspected a facility located at 601 E. Osborn Street, Bushnell, McDonough County, Illinois and afterwards alleged in an administrative citation that Gordon Investment Group, LLC violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent timely filed a petition for review, to contest the administrative citation, which the Board accepted on June 18, 2009. On September 17, 2009, respondent filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under the terms of the settlement, respondent admits to; violating Section 21(p)(3) of the Act, by causing or allowing the open dumping of waste resulting in open burning; respondent agrees to the dismissal of its petition contesting the administrative citation and; that the waste, which was the subject of the administrative citation, has been removed and properly disposed. The Board accepted the stipulation and proposal and therefore found respondent in violation of Section 21(p)(3) of the Act and assessed the statutory civil penalty of \$1,500 for the violation. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500, the Board dismissed the alleged violations of Section 21(p)(1) and 21(p)(7) of the Act. The respondent must pay \$1,500 no later than November 2, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Gene Breeden

Location: Loda, Iroquois County, Region 4

File Type: Administrative Citation

Order Date: Oct 01, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0750550001

DLC File#: 04-08-AC

Docket#: AC 08-16

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On October 1, 2009, the Illinois Pollution Control Board entered an opinion and order in the case involving Gene Breeden in AC 08-16. On January 11, 2008, the Illinois EPA inspected a facility located at 104 West Lincoln Street, Loda, Iroquois County, Illinois and afterwards alleged in an administrative citation that Gene Breeden violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility, in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent timely filed a petition for review, to contest the administrative citation, which the Board accepted on March 20, 2008. On September 16, 2009, respondent filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under the terms of the settlement, respondent admits to; violating Section 21(p)(7) of the Act, by causing or allowing the open dumping of waste resulting in the deposition of general construction or demolition debris or clean construction or demolition debris; respondent agrees to the dismissal of its petition contesting the administrative citation and; that the waste, which was the subject of the administrative citation, has been removed and properly disposed. The Board accepted the stipulation and proposal and therefore found respondent in violation of Section 21(p)(7) of the Act and assessed the statutory civil penalty of \$1,500 for the violation. To effectuate the parties' intent that respondent pay a total civil penalty of \$1,500, the Board dismissed the alleged violations of Section 21(p)(1) and 21(p)(3) of the Act. The respondent must pay \$1,500 no later than November 2, 2009.

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Enforcement Orders

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Case Name: People v. Quality Ready Mix Concrete Co.

Location: Sterling, Whiteside County, Region 1

File Type: Enforcement, Section 31

Order Date: Sep 13, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1958105001

DLC File#: 311-08

Docket#: 09 CH 111

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: Quality Ready Mix is a quarrying/concrete delivery operation located in a mixed use agricultural/industrial area west of Sterling in Whiteside County, Illinois. The site is located at 13134 Galt Road, Sterling, Whiteside County, Illinois. A clean construction or demolition debris ("CCDD") fill operation is also conducted at the site. A complaint was filed in Whiteside County Circuit Court on August 5, 2009, case 09 CH 111. A consent order was entered on September 13, 2009. The Consent Order does not include any technical remedy since the violations that were the subject of the Complaint have been resolved. The Consent Order requires Quality Ready Mix to pay a penalty of \$5,000.00. That penalty has been paid.

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Enforcement Orders

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Case Name: People v. City of Princeton

Location: Princeton, Bureau County, Region 1

File Type: Enforcement, Section 31

Order Date: Aug 07, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0118193005

DLC File#: 94-08

Docket#: 09 CH 71

Penalty: \$5,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: The City of Princeton ("Princeton") case is a clean construction or demolition debris ("CCDD") case involving a CCDD site owned and operated by Princeton. The Princeton CCDD site is located in Princeton, Bureau County, Illinois. Illinois EPA performed an inspection at the Princeton CCDD site on September 25 and 26, 2007. The violations noted at the site at the time of the inspection included failure to visually inspect and screen incoming loads with a monitoring device, failure to conduct random discharge inspections, failure to document load checking results, failure to follow proper procedures regarding rejected loads, failure to have documentation showing that all appropriate facility personnel are trained in the identification of material that is not CCDD, failure to conduct field measurement activities, failure to maintain load checking documents and failure to maintain the required operating record. A VN was issued on November 14, 2007. Princeton did not respond to the VN. A NITPLA was issued on July 24, 2008. The matter was referred to the AGO on October 3, 2008. On June 4, 2009 Princeton performed a site investigation to show that the CCDD taken to the site was not contaminated. No problems were detected. On August 7, 2009 a consent order was entered in Bureau County Circuit Court. Section III.A. Penalty, of the consent order, required Princeton to pay and Princeton paid a \$5,000.00 penalty. According to Section III.D. Future Compliance, of the consent order, Princeton cannot conduct CCDD fill operations without a permit.

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Enforcement Orders

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Case Name: People v. Town & Country Utilities, Inc.,
Kankakee Regional Landfill, LLC, Edward F.
Heil, and Thomas A. Volini

Location: Kankakee, Kankakee County, Region 2

File Type: Enforcement, Section 31

Order Date: Jul 20, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0910555208

DLC File#: 82-06

Docket#: 07 CH 303

Penalty: \$25,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: This case involved the open dumping of construction and demolition debris at a site southwest of Kankakee, Illinois. One of the defendants, Kankakee Regional Landfill, entered into a Consent Order settling the enforcement case against it on July 20, 2009. As a remedy, it removed the waste from the site and paid \$25,000 in civil penalty. In addition to the settlement with Kankakee Regional Landfill, one of the defendants, Edward Heil, was dismissed with prejudice. This consent order does not resolve the entire case, though. The other defendant, Thomas Volini, has refused to settle the case against him and Town & Country Utilities, Inc.

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Enforcement Orders

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Case Name: People v. J.T. Einoder, Inc., Tri-State Industries, Inc., John Einoder and Janice Einoder

Location: Lynwood, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Jun 29, 2009

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 0318010009

DLC File#: 229-98, 275-00

Docket#: 00 CH 10635

Penalty:

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: The Einoder case involves the open dumping of construction and demolition debris above grade at a site near Lynwood, Illinois. A pile of construction and demolition debris waste of over 75 feet in height was created on the 40 acres site. The dumping occurred from late 1995 through 2003. On June 29, 2009, the court found that the defendants are liable for the violations set forth in the second amended complaint. The violations involved open dumping and the development and operation of an unpermitted landfill. The defendants include Tri-State Industries, Inc., J. T. Einoder, Inc., John Einoder, and Janice Einoder. This Order and ruling only dealt with the liability issue. Further proceedings to address injunctive relief and civil penalty are still pending.

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Enforcement Orders

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Case Name: Illinois EPA v. Mark Gates

Location: Lincoln, Logan County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Jun 04, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1078075001

DLC File#: 96-06-AC

Docket#: AC 06-50

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** Yes \$317.91

Case Summary: On June 4, 2009, the Illinois Pollution Control Board entered a final opinion and order of this Administrative Citation in AC 06-50. On April 26, 2006, the Illinois EPA inspected a facility that is part of the W 1/2 of the SW 1/4 of Section 8 in Township 21 North and Range 2 West of the 3rd Principal Meridian in Logan County, Illinois. After this inspection, the Illinois EPA alleged in an administrative citation that Mark Gates, Marla Lewis Gates and Mark Kingsley Lewis violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris, at the facility. This is a violation of Sections 21(p)(1) and 21 (p)(7) of the Act. The Illinois EPA filed the administrative citation on June 2, 2006, against all three persons: Mark Gates; Marla Lewis Gates and Mark Kingsley Lewis. However, because the Illinois EPA failed to timely serve the administrative citation on Marla Lewis Gates and Mark Kinglsey Lewis, those two individuals were dismissed from these proceedings. Mark Gates filed a petition for review on July 18, 2006. On August 4, 2006, the Board issued an order finding respondent's petition timely but deficient and ordered respondent to file an amended petition by September 5, 2006. When Mark Gates failed to file an amended petition, the Board, on October 19, 2006 issued a default order against Mark Gates, finding he violated Sections 21(p)(1) and 21(p)(7)of the Act as alleged and directed him to pay a civil penalty of \$3,000. On November 21, 2006, Mark Gates filed a motion for reconsideration of the October 19, 2006 order, which the Board granted on December 21, 2006. The Board subsequently granted Mark Gates several additional extensions to file an amended petition. On May 29, 2007, Mark Gates filed an "Amended Response to Administrative Citation", which the Board accepted for hearing in a June 21, 2007 order. The hearing was held on January 23, 2008. Mark Gates unsuccessfully contested the administrative citation at hearing and therefore was found to be in violation of Sections 21(p)(1)and 21(p)(7)of the Act. The Board in finding respondent, Mark Gates, in violation of Sections 21(p)(1) and (p)(7)of the Act, ordered respondent to pay a \$3,000.00 civil penalty, as well as hearing costs totaling \$317.91, for a total amount due of \$3,317.91. Respondent must pay \$3,317.91 no later than July 21, 2009, to the Illinois Environmental Protection Trust Fund.



Enforcement Orders

View Order

Case Name: Illinois EPA v. Jack Campbell

Location: Norris City, White County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: May 07, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1938075005

DLC File#: 2-09-AC

Docket#: AC 09-34

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On May 7, 2009, the Illinois Pollution Control Board entered a default order against Jack Campbell in AC 09-34. On January 7, 2009, the Illinois EPA inspected a facility owned and operated by Respondent, located 291 County Road 30E, southwest of Norris City, White County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Jack Campbell violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by June 8, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Info Corner Materials, Inc.

Location: Springfield, Sangamon County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Apr 16, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1678220075

DLC File#: 15-09-AC

Docket#: AC 09-37

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On April 16, 2009, the Illinois Pollution Control Board entered a default order against Info Materials, Inc. in AC 09-37. On January 9, 2009, the Illinois EPA inspected a facility owned and operated by Respondent, located on Bachmann Drive, Just north of the junction of North Dirksen Parkway and Peoria Road, in Springfield Township, Sangamon County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Info Materials, Inc. violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by May 18, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. David Swearingen
Location: Mattoon, Coles County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Mar 19, 2009
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0298065002
DLC File#: 4-09-AC
Docket#: AC 09-33
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On March 19, 2009, the Illinois Pollution Control Board entered a default order against David Swearingen in AC 09-33. On December 11, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located in the northeast corner of the intersection of 200 E CR and Illinois Route 16, on a rural five acre lot, in Coles County, Mattoon Township, Coles County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that David Swearingen violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by April 20, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Theodore and Elizabeth Hollembeak and Hollembeak Construction, Inc.

Location: Mt. Sterling, Brown County, Region 5

File Type: Administrative Citation

Order Date: Feb 19, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0090105033

DLC File#: 85-08-AC

Docket#: AC 09-2

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On February 19, 2009, the Illinois Pollution Control Board entered a final order in AC 09-2. On May 30, 2008, the Illinois EPA ("Agency") inspected a facility owned and operated by Respondents, located at 402 Pittsfield Road, Mt. Sterling, Brown County, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), (p)(3) and (p)(7) of the Act. On July 21, 2008, Respondent Theodore Hollembeak filed a petition for review. On August 7, 2008, the Board accepted the petition for review. Respondents Elizabeth Hollembeak and Hollembeak Concrete, Inc. did not file a timely Petition for Review. Therefore, the Board entered a default order against them and proceeded to hearing only as to Theodore Hollembeak. On January 23, 2009, respondent Theodore Hollembeak filed a motion to dismiss the petition for review. The Board granted the motion to dismiss and subsequently found that Theodore & Elizabeth Hollembeak and Hollembeak Concrete, Inc. violated Sections 21(p)(1), (p)(3) and (p)(7). The Board ordered Respondents to pay the statutory penalty of \$4,500 by March 9, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Troy Voss and Shirley Voss

Location: Alpha, Henry County, Region 3

File Type: Administrative Citation

Order Date: Jan 08, 2009

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0738180003

DLC File#: 296-08-AC

Docket#: AC 09-18

Penalty: \$4,500.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On January 8, 2009, the Illinois Pollution Control Board entered a default order against Troy Voss and Shirley Voss in AC 09-18. On September 15, 2008, the Illinois EPA inspected a facility owned and operated by Respondents, located at 3751 North 500th Avenue, Alpha, Henry County, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), (p)(3) and (p)(7) of the Act. Respondents did not file a timely Petition for Review. Accordingly, the Board found that Troy Voss and Shirley Voss violated Sections 21(p)(1), (p)(3) and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by February 9, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Joseph Flick

Location: Cobden, Union County, Region 7

File Type: Administrative Citation

Order Date: Dec 04, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1818540002

DLC File#: 73-08-AC

Docket#: AC 08-32

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 4, 2008, the Illinois Pollution Control Board entered a default order against Joseph Flick. in AC 08-32. On May 5, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at 280 Pine Lane, Cobden, Union County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1),and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Joseph Flick violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by January 5, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Joseph Combs

Location: White Hall, Greene County, Region 5

File Type: Administrative Citation

Order Date: Dec 04, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0610405013

DLC File#: 75-08-AC

Docket#: AC 08-34

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 4, 2008, the Illinois Pollution Control Board entered a default order against Joseph Combs in AC 08-34. On April 22, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at 260 Israel Street, White Hall, Greene County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1) and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Joseph Combs violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by January 5, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Charles F. Kinsel

Location: Lewistown, Fulton County, Region 3

File Type: Administrative Citation

Order Date: Dec 04, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0578170001

DLC File#: 78-08-AC

Docket#: AC 08-36

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 4, 2008, the Illinois Pollution Control Board entered a default order against Charles F. Kinsel in AC 08-36. On May 13, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at 14998 N. Shelby Road, Lewistown, Fulton County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Charles F. Kinsel violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by January 5, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Reynolds Service Co.

