



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, August 18, 2016

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

Re: Administrative Citation – Grand Tower/John Hudson Site
Site Code 077 040 5025
Inspection Date: June 28, 2016
Date of Service: July 20, 2016

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against John Hudson. The site is known as the Grand Tower/John Hudson site.

The respondent's mailing address is P.O. Box 344, Grand Tower, Illinois 62942. 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 "REBECCA BLOMER". The signature is stylized and written over a horizontal line.

REBECCA BLOMER
Assistant State's Attorney
Jackson County, Illinois

encl.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 16 -
)	Site Code: 077 040 5025
JOHN W. HUDSON,)	
)	
Respondent.)	

APPEARANCE

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



Rebecca Blomer
Assistant State's Attorney
Jackson County Courthouse, 3rd Floor
Murphysboro, Illinois 62966

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

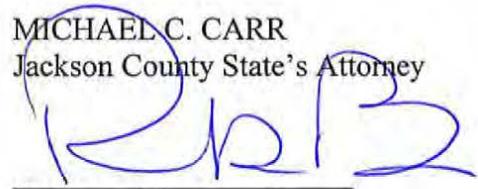
COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 16 -
)	Site Code: 077 040 5025
JOHN W. HUDSON)	
)	
Respondent.)	

NOTICE OF FILING

To: John Hudson, 709 2nd Street, Grand Tower, Illinois 62942

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



Rebecca Blomer
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,)	AC16-
)	Site Code: 077 040 5025
V.)	
)	
JOHN W. HUDSON,)	
)	
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, John W. Hudson, is the present owner 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 #077 040 5025. The facility is known to the Agency as the Grand Tower/John Hudson, Jackson County, Illinois site.
3. The Respondent has owned, controlled and/or operated the facility at all relevant times hereto.
4. On June 28, 2016 Don Terry, Field Inspector, Jackson County Health Department,

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.

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 violation:

That on June 28, 2016, an on-site inspection of the facility disclosed the following:

The Respondent has caused or allowed litter at the facility in violation of 415 ILCS 5/21(p)(1).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5), Respondent is subject to civil penalty of One Thousand Five Hundred Dollars (\$1,500) for the violation identified above, for a total of One Thousand Five Hundred Dollars (\$1,500). 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 September 15, 2016, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest the 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 One Thousand Five Hundred (\$1,500) 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 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, 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 Respondent in Circuit Court or other debt collection actions to collect said penalty and/or hearing costs, plus any other 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 Rebecca Blomer, Assistant State's Attorney, Jackson County Courthouse, Third Floor, Murphysboro, Illinois 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 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
Rebecca Blomer
Assistant State's Attorney
Jackson County Courthouse, Third Floor
Murphysboro, Illinois 62966

DATED: July 15th, 2016

MICHAEL C. CARR
Jackson County State's Attorney



REBECCA L. BLOMER
Assistant State's Attorney
Jackson County, Illinois

REMITTANCE FORM TO COUNTY OF JACKSON

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.)
)
 JOHN W. HUDSON,)
)
 Respondent.)

AC16 -
Site Code: 077 040 5025

FACILITY: Grand Tower/John Hudson site
COUNTY: JACKSON
DATE OF INSPECTION: June 28, 2016
SITE CODE: 077 040 5025

Date Remitted: _____, 201__

SS/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

COUNTY OF JACKSON,)
)
 Complainant,)
)
 v.) AC16 -
) Site Code: 077 040 5025
 JOHN W. HUDSON,)
)
 Respondent.)

FACILITY: Grand Tower/John Hudson Site
COUNTY: JACKSON
DATE OF INSPECTION: June 28, 2016
SITE CODE: 077 040 5025

Date Remitted: _____, 201__

SS/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.

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

County: Jackson LPC#: 077 040 5025 Region: 7 - Marion
 Location/Site Name: Grand Tower / John Hudson
 Date: 06/28/2016 Time: From 1:57 pm To 2:01 pm Previous Inspection Date: 12/29/2014
 Inspector(s): Don Terry Weather: 91°F -- Cloudy with calm winds
 No. of Photos Taken: # 3 Est. Amt. of Waste: 60 yds³ Samples Taken: Yes # No
 Interviewed: no one Complaint #:
 Latitude: 37.62621 Longitude: -89.50088 Collection Point Description: Site Entrance -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS - Accuracy +/- 6 feet

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

OWNER Mr. John W. Hudson P. O. Box 344 Grand Tower, IL 62942	
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	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input 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 type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input 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 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 type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input 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 type="checkbox"/>

LPC # 077 040 5025

Inspection Date: 06/28/2016

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 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 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 type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

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

**Inspection Report Document:
Open Dump Site Narrative**

Inspection Date: June 28, 2016

Time: 1:57 p.m. - 2:01 p.m.

