



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

RECEIVED
OFFICE
JAN 13 2015
ILLINOIS
Pollution Control Board

(217) 782-9817
TDD: (217) 782-9143

December 31, 2014

ACIS-26

ORIGINAL

John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Re: Illinois Environmental Protection Agency v Joseph DeRosa & Gwen A. Griffitts and DeRosa Autobody
IEPA File No. 434-14-AC; 1671209146

Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Scott B. Sievers
Assistant Counsel

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

ADMINISTRATIVE CITATION

JAN 13 2015

STATE OF ILLINOIS
Pollution Control Board


ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
JOSEPH DEROSA & GWEN A. GRIFFITTS)
and DEROSA AUTOBODY,)
))
Respondents.)

AC 15-26
(IEPA No. 434-14-AC)

NOTICE OF FILING

To: Joseph DeRosa & Gwen A Griffitts DeRosa Autobody
3980 Irwin Bridge Road 2235 E. Ash Street
Cantrall, IL 62625-8853 Springfield, IL 62703

PLEASE TAKE NOTICE that on this date I mailed for filing 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,


Scott B. Sievers
Assistant Counsel

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

Dated: December 31, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

JAN 15 2015

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 JOSEPH DEROSA & GWEN A. GRIFFITTS)
 and DEROSA AUTOBODY,)
)
 Respondents.)

AC 15-26
 (IEPA No. 434-14-AC)

STATE OF ILLINOIS
Pollution Control Board

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 (2014).

FACTS

1. That Joseph DeRosa & Gwen A. Griffitts are the current property owners and DeRosa Autobody is the current operator (collectively "Respondents") of a facility located at 2235 E. Ash Street, Springfield, Sangamon County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Springfield/DeRosa Autobody.
2. That said facility is designated with Site Code No. 1671209146.
3. That Respondents have owned/operated said facility at all times pertinent hereto.
4. That on December 2, 2014 Charlie King of the Illinois Environmental Protection Agency's ("Illinois EPA") Springfield Regional Office inspected the above-described facility. A copy of the inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 12-31-14, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 3000 5714 - Gwen Griffiths ^{Joseph DeRosa}
7012 0470 0001 3000 5721 - DeRosa Autobody

VIOLATIONS

Based upon direct observations made by Charlie King during the course of the December 2, 2014 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) (2014).
- (2) That Respondents caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2014).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2014), 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 Three Thousand Dollars (\$3,000.00). 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 February 13, 2015, 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 (2014), 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) (2014), if Respondents fail 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, Respondent's 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 (2014). If Respondents elect to contest this Administrative Citation, then Respondents shall file a signed 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.

Lisa Bonnett ^{KMP}

Date:

12-31-14

Lisa Bonnett, Director
Illinois Environmental Protection Agency

Prepared by: Susan E. Konzelmann, 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

REMITTANCE FORM

RECEIVED
CLERK'S OFFICE

JAN 02 2015

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
Complainant,)
v.)
JOSEPH DEROSA & GWEN A. GRIFFITTS)
and DEROSA AUTOBODY,)
Respondents.)

AC 15-26
(IEPA No. 434-14-AC)

FACILITY: Springfield/DeRosa Autobody
SITE CODE NO.: 1671209146
COUNTY: Sangamon
CIVIL PENALTY: \$3,000
DATE OF INSPECTION: December 2, 2014

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

NOTE

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

RECEIVED
CLERK'S OFFICE

JAN 02 2015

STATE OF ILLINOIS
Pollution Control Board

ACIS-26

IN THE MATTER OF:)
)
Illinois Environmental)
Protection Agency)
)
vs.)
)
Joseph DeRosa, Gwen A. Griffitts, and,)
DeRosa Autobody,)
Respondents)

IEPA DOCKET NO.

Affiant, Charlie King, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On December 2, 2014 between 9:28 a.m. and 10:01 a.m., Affiant conducted an inspection of an open dump, located in Sangamon County, Illinois and known as Springfield/DeRosa Autobody by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC # 1671209146 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities 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.

