

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

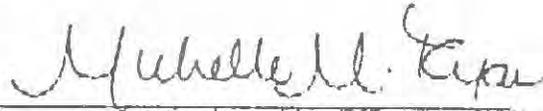
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2018-
	)	
v.	)	(IEPA No. 33-18-AC)
	)	
MICHAEL CRANK, individually and	)	
d b a CRANK TREE SERVICE	)	
	)	
Respondents.	)	

NOTICE OF FILING

To: Michael Crank	Michael Crank
1011 W. Poplar Street, #7	d b a Crank Tree Service
Harrisburg, IL 62948	11175 Hwy 1
	Junction, IL 62954

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,

  
e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

Dated: March 19, 2018

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2018-
	)	
v.	)	(IEPA No. 33-18-AC)
	)	
MICHAEL CRANK, individually and d/b/a CRANK TREE SERVICE	)	
	)	
	)	
Respondents.	)	
	)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2016).

FACTS

1. That Michael Crank (Respondent) is the present owner and operator of a facility located at 490 Zola Road, Harrisburg, Saline County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Harrisburg/Crank, Mike.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1658055011.
3. That Respondent has operated said facility at all times pertinent hereto.
4. That on January 30, 2018, Phillip Pierce-Savoie of the Illinois Environmental Protection Agency's Marion Regional Office inspected the above-described facility. A copy of his

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

5. That on March 19, 2018 Illinois EPA sent this Administrative Citation [via Certified Mail No. 7012 0470 0001 3000 4199 Crown /for hand delivery].

7012 0470 0001 3000 4182 Crown d/b/a Crown Tree Service

VIOLATIONS

Based upon direct observations made by Phillip Pierce-Savoie during the course of his January 30, 2018 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondents have violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2016).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2016).
- (3) That Respondents 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, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2016).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2016), Respondents are

subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than May 7, 2018, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondents elect 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 (2016), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondents shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2016), if Respondents fail to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondents' check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

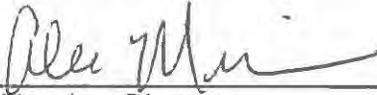
If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondents from the date payment is due up to and including the date that payment is

received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

---

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2016). If Respondents elect to contest this Administrative Citation, then Respondents shall file a Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondents.



Alec Messina, Director  
Illinois Environmental Protection Agency

Date: 3/14/18

Prepared by: Dawn A. Hollis, Legal Assistant  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544



**Bureau of Land – Field Operations Section  
Inspection Report**

General Facility Information			
<b>BOL ID:</b>	1658055011	<b>Region:</b>	Marion
<b>USEPA ID:</b>	Not Applicable	<b>County:</b>	Saline
<b>Site Name:</b>	Crank Mike	<b>Phone:</b>	618-926-4020
<b>Address:</b>	490 Zola Rd	<b>Latitude:</b>	37.7166
<b>City/State/Zip:</b>	Harrisburg, IL 62946	<b>Longitude:</b>	-88.52776
<b>Permit No(s):</b>	None		

Owner	Operator
Crank Mike 11175 Hwy 1 Junction, IL 62954	Crank Mike 11175 Hwy 1 Junction, IL 62954

Inspection Details	
<b>Inspection Type</b>	Open Dump Inspection
<b>Inspection Date</b>	1/30/2018
<b>Inspector(s)</b>	Pierce-Savoie, Phillip
<b>Person(s) Interviewed</b>	None
<b>Previous Inspection Date</b>	3/9/2017

Observations	
<b>Time</b>	1015-1025
<b>Weather Conditions (Description)</b>	Sunny, muddy
<b>Temperature (°F)</b>	27
<b>Photos Taken (Yes/No)</b>	Yes
<b>Amount of Waste (Cubic Yards)</b>	100

**Executive Summary**

This inspection was conducted as a follow-up to the March 9, 2017 open dumping complaint inspection conducted by this office. This facility is an open field, owned by Michael Crank, that is adjacent to a residential neighborhood where trade waste from a tree trimming and cutting service is accumulated. There is no residence at this site, and it has not been developed. Some of this material is being turned into firewood and woodchips, some of it is being open burned, and the rest is accumulating. During the previous inspection evidence of open burning of trade waste and open dumping of wastes, including but not limited to, General Construction and/or Demolition Debris (GC/DD) was observed. Continuing violations were observed.