Site Code: 077 040 5025

Site Name: Grand Tower / John Hudson

County: Jackson

Inspector: Don Terry

Est. Waste Volume: 60 cubic yards

Previous Inspection: 12/29/2014

Location: Lat 37.62621 / Long -89.50088

GPS Accuracy: +/- 6 feet

GENERAL REMARKS

Note: a recent review of tax records at the Jackson County Assessment Office show that the owner of this site is John W. Hudson of Grand Tower, IL., [Attachment: Page 1].

During the stated date and time, I conducted an inspection of the site listed above. This inspection was made as a follow up to an inspection conducted of the site on December 29, 2014 during which waste that was being disposed by open dumping and open burning was observed. Weather conditions at the time of the inspection were: Cloudy with calm winds and a temperature of approximately 91°F. I was accompanied on this inspection by Steve Williams of the Jackson County Health Department.

I arrived at the site and observed from Schickle Street, a public roadway that a section of a privacy fence on the north side of the site had fallen down providing an unobstructed view of the north end of the site. I drove around the block and parked my vehicle in a public alleyway and began my inspection.

From a location outside of the privacy fence I observed open dumped waste scattered around the site (Photos #1 - #3, Site Sketch). The waste I observed included, but was not limited to: approximately 18 used/waste tires, three waste vehicles, appliances, scrap metal, plastic items and electrical wiring.

At the time of the inspection, the items listed as waste 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, the items listed as waste were unorganized and stored in an unsightly manner (Photos #1 - #3, Site Sketch).

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

My inspection ended at approximately 2:01 p.m.

Page 2
077 040 5025
Grand Tower / John Hudson
June 28, 2016

Violations Observed:

Item #5(21)(a): Cause or allow open dumping; Item #8(21)(p)(1): 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: At the time of the inspection, the open dumping of waste that resulted in litter was observed at the 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 approximately 18 used/waste tires that had been open dumped were observed.

6/28/2016

Jackson County | Information for Parcel 16-25-401-014, Tax Year 2014 Payable 2015

JACKSON COUNTY illinois

Attachment:
Page 1

Maureen Berkowitz, Jackson County Supervisor of Assessments, Jackson County Chief County Assessment Office
20 S. 10th Street, Murphysboro, IL 62966, Phone (618) 687-7220, Fax (618) 687-7243
Online Property Tax Inquiry

Information for Parcel 16-25-401-014, Tax Year 2014 Payable 2015

Property Information		
Tax Year 2014 ▼	Township Grand Tower	Property Class 0030-RESIDENTIAL VACANT LAND
Tax Status Taxable	Tax Code 1404	Land Use
Net Taxable Value 1,262	Tax Rate 8.595310	Total Tax \$116.48
Site Address	Owner Name and Address HUDSON, JOHN W PO BOX 344 GRAND TOWER, IL 62942	Mailing Name and Address

Payments						
Installment	Tax Billed	Penalty Billed	Cost Billed	Drainage Billed	Total Billed	Total Unpaid
First	\$54.24	\$0.00	\$0.00	\$4.00	\$58.24	\$0.00
Second	\$54.24	\$0.00	\$0.00	\$4.00	\$58.24	\$0.00
Total	\$108.48	\$0.00	\$0.00	\$8.00	\$116.48	\$0.00

Payment Detail					
Installment	Batch Number	Receipt Number	Date Due	Date Paid	Paid By
First	2014000285	2014017239	10/16/2015	10/16/2015	HUDSON, JOHN W
Second	2014000426	2014024717	11/16/2015	11/16/2015	HUDSON, JOHN W

Every effort is made that the information contained on this page is accurate. The information presented on this page, however, may not reflect whether or not the taxes have been sold or who paid the taxes. Users are cautioned to use due diligence and check with the County Treasurer's office for the latest information. In any event, users accept that the use or reliance on this information is solely at their risk. The County takes no responsibility for the information provided.

I Want To...

- Start a New Search
- Go to the County Website

View:

- Assessment Information
- Billing & Collection Information
- Exemption Information
- Farm Land Information
- Genealogy Information
- Legal Information
- Name Information
- Sales Information
- Site Address Information
- Taxing Body Information
- Print this Parcel

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OPEN DUMP INSPECTION SITE SKETCH

Inspection Date: June 28, 2016

Time: 1:57 p.m.—2:01 p.m.