Location: Jonesboro, Union County, Region 7

File Type: Administrative Citation

Order Date: Dec 04, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1818565001

DLC File#: 214-08-AC

Docket#: AC 09-14

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 4, 2008, the Illinois Pollution Control Board entered an opinion and order against Reynolds Service Co., Inc. in AC 09-14. On August 4, 2008, the Illinois EPA inspected a facility located at the following legal address: Section 23, TWP 12, Rng 2W, Part of SE corner of NE NE, Union County, Illinois and afterwards alleged in an administrative citation that Reynolds Service Co., Inc. violated the Act by causing or allowing the open dumping of waste resulting in litter, proliferation of disease vectors and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. On October 30, 2008, Reynolds Service Co., Inc. filed a petition for review to contest the administrative citation. However, the Board found that the petition was not timely filed within the 35 days after being served with the administrative citation. Accordingly, the Board found Respondent violated Section 21(p)(1), Section 21(p)(3) and Section 21(p)(7), of the Act, and ordered Reynolds Service Co., Inc to pay a \$4,500.00 civil penalty, no later than January 5, 2009, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Charles Kissick
Location: Waverly, Morgan County, Region 5
File Type: Administrative Citation
Order Date: Dec 04, 2008
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1370455012
DLC File#: 298-08-AC
Docket#: AC 09-20
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On December 4, 2008, the Illinois Pollution Control Board entered a default order against Charles Kissick in AC 09-20. On September 9, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at 391 West Tanner, Waverly, Morgan County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Charles Kissick violated Sections 21(p)(1), and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by January 5, 2009.

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Case Name: Illinois EPA v. Darrell Knox

Location: Jacksonville, Morgan County, Region
5

File Type: Administrative Citation

Order Date: Dec 04, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1378075006

DLC File#: 300-05-AC

Docket#: AC 09-21

Penalty: \$4,500.00

SEP? No

**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On December 4, 2008, the Illinois Pollution Control Board entered a default order against Darrell Knox in AC 09-21. On September 12, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at 2099 Baldwin, Jacksonville, Morgan County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), (p)(3) and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Darrell Knox violated Sections 21(p)(1),(p)(3) and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by January 5, 2009.

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Enforcement Orders

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Case Name: Illinois EPA v. Ruby Acklin and Joseph Flick

Location: Cobden, Union County, Region 7

File Type: Administrative Citation

Order Date: Oct 16, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1818545010

DLC File#: 156-08-AC

Docket#: AC 09-11

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On October 16, 2008, the Illinois Pollution Control Board entered a default order granting the Agency's motion to dismiss Ruby Acklin from the proceedings and against Joseph Flick in AC 09-11. On July 17, 2008, the Illinois EPA inspected a facility owned and operated by Respondents, located at 4155 Wing Hill Road, Cobden, Union County, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), and (p)(7) of the Act. On August 25, 2008, the Agency timely filed a motion to voluntarily dismiss Acklin, because the Agency failed to timely serve Acklin. The Board granted the Agency's motion to voluntarily dismiss Acklin. Respondent, Joseph Flick was timely served, but failed to file a timely Petition for Review. Accordingly, the Board found that Joseph Flick violated Sections 21(p)(1) and (p)(7). The Board ordered Respondent, Joseph Flick, to pay the statutory penalty of \$3,000 by November 17, 2008.

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Case Name: Illinois EPA v. Billy Hammond, Sr.
Location: Benton, Franklin County, Region 7
File Type: Administrative Citation
Order Date: Oct 16, 2008
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0550055072
DLC File#: 155-08-AC
Docket#: AC 09-13
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On October 16, 2008, the Illinois Pollution Control Board entered a default order against Billy Hammond, Sr. in AC 09-13. On July 16, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at E. Plum Street in Benton, Franklin County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), (p)(3) and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Billy Hammond, Sr. violated Sections 21(p)(1),(p)(3) and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by November 17, 2008.

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Case Name: Illinois EPA v. Timothy Pearce

Location: Flora, Clay County, Region 7

File Type: Administrative Citation

Order Date: Jun 19, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0258105003

DLC File#: 59-05-AC

Docket#: AC 05-61

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On June 19, 2008, the Illinois Pollution Control Board entered a final opinion and order. On February 16, 2005, the Illinois EPA inspected a facility located at 241 N. Willow Road, Flora, Clay County, Illinois and afterwards alleged in an administrative citation that Timothy Pearce violated the Act by causing or allowing the open dumping of waste resulting in the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. This is a violation of Section 21(p)(7) of the Act. Timothy Pearce timely filed a petition for review to contest the administrative citation. However, Mr. Pearce stopped participating in the proceeding. Since Mr. Pearce's participation ceased, the Illinois Environmental Protection Agency ("Agency") served Mr. Pearce with both a request to admit facts and a motion for summary judgment. Mr. Pearce did not respond to either. Therefore, the Board granted the Agency's unopposed motion for summary judgment. The Board found that the respondent violated Section 21(p)(7) and ordered Timothy Pearce to pay a \$1,500.00 civil penalty, no later than August 4, 2008, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. William Dixon

Location: Jonesboro, Union County, Region 7

File Type: Administrative Citation

Order Date: Jun 05, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1810255016

DLC File#: 28-08-AC

Docket#: AC 08-23

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On June 5, 2008, the Illinois Pollution Control Board entered a default order against William Dixon in AC 08-23. On January 29, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located at SEC 30, TWP 12, RNG 1W, PART OF THE NW SE, .28 ACRES in Jonesboro, Union County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, scavenging, open burning and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), (p)(2), (p)(3) and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that William Dixon violated Sections 21(p)(1), (p)(2),(p)(3) and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$6,000 by July 7, 2008.

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Enforcement Orders

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Case Name: Illinois EPA v. Gire Properties, Inc. and Gire Construction, Inc.

Location: Villa Grove, Douglas County, Region 4

File Type: Administrative Citation

Order Date: Jun 05, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0410355017

DLC File#: 27-08-AC

Docket#: AC 08-24

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On June 5, 2008, the Illinois Pollution Control Board entered a default order against Gire Properties in AC 08-24. On January 29, 2008, the Illinois EPA inspected a facility owned and operated by Respondent, located in the NW ¼ SECTION of SECTION 11, Camargo Township, Villa Grove, Douglas County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, the deposition of waste in standing or flowing waters and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1), (p)(4) and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Gire violated Sections 21(p)(1),(p)(4) and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by July 7, 2008.

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Enforcement Orders

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Case Name: Illinois EPA v. Edward W. Fisher, Rhonda L. Fisher and DEM/EX Group, Inc.

Location: Mason City, Mason County, Region 5

File Type: Administrative Citation

Order Date: Jun 05, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1250305011

DLC File#: 29-08-AC

Docket#: AC 08-26

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or No
Reimbursement?** No

Case Summary: On June 5, 2008, the Illinois Pollution Control Board entered a default order against Edward W. Fisher, Rhonda L. Fisher and DEM/EX Group, Inc. William Dixon in AC 08-26. On February 7, 2008, the Illinois EPA inspected a facility owned and operated by Respondents, located at the NW ¼ of SECTION 28, TOWNSHIP 23 N, RANGE 6 W, THIRD MERIDIAN, Manito, Mason County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, and the deposition of general or clean construction or demolition debris, in violation of Sections 21(p)(1) and (p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Edward W. Fisher, Rhonda L. Fisher and DEM/EX Group, Inc. violated Sections 21(p)(1) and (p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by July 7, 2008.

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Enforcement Orders

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Case Name: Illinois EPA v. John A. & Kay E. Oldham

Location: Xenia, Clay County, Region 7

File Type: Administrative Citation

Order Date: May 01, 2008

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0258070001

DLC File#: 156-07-AC

Docket#: AC 07-62

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On May 1, 2008, the Illinois Pollution Control Board entered a final opinion and order. On April 19, 2007, the Illinois EPA inspected a facility located at 693 Oskaloosa Road in rural Xenia, Clay County, Illinois and afterwards alleged in an administrative citation that John A. and Kay E. Oldham violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general or clean construction or demolition debris, at the facility. This is a violation of Sections 21(p)(1) and 21(p)(7) of the Act. John A. and Kay E. Oldham timely filed a petition for review to contest the administrative citation, which the Board accepted on July 12, 2007. On April 21, 2008, the parties filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under its terms, respondents admit they violated Section 21(p)(1) of the Act and respondents also agreed to the dismissal of their petition contesting the administrative citation. The stipulation and proposal for settlement was accepted by the Board. The Board accordingly assessed a civil penalty of \$1,500.00 To effectuate the parties' intent that respondents pay a total civil penalty of \$1,500.00, the Board dismissed the alleged violation of Section 21(p)(7) of the Act. The Board in finding respondents in violation of Section 21(p)(1) of the Act, ordered respondents to pay a \$1,500.00 civil penalty, no later than June 2, 2008, to the Illinois Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Fred Honaker

Location: Coles, Moultrie County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Oct 04, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1398015040

DLC File#: 204-07-AC

Docket#: AC 08-4

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On October 4, 2007, the Illinois Pollution Control Board entered a default order against Fred Honaker in AC 08-4. On May 30, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at the northwest corner of 800N and 1795E in the town of Coles, Moultrie County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Fred Honaker violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 no later than November 5, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Swami Oil Company

Location: Gilman, Iroquois County, Region 4

File Type: Administrative Citation

Order Date: Sep 06, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0750455013

DLC File#: 203-07-AC

Docket#: AC 08-3

Penalty: \$4,500.00

SEP? No

**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On September 6, 2007, the Illinois Pollution Control Board entered a default order against Swami Oil Company in AC 08-3. On June 26, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at 620 US Highway 24, Gilman, Iroquois County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Swami Oil Company violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 no later than October 9, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Charles Stuller

Location: Wilsonville, Macoupin County, Region 5

File Type: Administrative Citation

Order Date: Sep 06, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1171205006

DLC File#: 174-07-AC

Docket#: AC 08-2

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On September 6, 2007, the Illinois Pollution Control Board entered a default order against Charles Stuller in AC 08-2. On June 4, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at 306 Rice Street, Wilsonville, Macoupin County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Charles Stuller violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by October 9, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Harold Graves (Tower Hill/Eilers-Graves)

Location: Tower Hill Township, Shelby County, Region 4

File Type: Administrative Citation

Order Date: Sep 06, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1738220004

DLC File#: 4-06-AC

Docket#: AC 06-23

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On September 6, 2007, the Illinois Pollution Control Board entered an opinion and order against Harold Graves in AC 06-23. On December 15, 2005, the Illinois EPA inspected a facility located approximately three miles south of Illinois 16 and one mile from the Christian County Line in Tower Hill Township, Section 31, Shelby County, Illinois and afterwards alleged in an administrative citation that Harold Graves violated the Act by causing or allowing the open dumping of waste resulting in litter, deposition of waste in standing or flowing waters and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Harold Graves timely filed a petition for review to contest the administrative citation. On March 16, 2006 the Board accepted for hearing Mr. Graves petition to contest the administrative citation. However, on August 6, 2007, Mr. Graves filed a motion to withdraw his petition to contest. The Board granted the motion and dismissed Mr. Graves petition. Accordingly, the Board found that Respondent violated Section 21(p)(1), Section 21(p)(4) and Section 21(p)(7), of the Act, and ordered Harold Graves to pay a \$4,500.00 civil penalty, no later than October 9, 2007, to the Environmental Protection Trust Fund.

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Enforcement Orders

View Order

Case Name: Illinois EPA v. Harold Graves (Tower Hill/Graves-Ambrose)

Location: Tower Hill Township, Shelby County, Region 4

File Type: Administrative Citation

Order Date: Jul 26, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1738220005

DLC File#: 3-06-AC

Docket#: AC 06-22

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 26, 2007, the Illinois Pollution Control Board entered an opinion and order against Harold Graves in AC 06-22. On December 2, 2005, the Illinois EPA inspected a facility located approximately three miles south of Illinois 16 and one mile from the Christian County Line in Tower Hill Township, Section 31, Shelby County, Illinois and afterwards alleged in an administrative citation that Harold Graves violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Harold Graves timely filed a petition for review to contest the administrative citation. On March 16, 2006, the Board accepted for hearing Mr. Graves petition to contest the administrative citation. However, on July 20, 2007, Mr. Graves filed a motion to withdraw his petition to contest. The Board granted the motion and dismissed Mr. Graves petition. Accordingly, the Board found that Respondent violated Section 21(p)(1) and Section 21(p)(7), of the Act, and ordered Harold Graves to pay a \$3,000.00 civil penalty, no later than August 27, 2007, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Marcelo Mendoza

Location: Rantoul, Champaign County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Jul 26, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0198085002

DLC File#: 165-07-AC

Docket#: AC 07-64

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 26, 2007, the Illinois Pollution Control Board entered a default order against Marcelo Mendoza in AC 07-64. On May 17, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at 1938 County Road 3000N-#14, Rantoul, Champaign County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Marcelo Mendoza violated Sections 21(p)(1) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$3,000 by August 27, 2007.

