

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE
OCT 31 2014

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.)
)
 CHRISTOPHER WILL,)
)
 Respondent.)

AC 15 - 20



ORIGINAL

NOTICE OF FILING

To: Christopher Will, 6168 Hickory Ridge Road, Pomona, Illinois 62975

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 Floor
Murphysboro, IL 62966
618-687-7200

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD


COUNTY OF JACKSON,)
)
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AC 15 - 20

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Pollution Control Board

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 Floor
Murphysboro, IL 62966
618-687-7200

20142498

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON,)
)
 Complainant,)
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 CHRISTOPHER WILL,)
)
 Respondent.)

AC 15 - 20

FILED 112
2014 OCT 28 AM 8:17
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OCT 31 2014
STATE OF ILLINOIS
Pollution Control Board

Serve on: Christopher Will, 6168 Hickory Ridge Road, Pomona, Illinois 62975

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: Christopher Will wa

Address: 6168 Hickory Ridge Rd M bnd

Sex: Male Female

Age: DUB 12.25-65

Date of service: 10.24-14, 2014.

Time: 3:20 p .m.

Linda Ellet at Jackson USO
/S/ Robert Burns, Jackson Co. Sheriff
By his Deputy

PLEASE RETURN TO:

DANIEL BRENNER
JACKSON COUNTY STATE'S ATTORNEY'S OFFICE

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

RECEIVED
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OCT 8 1 2014

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF JACKSON,)
)
 Complainant,)
)
v.)
)
CHRISTOPHER WILL,)
)
)
 Respondent.)

AC 15 - 20
Site Code: 077 812 5014

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, Christopher Will, 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 # 077 812 5014. The facility is known to the agency as the Pomona/Christopher Will site.
3. The Respondent has owned, occupied, controlled and/or operated the facility at all material times hereto.
4. On September 11, 2014, Don Terry, Field Inspector, Jackson County Health Department, and Phillip Pierce-Savoie, Environmental Protection Specialist, Illinois Environmental Protection Agency, inspected the facility. A true and correct copy of the inspection report, along with Mr. Terry's affidavit, are attached and incorporated herein by reference as Exhibit A.

5. On July 25, 2013 this Board adopted its final opinion and order in Docket No. AC 13-31 in a case involving this Respondent and this site.

6. In Docket No. AC 13-31 the Respondent was found to have violated Sections 21(p)(1), (p)(2), (p)(3) and (p)(7).

VIOLATIONS

On the basis of Field Inspector Don Terry'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 September 11, 2014, 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 open burning at the facility in violation of 415 ILCS 5/21(p)(3).

3. The Respondent has caused or allowed the proliferation of disease vectors at the facility in violation of 415 ILCS 5/21(p)(5).

4. 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 the Section 5/21(p)(5) violation; and Three Thousand Dollars (\$3,000.00) each for the other three violations identified above (being second, subsequent violations), for a total of TEN THOUSAND FIVE HUNDRED DOLLARS (\$10,500.00). If the Respondent elects not to petition the Illinois Pollution Control

Board, the statutory civil penalty specified above shall be due and payable no later than December 15, 2014, unless otherwise provided by order of the Illinois Pollution Control Board.

If the 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. The hearing costs shall be assessed in addition to the statutory civil penalties for each violation.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1), if the 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 penalties 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 MATER 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:

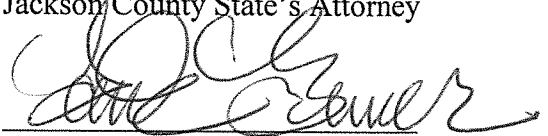
Clerk
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601-3218

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: Oct. 7, 2014.

MICHAEL C. CARR
Jackson County State's Attorney

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

DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

REMITTANCE FORM TO COUNTY OF JACKSON

RECEIVED
CLERK'S OFFICE

OCT 31 2014

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF JACKSON,)
)
Complainant,)
)
v.)
)
CHRISTOPHER WILL,)
)
Respondent.)

