



JACKSON COUNTY STATE'S ATTORNEY
Michael C. Carr, State's Attorney

Jackson County Courthouse • 1001 Walnut • Third Floor • Murphysboro, IL 62966
(618) 687-7200 • FAX (618) 687-7215

Thursday, March 01, 2018

Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Re: Administrative Citation – Gorham/William Martin, Jr Site
Site Code 077 035 5004
Inspection Date: January 25, 2018
Date of Service: February 27, 2018

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against Richard Mansfield. The site is known as the Gorham/William Martin, Jr site.

The respondent's mailing address is 207 Park Street, Gorham, Illinois 62940. Also enclosed with this material is a proof of service showing the respondent was served with the administrative citation packet.

Please acknowledge receipt and filing of the enclosed materials. Thank you.

Sincerely,

MICHAEL C. CARR
Jackson County State's Attorney

A handwritten signature in blue ink, appearing to read "Daniel Brenner".

DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

encl.

cc: Jackson County Health Department

18-391

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 18 -
)	Site Code: 077 035 5004
WILLIAM MARTIN, JR.,)	
)	
Respondent.)	

Serve on: William Martin, Jr., 207 Park Street, Gorham, Illinois 62940

PROOF OF SERVICE

I, the undersigned, hereby certify that a true and correct copy of the Administrative

Citation and Appearance were hand delivered to:

Name: William Martin

Address: 207 Park St Gorham IL

Sex: Male Female

Age: 05-27-75

Date of service: 02/27, 2018.

Time: 09:14 .m.

[Signature]
/S/ Robert Burns, Jackson Co. Sheriff
By his Deputy

PLEASE RETURN TO:

**DANIEL BRENNER
JACKSON COUNTY STATE'S ATTORNEY'S OFFICE
JACKSON COUNTY COURTHOUSE, THIRD FLOOR
WALNUT STREET
MURPHYSBORO, ILLINOIS 62966**

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 18 -
)	Site Code: 077 035 5004
WILLIAM MARTIN, JR.,)	
)	
Respondent.)	

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the County of Jackson.

MICHAEL C. CARR
Jackson County State's Attorney



DANIEL BRENNER
Assistant State's Attorney
Jackson County Courthouse, 3rd Fl.
Murphysboro, Illinois 62966
618-687-7200

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

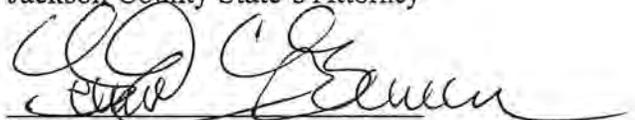
COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 18 -
)	Site Code: 077 035 5004
WILLIAM MARTIN, JR.,)	
)	
Respondent.)	

NOTICE OF FILING

To: William Martin, Jr., 207 Park Street, Gorham, Illinois 62940

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board the Complaint for Administrative Citation, a copy of which is herewith served upon you.

MICHAEL C. CARR
Jackson County State's Attorney



DANIEL BRENNER
Assistant State's Attorney
Jackson County Courthouse, 3rd Fl.
Murphysboro, Illinois 62966
618-687-7200

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 18 -
)	Site Code: 077 035 5004
WILLIAM MARTIN, JR.,)	
)	
Respondent.)	

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/1 *et. seq.*, specifically 415 ILCS 5/31.1.

FACTS

1. The Respondent, William Martin, Jr., is the present owner, occupant and in control and possession of a facility located in the County of Jackson, State of Illinois.

2. The facility is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with the Site Code # 077 035 5004. The facility is known to the Agency as the Gorham/William Martin, Jr. site.

3. The Respondent has owned, occupied, controlled and/or operated the facility at all material times hereto.

4. On January 25, 2018, Kyle Scerena, Environmental Compliance Inspector, Jackson County Health Department, inspected the facility. A true and correct copy of the inspection report, along with Mr. Scerena's affidavit, are attached and incorporated herein by reference as Exhibit A.