Site Code: 077 040 5025

Site Name: Grand Tower / John Hudson

Inspector: Don Terry

County: Jackson

Est. Waste Volume: 60 cubic yards

Previous Inspection: December 29, 2014

Location: Lat 37.62621 / Long -89.50088

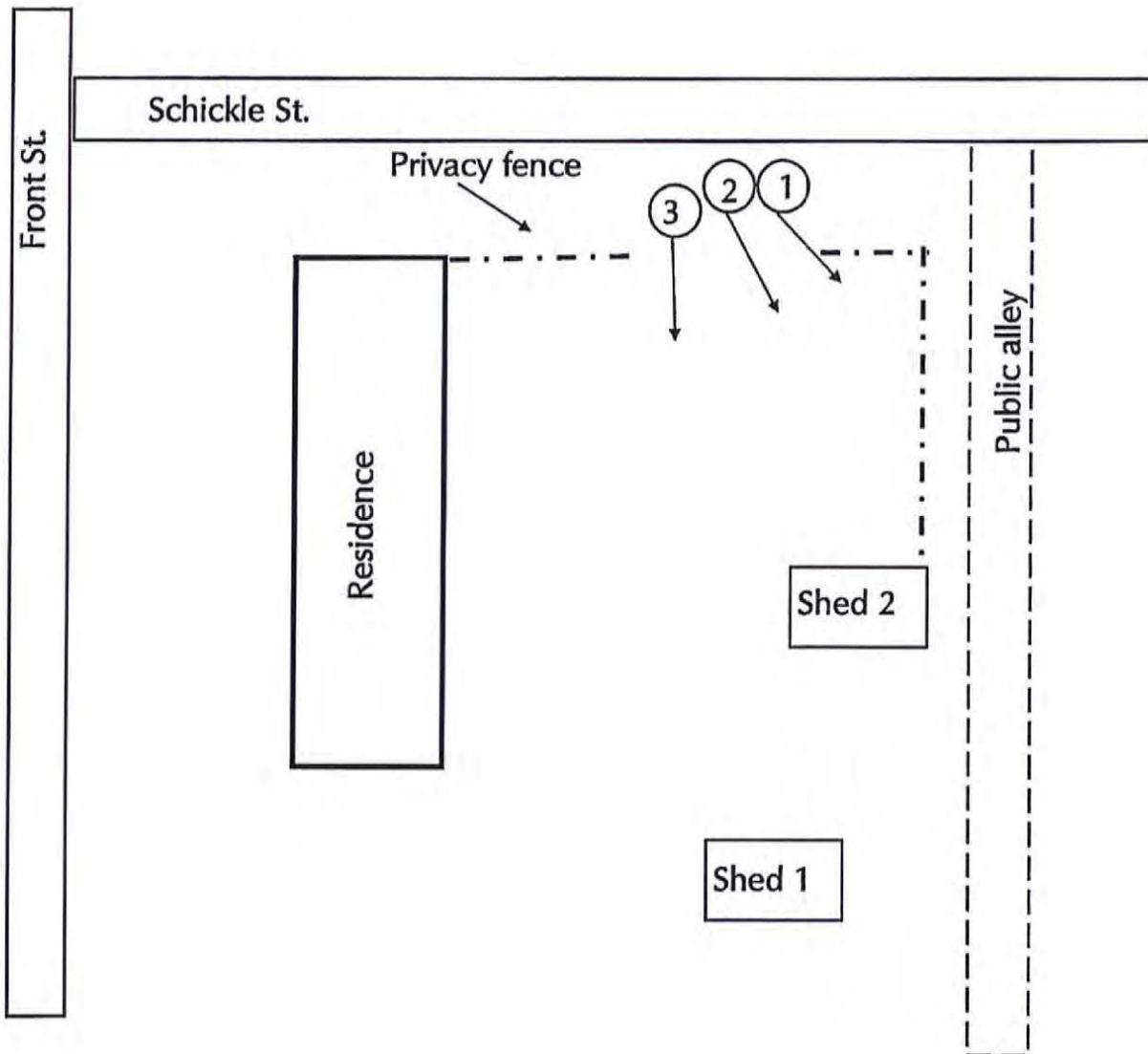
GPS Accuracy: +/- 6 Feet

Not Drawn to Scale

All locations are approximate

O → Indicates *approximate* location and direction of photos

G = approximate GPS data collection point





Jackson County Inspection Digital Photo Sheet – Page 1



Public Health
Prevent. Promote. Protect.

Inspection Date: June 28, 2016
Photos by: Don Terry

Site #: 077 040 5025
Site Name: Grand Tower / John Hudson

Photo Name:
0770405025-06282016-01

Time: 2:00 p.m.

Photo Taken Toward:
Southeast



Photo Name:
0770405025-06282016-02

Time: 2:00 p.m.

Photo Taken Toward:
Southeast





Jackson County Inspection Digital Photo Sheet – Page 2



Public Health
Prevent. Promote. Protect.

Inspection Date: June 28, 2016
Photos by: Don Terry

Site #: 077 040 5025
Site Name: Grand Tower / John Hudson

Photo Name:
0770405025-06282016-03

Time: 2:00 p.m.

Photo Taken Toward:
South



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

COUNTY OF JACKSON,)	
)	
Complainant,)	
)	
v.)	AC 16 -
)	Site Code: 077 040 5025
JOHN W. HUDSON)	
)	
Respondent.)	

Serve on: John W. Hudson, 709 2nd Street, Grand Tower, Illinois 62942

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: John Hudson

Address: 1001 Mulberry St Muphysboro IL

Sex: Male Female

Age: 2-15-67

Date of service: 7-20, 2016.

Time: 10:25 pm.

White 2607
 Jackson Co. Sheriff
 By his Deputy

PLEASE RETURN TO:

REBECCA BLOMER
JACKSON COUNTY STATE'S ATTORNEY'S OFFICE