AC15 - 20
Site Code: 077 812 5014

FACILITY: Pomona/Christopher Will Site

COUNTY: JACKSON

DATE OF INSPECTION: September 11, 2014

SITE CODE: 077 812 5014

Date Remitted: _____, 2014

SS or FEIN # _____

Signature _____

NOTE

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

Jackson County Treasurer
Jackson County Courthouse
Murphysboro, Illinois, 62966

REMITTANCE FORM TO ILLINOIS EPA

RECEIVED
CLERK'S OFFICE

OCT 31 2014

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF JACKSON,)
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Site Code: 077 812 5014

FACILITY: Pomona/Christopher Will Site

COUNTY: JACKSON

DATE OF INSPECTION: September 11, 2014

SITE CODE: 077 812 5014

Date Remitted: _____, 2014

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

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OCT 31 2014

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT

AC15-20

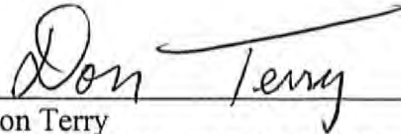
IN THE MATTER OF:

077 812 5014 / Jackson County
Pomona / Christopher Will
COMPLIANCE FILE

Christopher Will, Respondent.

Affiant, Don Terry, 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 September 11, 2014, between the hours of 9:50 a.m. and 10:30 a.m. Affiant conducted an inspection of the open dump site known as Pomona / Christopher Will, 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 Pomona / Christopher Will, Illinois, open dump site.



Don Terry
Environmental Compliance Inspector

Subscribed and Sworn To before me
this 6th day of October, 2014



Notary Public

EXHIBIT A



**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist**

County: Jackson LPC#: 077 812 5014 Region: 7 - Marion
 Location/Site Name: Pomona / Christopher Will
 Date: 09/11/2014 Time: From 9:50 am To 10:30 am Previous Inspection Date: 12/18/2012
 Inspector(s): Don Terry, Philip Pierce-Savoie Weather: 62°F -- Cloudy; soil was damp
 No. of Photos Taken: # 15 Est. Amt. of Waste: 100 + yds³ Samples Taken: Yes # No
 Interviewed: Christopher Will, Jimmie Lee Complaint #: 2014-144
 Latitude: 37.68112 Longitude: -89.38795 Collection Point Description: Site Entrance -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS - Accuracy +/- 25 feet

Responsible Party
Mailing Address(es)
and Phone Number(s):

****OWNER****
Christopher Will
6168 Hickory Ridge Rd
Pomona, IL 62975

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OCT 8 1 2014

STATE OF ILLINOIS
Pollution Control Board

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	<input checked="" type="checkbox"/>
8.	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	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input checked="" type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input checked="" type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>
	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input checked="" type="checkbox"/>

LPC # 077 812 5014

Inspection Date: 09/11/2014

9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS			
11.	95(a)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	95(b)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	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	<input type="checkbox"/>
14.	95(d)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
19.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY	<input type="checkbox"/>
OTHER REQUIREMENTS			
20.		APPARENT VIOLATION OF: (<input checked="" type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: AC 13-31 ORDER ENTERED ON: 07/25/2013	<input checked="" type="checkbox"/>
21.	OTHER:	807.201 Developmental Permit & 807.202 Operational Permit	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
- The provisions of subsection (p) of Section 21, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that Act.
- This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).
- Items marked with an "NE" were not evaluated at the time of this inspection.

Inspection Report Document: Open Dump Site Narrative

Inspection Date: September 11, 2014

Time: 9:50 a.m. – 10:30 a.m.

Site Code: 077 812 5014

Site Name: Pomona / Christopher Will

County: Jackson

Inspectors: Don Terry, Philip Pierce-Savoie

Est. Waste Volume: 100 plus cubic yards

Previous Inspection: 12/18/2012

Location: Lat 37.68112 / Long -89.38795

GPS Accuracy: +/- 25 feet

GENERAL REMARKS

Background: On December 18, 2012, an inspection was made of this site which led to Jackson County filing an Administrative Citation against the site owner, Christopher Will. During the inspection, the open dumping, open burning and burying of waste was observed. The Illinois Pollution Control Board (IPCB) accepted the filing as AC 13-31. On July 25, 2013, the IPCB ruled that Mr. Will had violated Sections 21(p)(1), (p)(2), (p)(3) and (p)(7) of the Illinois Environmental Protection Act (Act) and ordered him to pay civil penalties of \$6000. As of the time of this inspection, Mr. Will has not paid the fine nor provided proof that he fully cleaned up his site.