VIOLATIONS

Based on Environmental Compliance Inspector, Kyle Scerena's, direct observation he has determined that the Respondent has caused or allowed open dumping at the above described facility in a manner that resulted in the following violations:

That on January 25, 2018, an inspection of the facility disclosed the following:

1. The Respondent has caused or allowed litter at the facility in violation of 415 ILCS 5/21(p)(1).
2. The Respondent has caused or allowed the deposition of general or clean construction or demolition debris at the facility in violation of 415 ILCS 5/21(p)(7).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5), Respondent is subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of THREE THOUSAND DOLLARS (\$3,000.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than April 1 2018, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1, and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the Fifteen Hundred Dollars (\$1,500.00) statutory

civil penalty for each violation.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1), if Respondent fails to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

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

- (1) County of Jackson, c/o Jackson County Treasurer, Jackson County Courthouse, Murphysboro, Illinois 62966; and
- (2) Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276.

Respondent shall complete and return the enclosed Remittance Forms with payments to ensure proper documentation of payment. If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondent from the date payment is due up to and including the date that payment is received. The Complainant may either initiate proceedings against the Respondent in Circuit Court or other debt collection actions to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING ADMINISTRATIVE CITATION

You have the right to contest this Citation, pursuant to 415 ILCS 5/31.1. If you elect to contest this Citation, you must file a Petition For Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition For Review shall also be filed with Daniel Brenner, Assistant State's Attorney, Jackson County Courthouse, Third Floor, Murphysboro, Il 62966. **YOUR PETITION FOR REVIEW MUST BE FILED WITHIN 35 DAYS OF THE DATE OF SERVICE OF THE PRESENT CITATION ON YOU. YOUR PETITION MUST STATE THE REASON(S) YOU BELIEVE THE PRESENT MATTER SHOULD NOT BE ISSUED. IF YOU FAIL TO FILE YOUR PETITION AND STATE THE REASONS THE PRESENT MATTER SHOULD NOT BE ISSUED, A DEFAULT ORDER AGAINST YOU WILL BE ENTERED BY THE POLLUTION CONTROL BOARD.**

Your original Petition must be filed with the Clerk of the Board at:

Clerk
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

A copy must also be sent to:

Office of the State's Attorney
Daniel Brenner
Assistant State's Attorney
Jackson County Courthouse, 3rd Floor
Murphysboro, Il 62966

Dated: FEB 6, 2018.

MICHAEL C. CARR
Jackson County State's Attorney

A handwritten signature in black ink, appearing to read "D. Brenner", written over a horizontal line.

DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

REMITTANCE FORM TO COUNTY OF JACKSON

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.) AC 18 -
) Site Code: 077 035 5004
 WILLIAM MARTIN, JR.,)
)
 Respondent.)

FACILITY: Gorham/William Martin, Jr. Site

COUNTY: JACKSON

DATE OF INSPECTION: January 25, 2018

SITE CODE: 077 035 5004

Date Remitted: _____, 2018

SS or FEIN # _____

Signature _____

NOTE

Please include the information on the blank lines. Mail this form with your check to:

Sharon Harris Johnson
Jackson County Treasurer
Jackson County Courthouse
Murphysboro, Illinois, 62966

REMITTANCE FORM TO ILLINOIS EPA

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.) AC 18 -
) Site Code: 077 035 5004
 WILLIAM MARTIN, JR.,)
)
 Respondent.)

FACILITY: Gorham/William Martin, Jr. Site

COUNTY: JACKSON

DATE OF INSPECTION: January 25, 2018

SITE CODE: 077 035 5004

Date Remitted: _____, 2018

SS or FEIN # _____

Signature _____

NOTE

Please enter the date of your remittance, social security number, if an individual, or Federal Employer Identification Number (FEIN) if a corporation, and sign the remittance form. Be sure the appropriate check is enclosed and mail, along with this remittance form, to Illinois Environmental Protection Agency, Attn: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

JACKSON COUNTY HEALTH DEPARTMENT

AFFIDAVIT

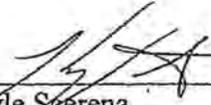
IN THE MATTER OF:

077 035 5004 / Jackson County
Gorham / William Martin Jr.
COMPLIANCE FILE

William Martin Jr., Respondent.