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Case Name: Illinois EPA v. Ben and Destiny Wyant

Location: Williamson County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Jul 12, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1998535005

DLC File#: 129-07-AC

Docket#: AC 07-61

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 12, 2007, the Illinois Pollution Control Board entered a default order against Ben and Destiny Wyant in AC 07-61. On April 23, 2007, the Illinois EPA inspected a facility owned and operated by Respondents, located at the west 10-acres of northeast 1/4 of the southeast quarter of section eight, township eight south & range four east of the 3rd Principal meridian in Williamson County, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1) and 21(p)(7) of the Act. Respondents did not file a timely Petition for Review. Accordingly, the Board found that Ben and Destiny Wyant violated Sections 21(p)(1) and 21(p)(7). The Board ordered Respondents to pay the statutory penalty of \$3,000 by August 13, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Joseph Combs

Location: White Hall, Greene County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Jul 12, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0610405013

DLC File#: 128-07-AC

Docket#: AC 07-60

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On July 12, 2007, the Illinois Pollution Control Board entered a default order against Joseph Combs in AC 07-60. On April 12, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at 260 Isreal Street in White Hall, Greene County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Joseph Combs violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by August 13, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Doug Hensley and Eric and Charmin Joseph

Location: Raritan, Henderson County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Jun 21, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0710355002

DLC File#: 56-07-AC

Docket#: AC 07-50

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On March 5, 2007, the Illinois EPA inspected a facility located at 204 South Trenton, Raritan, Henderson County, Illinois and afterwards alleged in an administrative citation, dated March 21, 2007, that Doug Hensley and Eric & Charmin Savage f/k/a Charmin Joseph violated Section 21(p)(1) and Section 21(p)(7) of the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. On May 22, 2007, the Agency filed a motion to dismiss the pending action as to Respondents, Doug Hensley and Eric Joseph, for failing to serve them within the 60 days of the observed violations, as required by the Act. The Board granted the Agency's motion and dismissed the administrative citation as to Doug Hensley and Eric Joseph. As required, the Agency served the administrative citation on Charmin Savage f/k/a Charmin Joseph within 60 days after the date of the observed violations. Charmin Savage f/k/a Charmin Joseph did not file a timely Petition for Review. Accordingly, the Board found that Charmin Savage f/k/a Charmin Joseph violated Sections 21(p)(1) and 21(p)(7) of the Act. The Illinois Pollution Control Board ordered Respondent, Charmin Savage f/k/a Charmin Joseph to pay the statutory penalty of \$3,000.00 by July 23, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. James Stutsman
Location: Bath, Mason County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Jun 07, 2007
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1250055002
DLC File#: 145-05-AC
Docket#: AC 05-70
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? Yes \$372.75

Case Summary: On September 21, 2006, the Illinois Pollution Control Board entered an interim opinion and order. On April 1, 2005, the Illinois EPA inspected a facility located at 8443 County Road, 1100E in Bath, Mason County, Illinois and afterwards alleged in an administrative citation that James Stutsman violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. James Stutsman timely filed a petition for review to contest the administrative citation. On June 7, 2007, the Illinois Pollution Control Board issued its final opinion and order. The Board found that the respondent violated Section 21(p)(1) and Section 21(p)(7) and ordered James Stutsman to pay a \$3,000.00 civil penalty and \$372.75 for hearing costs, no later than July 23, 2007, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Herman F. Meyers and Karen Meyers

Location: Belknap, Massac County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: May 17, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1278015003

DLC File#: 55-07-AC

Docket#: AC 07-49

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On May 17, 2007, the Illinois Pollution Control Board entered a default order against Herman F. Meyers and Karen Meyers in AC 07-49. On January 31, 2007, the Illinois EPA inspected a facility owned and operated by Respondents, located at 5328 Stanton Ridge Road in Belknap, Massac County, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondents did not file a timely Petition for Review. Accordingly, the Board found that Herman F. Meyers and Karen Meyers violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondents to pay the statutory penalty of \$6,000 by June 18, 2007.

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Case Name: Illinois EPA v. Renee C. Lo
Location: Champaign County, Region 4
File Type: Administrative Citation
Order Date: May 17, 2007
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0198025005
DLC File#: 58-07-AC
Docket#: AC 07-53
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On May 17, 2007, the Illinois Pollution Control Board entered a default order against Renee C. Lo in AC 07-53. On January 30, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at 1404 N. Rising Road, Champaign County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Renee C. Lo violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by June 18, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Michael Moreton

Location: Ashmore, Coles County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: May 03, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0298005001

DLC File#: 83-04-AC#2

Docket#: AC 04-51

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?**

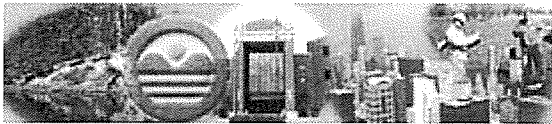
**Costs or
Reimbursement?** Yes \$336.12

Case Summary: On February 1, 2007, the Illinois Pollution Control Board entered an interim opinion and order. On January 20, 2004, the Illinois EPA inspected a facility located at the southeast corner of the intersection of Coles County roads 1380 N and 2330E, T.13N-R.10E, Ashmore Township, Coles County, Illinois and afterwards alleged in an administrative citation that Michael Moreton violated the Act by causing or allowing the open dumping of waste resulting in litter, and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Michael Moreton timely filed a petition for review to contest the administrative citation. The Board held a hearing on July 19, 2006. On May 3, 2007, the Illinois Pollution Control Board issued its final opinion and order. The Board found that the respondent violated Section 21(p)(1), and Section 21(p)(7) and ordered Stacy Hess to pay a \$3,000.00 civil penalty and \$336.12 for hearing costs, no later than June 18, 2007, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Stacy Hess
Location: Washington, Tazewell County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: May 03, 2007
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1798180017
DLC File#: 686-04-AC#2
Docket#: AC 05-47
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? Yes \$371.10

Case Summary: On March 1, 2007, the Illinois Pollution Control Board entered an interim opinion and order. On December 21, 2004, the Illinois EPA inspected a facility located off of Route 24 East in Washington, Tazewell County, Illinois and afterwards alleged in an administrative citation that Stacy Hess violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Stacy Hess timely filed a petition for review to contest the administrative citation. The Board held a hearing on November 14, 2006. On May 3, 2007, the Illinois Pollution Control Board issued its final opinion and order. The Board found that the respondent violated Section 21(p)(1), Section (p)(3) and Section 21(p)(7) and ordered Stacy Hess to pay a \$4,500.00 civil penalty and \$371.10 for hearing costs, no later than June 18, 2007, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Stacy Hess

Location: Washington, Tazewell County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: May 03, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1798180017

DLC File#: 686-04-AC#2

Docket#: AC 05-47

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$371.10

Case Summary: On March 1, 2007, the Illinois Pollution Control Board entered an interim opinion and order. On December 21, 2004, the Illinois EPA inspected a facility located off of Route 24 East in Washington, Tazewell County, Illinois and afterwards alleged in an administrative citation that Stacy Hess violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Stacy Hess timely filed a petition for review to contest the administrative citation. The Board held a hearing on November 14, 2006. On May 3, 2007, the Illinois Pollution Control Board issued its final opinion and order. The Board found that the respondent violated Section 21(p)(1), Section (p)(3) and Section 21(p)(7) and ordered Stacy Hess to pay a \$4,500.00 civil penalty and \$371.10 for hearing costs, no later than June 18, 2007, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Adolph M. Lo
Location: Seymour, Champaign County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Apr 19, 2007
Order Type: Civil, Final
Programs: Solid Waste

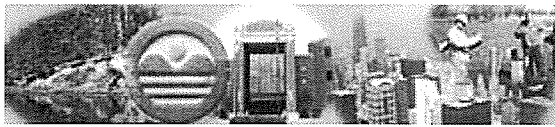
Incident#:
Bureau ID#: 0198025006
DLC File#: 28-07-AC
Docket#: AC 07-46
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On April 19, 2007, the Illinois Pollution Control Board entered a default order against Adolph M. Lo in AC 07-46. On January 30, 2007, the Illinois EPA inspected a facility owned and operated by Respondent, located at 1343 CR 200E Seymour, Champaign County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of general construction or demolition debris or clean construction or demolition debris in violation of Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Respondent did not file a timely Petition for Review. Accordingly, the Board found that Adolph M. Lo violated Sections 21(p)(1), 21(p)(3) and 21(p)(7). The Board ordered Respondent to pay the statutory penalty of \$4,500 by May 21, 2007.

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Case Name: Illinois EPA v. Harold Tomlinson, Larry Tomlinson, and Jerry Tomlinson

Location: Wilbern, Marshall County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Apr 19, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1238070002

DLC File#: 51-07-AC

Docket#: AC 07-44

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 28, 2006, the Illinois EPA inspected a facility located at 140 Wilbern Road in Wilbern, Marshall County, Illinois and afterwards alleged in an administrative citation, dated February 15, 2007, that Harold Tomlinson, Larry Tomlinson and Jerry Tomlinson violated Section 21(p)(1), Section 21(p)(3) and Section 21(p)(7) of the Act by causing or allowing the open dumping of waste resulting in litter, open burning and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. On March 15, 2007, the Agency filed a motion to dismiss the pending action as to Respondent, Jerry Tomlinson, for failing to serve him within the 60 days of the observed violations, as required by the Act. The Board granted the Agency's motion and dismissed the administrative citation as to Jerry Tomlinson. As required, the Agency served the administrative citation on Harold Tomlinson and Larry Tomlinson within 60 days after the date of the observed violations. Harold Tomlinson and Larry Tomlinson did not file a timely Petition for Review. Accordingly, the Board found that Harold Tomlinson and Larry Tomlinson violated Sections 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. The Illinois Pollution Control Board ordered Respondents, Harold and Larry Tomlinson to pay the statutory penalty of \$4,500 by May 21, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Stacy Hess

Location: Washington, Tazewell County, Region
3

File Type: Administrative Citation, Section 31.1

Order Date: Mar 01, 2007

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 1798180017

DLC File#: 686-04-AC

Docket#: AC 05-47

Penalty:

SEP? No


**Compliance Plan No
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On March 1, 2007, the Illinois Pollution Control Board entered an interim opinion and order in the case involving Stacy Hess, in AC 05-47. On December 21, 2004, the Illinois EPA inspected a facility located in Washington, Tazewell County, Illinois and afterwards alleged in an administrative citation that Stacy Hess violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility in violation of Section 21(p)(1), 21(p)(3) and 21(p)(7) of the Act. Stacy Hess timely filed a petition for review to contest the administrative citation. A hearing was conducted on November 14, 2006. The Board found that the respondent violated the Act and related regulations and will issue a final order in the matter after the Clerk and the Agency file statements of hearing costs.

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Enforcement Orders

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Case Name: Illinois EPA v. Ted Harrison and Gerald S. Gill

Location: Sangamon Valley Township, Cass County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Feb 15, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0170255004

DLC File#: 330-04-AC

Docket#: AC 05-8

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On February 15, 2007, the Illinois Pollution Control Board entered an Opinion and Order in the case involving Ted Harrison and Gerald S. Gill. On May 26, 2004, the Illinois EPA inspected a facility located in the southeast quarter of Section 35, T. 18N, R 10W, in Sangamon Valley Township, Cass County, Illinois and afterwards alleged in an administrative citation, dated July 19, 2004, that Ted Harrison and Gerald S. Gill violated Section 21(p)(1) and Section 21(p)(7) of the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Ted Harrison timely filed a petition for review on August 23, 2004. On February 6, 2007, the Agency and Mr. Harrison filed a stipulation and proposed settlement, accompanied by a request for dismissal of the respondent's petition for review. Pursuant to the terms of the proposed settlement Mr. Harrison neither admitted or denied the alleged violation of Section 21(p)(1), but agrees to pay a \$1,500 penalty. To effectuate the parties' intent that Mr. Harrison pay a total penalty of only \$1,500, the board dismissed the alleged violation of Section 21(p)(7) of the Act. Also on February 6, 2007, the Agency filed a motion to voluntarily dismiss the administrative citation against Gerald S. Gill. The Illinois Pollution Control Board ordered Respondent to pay the statutory penalty of \$1,500 by March 17, 2007.

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Case Name: Illinois EPA v. Michael Moreton

Location: Ashmore, Coles County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Feb 01, 2007

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 0298005001

DLC File#: 83-04-AC

Docket#: AC 04-51

Penalty:

SEP? No


**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On February 1, 2007, the Illinois Pollution Control Board entered an interim opinion and order in the case involving Michael Moreton, in AC 04-51. On January 20, 2004, the Illinois EPA inspected a facility located in Ashmore Township, Ashmore, Coles County, Illinois and afterwards alleged in an administrative citation that Michael Moreton violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility, in violation of Section 21(p)1 and 21(p)(7) of the Act. Michael Moreton timely filed a petition for review to contest the administrative citation. A hearing was held on July 19, 2006. The Board found that the respondent violated the Act and related regulations and will issue a final order in the matter after the Clerk and the Agency file statements of hearing costs.

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Case Name: Illinois EPA v. Northern Illinois Service Company

Location: Roscoe, Winnebago County, Region 1

File Type: Administrative Citation, Section 31.1

Order Date: Jan 26, 2007

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 2010455051

DLC File#: 567-04-AC#2

Docket#: AC 05-40

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$672.25

Case Summary: On September 21, 2006, the Illinois Pollution Control Board entered an interim opinion and order. On October 4, 2004, the Illinois EPA inspected a facility located west of Roscoe near Highway 251 on Rockton Road in Winnebago County, Illinois and afterwards alleged in an administrative citation that Northern Illinois Service Company violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Northern Illinois Service Company timely filed a petition for review to contest the administrative citation, on December 27, 2004 and an amended petition, to include its grounds for appeal, on February 7, 2005. The Board held a hearing on April 20, 2006. On January 26, 2007, the Illinois Pollution Control Board issued its final opinion and order. The Board found that the respondent violated Section 21(p)(1) and Section 21(p)(7) and ordered Northern Illinois Service Company to pay a \$3,000.00 civil penalty and \$672.25 for hearing costs, no later than March 12, 2007, to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Norbert and Wilma Adams

Location: Metamora Township, Woodford County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Dec 21, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 2038075004

DLC File#: 130-06-AC

Docket#: AC 07-2

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 21, 2006, the Illinois Pollution Control Board entered a Proposed settlement and dismissal of the administrative citation. On June 5, 2006, the Illinois EPA inspected a facility located at the intersection of 900 E and 1500 N Metamora Township, Woodford County, Illinois and afterwards alleged in an administrative citation, dated July 10, 2006, that Norbert and Wilma Adams violated Section 21(p)(1) and Section 21(p)(7) of the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. Norbert and Wilma Adams timely filed a petition for review, which the Board accepted on September 7, 2006. On December 14, 2006, the parties filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under its terms, respondents admit they violated Section 21(p) (1) of the Act by causing or allowing the open dumping of waste resulting in litter and agree to pay the statutory penalty of \$1,500 for this violation. Respondents also agree to the dismissal of their petition contesting the administrative citation. The Board dismissed the alleged violation of Section 21(p)(7). The Illinois Pollution Control Board ordered Respondent to pay the statutory penalty of \$1,500.00 by January 22, 2007.