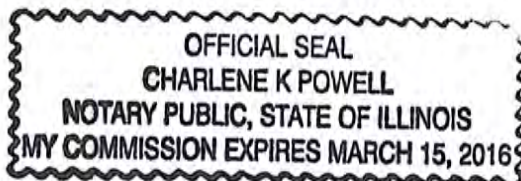
Charlie King

Charlie King

Subscribed and Sworn to Before Me
this 11th day of December, 2014

Charlene K. Powell

Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: Sangamon LPC#: 1671209146 Region: 5 - Springfield
 Location/Site Name: Springfield/DeRosa Autobody
 Date: 12/02/2014 Time: From 0928 To 1001 Previous Inspection Date: 05/27/2010
 Inspector(s): Charlie King and John Blazis Weather: Cloudy, 27 deg. F., Winds NW @ 5 mph
 No. of Photos Taken: # 21 Est. Amt. of Waste: 55 yds³ Samples Taken: Yes # No
 Interviewed: None Complaint #: C-15-037-C
 Latitude: 39.779832 Longitude: -89.623171 Collection Point Description: Site Entrance -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Photo Interpolation -

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

Joseph DeRosa & Gwen A. Griffitts, and,
 DeRosa's Autobody
 3980 Irwin Bridge Road
 Cantrall, IL 62626

217/487-7196 (home)
 217/741-0221 (cell)

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 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 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 # 1671209146

Inspection Date: 12/02/2014

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 type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input checked="" type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input checked="" 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

- [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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

MEMORANDUM

DATE: December 12, 2014
TO: DLPC/Division File
FROM: Charlie King, BOL/DLPC/FOS – Springfield Region
SUBJECT: LPC # 1671209146 – Sangamon County
Springfield/DeRosa Autobody
C-15-037-C
FOS File

NARRATIVE INSPECTION REPORT DOCUMENT

The purpose of this memorandum is to serve as the Narrative Inspection Report Document of an inspection conducted at the subject site on December 2, 2014, from approximately 9:28 a.m. until 10:01 a.m., by this author. John Blazis, BOA/FOS – Springfield Region accompanied me as part of this multi-media inspection. Mr. Blazis' Complaint/Incident Record accompanies this report. No one accompanied me on the inspection. The inspection was conducted because of a complaint received at the Illinois EPA –Springfield Regional Office.

The complainant alleged that overspray paint from DeRosa's Autobody drifts onto adjacent properties. The complainant also alleged that used oil and used antifreeze are dumped on the ground and Freon is vented to the atmosphere. Because of the nature of the complaint, Mr. Blazis participated to investigate the paint overspray and Freon venting. This inspector participated to investigate ground contamination of any type, including used oil and antifreeze spills and open dumping.

The inspection revealed evidence of open dumping and water in used tires, both violations of the Illinois Environmental Protection Act (Act). The site was first inspected on December 20, 2005 by Richard Johnson, then of BOL/DLPC/FOS – Springfield Region. Mr. Johnson's inspection resulted in the finding of violations of Sections 9(a), 9(c) and 55(a)(3) of the Act. As a result, a Non-Compliance Advisory Letter was sent to the business dated January 18, 2006. On April 6, 2006, Mr. Johnson re-inspected the property. That re-inspection resolved the Section 9 violations. However, the 55(a)(3) violation was again cited, as was a violation of 35 I.A.C., Section 739.122(c)(1). The respondent finally responded in an undated letter received at the the Illinois EPA Springfield Regional Office on May 23, 2006. This response was adequate, and the respondent and business was informed of this finding in a letter dated June 6, 2006. However, that letter also pointed out that due to past violations, a future inspection would be conducted. That re-inspection was conducted on December 15, 2006. The facility was found to be in compliance and the owner and business were informed of this in a letter dated January 9, 2007.

On March 15, 2010, DeRosa Autobody was re-inspected after a new complaint. Multiple violations of the Act and a violation of the regulations, 35 I.A.C. were once again alleged. A Violation Notice, L-2010-01098, was issued on April 8, 2010, this time to the business and two respondent owners. The respondents cleaned the site up again, and submitted documentation of the clean-up attached to an undated letter received at the Illinois EPA – Springfield Regional Office on May 17, 2010. As a result, a return to compliance letter was issued June 11, 2010.

No further inspections were conducted until the December 2, 2014 inspection on yet another complaint as previously discussed in this letter. As noted, open dumping was again observed and is alleged.

The site is located at 2235 E. Ash Street, Springfield, IL 62703 (an aerial photo of the location is already in the Division File), and is operated by DeRosa's Autobody. The owners of the property where the site is located are Joseph DeRosa & Gwen A. Griffiths, 3980 Irwin Bridge Road, Cantrall, IL 62625. Their telephone number is: 217-487-7196 (H) and 217/741-0221 (cell). Current property tax information is attached.

Upon arrival at the site on the day of the inspection, the weather was cloudy and cool, with an air temperature of approximately 27° F. Winds were northwesterly at approximately five (5) mph. Surface soil conditions were frozen.

Upon arrival at the site on the day of the inspection, 12 vehicles were observed parked on-site. Some of the vehicles had license plates and some did not. Some appeared to have some body damage, but most did not. The business hours were posted on the front of the business, which was supposed to be open. The building that houses the business appears to be an old garage with a double garage door on the left and a single door on the right, when facing the business. Heat was observed emitting from a chimney near the rear of the building. However, no one answered the door when I knocked on it multiple times. I therefore left a business card at the business.