During the stated date and time, Philip Pierce-Savoie of the Illinois Environmental Protection Agency (IEPA) and I conducted an inspection of the site listed above. This inspection was made as a follow up to a complaint received by the US EPA. The US EPA forwarded the complaint to the Illinois EPA who then forwarded it to the Jackson County Health Department. The complainant stated that Mr. Will, who owns a construction company, was bringing waste from his business activities and disposing of the waste at his site by burning and burying. The complainant alleged that some of the wastes being brought to the site for disposal included waste tires, shingles, antifreeze and used oil. Weather conditions at the time of the inspection were: Cloudy with a temperature of approximately 62°F.

Upon arrival at the site, Mr. Pierce-Savoie and I were approached by a man who had arrived at the site just prior to us. After we introduced ourselves and showed him our credentials, the individual identified himself as Jimmie Lee and said that Mr. Will, the site owner was not at the site. Mr. Lee said he was not comfortable with us being at the site. Mr. Pierce-Savoie asked Mr. Lee if he was a tenant, with Mr. Lee responding that he was staying at the site. Mr. Pierce-Savoie explained that the Act allowed us to be on the site to conduct an inspection as long as the owner did not object. Mr. Pierce-Savoie and I waited several minutes for Mr. Lee to try to contact Mr. Will by phone, with no success. At this time Mr. Pierce-Savoie told Mr. Lee that we were going to proceed with the inspection of the site.

I walked south along the driveway and observed piles of general construction / demolition debris sitting on the ground (**Photo #1, Site Sketch**). The waste in this area included, but was not limited to: plywood, roofing tin and dimensional lumber. At the time of the inspection, the items listed as waste were not in use and were not stored in such a way as to protect any future use.

As I continued walking south, I observed several waste vehicles (**Photos #2, #3 & #5, Site Sketch**). These waste vehicles 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. In one location I observed an area partitioned into three areas (**Photo #4, Site Sketch**). The areas were holding scrap metal. The areas were also overgrown with vegetation, which would indicate that the scrap metal had been sitting at this location for at least this growing season without being disturbed.

I walked east to a location where I had observed the open burning and burying of general construction / demolition debris during my December 18, 2012 inspection. Today I observed two areas of roofing shingles that were lying on the ground, charred and partially melted (**Photos #6 & #7, Site Sketch**). In both areas I observed charred vegetation near the charred shingles and new vegetation beginning to grow up around the area. This would indicate that roofing shingles were brought to this site, placed on the ground and disposed by open burning.

I walked east, down an embankment toward an intermittent stream. During my previous inspection, I observed buried waste and open dumped waste coming out of the fill face and lying in the intermittent stream. Today I observed downed trees and open dumped waste (**Photos #8 & #9, Site Sketch**). The waste included but was not limited to: a waste tire, dimensional lumber, plastic items and plastic pipe. I also observed waste protruding from the "fill face," (**Site Sketch - X; See Photos #019 and #020 on Attachment: Page 1**).

I walked west, up the embankment, and then south. I observed a pile of decking, composed of dimensional lumber (**Photo #10, Site Sketch**). At the time of the inspection, this material was not in use and was not stored in such a way as to protect any future use. South of the structure labeled Shed C on the Site Sketch, I observed a waste pile in an area of discolored soil, devoid of vegetation (**Photo #11, Site Sketch**). The waste in this pile consisted of but was not limited to: ash, dimensional lumber, scrap metal and vegetation. Some of the waste in this pile was charred and the vegetation in and around the pile was either gone or dead.

I looked south and observed what appeared to be another waste pile near a tree line. I walked to the location and observed a waste pile (**Photos #12 - #15, Site Sketch**). The waste in the pile consisted of, but was not limited to: ash, vegetative matter, dimensional lumber, scrap metal, bricks, concrete, broken tile, plastic items, gypsum board, metal cans and nails. I observed that the ground, much of the waste in the pile as well as surrounding vegetation was charred, indicating that the waste was open burned at this site. I also observed that the waste, along with soil, had been pushed into a ravine with some of the waste being buried. This disposal method is similar to what I observed during my 12/18/2012 inspection.