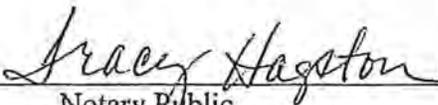
Affiant, Kyle Scerena, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is an Environmental Compliance inspector employed by Jackson County Health Department and has been so employed at all times pertinent hereto.
2. On 01/25/2018, between the hours of 9:57 A.M. and 10:03 A.M. Affiant conducted an inspection of the open dump site known as Gorham / William Martin Jr., Jackson County, Illinois.
3. Affiant inspected said open dump site by an on-site inspection.
4. As a result of the activities referred to in Paragraphs 2 and 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said William Martin Jr., Gorham, Illinois, open dump site.



Kyle Scerena
Environmental Compliance Inspector

Subscribed and Sworn Before me
this 1 day of February, 2018



Notary Public



EXHIBIT A

Illinois Environmental Protection Agency Open Dump Inspection Checklist

County: Jackson BOL #: 077 035 5004 Region: 7 - Marion
 Site Name: Gorham / William Martin, Jr.
 Site Address: 207 Park St City: Gorham
 Inspector: Kyle Scerena Interviewed: William Martin Jr.
 Date: 01/25/2018 Current Est. 60 yds³
 Complaint #: _____ Waste Amt. _____

Responsible Party Mailing Address(es) and Phone Number(s):	Owner: William Martin Jr. 207 Park St Gorham, IL 62940	
--	---	--

Section	Description	Status
Illinois Environmental Protection Act Requirements		
9(a)	Cause, threaten, or allow air pollution in Illinois	
9(c)	Cause or allow open burning	
12(a)	Cause, threaten, or allow water pollution in Illinois	
12(d)	Create a water pollution hazard	
21(a)	Cause or allow open dumping	C
21(d)	Conduct any waste-storage, waste-treatment, or waste- disposal operation:	
	(1) Without a permit	
	(2) In violation of any regulations or standards adopted by the Board	
21(e)	Dispose, treat, store, or abandon waste, or transport waste into Illinois for such activities, except at a site meeting Act and regulatory requirements	
21(p)	Cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site:	
	(1) Litter	C
	(2) Scavenging	
	(3) Open Burning	
	(4) Deposition of waste in standing or flowing waters	
	(5) Proliferation of disease vectors	
	(6) Standing or flowing liquid discharge from the dump site	
	(7) Deposition of general construction or demolition debris as defined at §3.160(a) or clean construction or demolition debris as defined at §3.160(b)	C
55(a)	No person shall	
	(1) Cause or allow open dumping of any used or waste tire	C
	(2) Cause or allow open burning of any used or waste tire	

File heading 077 Inspection Date:

55(k)	No person shall	
(1)	Cause or allow water to accumulate in used or waste tires	
(4)	Transport used or waste tires in violation of the registration and placarding requirements	
Electronic Products Recycling and Reuse Act (415 ILCS 150) Requirements		
95(c)	No person may knowingly cause or allow the mixing of a CED or other listed device with waste that is intended for disposal by burning or incineration	
95(d)	No person may knowingly cause or allow the burning or incineration of a CED or other listed device	
35 Illinois Administrative Code Subtitle G Requirements		
722.111	Hazardous waste determination	
808.121	Special waste determination	
809.302(a)	Acceptance of special waste from a waste transporter without a waste hauling permit and manifest	
Other Requirements		
Apparent violation of: <input type="checkbox"/> PCB order <input type="checkbox"/> Circuit Court order		
Case Number _____ ; Order entered on _____		
Other		

Notes

1. Key to Status: V=Violated; C=Continuing violation from previous evaluation; V/C=Newly violated and continuing from previous evaluation; V/R=Violated and resolved during same inspection; R=Resolved violation; NA=Not applicable at the time of the inspection; NE=Not evaluated at the time of the inspection
2. The provisions of §§21(o)-(p) and §55(k) of the Environmental Protection Act are enforceable either by administrative citation under §31.1 or by complaint under §31. Violations of the Electronic Products Recycling and Reuse Act are enforceable by administrative citation under §20(k) or referral to the Attorney General pursuant to §20(a).
3. This inspection was conducted in accordance with §§4(c)-(d) of the Environmental Protection Act (415 ILCS 5/4(c) and (d)) and §20(a) of the Electronic Products Recycling and Reuse Act (415 ILCS 150/20(a)).

Inspection Report Document: Open Dump Site Narrative

Inspection Date: 01/25/2018

Time: 9:57 AM - 10:03 AM

Site Code: 077 035 5004

Site Name: Gorham / William Martin, Jr.