Open dumped wastes were observed in front of the business, on both sides of the business, and in the rear of the business. The description of the Digital Photographs provides details of the wastes observed. However, other than three one-gallon containers of marked solvent, each about three-quarters full, the wastes appeared to be non-hazardous. Open dump wastes included metals, plastics, paint filters, sand paper, paint masks, ashes, ten used tires, wood, paper, bottles, cans, carpet, burnt copper wire, cardboard and some electronics, such as two television sets. Most of the used tires were off-rim, and most of those contained water. Vehicle parts were also observed on the ground, but would not be considered wastes if they are still useable.

Upon arrival at the site on the day of the inspection, 21 photographs were taken with a Digital Camera. From the inspection and the photographs, a computer generated sketch of the site was developed by this author. It shows the layout of the site, as well as the numbers, approximate locations and directions of the photographs. The digital camera provides a three-digit number to each photograph, i.e., 001, 002, etc. This is how the photographs are referenced in this narrative and on the Digital Photograph pages. Real numbers were used on the Site Sketch, i.e., 1, 2, etc. Copies of the Digital Photographs and the Site Sketch accompany this narrative.

The Digital Photographs are described as follows:

Photo # 001 shows an overview of the property from behind the house, looking towards the business. Some of the vehicles shown had license plates, while others did not.

Photo # 002 shows the name of one of the owners on the east door of the garage shown in photo # 001.

Photo # 003 shows the name on the sign on the left front of the garage. The sign reads, "Derosa's Auto Body, Open, Monday - Friday, 9 am - 5 p.m." We arrived on-site at 9:28 a.m. We knocked on the door shown in photo # 002 several times. Heat was emitting from the chimney, but no one answered the door.

Photo # 004 shows wastes in a pile on the ground at the front of the garage at the west side of the property. It measured approximately 20' x 10' x 3' and consisted of used tires with water in them, plastics, car parts, cardboard, cloth, tarps and carpet.

Photo # 005 shows water in a used tire.

Photo # 006 shows water and ice in another used tire.

Photo # 007 shows a television, a Cadillac car part, a vehicle fender, cardboard, the inside of a car door, a tarp, plastics and metals.

Photo # 008 shows three one-gallon cans of Pro Clear, a solvent stored outdoors. Paint is on all three cans. Each can was approximately $\frac{3}{4}$'s full, but the actual contents are unknown. The paint on the cans might reflect paint related waste solvent, but the actual contents are unknown at this point. Hazardous and Non-Hazardous Waste Determinations must be made on the contents of each can, if the cans contain waste. Such determinations are not required for useable product.

Photo # 009 shows paint filters, sand paper a painter's mask, plastic and wiring in one of three plastic barrels. The others contained plastics, paper and food can wastes.

Photo # 010 shows a television set on the ground, just outside of the door to the facility.

Photo # 011 shows the west side of the garage building with wastes in an area of approximately 15' x 5' x 2'. Wastes included a used tire on-rim, the television shown in photo # 010, a shovel, plastics, metals, car parts, black garbage bags with unknown contents and wood.

Photo # 012 shows an oil filter, plastics, a bucket with cans and bottles, a spilled bucket with paper and plastic refuse, and wood. Along the west side of the garage building.

Photo # 013 shows an old burn barrel on concrete blocks near the back of the building. Cardboard is in the left foreground of the photo.

Photo # 014 shows the inside of the burn barrel shown in photo # 013 contained ashes.

Photo # 015 shows IEPA/BOA Inspector John Blazis observing wastes on the ground behind the business. Primarily bottles, cans and ashes littered the backyard.

Photo # 016 shows ashes and other burnt wastes dumped on the ground, apparently after being burned in the burn barrel shown at the far left, and in photo #s 13, 14 and 15. The other burnt wastes included paper, cardboard, bottles and cans.

Photo # 017 shows a close-up of burned copper wire dumped with the other ashes on the ground.

Photo # 018 shows a used tire, plastics, a paint tree, cloth, metals and wood on the east side of the front of the garage.

Photo# 019 shows paint sweepings or overspray on the ground in front of the right garage door.

Photo # 020 shows wastes on the east side of the facility, including paper, plastics an empty white drum, wood and clothing wastes, and the paint tree shown in photo # 018.

Photo # 021 shows apparent paint overspray or paint sweepings on the ground in front of the left garage door. Wastes measured approximately 2' x 8' x 1'.