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Enforcement Orders

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Case Name: Illinois EPA v. Curtis Jim Hammond
Location: Fulton County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: Dec 07, 2006
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0578000003
DLC File#: 303-06-AC
Docket#: AC 07-23
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On December 7, 2006, the Illinois Pollution Control Board entered a default order against Curtis Jim Hammond in AC 07-23. On September 18, 2006, the Illinois EPA inspected a facility owned and operated by Respondent, located approximately 1/4 mile south of Illinois Route 24 at the junction of 125E & 150N in Fulton County, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning and deposition of construction or demolition debris in violation of Section 21(p)(1), (3) and (7). Respondent did not file a Petition for Review. The Board ordered Respondent to pay the statutory penalty of \$4,500.00 by January 8, 2007.

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Case Name: Illinois EPA v. James Stutsman

Location: Bath, Mason County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Nov 16, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1250055002

DLC File#: 145-05-AC#2

Docket#: AC 05-70

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?**


Costs or Yes \$296.25

Reimbursement?

Case Summary: On September 21, 2006, the Illinois Pollution Control Board entered an interim opinion and order. On April 1, 2005, the Illinois EPA inspected a facility located in Bath, Mason County, Illinois and afterwards alleged in an administrative citation that James Stutsman violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. James Stutsman timely filed a petition for review to contest the administrative citation, on June 27, 2005. The Board held a hearing on May 10, 2006. On November 16, 2006, the Illinois Pollution Control Board issued its final opinion and order. The Board found that the respondent violated Section 21(p)(1) and Section 21(p)(7) and ordered James Stutsman to pay a \$3,000.00 civil penalty and \$296.25 for hearing costs, no later than January 2, 2007, to the Environmental Protection Trust Fund.

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Case Name: People v. Excavating & Lowboy Services, Inc., Daniel Serritella, City of Harvey, Harvey Park District, Mohammed Sayed, and Alaadien Z. Elebady

Location: Harvey, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: Oct 20, 2006

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 0311115132

DLC File#: 427-03

Docket#: 04 CH 8063

Penalty: \$1,461,720.00

SEP? No


Compliance Plan Requirements? Yes

Costs or Reimbursement? No

Case Summary: This case involves a large pile of open dumped construction and demolition debris in Harvey, Illinois. Daniel Serritella was a principal of Excavation & Lowboy. On October 20, 2006, a Judgment Order for default judgment was issued by the circuit court of Cook County. The order was against Excavation & Lowboy, and Daniel Serritella. It assessed a civil penalty of \$1,461,720.00. It also directed Excavation & Lowboy and Serritella to remove all of the waste within 12 months, provide copies of shipping and billing records of customers, corporate records, including financial records, correspondence and agreements with the Village of Harvey and Harvey Park District, and requires Daniel Serritella to appear for deposition at the State's request. The enforcement action against other defendants is still pending.

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Case Name: Illinois EPA v. Marla Lewis Gates, Mark Gates, and Mark Kingsley Lewis

Location: Logan County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Oct 19, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1078075001

DLC File#: 98-06-AC

Docket#: AC 06-50

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On August 4, 2006, the Board issued an order directing respondent Mark Gates to amend his petition to contest the administration citation, submitted on July 25, 2006, or face dismissal of his appeal, and directing the Agency to file sufficient proof of service as to Marla Lewis Gates and Mark Kingsley Lewis. Neither Mark Gates nor the Agency submitted any pleadings to correct these deficiencies. Accordingly, the Board dismissed Mark Gates petition to contest the administrative citation, as well as the administrative citations against Marla Lewis Gates and Mark Kingsley Lewis. On October 19, 2006, the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation against Mark Gates. On April 26, 2006, the Illinois EPA inspected a facility located in the west 1/2 of the southwest 1/4 of Section 8 in Township 21 North and Range 2 West of the 3rd Principal Meridian in Logan County, Illinois. The Agency alleged in an administrative citation that Mark Gates violated the Act by causing or allowing the open dumping of waste resulting in litter and deposition of general construction or demolition debris or clean construction or demolition debris, in violation of Section 21(p)(1) and (7). Although Mark Gates did file a petition on time, that petition was dismissed because Mark Gates did not amend the petition as directed in the Board's August 4, 2006 order. Accordingly, the Board found that Mark Gates violated Section 21(p)(1) and Section 21(p)(7) of the Act. The Board ordered respondent, Mark Gates to pay the statutory penalty of \$3,000 by November 20, 2006.

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Enforcement Orders

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Case Name: Illinois EPA v. Northern Illinois Service Company

Location: Roscoe, Winnebago County, Region 1

File Type: Administrative Citation, Section 31.1

Order Date: Sep 21, 2006

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 2010455051

DLC File#: 567-04-AC#1

Docket#: AC 05-40

Penalty:

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On September 21, 2006, the Illinois Pollution Control Board entered an interim opinion and order. On October 4, 2004, the Illinois EPA inspected a facility located west of Roscoe near Highway 251 on Rockton Road in Winnebago County, Illinois and afterwards alleged in an administrative citation that Northern Illinois Service Company violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. The Board will issue its final order in this matter after Illinois EPA files its hearing costs.

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Enforcement Orders

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Case Name: Illinois EPA v. James Stutsman

Location: Bath, Mason County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Sep 21, 2006

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 1250055002

DLC File#: 145-05-AC#1

Docket#: AC 05-70

Penalty:

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On September 21, 2006, the Illinois Pollution Control Board entered an interim opinion and order. On April 1, 2005, the Illinois EPA inspected a facility located in Bath, Mason County, Illinois and afterwards alleged in an administrative citation that James Stutsman violated the Act by causing or allowing the open dumping of waste resulting in litter and the deposition of general construction or demolition debris or clean construction or demolition debris, at the facility. The Board found that Stutsman violated the Act and ordered the Illinois EPA to file its hearing costs.

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Enforcement Orders

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Case Name: Illinois EPA v. Georgia Shank and Steve Shank
Location: Greenville, Bond County, Region 6
File Type: Administrative Citation, Section 31.1
Order Date: Sep 07, 2006
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0050055070
DLC File#: 459-05-AC
Docket#: AC 06-20
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On September 7, 2006, the Illinois Pollution Control Board entered a default order against Steve Shank in AC 06 20. On November 15, 2005, the Illinois EPA inspected a facility owned and operated by Respondents, located in Greenville, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning, and deposition of construction or demolition debris, in violation of Section 21(p)(1), (3), and (7). Steve Shank did not file a timely Petition for Review, but Georgia Shank did on her own behalf. On August 17, 2006, Illinois EPA filed a Motion to Dimiss Georgia Shank as a Respondent. The Board granted the motion, and found violations of Sections 21(p)(1), (3) and (7) against Steve Shank. The Board ordered Steve Shank to pay the statutory penalty of \$4,500 by October 9, 2006.

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Enforcement Orders

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Case Name: Illinois EPA v. Rick Linnabury

Location: Newman, Douglas County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Sep 07, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0410255012

DLC File#: 44-06-AC

Docket#: AC 06-30

Penalty: \$1,500.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?**

Case Summary: On September 7, 2006, the Illinois Pollution Control Board entered a final order, approving the parties' stipulation of settlement in AC 06-30. On February 2, 2006, the Illinois EPA inspected a facility owned and operated by Rick Linnabury, located in Newman, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter and deposition of construction or demolition debris, in violation of Section 21(p)(1) and (7). Respondent admitted to causing or allowing open dumping resulting in litter. The Board found a violation of Section 21(p)(1) and ordered Respondent to pay the statutory penalty of \$1,500 by October 9, 2006.

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Enforcement Orders

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Case Name: Illinois EPA v. Ron Lawver

Location: Lewistown, Fulton County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Aug 04, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0570605012

DLC File#: 129-06-AC

Docket#: AC 06-57

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On August 4, 2006, the Illinois Pollution Control Board entered a default order against Ron Lawver in AC 06 57. On May 9, 2006, the Illinois EPA inspected a facility owned and operated by Respondent, located in Lewistown, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter and deposition of construction or demolition debris in violation of Section 21(p)(1) and (7). Respondent did not file a Petition for Review. The Board found violations of Section 21(p)(1) and (7) and ordered Respondent to pay the statutory penalty of \$3,000 by September 5, 2006.

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Enforcement Orders

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Case Name: Illinois EPA v. Larry Payne Sr.

Location: Marietta, Fulton County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Jul 20, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0578110004

DLC File#: 99-06-AC

Docket#: AC 06-48

Penalty: \$9,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?**

Case Summary: On July 20, 2006, the Illinois Pollution Control Board entered a default order against Larry Payne Sr. in AC 06 48. On April 20, 2006, the Illinois EPA inspected a facility owned and operated by Respondent, located in Marietta, Illinois. The State alleged in an administrative citation that Respondent violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning, and deposition of construction or demolition debris, in violation of Section 21(p)(1), (3), and (7). Respondent did not file a Petition for Review. The Board found violations of Sections 21(p)(1), (3) and (7) and noted that Respondent was previously found in violation of these same provisions in AC 03-19. The Board ordered Respondent to pay the statutory penalty of \$9,000 by August 21, 2006.

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Case Name: Illinois EPA v. Paul Freeman and Freeman Environmental Services, Inc.

Location: Carterville, Williamson County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Jul 06, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1990155027

DLC File#: 350-05-AC

Docket#: AC 06-11

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 6, 2006, the Illinois Pollution Control Board entered a final order, approving the parties' stipulation of settlement in AC 06-11. On August 17, 2005, the Illinois EPA inspected a facility owned and operated by Paul Freeman and Freeman Environmental Services, Inc., located in Carterville, Illinois. The State alleged in an administrative citation that Respondents violated the Act by causing or allowing open dumping at the facility in a manner that resulted in litter, open burning, and deposition of general and/or clean construction or demolition debris, in violation of Section 21(p)(1), (3), and (7). Respondents admitted to causing or allowing open dumping resulting in deposition of construction or demolition debris, and neither admitted nor denied the open burning claim. The Board found violations of Sections 21(p)(3) and (7) and ordered Respondents to pay the statutory penalty of \$3,000 by August 7, 2006.

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Enforcement Orders

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Case Name: Illinois EPA v. Charles L. Parker
Location: Lincoln, Logan County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: May 18, 2006
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1078055001
DLC File#: 221-04-AC
Docket#: AC 04-75
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? Yes \$309.49

Case Summary: On May 18, 2006, the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation in the above matter. On November 10, 2003, the Illinois EPA inspected an unpermitted open dumping facility owned by Charles Parker. The State afterwards alleged in an administrative citation that Charles Parker violated the Act by causing or allowing open the dumping of waste resulting in litter, open burning, and the deposition of general construction or clean construction or demolition debris at his facility. Charles Parker timely filed a petition for review to contest the administrative citation. However, the Board's order requires him to pay a \$4,500.00 civil penalty and \$309.49 for hearing costs, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. John R. Malloch

Location: Dewey, Champaign County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: May 18, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0198050003

DLC File#: 78-05-AC

Docket#: AC 05-63

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$289.70

Case Summary: On May 18, 2006, the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation in the above matter. On March 2, 2005, the Illinois EPA inspected a facility located in Dewey, Illinois and afterwards alleged in an administrative citation that John Malloch violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. John Malloch timely filed a petition for review to contest the administrative citation. However, the Board's order requires him to pay a \$4,500.00 civil penalty and \$289.70 for hearing costs, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. William Shrum

Location: Tamaroa, Perry County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: May 18, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1458420001

DLC File#: 409-04-AC

Docket#: AC 05-18

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$306.88

Case Summary: On May 18, 2006, the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation filed in the above matter. On July 2, 2004, the Illinois EPA inspected a Perry County site owned or operated by William Shrum, and afterwards alleged that he caused or allowed the open dumping of waste resulting in litter, the deposition of general construction or demolition debris, or clean construction or demolition debris at the site. On September 29, 2004, William Shrum timely filed a petition for review to contest the administrative citation. Because of William Shrum's previous violation, he is subject to a \$3,000.00 civil penalty for a second or subsequent violation of the same provision of the Act. The order requires William Shrum to pay a \$4,500.00 civil penalty and \$306.88 for hearing costs, to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Leo Harn

Location: Bushnell, McDonough County, Region
3

File Type: Administrative Citation

Order Date: Mar 16, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1090155029

DLC File#: 538-04

Docket#: AC 05-33

Penalty: \$1,500.00

SEP? No

**Compliance Plan
Requirements?**

**Costs or
Reimbursement?**

Case Summary: On March 16, 2006, the Illinois Pollution Control Board entered an order, approving the parties' stipulation of settlement in the above matter. On September 29, 2004, the Illinois EPA inspected a facility owned and operated by Leo Harn, located in Roscoe, Illinois. The State alleged in an administrative citation that Leo Harn violated the Act by causing or allowing open dumping at his facility in a manner which resulted in litter and deposition of general and/or clean construction or demolition debris. The parties agreed that (1) Leo Harn caused or allowed open dumping resulting in litter, (2) the waste that was the subject of the administrative citation has been removed and properly disposed of, (3) the Illinois EPA will not refer the subject violations to the Attorney General or any other prosecuting authority for the initiation of a civil enforcement action, (4) Leo Harn's petition for review of the administrative citation shall be dismissed, and (5) Leo Harn shall pay a \$1,500.00 civil penalty to the Environmental Protection Trust Fund.

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Enforcement Orders


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Case Name: Illinois EPA v. Charles L. Parker
Location: Lincoln, Logan County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Mar 16, 2006
Order Type: Civil, Interim
Programs: Solid Waste

Incident#:
Bureau ID#: 1078055001
DLC File#: 221-04-AC
Docket#: AC 04-75
Penalty:
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On March 16, 2006, the Illinois Pollution Control Board entered an interim opinion and order in the above matter. On November 10, 2003, the Illinois EPA inspected an unpermitted open dumping facility owned by Charles Parker. The State afterwards alleged in an administrative citation that Charles Parker violated the Act by causing or allowing open the dumping of waste resulting in litter, open burning, and the deposition of general construction or clean construction or demolition debris at his facility. Charles Parker timely filed a petition for review to contest the administrative citation. The Board found that the respondent violated the Act and related regulations, and will issue a final order after the Clerk and the Agency file statements of hearing costs.