County: Jackson

Inspector: Kyle Scerena

Est. Waste Volume: 60 cubic yards

Previous Inspection: 06/19/2017

Location: Lat 37.71394 / Long -89.48711

GPS Accuracy: +/- 16 feet

General Remarks:

The site address for the inspection was: 207 Park St., Gorham, IL. 62940.

Weather conditions at the time of the inspection were: Sunny with moderate wind and a temperature of approximately 40°F. I was accompanied on this inspection by Deborah Johnson of the Jackson County Health Department.

According to the Jackson County Assessor's Office, the site is owned by William Martin Jr., 207 Park St., Gorham, IL. 62940.

From Park St., a public roadway, I observed open dumped waste that included, but was not limited to: plastic tubs, plastic toys, tarpaulins, HVAC equipment, and furniture (**Photos #1 & #2, Site Sketch**). Southeast of this waste pile appeared to be the main residence. I went to the building and knocked on the front door, with no answer. I then proceeded northwest and observed what appeared to be an open dumped pile of used waste tires (**Photos #3 & #4, Site Sketch - TP1**). I noted that some tires appeared to be modified. I then proceeded south, around the back of the shed. I observed a waste pile containing open dumped used/waste tires (**Photos #5 & #10, Site Sketch - TP2**).

I proceeded southeast and observed two waste piles containing open dumped used/waste tires (**Photo #6, Site Sketch - TP3 & TP4**). I proceeded southeast of the two tire piles and observed two waste piles that contained, but not limited to, dimensional lumber, and domicile waste (**Photos #7 & #8, Site Sketch - WP1 & WP2**). I proceed west, back to the main residence, and noted an open dumped waste pile (**Photo #9, Site Sketch**). Contents included, but were not limited to: plastic tubs, plastic toys, and furniture.

After taking the last photo, I proceeded to my vehicle and left the site.

My inspection ended at approximately 10:03 A.M.

At the time of the inspection, the items and materials listed as waste above were not in use, were not useable in their current condition, and were not stored in such a way as to protect any future use. Also at the time of the inspection, the items and materials were stored in an unsightly manner.

The total volume of waste observed was approximately 60 cubic yards.

Page 2

077 035 5004

Gorham / William Martin, Jr.

01/25/2018

Violations Observed:

(21)(a): Cause or allow open dumping; (21)(p)(1 & 7): Cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site: (1) Litter and (7) Deposition of general construction or demolition debris; or clean construction or demolition debris: During the inspection, the open dumping of waste that resulted in litter and the deposition of general construction or demolition debris was observed.

(55)(a)(1): No person shall: Cause or allow open dumping of any used or waste tire: At the time of the inspection approximately 85 used/waste tires that had been open dumped were observed.

OPEN DUMP INSPECTION SITE SKETCH

Inspection Date: 01/25/2018

Time: 9:57 a.m.—10:03 a.m.