**Inspection Narrative**

I arrived at the site at 10:15am. No one was present at the site, and no one approached this inspector during the inspection. This site is an open field adjacent to several residences. No improvements exist at this site, though a RV and an intermodal shipping crate have been brought on-site. It was ~27 F and

sunny, and the ground was muddy. I immediately observed several piles of General Construction and/or Demolition Debris (GC/DD) that had been open dumped here that were not present during the previous inspection. There were at least three accumulations, and the total amount of GC/DD present at this site was visually estimated to be at least 50 cu. yds. Other wastes, which included a white good and general refuse, were present, and were visually estimated to be approximately 20 cu. yds. in volume. These wastes were not observed during the previous inspection either. Approximately 300 cu. yds. of trade waste from the property owner's tree trimming and removal service was also present. Lumber splitting equipment and a small wood chipper was on site. Two accumulations of ash near the wood chipper and surrounded by trade waste was observed. One was a small pile, visually estimated to be 1 sq. yd. The other was visually estimated to be 8 cu. yds. Partially combusted trade waste (tree trunk sections) were also observed at the southeast side of the site, adjacent to a residential lawn. The inspection was concluded at or around 10:25am.

The Saline County Sheriff's Department issued citations for open burning against Mr. Crank on September 12, 2017, January 8, 2018 and January 13, 2018. Attached is a list of dates the Saline County Sheriff's Department received open burning complaints against Mr. Crank.

Summary of Apparent Violation(s)			
Status	Date	Violation	Narrative
Continuing	3/9/2017	9(c)	Open burning is occurring at this site.
Continuing	3/9/2017	21(d)(2)	A waste disposal operation is being conducted at this site in violation of regulations and/or standards adopted by the Illinois Pollution Control Board (IPCB).
Continuing	3/9/2017	21(e)	Wastes are being transported to and disposed of at this site, and this site is not meeting the requirements of the Illinois Environmental Protection Act ("the Act") and applicable regulations.
Continuing	3/9/2017	21(d)(1)	Wastes are being disposed of here without a permit.
Continuing	3/9/2017	21(p)(3)	Open burning is being caused or allowed at this site.
New	1/30/2018	21(p)(1)	Open dumping constituting litter is being cause or allowed at this site.
New	1/30/2018	21(p)(7)	General Construction and/or Demolition Debris (GC/DD) is open dumped here.
New	1/30/2018	21(a)	Open dumping has been caused or allowed here.
New	1/30/2018	9(a)	The open burning at this site is causing, allowing, or threatening air pollution.

Attachment Listing		
ID	Type	Description
2	Miscellaneous	Summary of Saline County Sheriff's Office calls about subject site.

Digital Photographs



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 1  
Photo Date: 1/30/2018  
Photo Time: 10:15:46  
Direction: N  
Taken By: Phillip Pierce-Savoie

View of the site from the western entrance. Open dumped General Construction and/or Demolition Debris (GC/DD) can be seen at center right and left. Open dumped general refuse can be seen at center left.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 2  
Photo Date: 1/30/2018  
Photo Time: 10:15:49  
Direction: E  
Taken By: Phillip Pierce-Savoie

View of the site toward the entry lane from the west side. GC/DD can be seen open dumped at left.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 3  
Photo Date: 1/30/2018  
Photo Time: 10:16:42  
Direction: NW  
Taken By: Phillip Pierce-Savoie