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Enforcement Orders

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Case Name: Illinois EPA v. John R. Malloch

Location: Dewey, Champaign County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Mar 16, 2006

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 0198050003

DLC File#: 78-05-AC

Docket#: AC 05-63

Penalty:

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On March 16, 2006, the Illinois Pollution Control Board entered an interim opinion and order in the above matter. On March 2, 2005, the Illinois EPA inspected a facility located in Dewey, Illinois and afterwards alleged in an administrative citation that John Malloch violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general construction or demolition debris or clean construction or demolition debris at the facility. John Malloch timely filed a petition for review to contest the administrative citation. The Board found that the respondent violated the Act and related regulations and will issue a final order in the matter after the Clerk and the Agency file statements of hearing costs.

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Enforcement Orders

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Case Name: Illinois EPA v. William Shrum

Location: Tamaroa, Perry County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Mar 16, 2006

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 1458420001

DLC File#: 409-04-AC

Docket#: AC 05-18

Penalty:

SEP? No


**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On March 16, 2006, the Illinois Pollution Control Board entered an interim opinion and order, approving the Agency's administrative citation filed in the above matter. On July 2, 2004, the Illinois EPA inspected a Perry County site owned or operated by William Shrum, and afterwards alleged that he caused or allowed the open dumping of waste resulting in litter, the deposition of general construction or demolition debris, or clean construction or demolition debris at the site. On September 29, 2004, William Shrum timely filed a petition for review to contest the administrative citation. The Board found that the respondent violated the Act and relevant regulations and will issue a final order assessing penalties and costs after the Clerk and the Agency file a statement of hearing costs and serve them upon the respondent.

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Enforcement Orders

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Case Name: Illinois EPA v. Logsdon Sand and Gravel
and M.K. O'Hara Construction, Inc.

Location: Beardstown, Cass County, Region 5

File Type: Administrative Citation

Order Date: Feb 02, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0178020009

DLC File#: 33-05

Docket#: AC 05-54

Penalty: \$4,500.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On February 2, 2006, the Illinois Pollution Control Board entered an opinion and order, approving the administrative citation filed in the above matter. Ray Logsdon Estate ("RLE"), owns an open dumping facility located in Beardstown, Illinois. M.K. O'Hara Construction ("MKOC") operates the facility. On December 15, 2004, the Illinois EPA inspected the facility and afterwards alleged that Logsdon Sand and Gravel and MKOC violated the Act by causing or allowing the open dumping of waste in a manner resulting in litter, deposition of waste in standing or flowing waters, deposition of general construction or demolition debris, or clean construction or demolition debris. The order requires MKOC to pay a \$4,500.00 civil penalty to the Environmental Protection Trust Fund. The order also granted the Agency's motion to dismiss RLE as a party to this case, after the Agency discovered that RLE was closed on December 29, 1978.

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Case Name: Illinois EPA v. Maurice L. Thompson Trust
Location: Fulton County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: Jan 19, 2006
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0578055002
DLC File#: 456-05-AC
Docket#: AC 06-18
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On January 19, 2006, the Illinois Pollution Control Board entered an order, approving the Agency's administrative citation filed in the above matter. The Illinois EPA alleged that on October 13, 2005, the Maurice L. Thompson Trust violated the Act by causing or allowing open dumping of waste in a manner resulting in litter and deposition of general construction or demolition debris or clean construction or demolition debris, at a site located in Fulton County. The Maurice L. Thompson Trust failed to timely file a petition for review to contest the administrative citation. The order requires the Maurice L. Thompson Trust to pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Maurice L. Thompson Trust
Location: Fulton County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: Jan 19, 2006
Order Type: Civil, Final
Programs: Solid Waste

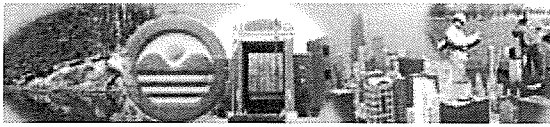
Incident#:
Bureau ID#: 0578065002
DLC File#: 457-05-AC
Docket#: AC 06-19
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On January 19, 2006, the Illinois Pollution Control Board entered an order, approving the Agency's administrative citation filed in the above matter. The Illinois EPA alleged that on October 13, 2005, the Maurice L. Thompson Trust violated the Act by causing or allowing open dumping of waste in a manner resulting in litter and deposition of general construction or demolition debris or clean construction or demolition debris, at a site located in Fulton County. The Maurice L. Thompson Trust failed to timely file a petition for review to contest the administrative citation. The order requires the Maurice L. Thompson Trust to pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: People v. J & F Hauling, Inc.

Location: McCook, Cook County, Region 2

File Type: Enforcement, Prior Order

Order Date: Jan 06, 2006

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0311740007

DLC File#: 458-01

Docket#: 04 CH 01737

Penalty: \$150,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?** Yes \$14,010.68

Case Summary: The J & F Hauling operated a demolition and waste hauling business. It had been open dumping the construction and demolition debris at its site. On February 6, 2003, the Pollution Control Board issued an order directing J & F to remove all waste from the site and to pay a civil penalty of \$60,000 and fees of \$3,967.50. J & F failed to pay the civil penalty, and the Illinois EPA requested the AGO to enforce the terms of the Board Order. On January 6, 2006, the circuit court issued a Default Judgment Order directing J & F to remove all waste from the site, and to pay the \$60,000 penalty, \$3,967.50 in costs and fees, and \$14,010.68 in interest on the unpaid penalty from the PCB order, and to pay an additional \$150,000 in civil penalty. J & F filed a Motion to Vacate the Default Judgment, and the court granted the order. As of April 25, 2006, all of the waste had been removed from the site, so no further technical remedy is needed. The AGO is currently negotiating a settlement with J & F regarding the unpaid civil penalty, but no consent order has been entered yet.

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Enforcement Orders

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Case Name: Illinois EPA v. John Groff
Location: Junction City, Marion County, Region 6
File Type: Administrative Citation, Section 31.1
Order Date: Dec 01, 2005
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1210205005
DLC File#: 412-04-AC
Docket#: AC 05-20
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? Yes \$291.70

Case Summary: On December 1, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation filed in the above matter. John Groff owns and operates an unpermitted open dump located in Junction City, Illinois. On July 29, 2004, the Illinois EPA inspected his facility and afterwards alleged in an administrative citation that he violated the Act by causing or allowing open dumping in a manner resulting in litter, open burning, and deposition of general construction or demolition debris or clean construction or demolition debris. John Groff timely filed a petition for review, contesting the administrative citation. After a hearing, the Board ordered him to pay a civil penalty of \$4,500.00 and hearing costs totaling \$291.70 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. John Groff

Location: Junction City, Marion County, Region 6

File Type: Administrative Citation, Section 31.1

Order Date: Oct 20, 2005

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#: 1210205005

DLC File#: 412-04-AC

Docket#: AC05-20

Penalty:

SEP? No


**Compliance Plan
Requirements?** No

**Costs or No
Reimbursement?** No

Case Summary: On October 20, 2005, the Illinois Pollution Control Board entered an interim order in the above matter. Mr. Groff was found to have violated the Act by causing or allowing the open dumping of wastes on his property resulting in litter, open burning, and the deposition of construction or demolition debris. The Illinois EPA and the Board will file hearing costs, and the Board will enter a final order assessing penalty and hearing costs against Mr. Groff.

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Enforcement Orders

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Case Name: People v. Arthur J. Lootens & Son, Inc.
Location: South Elgin, Kane County, Region 2
File Type: Enforcement, Section 31
Order Date: Sep 01, 2005
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0890800012
DLC File#: 12-02
Docket#: 03 CH K 661
Penalty: \$15,000.00
SEP? No
Compliance Plan Requirements? Yes
Costs or Reimbursement? No

Case Summary: On September 1, 2005 the Kane County Circuit Court entered a consent order in the above matter. Arthur Lootens & Sons ("ALS") own and operate a site in and around an old gravel pit located in South Elgin, Illinois. Beginning at least sometime in 1992 until some time in 2004, ALS accepted and received concrete with protruding rebar and other metal, scrap metal, reclaimed asphalt pavement, bricks, limestone, sod, leaves, and other materials at its site. The State alleged that ALS violated the Act and the Illinois Pollution Control Board's Waste Disposal Regulations by causing or allowing (1) open dumping, (2) litter and deposition of general construction or demolition debris, (3) unpermitted waste treatment, storage, and disposal, and (4) improper storage, treatment, and disposal, of waste at its site. ALS does not admit to the alleged violations, but agreed to pay a civil penalty of \$12,000.00 to the Environmental Protection Trust Fund and \$3,000.00 to the County of Kane. ALS must also remove all existing piles of materials from its site by October 31, 2005, and implement a Revised Facility Assessment Workplan. If the site assessment detects contamination at the site, ALS must submit and implement a Remediation Action Plan as prescribed by the consent order.

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Case Name: Illinois EPA v. Mary Lou and H. Frank
Record

Location: Ellisville, Fulton County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Aug 18, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0578255001

DLC File#: 391-03-AC

Docket#: AC 04-6

Penalty: \$3,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On August 18, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation and proposed settlement filed in the above matter. On June 19, 2003 the Illinois EPA inspected a facility owned by the respondents and afterwards alleged in an administrative citation that respondents violated the Act by causing or allowing open dumping in a manner which resulted in litter, open burning, and deposition of general and/or clean construction or demolition debris at the facility. On or about September 15, 2003 the respondents filed a petition for review, contesting the administrative citation. On August 3, 2005 the parties filed a stipulation and proposed settlement and dismissal of respondent's petition for review, agreeing to settle the matter without a hearing and (1) that the respondents caused or allowed open dumping resulting in litter and open burning, (2) that the respondents shall pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund, (3) the waste that is the subject of the violations shall be removed and properly disposed of by June 30, 2005, (4) the violations that are the subject of the administrative citation will not be referred to the Attorney General or any other prosecuting authority for civil or criminal enforcement actions, and (5) the respondent's petition for review shall be dismissed. The order accepts and incorporates the parties' stipulation and proposed settlement.

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Enforcement Orders

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Case Name: Illinois EPA v. John Brown d/b/a John Brown Painting

Location: Metropolis, Massac County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Jul 07, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1270155057

DLC File#: 270-04-AC

Docket#: AC 04-82

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$404.83

Case Summary: On July 7, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation filed in the above matter. John Brown owns and operates an unpermitted open dump located north of Metropolis, Illinois. On April 7, 2004 the Illinois EPA inspected the facility and afterwards alleged in an administrative citation that John Brown violated the Act by causing or allowing the open dumping of waste in a manner resulting in litter and the deposition of general and/or clean construction or demolition debris at the facility. John Brown timely filed a petition for review, contesting the administrative citation. However, the Board found that he had violated the Act as alleged. The order requires John Brown to pay a civil penalty of \$3,000.00 and hearing costs of \$404.83 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: People v. William Baize

Location: Herrin, Williamson County, Region 7

File Type: Enforcement, Section 31

Order Date: Jun 10, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 515-01

Docket#: 2001-CH-117

Penalty: \$10,000.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On June 10, 2005 the Williamson County Circuit Court entered an order in the above matter. The State alleged that William Baize violated the Act by causing or allowing unpermitted waste storage, treatment, and disposal and the dumping of construction or demolition debris on his property. The order requires William Baize to pay a civil penalty of \$10,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Loxley, Inc.

Location: Beardstown, Cass County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Jun 02, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0170155050

DLC File#: 312-02-AC

Docket#: AC 03-5

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On June 2, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation and proposed settlement filed in the above matter. On May 29, 2002 the Illinois EPA inspected a facility owned and operated by Loxley Inc. and afterwards alleged in an administrative citation that Loxley violated the Act by causing or allowing open dumping at its facility, in a manner which resulted in litter, open burning, deposition of waste in standing or flowing waters, and deposition of general and/or clean construction or demolition debris. On August 29, 2002 Loxley filed a petition for review, contesting the administrative citation. The parties agreed that Loxley (1) caused or allowed open dumping at its facility, in a manner, which resulted in litter and open burning, (2) will pay a civil penalty of \$1,500.00 to the Environmental Protection Trust Fund, (3) shall comply with and cease from further violations of the Act, (4) has removed and properly disposed of the waste located at the site that was the subject of the administrative citation, (5) shall dismiss its petition for review, and (6) the Illinois EPA will not refer the subject violations to the Attorney General or any other prosecuting authority for civil or criminal enforcement actions. The order accepts and incorporates the stipulation and proposed settlement, but Loxley has paid the \$1,500.00 civil penalty prior to the Board's entry of the order.

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Enforcement Orders

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Case Name: Illinois EPA v. Charles Bellemey and Willie Doucher
Location: Urbana, Champaign County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Jun 02, 2005
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0198225002
DLC File#: 95-05-AC
Docket#: AC 05-64
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On June 2, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation as it pertains to Willie Doucher. Charles Bellemey owns and Willie Doucher operates an unpermitted open dump facility located in Champaign, Illinois. On March 14, 2005 the Illinois EPA inspected the facility and afterwards alleged in an administrative citation that the respondents violated the Act by causing or allowing open dumping of waste in a manner resulting in litter and deposition of general and/or clean construction or demolition debris. On May 31, 2005 Charles Bellemey timely filed a petition for review, contesting the administrative citation. He alleges that he sold the site where the violations occurred to Pirtle Docher, Inc. under a contract for deed dated January 8, 2002. The Board has directed this matter for hearing concerning Charles Bellemey. However, Willie Doucher failed to timely file a petition for review to contest the administrative citation. The order requires him to pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. John Brown d/b/a John Brown Painting

Location: Metropolis, Massac County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: May 19, 2005

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 270-04-AC#1

Docket#: AC 04-82

Penalty:

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On May 19, 2005, the Illinois Pollution Control Board entered an interim order in the matter of Illinois EPA v. John Brown d/b/a John Brown Painting. Brown was found to have violated the Act by causing or allowing the open dumping of waste resulting in litter and in the deposition of general construction or demolition debris at a site just north of Metropolis. The Board will issue a final opinion and order imposing a \$3,000 civil penalty and assess against him appropriate Board and Illinois EPA hearing costs.