On the way back to the vehicle, Mr. Lee said that Mr. Will was on his way to the site. Mr. Pierce-Savoie pointed out a waste/used tire near the residence holding water (**Site Sketch; See Photos #033 on Attachment: Page 2**). Within the tire, I observed mosquito larvae. Then, Mr. Pierce-Savoie and I waited in the vehicle for Mr. Will. Mr. Will approached the vehicle and appeared angry. He spoke loudly using profane language. Mr. Pierce-Savoie explained the purpose of our visit and the apparent violations we found. Mr. Will was told that a decision as to what would be the next step in the process would be determined by Jackson County and the IEPA.

The total volume of waste observed was approximately 100 cubic yards or more.

My inspection ended at approximately 10:30 a.m.

Violations Observed:

Item #1(9)(a): Cause, threaten or allow air pollution in Illinois; Item #2(9)(c): Cause or allow open burning; Item #8(21)(p)(3): Cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site: (3) Open Burning: During the inspection the open dumping of waste that resulted in open burning and which caused, threatened or allowed air pollution in Illinois was observed.

Item #5(21)(a): Cause or allow open dumping; Item #8(21)(p)(1, 5 & 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; (5) Proliferation of disease vectors 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, the proliferations of disease vectors and the deposition of general construction or demolition debris was observed.

Item #6(21)(d)(1): Conduct any waste-storage, waste-treatment, or waste-disposal operation: Without a permit: At the time of the inspection, the Jackson County Health Department (Health Department) had not received documentation from the Illinois Environmental Protection Agency (Agency) that the site owner/operator had been issued a permit to conduct a waste-storage, waste-treatment or waste-disposal operation.

Item #6(21)(d)(2): Conduct any waste-storage, waste-treatment, or waste-disposal operation: In violation of any regulations or standards adopted by the Board: During the inspection, violations of regulations or standards adopted by the Board regarding the operation of a waste-storage, waste-treatment or waste-disposal site were observed. One such violation was of 811.107(k) that prohibits uncontrolled litter at the site. During the inspection, the open dumping of waste that resulted in litter was observed.

Item #7(21)(e): Dispose, treat, store, or abandon any waste, or transport any waste into the State at/to sites not meeting requirements of the Act: At the time of the inspection, waste that had been disposed, treated, stored or abandoned was observed at this site.

Item #9(55)(a)(1): No person shall: Cause or allow open dumping of any used or waste tire: At the time of the inspection used/waste tires that had been open dumped were observed.

Item #10(55)(k)(1): No person shall: Cause or Allow Water to Accumulate in Used or Waste Tires: At the time of the inspection, used/waste tires that were allowed to accumulate water were observed.

Page 4

077 812 5014

Pomona / Christopher Will

September 11, 2014

Item #15(812.101)(a): Failure to submit an application for a permit to develop and operate a landfill:

At the time of the inspection, the Health Department had not received from the Agency documentation that the site owner or operator had submitted an application for a permit to develop and operate a landfill.

Item #20: Apparent violations of an Illinois Pollution Control Board order: At the time of the inspection, Mr. Will was in apparent violation of an Illinois Pollution Control Board order, filed on July 25, 2013 (AC 13-31) requiring him to pay a civil penalty of \$6000.

Item #21(807.201): Failure to obtain a Developmental Permit to operate a solid waste management site: At the time of the inspection, the Health Department had not received from the Agency documentation that the site owner or operator had obtained a Developmental Permit to operate a solid waste management site.

Item #21(807.202): Failure to obtain an Operational Permit to operate a solid waste management site: At the time of the inspection, the Health Department had not received from the Agency documentation that the site owner or operator had obtained an Operational Permit to operate a solid waste management site.



DIGITAL PHOTOGRAPHS



Date: 9-11-14
Time: 10:05am
Direction: NW
Photo by: P. Pierce-Savoie
Exposure #: 019
Comments: Waste and debris emerging from beneath soil cover.