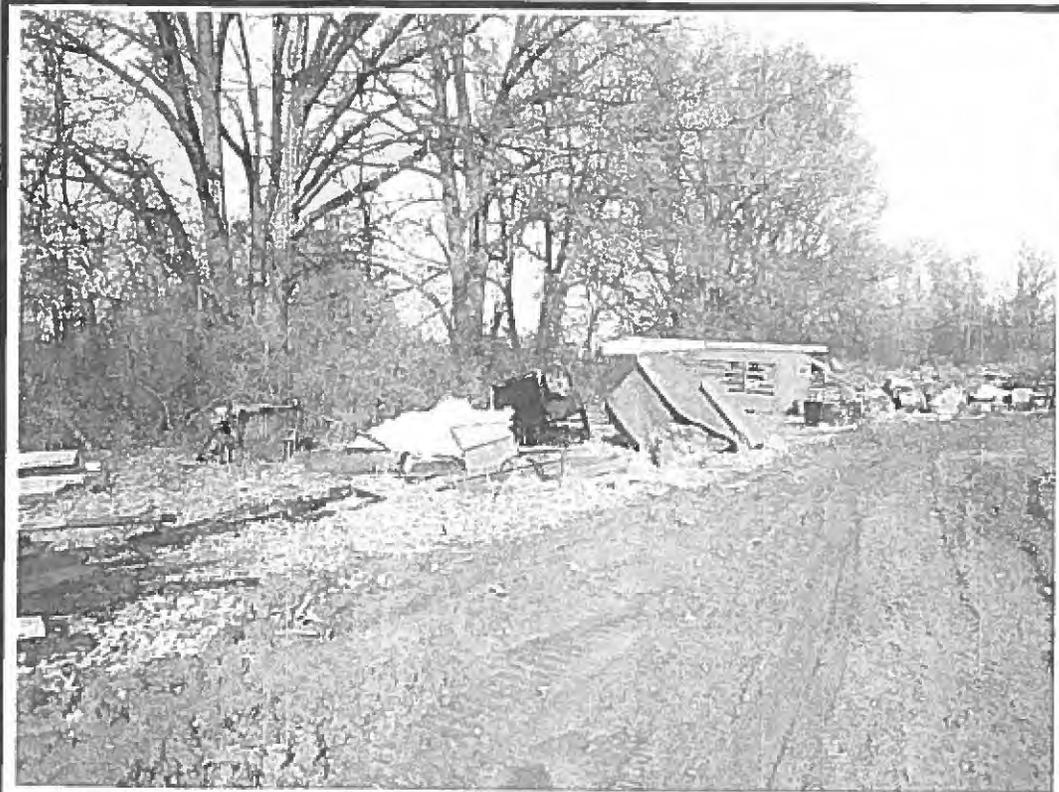
Open dumped general refuse,  
GC/DD, and a white good.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 4  
Photo Date: 1/30/2018  
Photo Time: 10:17:04  
Direction: NE  
Taken By: Phillip Pierce-Savoie

Landscape trade waste  
stockpile. This material is being  
split into fire wood.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 5  
Photo Date: 1/30/2018  
Photo Time: 10:17:51  
Direction: NW  
Taken By: Phillip Pierce-Savoie

Open dumped GC/DD and  
general refuse.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 6  
Photo Date: 1/30/2018  
Photo Time: 10:18:04  
Direction: NE  
Taken By: Phillip Pierce-Savoie

Area where landscape trade  
waste is being split into  
firewood for sale.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 7  
Photo Date: 1/30/2018  
Photo Time: 10:18:41  
Direction: N  
Taken By: Phillip Pierce-Savoie

Small wood chipper near two accumulations of wood ash and cinders.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 8  
Photo Date: 1/30/2018  
Photo Time: 10:19:25  
Direction: W  
Taken By: Phillip Pierce-Savoie

Another view of the small wood chipped and the piles of partially combusted landscape trade waste. The western pile was approximately 1 yard tall by 3 yards by 3 yards.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 9  
Photo Date: 1/30/2018  
Photo Time: 10:20:20  
Direction: NW  
Taken By: Phillip Pierce-Savoie

Stockpiled landscape trade waste. Roughly half of this material is suitable for conversion into firewood.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 10  
Photo Date: 1/30/2018  
Photo Time: 10:21:44  
Direction: SW  
Taken By: Phillip Pierce-Savoie