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Case Name: Illinois EPA v. Edward and Betty Jo Cain and Edward Cain d/b/a Cain Roofing Company

Location: Tolono, Champaign County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Apr 21, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0191005010

DLC File#: 347-04-AC

Docket#: AC 05-7

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On April 21, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation and proposed settlement filed in the above matter. On July 2, 2004 the Illinois EPA inspected a facility owned and operated by the respondents, located in Champaign, Illinois. The Agency afterwards alleged in an administrative citation that the respondents had violated the Act by causing or allowing open dumping at the facility in a manner which resulted in open burning, litter, and deposition of general and/or clean construction or demolition debris. The respondents filed a petition for review, contesting the administrative citation. The parties reached an agreement whereby the respondents (1) admit that they caused or allowed open dumping resulting in open burning, (2) agree to pay the statutory civil penalty (3) shall cease and desist from further violating the Act, and (4) the waste located at the site that was the subject of this administrative citation has been removed and properly disposed of, and (5) the Agency agrees to not refer the violations that are the subject of this administrative citation to the Office of the Illinois Attorney General or any other prosecuting authority for the initiation of a criminal or civil enforcement action, and (6) the respondents' petition for review of the administrative citation shall be dismissed. The order incorporates the provisions of the parties' settlement and requires the respondents to pay a civil penalty of \$1,500.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Landers' Children Family, LLC and Ray Landers

Location: Auburn, Sangamon County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Apr 21, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 685-04-AC

Docket#: AC 05-49

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On April 21, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation filed in the above matter. The respondents own and operate an unpermitted open dump on two parcels of land located in Auburn, Illinois. On December 1, 2004 the Illinois EPA inspected the facility and afterwards alleged in an administrative citation that the respondents violated the Act by causing or allowing open dumping of waste in a manner which resulted in (1) litter, (2) deposition of waste in standing or flowing waters, and (3) deposition of general and/or clean construction or demolition debris. The Board dismissed the citation as to Landers' Children Family, LLC., but the order requires Ray Landers to pay a \$4,500.00 civil penalty pursuant to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Harold Bruley
Location: Virden, Macoupin County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Apr 07, 2005
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1174105030
DLC File#: 36-05-AC
Docket#: AC 05-55
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On April 7, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation filed in the above matter. Harold Bruley owns and operates an unpermitted open dump facility located in Virden, Illinois. On January 7, 2005 the Illinois EPA inspected the facility and afterwards served Harold Bruley with an administrative citation, alleging that he violated the Act by causing or allowing open dumping in a manner which resulted in litter, open burning, and deposition of general construction or demolition debris or clean construction or demolition debris. Harold Bruley failed to timely file a petition for review to contest the administrative citation. The order requires Harold Bruley to pay a civil penalty of \$4,500.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Christopher A. and Jenny L. Good

Location: Arcola, Douglas County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Apr 07, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0410055048

DLC File#: 35-05-AC

Docket#: AC 05-56

Penalty: \$3,000.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On April 7, 2005 the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation filed in the above matter. The Goods own and operate an unpermitted open dump facility located in Arcola, Illinois. On December 29, 2004 the Illinois EPA inspected the facility and afterwards served the Goods an administrative citation, alleging that they violated the Act by causing or allowing open dumping in a manner which resulted in litter and deposition of general construction or demolition debris or clean construction or demolition debris. The Goods failed to timely file a petition for review, to contest the administrative citation. The order requires the Goods to pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Equipping The Saints Ministry, International, Inc.
Location: Virden, Macoupin County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Feb 17, 2005
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1174105036
DLC File#: 747-03-AC
Docket#: AC 04-31
Penalty: \$1,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On February 17, 2005, the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation and proposed settlement in the above matter. On November 18, 2003, the Illinois EPA inspected a facility owned by Equipping the Saints Ministry International ("ESMI") and located in Virden, Illinois. On or about January 9, 2004, the Agency served ESMI an administrative citation, alleging that ESMI violated the Act by causing or allowing open dumping at the facility in a manner which resulted in litter and deposition of general and/or clean construction or demolition debris. ESMI timely filed a petition for review of the administrative citation, which was later supplemented by an Objection to the Motion for Default Judgment on or about March 19, 2004. The parties agreed that (1) ESMI will pay a civil penalty of \$1,500.00, (2) the subject violations will not be referred to the Attorney General or any other prosecuting authority for civil or criminal enforcement actions, (3) ESMI's petition for review and supplemental Objection to the Motion for Default Judgment will be dismissed, (4) ESMI neither admits nor denies the alleged violations, and (5) the subject waste at the site has been removed and properly disposed of.

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Case Name: Illinois EPA v. David and Shelby Hill and N.E. Finch Co.

Location: St. David, Fulton County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Feb 17; 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0570255162

DLC File#: 359-04-AC

Docket#: AC 05-19

Penalty: \$1,500.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On February 17, 2005, the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation of settlement in the above matter. On June 29, 2004, the Illinois EPA inspected a facility owned and/or operated by the respondents. The Agency afterwards alleged in an administrative citation that the respondents violated the Act by causing or allowing open dumping at the facility in a manner which resulted in litter, open burning, and deposition of general and/or clean construction or demolition debris. On September 24, 2004 the respondents filed petitions for review, contesting the administrative citation. The parties agreed in their stipulation of settlement filed on February 1, 2005 that (1) the respondents admit only to causing or allowing litter, (2) respondents shall pay a civil penalty of \$1,500.00, (3) the subject violations will not be referred to the Attorney General or any other prosecuting authority for civil or criminal enforcement actions, (4) the subject waste at the site has been properly removed and disposed of, (5) the respondents' petitions for review will be dismissed. The order accepts and incorporates the terms of the stipulation of settlement and requires the respondents to pay a \$1,500.00 civil penalty to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Guiffre II, LLC

Location: Rockton, Winnebago County, Region 1

File Type: Administrative Citation, Section 31.1

Order Date: Jan 06, 2005

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 2010355004

DLC File#: 506-04-AC

Docket#: AC 05-31

Penalty: \$6,000.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On January 6, 2005, the Illinois Pollution Control Board entered an order in the above matter. The Board found that the Respondent violated the Act and related regulations when it caused or allowed the open dumping of waste resulting in litter and deposition of construction debris at its facility in Rockton, Winnebago County. The Respondent must pay a civil penalty of \$6,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Christopher Coleman

Location: Alto Pass, Union County, Region 7

File Type: Administrative Citation

Order Date: Dec 16, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1810105001

DLC File#: 35-04-AC#2

Docket#: AC 04-46

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$318.05

Case Summary: On November 4, 2004, the Illinois Pollution Control Board entered an interim order in the matter of Illinois EPA v. Christopher Coleman. Coleman was found to have violated the Act and related regulations by causing or allowing the open dumping of waste resulting in litter, and causing or allowing open dumping of waste resulting in deposition of general construction or demolition debris. On December 16, 2004, the Board entered a final order in this matter, assessing a civil penalty of \$3,000 and hearing costs in the amount of \$318.05.

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Enforcement Orders

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Case Name: Illinois EPA v. Troy Williamson and Swords
Veneer and Lumber Company

Location: Coal Valey, Henry County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Dec 02, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0738075002

DLC File#: 723-03-AC

Docket#: AC 04-34

Penalty: \$1,500.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or No
Reimbursement?** No

Case Summary: On December 2, 2004, the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation and proposed settlement in the above matter. On November 5, 2003, the Illinois EPA inspected a facility owned by Troy Williamson located near Coal Valley, Illinois. On or about December 31, 2003, the Agency served the respondents an administrative citation, alleging that the respondents violated the Act by causing or allowing open dumping in a manner which resulted in (1) litter, (2) deposition of waste in standing or flowing waters, and (3) deposition of general and/or clean construction or demolition debris. The respondents timely filed petitions for review, contesting the administrative citations. The parties agreed that (1) the respondents will pay a civil penalty of \$1,500.00 for causing or allowing open dumping in a manner which resulted in litter, (2) the other alleged violations of the Act will be dismissed, (3) the subject violations will not be referred to the Attorney General or any other prosecuting authority for civil or criminal enforcement actions, (4) the respondents' petitions for review will be dismissed, and (5) the respondents neither admit nor deny the alleged violations. The order requires the respondents to pay \$1,500.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Troy Williamson and Swords Veneer and Lumber Company

Location: Coal Valey, Henry County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Dec 02, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0738075002

DLC File#: 723-03-AC

Docket#: AC 04-34

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On December 2, 2004, the Illinois Pollution Control Board entered an opinion and order, approving the parties' stipulation and proposed settlement in the above matter. On November 5, 2003, the Illinois EPA inspected a facility owned by Troy Williamson located near Coal Valley, Illinois. On or about December 31, 2003, the Agency served the respondents an administrative citation, alleging that the respondents violated the Act by causing or allowing open dumping in a manner which resulted in (1) litter, (2) deposition of waste in standing or flowing waters, and (3) deposition of general and/or clean construction or demolition debris. The respondents timely filed petitions for review, contesting the administrative citations. The parties agreed that (1) the respondents will pay a civil penalty of \$1,500.00 for causing or allowing open dumping in a manner which resulted in litter, (2) the other alleged violations of the Act will be dismissed, (3) the subject violations will not be referred to the Attorney General or any other prosecuting authority for civil or criminal enforcement actions, (4) the respondents' petitions for review will be dismissed, and (5) the respondents neither admit nor deny the alleged violations. The order requires the respondents to pay \$1,500.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Willis E. Farley, Jr.
Location: Havana, Mason County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Nov 04, 2004
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1258045003
DLC File#: 363-04-AC
Docket#: AC 05-21
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On November 4, 2004, the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation. Willis Farley is the owner of an open dump located in Havana, Illinois. On July 16, 2004, the Illinois EPA inspected the facility and afterwards alleged in an administrative citation that Willis Farley violated the Act by causing or allowing the open dumping of waste in a manner which resulted in litter, deposition of general construction or demolition debris or clean construction or demolition debris. Willis Farley failed to timely file a petition to contest the Agency's administrative citation. The order requires Willis Farley to pay \$3,000.00 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. G.T. & L., Inc.

Location: Steger, Cook County, Region 2

File Type: Administrative Citation, Section 31.1

Order Date: Nov 04, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0314865009

DLC File#: 307-04-AC

Docket#: AC 05-4

Penalty: \$3,000.00

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On November 4, 2004, the Illinois Pollution Control Board entered an opinion and order, approving the Agency's administrative citation. G.T. & L owns and operates an open dump located in Steger, Illinois. On May 14, 2004, the Illinois EPA inspected the facility and afterwards alleged in an administrative citation that G.T. & L violated the Act by causing or allowing the open dumping of waste in a manner which resulted in litter, deposition of general construction or demolition debris or clean construction or demolition debris. The order requires G.T. & L to pay \$3,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Christopher Coleman
Location: Alto Pass, Union County, Region 7
File Type: Administrative Citation, Section 31.1
Order Date: Nov 04, 2004
Order Type: Civil, Interim
Programs: Solid Waste

Incident#:
Bureau ID#: 1810105001
DLC File#: 35-04-AC
Docket#: AC 04-46
Penalty:
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On November 4, 2004, the Illinois Pollution Control Board entered an interim order in the matter of Illinois EPA v. Christopher Coleman. Coleman was found to have violated the Act and related regulations by causing or allowing the open dumping of waste resulting in litter, and causing or allowing open dumping of waste resulting in deposition of general construction or demolition debris. The Board will issue a final opinion, which will include a civil penalty of \$3,000 and will assess any appropriate hearing costs.

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Case Name: Illinois EPA v. Rosemary Pehm

Location: Henry, Marshall County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Oct 21, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1238035001

DLC File#: 759-03-AC

Docket#: AC 04-32

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On October 21, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the parties' stipulation and proposed settlement agreement. On November 26, 2003, the Illinois EPA inspected a facility owned by Rosemary Pehm located near Henry, Illinois and afterwards alleged in an administrative citation that Rosemary Pehm caused or allowed the open dumping of waste in a manner that resulted in litter, open burning, and deposition of general and/or clean construction or demolition debris. On January 22, 2004, Rosemary Pehm filed a petition for review to contest the Agency's administrative citation. The parties' reached a settlement agreement in which Rosemary Pehm admits that she caused or allowed open dumping that resulted in open burning and agrees to pay a civil penalty of \$1,500 to the Environmental Protection Trust Fund for violating the Act. The waste located at the subject site has been removed and properly disposed of. As part of the settlement agreement Rosemary Pehm's petition for review was dismissed and the Illinois EPA agrees not to refer the subject violations to the Office of the Illinois Attorney General or any other prosecuting authority for the initiation of a criminal or civil enforcement action.

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Enforcement Orders

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Case Name: Illinois EPA v. Richard Groff

Location: Canton, Fulton County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Oct 07, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0570250002

DLC File#: 360-04-AC

Docket#: AC 05-16

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On October 7, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. Richard Groff operates an unpermitted open dumping facility in Canton, Illinois. On July 19, 2004, the Agency inspected the facility and afterwards alleged in an administrative citation that Richard Groff caused or allowed the open dumping of waste in a manner that resulted in litter, open burning, proliferation of disease vectors, and deposition of general construction or demolition debris or clean construction or demolition debris. Richard Groff failed to timely file a petition to contest the Agency's administrative citation. The order requires Richard Groff to pay a civil penalty of \$6,000 to the Environmental Protection Trust Fund for violating the Act.