Site Code: 077 035 5004

Site Name: Gorham / William Martin, Jr

Inspector: Kyle Scerena

County: Jackson

Est. Waste Volume: 60 cubic yards

Previous Inspection: 06/19/2017

Location: Lat 37.71394 / Long -89.48711

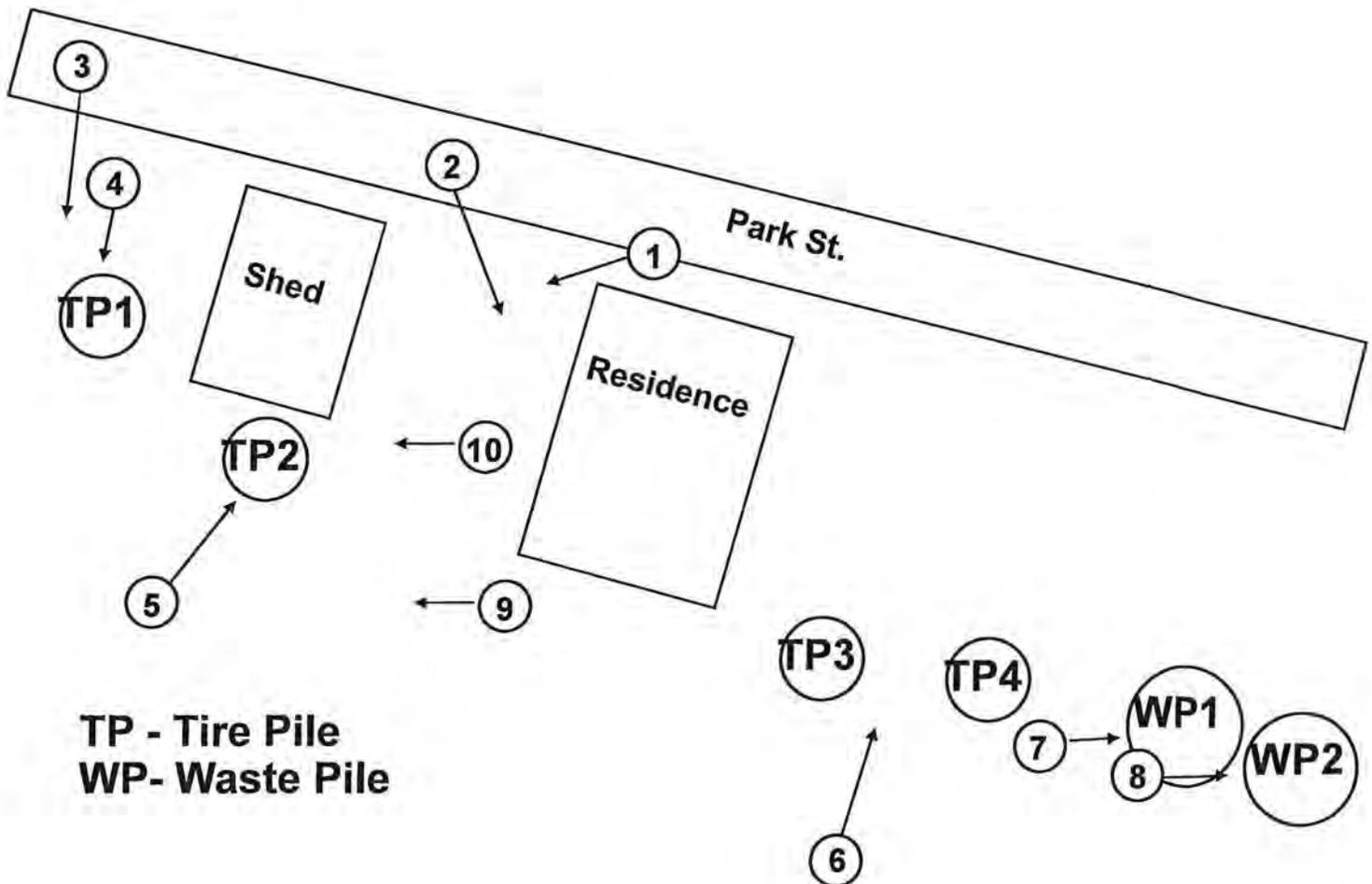
GPS Accuracy: +/- 16 Feet

Not Drawn to Scale

All locations are approximate

O → Indicates *approximate* location and direction of photos

G = approximate GPS data collection point



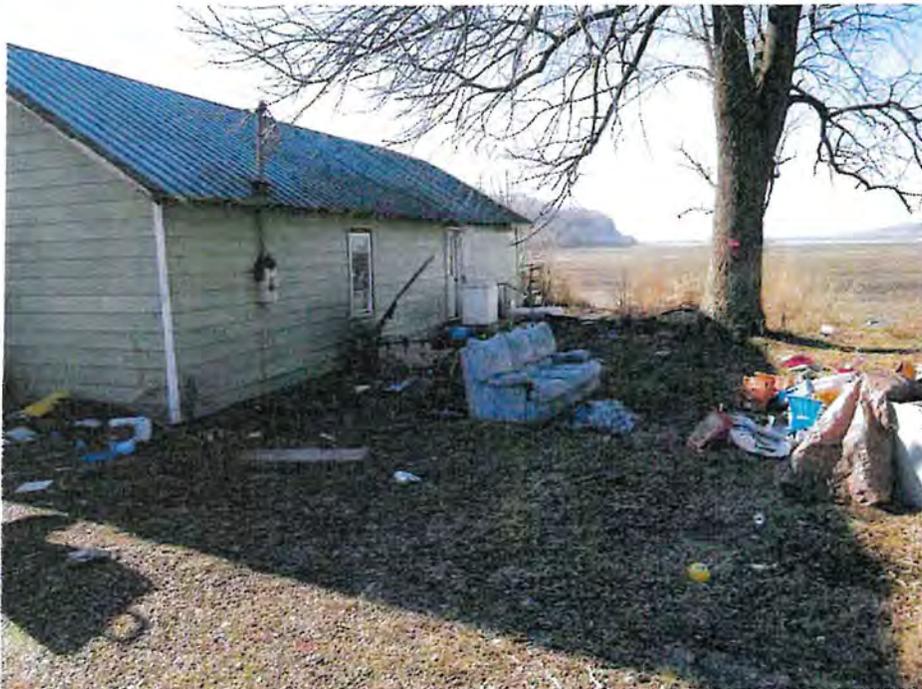


DIGITAL PHOTOGRAPHS

File Names: 0770355004 ~ 01/25/2018 [001-010].jpg



Date: 01/25/2018
Time: 9:58 AM
Direction: Southwest
Photo by: Kyle Scerena
Exposure #: 001
Comments: Open dumped
domicile waste. Contents
include, but are not limited
to: plastic tubs, plastic
toys, tarpaulins, HVAC
equipment, etc.



Date: 01/25/2018
Time: 9:58 AM
Direction: South
Photo by: Kyle Scerena
Exposure #: 002
Comments: Open dumped
domicile waste. Contents
include: but are not limited
to, plastic tubs, plastic toys,
tarpaulins, HVAC
equipment, furniture etc.



DIGITAL PHOTOGRAPHS

File Names: 0770355004 ~ 01/25/2018 [001-010].jpg



Date: 01/25/2018
Time: 10:00 AM
Direction: Southwest
Photo by: Kyle Scerena
Exposure #: 003
Comments: Open dumped
used waste tires.



Date: 01/25/2018
Time: 10:00 AM
Direction: Southwest
Photo by: Kyle Scerena
Exposure #: 004
Comments: Open dumped
used waste tires.



Public Health
Protect. Promote. Prevent.
Jackson County Health Department

**JACKSON COUNTY
HEALTH DEPARTMENT**

LPC #0770355004 – Jackson County
Gorham / William Martin Jr.
E. H. Division File

DIGITAL PHOTOGRAPHS