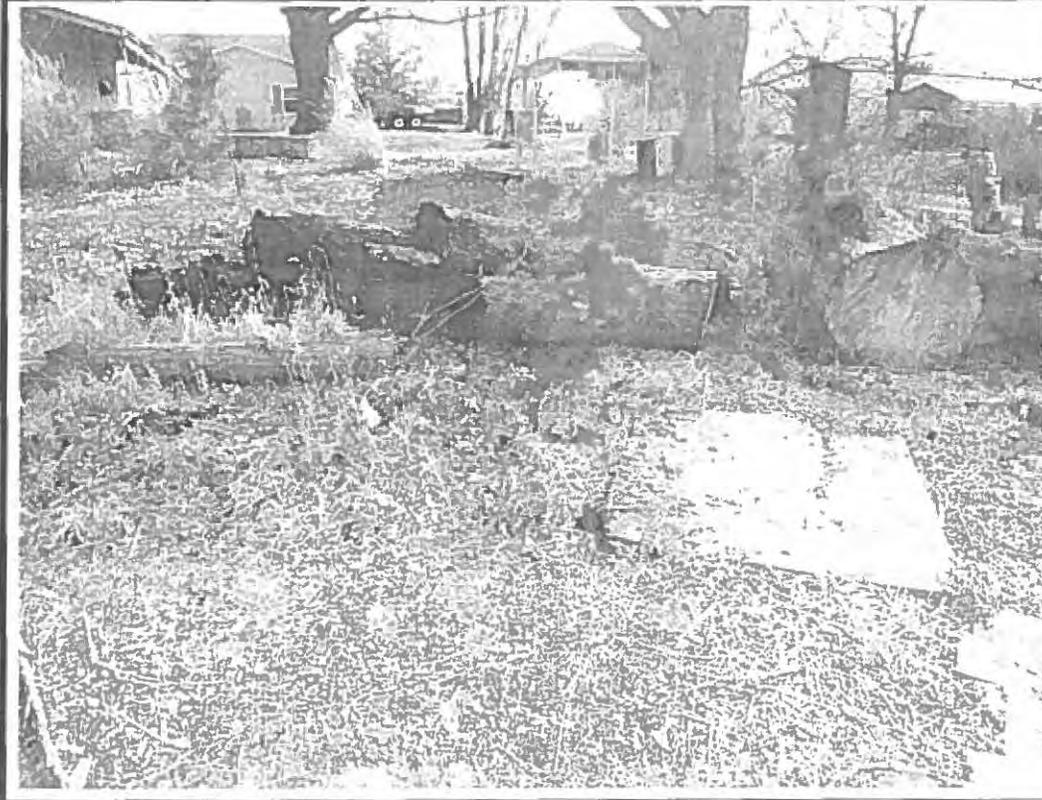
Landscape trade waste.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 11  
Photo Date: 1/30/2018  
Photo Time: 10:21:50  
Direction: W  
Taken By: Phillip Pierce-Savoie

Landscape trade waste.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 12  
Photo Date: 1/30/2018  
Photo Time: 10:22:43  
Direction: E  
Taken By: Phillip Pierce-Savoie

Partially combusted landscape  
trade waste.



Site: Crank Mike (1658055011)  
Saline County

Photo ID: 13  
Photo Date: 1/30/2018  
Photo Time: 10:23:05  
Direction: W  
Taken By: Phillip Pierce-Savoie

Open dumped GC/DD.

Site Diagram(s)

Inspection Date: January 30, 2018

1658055011 - Crank Mike

Saline County

NA Not Applicable  
N/A or Not Applicable  
X - Direction and center of flow  
LPCA 1658055011 - Saline County  
Harrisburg Crank Mike



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY	)	
	)	
Complainant,	)	
	)	
v.	)	IEPA DOCKET NO.
	)	
<b>Crank, Michael</b>	)	
	)	
Respondent.	)	

AFFIDAVIT

Affiant, **Phillip Pierce-Savoie**, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On January 30, 2018, between 10:15 and 10:25, Affiant conducted an inspection of a disposal site operated by Michael Crank, located in Saline County, Illinois, and known as Crank, Mike by the Illinois Environmental Protection Agency. Said site has been assigned site code number 1658055011 by the Agency.

3. Affiant inspected said open dump site by an on-site inspection which included walking and photographing the site.

4. As a result of the material actions referred to in paragraph 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 open dump site.

*[Handwritten signature]*

Subscribed and Sworn to before me

this 5<sup>th</sup> day of March 2018

*Gail Stricklin*  
Notary Public

(pps)



**PROOF OF SERVICE**

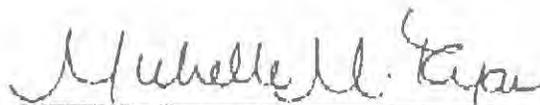
I hereby certify that I did on the 19<sup>th</sup> day of March, 2018, serve by Certified Mail, Return Receipt Requested, with postage thereon prepaid, by depositing in a United States Post Office box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Michael Crank  
1011 W. Poplar Street, #7  
Harrisburg, IL 62948

Michael Crank  
d/b/a Crank Tree Service  
11175 Hwy 1  
Junction, IL 62954

and the original via electronic filing on March 19, 2018

To: Don Brown, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601



Michelle M. Ryan  
e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan  
Assistant Counsel

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544