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Enforcement Orders

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Case Name: Illinois EPA v. Arlyn Ray d/b/a Arlyn Ray Construction, Tom Romero d/b/a Arlyn Ray Exteriors, Robert J. Adams and Rita M. Adams

Location: Metamora, Woodford County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Aug 05, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 2038005004

DLC File#: 109-04-AC

Docket#: AC 04-57

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On August 5, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. The Agency alleged that the respondents caused or allowed open dumping of waste in a manner that resulted in litter, open burning, deposition of waste in standing or flowing waters, and deposition of construction or demolition debris at a property located in Metamora, Illinois. The Agency dismissed Tom Romero from this dispute after receiving information that he was not a proper respondent. The remaining respondents failed to timely file a petition to contest the Agency's administrative citation. Accordingly, the Board ordered Arlyn Ray d/b/a Arlyn Ray Construction, Robert Adams, and Rita Adams to pay a civil penalty of \$6,000 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Luther Coleman
Location: Harrisburg, Saline County, Region 7
File Type: Administrative Citation, Section 31.1
Order Date: Aug 05, 2004
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1650205053
DLC File#: 514-03-AC#2
Docket#: AC 04-18
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? Yes \$323.29

Case Summary: On August 5, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. The Agency alleged that Luther Coleman violated the Act by causing or allowing the open dumping of waste in a manner that resulted in litter and the deposition of general construction or demolition debris at a site located in Harrisburg, Illinois. Luther Coleman unsuccessfully contested the administrative citation at a Board hearing. The Board ordered Luther Coleman to pay a civil penalty in the amount of \$3,000 and hearing costs in the amount of \$323.29 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Guiffre II, LLC and Reload, Inc.
Location: Rockton, Winnebago County, Region 1
File Type: Administrative Citation, Section 31.1
Order Date: Aug 05, 2004
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 2010355004
DLC File#: 273-04-AC
Docket#: AC 04-83
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On August 5, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. The Agency alleged that on April 22, 2004, Guiffre II and Reload violated the Act by causing or allowing open dumping of waste in a manner that resulted in litter, deposition of general construction or demolition debris, or clean construction or demolition debris in Rockton, Illinois. Guiffre II and Reload failed to timely file a petition to contest the Agency's administrative citation. Accordingly, the Board ordered the respondents to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund. The respondents paid the penalty prior to the Board's entry of the order.

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Enforcement Orders

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Case Name: Illinois EPA v. Bill Weis

Location: Centreville, St. Clair County, Region 6

File Type: Administrative Citation, Section 31.1

Order Date: Jul 22, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1630305017

DLC File#: 278-04-AC

Docket#: AC 04-86

Penalty: \$4,500.00

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On July 22, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. Bill Weis operated an open dump facility located in Centreville, Illinois. On May 12, 2004, the Illinois EPA inspected the facility and afterwards alleged in an administrative citation that Bill Weis caused or allowed the open dumping of waste in a manner that resulted in litter, open burning, and deposition of general construction or demolition debris or clean construction or demolition debris. Bill Weis failed to timely file a petition to contest the Agency's administrative citation. The order requires Bill Weis to pay a civil penalty of \$4,500 to the Environmental Protection Trust Fund for violating the Act.

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Enforcement Orders

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Case Name: Illinois EPA v. John Smith and Twilla Williams Smith

Location: Anna, Union County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Jul 08, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1810055075

DLC File#: 112-03-AC

Docket#: AC 03-21

Penalty: \$1,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On July 8, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter. On January 7, 2003, the Illinois EPA inspected a facility located in Grand, Illinois, owned and operated by John and Twilla Smith. The Agency alleged that the respondents violated the Act by causing or allowing open dumping in a manner, which resulted in litter and deposition of general and/or clean construction or demolition debris at the site. On July 1, 2004, the parties filed a stipulation and proposed settlement. John and Twilla Smith admit to causing or allowing the open dumping of waste in a manner that resulted in litter at their facility. To effectuate the parties' intent that the respondents pay only a civil penalty, the Board dismissed the Agency's alleged violations of Section 21(p)(7) of the Act and the respondent's petition for review of the administrative citation. The order requires John and Twilla Smith to pay a civil penalty of \$1,500 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Olen G. Parkhill, Jr.
Location: Mahomet, Champaign County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Jul 08, 2004
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0198125003
DLC File#: 331-03-AC
Docket#: AC 03-33
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On July 8, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter. The Agency alleged that Olen Parkhill violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general or clean construction debris. On June 21, 2004 the parties filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under the terms of the settlement, Olen Parkhill admits that he violated Section 21(p)(1) of the Act and agrees to dismiss his petition contesting the Agency's administrative citation. The order requires Olen Parkhill to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund. To effectuate the parties' intent that Olen Parkhill pay the civil penalty, the Board dismisses the Agency's alleged violations of Sections 21(p)(3) and 21(p)(7) of the Act.

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Enforcement Orders

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Case Name: Illinois EPA v. Olen G. Parkhill, Jr.

Location: Mahomet, Champaign County, Region
4

File Type: Administrative Citation, Section 31.1

Order Date: Jul 08, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0198125002

DLC File#: 332-03-AC

Docket#: AC 03-34

Penalty: \$1,500.00

SEP? No

**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On July 8, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter. The Agency alleged that Olen Parkhill violated the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and the deposition of general or clean construction debris. On June 21, 2004 the parties filed a stipulation of settlement and dismissal of respondent's petition for administrative review. Under the terms of the settlement, Olen Parkhill admits that he violated Section 21(p)(7) of the Act and agrees to dismiss his petition contesting the Agency's administrative citation. The waste located at the subject site has been removed and properly disposed. The Agency agrees not to refer the subject violations to the Attorney General or other prosecuting authority for a civil or criminal action. The order requires Olen Parkhill to pay a civil penalty of \$1,500 to the Environmental Protection Trust Fund. The Board dismisses the Agency's alleged violations of Sections 21(p)(1) and 21(p)(3) of the Act.

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Enforcement Orders

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Case Name: Illinois EPA v. Luther Coleman

Location: Harrisburg, Saline County, Region 7

File Type: Administrative Citation

Order Date: Jun 17, 2004

Order Type: Civil, Interim

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 514-03-AC

Docket#: AC 04-18

Penalty:

SEP? No


**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On June 17, 2004, the Illinois Pollution Control Board entered an interim order in the matter of Illinois EPA v. Luther Coleman. The Respondent was found to have violated the Environmental Protection Act by causing or allowing the open dumping of waste resulting in litter, and causing or allowing the open dumping of waste resulting in the deposition of general construction or demolition debris at a site in Harrisburg, Saline County. The Illinois EPA was ordered to file a statement of hearing costs, after which a final order will be entered in this matter.

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Enforcement Orders

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Case Name: Illinois EPA v. Roger Ray

Location: Kirksville, Moultrie County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Jun 17, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1398065001

DLC File#: 392-03-AC

Docket#: AC 04-08

Penalty: \$3,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?** No

Case Summary: On June 17, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving a stipulation and proposed settlement. The Illinois EPA alleged that Roger Ray violated the Act when he caused or allowed the open dumping of waste in a manner that resulted in (1) litter, (2) the open dumping of waste in a manner that resulted in open burning of waste, and (3) deposition of general construction or demolition debris or clean construction or demolition debris. Roger Ray admits the alleged violations, agrees to dismiss his petition for review of the Illinois EPA's administrative citation, and will pay \$3,000 to the Environmental Protection Trust Fund. The Illinois EPA agrees to dismiss the Section 21(p)(7) allegation against the Respondent.

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Enforcement Orders

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Case Name: Illinois EPA v. Terry Wilkerson
Location: Metamora, Woodford County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: Jun 03, 2004
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 2038165009
DLC File#: 129-04-AC
Docket#: AC 04-58
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On June 3, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. Terry Wilkerson owns an open dumping facility located in Metamora, Illinois. On February 26, 2004, the Illinois EPA inspected the facility and alleged that Terry Wilkerson violated the Act by causing or allowing open dumping of waste in a manner resulting in (1) litter and (2) deposition of general construction or demolition debris or clean construction or demolition debris. The order requires Terry Wilkerson to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Colorado Real Estate and Investment Company (Kingspark Mobile Estates)

Location: Peoria, Peoria County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: May 06, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 628-03-AC

Docket#: AC 04-25

Penalty: \$4,500.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On May 6, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the parties' Stipulation and Proposal for Settlement in this administrative citation case. The Agency alleged that on October 16, 2003, the respondent caused or allowed open dumping, resulting in (1) litter, (2) open burning, and (3) deposition of general and/or clean construction or demolition debris, at the subject site located in Peoria, Illinois. The respondent admitted the violations of open dumping resulting in litter and open burning. The order requires the respondent to pay a civil penalty of \$4,500 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Josiah W. Collins II and
Lori Hilton

Location: New Salem Township, McDonough
County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: May 06, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1098055001

DLC File#: 110-04-AC

Docket#: AC 04-55

Penalty: \$4,500.00

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On May 6, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. The Agency alleged that Josiah W. Collins II and Lori Hilton violated the Act by causing or allowing the open dumping of waste in a manner that resulted in litter, open burning, and deposition of general construction or demolition debris or clean construction or demolition debris. The order requires Josiah W. Collins II and Lori Hilton to pay a civil penalty of \$4,500.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Bill Marshall

Location: Mill Shoals, Marshall County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Apr 15, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1934305003

DLC File#: 76-04-AC

Docket#: AC 04-49

Penalty: \$6,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On April 15, 2004, the Illinois Pollution Control Board entered an opinion and order in the above matter, approving the Agency's administrative citation. On January 15, 2004, the Illinois EPA inspected Bill Marshall's open dumping facility located in Mill Shoals, Illinois. The Agency alleged that Bill Marshall caused or allowed open dumping of waste that resulted in (1) litter, (2) proliferation of disease vectors, (3) deposition of waste in standing or flowing waters, and (4) deposition of general construction or demolition debris or clean construction or demolition debris at the facility. The order requires Bill Marshall to pay a civil penalty of \$6,000 to the Environmental Protection Trust Fund.

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Enforcement Orders


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Case Name: Illinois EPA v. Charles Flick
Location: Cobden, Union County, Region 7
File Type: Administrative Citation, Section 31.1
Order Date: Feb 05, 2004
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1818540002
DLC File#: 685-03-AC
Docket#: AC 04-26
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On February 5, 2004, the Illinois Pollution Control Board entered an Order in the matter of Illinois EPA v. Charles Flick. Flick was found to have violated Section 21(p) of the Act by causing or allowing the open dumping of waste resulting in litter, open burning, and deposition of construction or demolition debris at his facility located south of Cobden, Union County. The order requires Flick to pay a penalty of \$4,500.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Larry Lord

Location: Sparland, Marshall County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Feb 05, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1238105001

DLC File#: 748-03-AC

Docket#: AC 04-30

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On February 5, 2004, the Illinois Pollution Control Board entered an Order in the matter of Illinois EPA v. Larry Lord. Lord was found to have violated Section 21(p) of the Act by open dumping waste resulting in litter, and deposition of general construction or demolition debris three miles south of Sparland, off Illinois Route 29, Marshall County, Illinois. The order requires Lord to pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Roy Bauer d/b/a Baur Trucking

Location: Cahokia, St. Clair County, Region 6

File Type: Administrative Citation, Section 31.1

Order Date: Jan 08, 2004

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1630205066

DLC File#: 622-03

Docket#: AC 04-23

Penalty: \$3,000.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On January 8, 2004, the Illinois Pollution Control Board entered an Opinion and Order in the matter of the Illinois EPA v. Roy Baur d/b/a Baur Trucking, approving the administrative citation filed against the respondent on November 21, 2003. Roy Baur caused or allowed open dumping of waste resulting in litter and accumulation of construction or demolition debris at the entrance to American Milling Services in Cahokia, Illinois. The order requires Roy Baur to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund for violations of the Act and related regulations.

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Enforcement Orders

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Case Name: Illinois EPA v. Robert Thompson
Location: Cairo, Alexander County, Region 7
File Type: Administrative Citation, Section 31.1
Order Date: Nov 20, 2003
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0030055034
DLC File#: 505-03 AC
Docket#: AC 04-17
Penalty: \$3,000.00
SEP? No


**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On November 20, 2003, the Illinois Pollution Control Board entered an opinion and order in the matter of the Illinois EPA v. Robert Thompson. The respondent caused or allowed open dumping that resulted in litter and accumulation of construction or demolition debris at his Cairo, Illinois site. The order requires Robert Thompson to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund for violations of the Act and related regulations.

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Enforcement Orders

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Case Name: People v. William Baize
Location: Herrin, Williamson County, Region 7
File Type: Enforcement, Section 44
Order Date: Jul 31, 2003
Order Type: Criminal, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1998580017
DLC File#: 115-01
Docket#: 01-CF-461 & 503
Penalty: \$500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? Yes \$2,400.00

Case Summary: On July 31, 2003, the Williamson County Circuit Court entered a Sentence of Probation Order in the matter of People v. William Baize. The Defendant was found guilty of criminal disposal of waste for knowingly conducting an unpermitted waste-disposal operation on a 200-acre parcel of land adjacent to the Herrin County Landfill, and illegally disposing of more than 250 cubic feet of general construction and demolition debris, white goods, and used tires. The Defendant was sentenced to 24 months of probation. In addition, he must pay a civil penalty of \$500.00, and forfeit to the State profit on 2 jobs for a total of \$2,400 in restitution payable as follows: 40% (\$960.00) to the Hazardous Waste Fund, 30% (\$720.00) to the Illinois Attorney General's Office, and 30% (\$720.00) to the Illinois Environmental Protection Agency.