File Names: 0770355004 ~ 01/25/2018 [001-010].jpg



Date: 01/25/2018
Time: 10:00 AM
Direction: Northeast
Photo by: Kyle Scerena
Exposure #: 005
Comments: Open dumped
used waste tires.



Date: 01/25/2018
Time: 10:01 AM
Direction: Northeast
Photo by: Kyle Scerena
Exposure #: 006
Comments: Open dumped
used waste tires.



**JACKSON COUNTY
HEALTH DEPARTMENT**

LPC #0770355004 – Jackson County
Gorham / William Martin Jr.
E. H. Division File

DIGITAL PHOTOGRAPHS

File Names: 0770355004 ~ 01/25/2018 [001-010].jpg



Date: 01/25/2018
Time: 10:01 AM
Direction: Southeast
Photo by: Kyle Scerena
Exposure #: 007
Comments: Open dumped
construction / demolition
debris. Contents included,
but not limited to:
dimensional lumber,
plywood, vinyl siding, etc



Date: 01/25/2018
Time: 10:01 AM
Direction: Southeast
Photo by: Kyle Scerena
Exposure #: 008
Comments: Open dumped
construction / demolition
debris and domicile waste.
Contents included, but not
limited to: dimensional
lumber, plywood, furniture,
etc

0770355004~ 01/25/2018.docx



DIGITAL PHOTOGRAPHS

File Names: 0770355004 ~ 01/25/2018 [001-010].jpg



Date: 01/25/2018
Time: 10:02 AM
Direction: West
Photo by: Kyle Scerena
Exposure #: 009
Comments: Open dumped
domicile waste. Contents
include, but are not limited
to: plastic tubs, plastic
toys, furniture etc.



Date: 01/25/2018
Time: 10:02 AM
Direction: West
Photo by: Kyle Scerena
Exposure #: 010
Comments: Open dumped
used waste tires and
domicile waste. Contents
included, but not limited to:
used/waste tires, plastic
storage containers, metal
storage containers, etc.