Date: 9-11-14
Time: 10:05am
Direction: NW
Photo by: P. Pierce-Savoie
Exposure #: 020
Comments: Closer view of the waste materials emerging from under soil cover.

File Names: 0778125014~09112014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 9-11-14
Time: 10:13am
Direction: E (down)
Photo by: P. Pierce-Savoie
Exposure #: 033
Comments: Used tire
holding water and
mosquito larvae.

Date: 9-11-14
Time:
Direction:
Photo by: P. Pierce-Savoie
Exposure #:
Comments:

No Photograph

OPEN DUMP INSPECTION SITE SKETCH

Inspection Date: September 11, 2014

Time: 9:50 a.m.—10:30 a.m.

Site Code: 077 812 5014

Site Name: Pomona / Christopher Will

Inspectors: Don Terry, Philip Pierce-Savoie

County: Jackson

Est. Waste Volume: Over 100 cubic yards

Previous Inspection: 12/18/2012

Location: Lat 37.68112 Long -89.38795

GPS Accuracy: +/- 25 Feet

Not Drawn to Scale

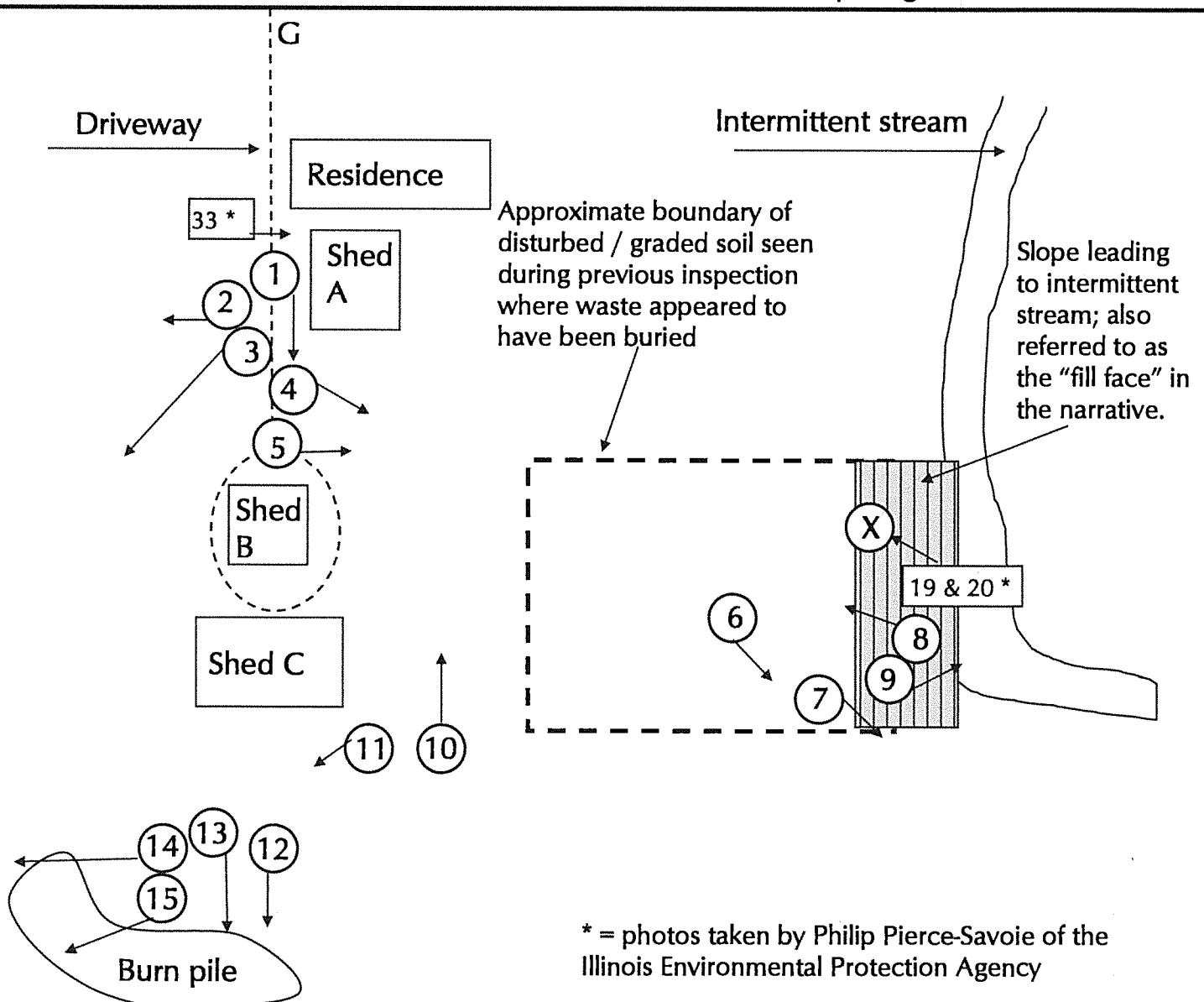
All locations are approximate

O → Indicates *approximate* location and direction of photos

G = approximate GPS data collection point



Hickory Ridge Rd



* = photos taken by Philip Pierce-Savoie of the Illinois Environmental Protection Agency



Jackson County Inspection Digital Photo Sheet – Page 1



Public Health
Prevent. Promote. Protect.

Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-01

Time: 10:00 a.m.

Photo Taken Toward:
South



Photo Name:
0778125014-09112014-02

Time: 10:00 a.m.

Photo Taken Toward:
West





Jackson County Inspection Digital Photo Sheet – Page 2



Public Health
Prevent. Promote. Protect.

Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-03

Time: 10:00 a.m.

Photo Taken Toward:
Southwest



Photo Name:
0778125014-09112014-04

Time: 10:00 a.m.

Photo Taken Toward:
Southeast





Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-05

Time: 10:00 a.m.

Photo Taken Toward:
East



Photo Name:
0778125014-09112014-06

Time: 10:00 a.m.

Photo Taken Toward:
Southeast





Jackson County Inspection Digital Photo Sheet – Page 4



Public Health
Prevent. Promote. Protect.

Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-07