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Enforcement Orders

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Case Name: Illinois EPA v. Larry Beam

Location: Cambridge, Henry County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: May 15, 2003

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0738055001

DLC File#: 145-03-AC

Docket#: AC 03-26

Penalty: \$9,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?**

Case Summary: On May 15, 2003, the Illinois Pollution Control Board entered an opinion and order in the matter of the Illinois EPA v. Larry Beam. The respondent caused or allowed open dumping that resulted in litter and open burning, and caused or allowed open dumping and accumulation of construction or demolition debris at his Cambridge, Illinois site. The order requires Larry Beam to pay a civil penalty of \$9,000 to the Environmental Protection Trust fund for violations of the Act and related regulations.

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Enforcement Orders

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Case Name: People v. Indiana Harbor Belt Railroad, Inc.
and ACN International, Inc.

Location: Riverdale, Cook County, Region 2

File Type: Enforcement, Section 31

Order Date: May 01, 2003

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 591-99

Docket#: PCB01-83

Penalty: \$20,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?**

Case Summary: On May 1, 2003, the Pollution Control Board approved a Stipulation and Proposal for Settlement against Indiana Harbor Belt Railroad, Inc. (IHB). This settlement addresses violations of the Illinois Environmental Protection Act resulting from the open dumping of waste and debris, specifically a large volume of shredded and whole railroad ties, and construction and demolition debris and other waste, on the IHB site. The site was cleaned up prior to reaching an agreement on the settlement. Indiana will pay a \$20,000 civil penalty to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Terry Stanley

Location: Lacon, Marshall County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Mar 06, 2003

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#:

DLC File#: 691-02-AC

Docket#: AC03-16

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: The Illinois EPA issued an Administrative Citation against Terry Stanley on December 31, 2002 (filed with Board on January 6, 2003) alleging open dumping resulting in litter (Section 21(p)(1)) and open dumping resulting in deposition of general or clean construction or demolition debris (Section 21(p)(7)) at 1303 County Road 900 North, Lacon, Marshall County. No appeal was filed and the Pollution Control ordered payment of \$3,000.00 by order dated March 6, 2003.

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Enforcement Orders

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Case Name: Illinois EPA v. Village of Metamora
Location: Metamora, Woodford County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: Mar 06, 2003
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 2038075002
DLC File#: 692-02-AC
Docket#: AC03-17
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: The Illinois EPA issued an Administrative Citation against the Village of Metamora on December 31, 2002 (filed with Board on January 7, 2003) alleging open dumping resulting in litter (Section 21(p)(1)) and open dumping resulting in deposition of general or clean construction or demolition debris (Section 21(p)(7)) at 501 Center Street, Metamora, Woodford County. No appeal was filed and the Pollution Control ordered payment of \$3,000.00 by order dated March 6, 2003.

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Enforcement Orders

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Case Name: Illinois EPA v. Jerry Summers
Location: Vandalia, Fayette County, Region 6
File Type: Administrative Citation, Section 31.1
Order Date: Mar 06, 2003
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0518175007
DLC File#: 693-02-AC
Docket#: AC03-18
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: The Illinois EPA issued an Administrative Citation against Jerry Summers on December 31, 2002 (filed with Board on January 13, 2003) alleging open dumping resulting in litter (Section 21(p)(1)) and open dumping resulting in deposition of general or clean construction or demolition debris (Section 21(p)(7)) at Southeast Quarter of Section 29, Township 6 North, Range 1 East of the Third Principal Meridian, Fayette County. No appeal was filed and the Pollution Control ordered payment of \$3,000.00 by order dated March 6, 2003.

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Enforcement Orders

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Case Name: Illinois EPA v. Harley Lafary d/b/a Lafary Construction, Harris Lafary and Larry Payne, Sr.

Location: McDonough County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Mar 06, 2003

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1098175002

DLC File#: 720-02 AC

Docket#: AC03-19

Penalty: \$4,500.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: The Illinois EPA issued an Administrative Citation against Jerry Summers on December 31, 2002 (filed with Board on January 13, 2003) alleging open dumping resulting in litter (Section 21(p)(1)), open dumping in a manner resulting in open burning (Section (p)(3) and open dumping resulting in deposition of general or clean construction or demolition debris (Section 21(p)(7)) at the northeast intersection of the East Fork LaMoine River and County Road 2000 North, McDonough County. No appeal was filed and the Pollution Control ordered payment of \$4,500.00 by order dated March 6, 2003.

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Enforcement Orders

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Case Name: Illinois EPA v. Bobby Keller

Location: Mount Olive, Macoupin County, Region
5

File Type: Administrative Citation, Section 31.1

Order Date: Nov 21, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1178135006

DLC File#: 432-02-AC

Docket#: AC 03-10

Penalty: \$4,500.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or
Reimbursement?** No

Case Summary: On November 21, 2002, the Illinois Pollution Control Board (Board) issued an Order in the matter of Illinois EPA v. Bobby Keller. Keller was found to have violated Section 21(p) of the Act by causing or allowing the open dumping of waste in a manner resulting in litter, open burning, and deposition of construction or demolition debris. Keller must pay a civil penalty of \$4,500 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: People v. Tony Luttrell

Location: Xenia, Clay County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Oct 17, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0258095001

DLC File#: 311-02-AC

Docket#: AC 03-1

Penalty:

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: On October 17, 2002, the Illinois Pollution Control Board entered an order amending its September 5, 2002 order in the matter of Illinois EPA v. Tony Luttrell. An Administrative Citation was sent to Tony Luttrell on July 16, 2002. The 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. The September order requires the respondent to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund and the October order clarifies the location of the respondent's facility.

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Enforcement Orders

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Case Name: Illinois EPA v. Herb Flannel and Wallace Excavating Company

Location: Sullivan Township, Moultrie County, Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Oct 03, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1398065002

DLC File#: 310-02-AC

Docket#: AC 03-7

Penalty: \$4,500.00

SEP? No


Compliance Plan Requirements?

Costs or Reimbursement? No

Case Summary: On October 3, 2002, the Illinois Pollution Control Board issued an Order in the matter of Illinois EPA v. Herb Flannel and Wallace Excavating Company. Flannel and Wallace Excavating were found to have violated Section 21(p) of the Act by causing or allowing open dumping of waste in a manner resulting in litter, open burning, and deposition of construction or demolition debris. Herb Flannel and Wallace Excavating Company must pay a civil penalty of \$4,500 to the Environmental Protection Trust Fund.

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Enforcement Orders

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Case Name: Illinois EPA v. Tony Luttrell

Location: Xenia, Clay County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: Sep 05, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0258095001

DLC File#: 311-02-AC

Docket#: AC 03-1

Penalty: \$3,000.00

SEP? No

**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On September 5, 2002, the Illinois Pollution Control Board entered an order in the matter of Illinois EPA v. Tony Luttrell. An Administrative Citation was sent to Tony Luttrell on July 16, 2002. The 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. The order requires the respondent to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Lesslie Yocum, Sandra Yocum, Rick L. Yocum, and Shawna B. Yocum (Birmingham Yocum #1) and Illinois EPA v. Lesslie Yocum and Sandra Yocum (Birmingham/Yocum #2)

Location: Birmingham, Schuyler County, Region 5

File Type: Administrative Citation, Section 31.1

Order Date: Aug 08, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 1698015001

DLC File#: 62-01-AC#2

Docket#: AC 01-29&01-30

Penalty: \$6,000.00

SEP? No


Compliance Plan Requirements? No

Costs or Reimbursement? Yes \$350.43

Case Summary: On August 8, 2002, the Illinois Pollution Control Board issued a final opinion and order finding sufficient evidence to support the violations alleged in two administrative citations, open dumping of waste resulting in litter and open dumping of general construction or demolition debris. The order requires the Respondents to pay a civil penalty in the amount of \$6,000.00 to the Environmental Protection Trust Fund and costs and reimbursement in the amount of \$350.43 as follows: \$69.33 for Illinois EPA hearings costs and \$281.10 for Board hearing costs. The Respondents filed a Petition for Review of that order with the 4th District Appellate Court, citing the principal issue of whether there was sufficient evidence to support the findings. On October 15, 2002, the Illinois EPA requested representation of this appeal from the Office of the Attorney General.

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Case Name: Illinois EPA v. Bradney Luckhart
Location: West Lincoln Township, Logan County, Region 5
File Type: Administrative Citation, Section 31.1
Order Date: Aug 08, 2002
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 1078165001
DLC File#: 431-01-AC
Docket#: AC 02-18
Penalty: \$1,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On August 8, 2002, the Illinois Pollution Control Board entered an order approving a Stipulation and Proposal for Settlement in the matter of Illinois EPA v. Bradney Luckhart. The respondent violated the Act and related regulations when he caused or allowed open dumping of waste that resulted in litter, open burned, and deposited construction or demolition debris at his property located in West Lincoln Township, Logan County. Mr. Luckhart will pay a civil penalty of \$1,500.00 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Maurice Newcomer

Location: Chadwick, Carroll County, Region 1

File Type: Administrative Citation, Section 31.1

Order Date: Jul 11, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0150055006

DLC File#: 116-02-AC

Docket#: AC 02-52

Penalty: \$3,000.00

SEP? No


**Compliance Plan
Requirements?**

**Costs or No
Reimbursement?**

Case Summary: On July 11, 2002, the Illinois Pollution Control Board entered an Order in the matter of Illinois EPA v. Maurice Newcomer. The Respondent caused or allowed the open dumping of waste in a manner resulting in litter and the open dumping resulting in deposition of general construction or demolition debris or clean construction or demolition debris at a facility located at 3892 Oakville Road, Chadwick, Carroll County. The Order requires Newcomer to pay a civil penalty of \$3,000.00 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Roeco Enterprises, Inc.
Location: Rantoul, Champaign County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Jun 20, 2002
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0198115002
DLC File#: 48-02-AC
Docket#: AC 02-45
Penalty: \$4,500.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On June 20, 2002, the Illinois Pollution Control Board entered an Order in the matter of Illinois EPA v. Roeco Enterprises, Inc. Roeco was found to have violated the sections of the Act for litter, open burning, and the deposition of construction or demolition debris at Roeco's facility located in the SW Quarter of Section 26, Township 22 North, Range 9 East, Ludlow Township, Champaign County. Roeco must pay a civil penalty of \$4,500.00 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. E. Lewis Look
Location: Peoria, Peoria County, Region 3
File Type: Administrative Citation, Section 31.1
Order Date: May 16, 2002
Order Type: Civil, Final
Programs: Solid Waste


Incident#:
Bureau ID#: 1430650136
DLC File#: 563-01-AC
Docket#: AC 02-35
Penalty: \$1,500.00

SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On May 16, 2002, the Illinois Pollution Control Board issued an Order in the matter of Illinois EPA v. E. Lewis Look. The Board accepted a Stipulation and Proposal for Settlement with Look, and dismissed an alleged violation of Section 21(p)(7) of the Act (deposition of construction or demolition debris). The order requires Look to pay a civil penalty of \$1,500 to the Environmental Protection Trust Fund for a violation of Section 21(p)(1) of the Act.

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Case Name: Illinois EPA v. Tony Luttrell

Location: Xenia, Clay County, Region 7

File Type: Administrative Citation, Section 31.1

Order Date: May 02, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0258095001

DLC File#: 93-02-AC

Docket#: AC 02-48

Penalty: \$3,000.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: On May 2, 2002, the Illinois Pollution Control Board entered an Order in the matter of Illinois EPA v. Tony Luttrell. Luttrell caused or allowed open dumping in a manner resulting in litter and deposited construction or demolition debris at a facility located northeast of Xenia in Clay County. The order requires Luttrell to pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund for violations of the Act and related regulations.

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Case Name: Illinois EPA v. William Plank d/b/a Demolition Plus
Location: Arthur, Douglas County, Region 4
File Type: Administrative Citation, Section 31.1
Order Date: Feb 21, 2002
Order Type: Civil, Final
Programs: Solid Waste

Incident#:
Bureau ID#: 0418015004
DLC File#: 535-01-AC
Docket#: AC 02-31
Penalty: \$3,000.00
SEP? No
Compliance Plan Requirements? No
Costs or Reimbursement? No

Case Summary: On February 21, 2002, the Illinois Pollution Control Board issued an order in the matter of Illinois EPA v. William Plank d/b/a Demolition Plus. Plank was found to have caused or allowed open dumping in a manner resulting in litter and deposition of general construction or demolition debris. Plank must pay a civil penalty of \$3,000 to the Environmental Protection Trust Fund.

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Case Name: Illinois EPA v. Robert Wiersema

Location: Newman Township, Douglas County,
Region 4

File Type: Administrative Citation, Section 31.1

Order Date: Jan 24, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0312700002

DLC File#: 489-01-AC

Docket#: AC 02-25

Penalty: \$4,500.00

SEP? No


**Compliance Plan
Requirements?** No

**Costs or
Reimbursement?** No

Case Summary: The Illinois EPA issued an Administrative Citation against Robert Wiersema on November 29, 2001 (filed with Board on December 3, 2001) alleging open dumping resulting in litter (Section 21(p)(1)), open dumping resulting in deposition of waste in water (Section 21(p)(4)) and open dumping resulting in deposition of general construction and demolition debris (Section 21(p)(7)) at Robbins, Cook County. No appeal was filed and the Pollution Control ordered payment of \$4,500.00 by order dated January 24, 2002.

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Case Name: Illinois EPA v. Larry Beam

Location: Cambridge, Henry County, Region 3

File Type: Administrative Citation, Section 31.1

Order Date: Jan 24, 2002

Order Type: Civil, Final

Programs: Solid Waste

Incident#:

Bureau ID#: 0738055001

DLC File#: 517-01-AC

Docket#: AC 02-28

Penalty: \$4,500.00

SEP? No

Compliance Plan Requirements? No

Costs or Reimbursement? No

Case Summary: The Illinois EPA issued an Administrative Citation against Larry Beam on December 12, 2001 (filed with Board on December 14, 2001) alleging open dumping resulting in litter (Section 21(p)(1)), open burning (Section 21(p)(3)), and open dumping resulting in deposition of general construction and demolition debris (Section 21(p)(7)) at his facility located adjacent to the Cambridge Municipal Landfill, Henry County. No appeal was filed and the Pollution Control ordered payment of \$4,500.00 by order dated January 24, 2002.

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