Time: 10:00 a.m.

Photo Taken Toward:
Southeast



Photo Name:
0778125014-09112014-08

Time: 10:00 a.m.

Photo Taken Toward:
West





Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-09

Time: 10:00 a.m.

Photo Taken Toward:
Northwest



Photo Name:
0778125014-09112014-10

Time: 10:00 a.m.

Photo Taken Toward:
North





Jackson County Inspection Digital Photo Sheet – Page 6



Public Health
Prevent. Promote. Protect.

Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-11

Time: 10:00 a.m.

Photo Taken Toward:
Southwest



Photo Name:
0778125014-09112014-12

Time: 10:00 a.m.

Photo Taken Toward:
South





Jackson County Inspection Digital Photo Sheet – Page 7



Public Health
Prevent. Promote. Protect.

Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-13

Time: 10:00 a.m.

Photo Taken Toward:
South



Photo Name:
0778125014-09112014-14

Time: 10:00 a.m.

Photo Taken Toward:
West





Jackson County Inspection Digital Photo Sheet - Page 8



Public Health
Prevent. Promote. Protect.

Inspection Date: September 11, 2014
Photos by: Don Terry

Site #: 077 812 5014
Site Name: Pomona / Christopher Will

Photo Name:
0778125014-09112014-15

Time: 10:00 a.m.

Photo Taken Toward:
Southwest





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

RECEIVED
CLERK'S OFFICE
OCT 31 2014

STATE OF ILLINOIS
Pollution Control Board

Tuesday, October 28, 2014

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

AC15-20

Re: Administrative Citation – Pomona/Christopher Will
Site Code 077 812 5014
Inspection Date: September 11, 2014
Date of Service: October 24, 2014

ORIGINAL

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against Christopher Will. The site is known as the Pomona/Christopher Will Site.

The respondent's mailing address is 6168 Hickory Ridge Road, Pomona, Illinois 62975. Also enclosed with this material is a proof of service. He was served on October 24, 2014.

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

Sincerely,

MICHAEL C. CARR
Jackson County State's Attorney

DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

encls.