During the inspection, apparent violations of the Illinois Environmental Protection Act (Act) and of the regulations, Title 35, Illinois Administrative Code, Subtitle G (35 I. A. C.) were observed. Those apparent violations of the Act are Sections 9(a), 9(c), 21(a), 21(d)(2), 21(e), 21(p)(1), 55(a)(1) and 55(k)(1). Apparent violations of the regulations are: Sections 722.111 and 808.121. Additional information is provided in the Open Dump Inspection Checklist, attached.

OTHER COMMENTS

The total amount of open dumped waste on-site, minus any useable car parts, is estimated at 1,492 cubic feet. This equates to approximately 55 cubic yards.

cc: DLPC/FOS - Springfield



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 9:32 a.m.
Direction: N/NE
Photo by: Charlie King
Exposure #: 001
Comments: An overview of the property from behind the house, looking towards the business. Some of the vehicles shown had license plates, while others did not.



Date: December 4, 2014
Time: 9:34 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 002
Comments: The name of one of the owners on the east door of the garage shown in photo # 001.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 9:35 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 003
Comments: The name on the sign on the left front of the garage. Note that the sign says, "Derosa's Auto Body, Open, Monday – Friday, 9 am – 5 p.m. We arrived on-site at 9:28 a.m. We knocked on the door shown in photo # 002 several times. Smoke was emitting from the chimney, but no one answered the door.



Date: December 4, 2014
Time: 9:36 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 004
Comments: Wastes in a pile on the ground at the front of the garage at the west side of the property. It measured approximately 20' x 10' x 3' and consisted of used tires with water in them, plastic car parts, cardboard, cloth, tarps and carpet.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:38 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 005
Comments: Water in a used tire.



Date: December 4, 2014
Time: 10:38 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 006
Comments: Water and ice in another used tire.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:40 a.m.
Direction: W/NW
Photo by: Charlie King
Exposure #: 007
Comments: A television, a Cadillac car part, a vehicle fender, cardboard, the inside of a car door, a tarp, plastics and metals.



Date: December 4, 2014
Time: 10:41 a.m.
Direction: S
Photo by: Charlie King
Exposure #: 008
Comments: three one-gallon cans of Pro Clear, a solvent on the ground. Paint is on all three cans. Each can was approximately $\frac{3}{4}$'s full, but the actual contents are unknown. The paint on the cans might reflect contents of paint related waste solvent, but the actual contents are unknown.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:42 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 009
Comments: Paint filters, sand paper a painter's mask, plastic and wiring. There were three of these plastic barrels. The others contained, plastics, paper and food can wastes.



Date: December 4, 2014
Time: 10:43 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 010
Comments: Another television set on the ground, just outside of the door to the facility.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:44 a.m.
Direction: NE
Photo by: Charlie King
Exposure #: 011
Comments: The west side of the garage building with apparent wastes in an area of approximately 15' x 5' x 2'. Wastes included a used tire on-rim, the television shown in photo # 010, a shovel, plastics, metals, car parts, black garbage bags with unknown contents and wood.



Date: December 4, 2014
Time: 10:46 a.m.
Direction: SE
Photo by: Charlie King
Exposure #: 012
Comments: An oil filter, plastics, a bucket with cans and bottles, a spilled bucket with paper and plastic refuse, and wood. Along the west side of the garage building.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:47 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 013
Comments: An old
burn barrel on concrete
blocks near the back of
the building.
Cardboard is in the left
foreground of the
photo.



Date: December 4, 2014
Time: 10:47 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 014
Comments: Inside of
the burn barrel shown
in photo # 013
contained ashes.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:48 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 015
Comments: IEPA/BOA Inspector John Blazis observes wastes on the ground behind the business. Primarily bottles, cans and ashes littered the backyard.



Date: December 4, 2014
Time: 10:49 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 016
Comments: Ashes and other burnt wastes dumped on the ground apparently after being burned in the burn barrel shown at the far left, and in photo #'s 13, 14 and 15. The other burnt wastes included a paper, cardboard, bottles and cans.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:51 a.m.
Direction: W
Photo by: Charlie King
Exposure #: 017
Comments: A close-up of burned copper wire dumped with the other ashes on the ground.



Date: December 4, 2014
Time: 10:54 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 018
Comments: On the east side of the front of the garage, wastes observed include a used tire, plastics, a paint tree, cloth, metals and wood.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: December 2, 2014
Time: 10:54 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 019
Comments: Paint, sweepings or overspray on the ground in front of the right garage door.



Date: December 4, 2014
Time: 10:55 A.M.
Direction: N
Photo by: Charlie King
Exposure #: 020
Comments: Wastes on the east side of the facility. Paper, plastics an empty white drum, wood and clothing wastes, and the paint tree shown in photo # 018.

File Names: 1671209146~12022014-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



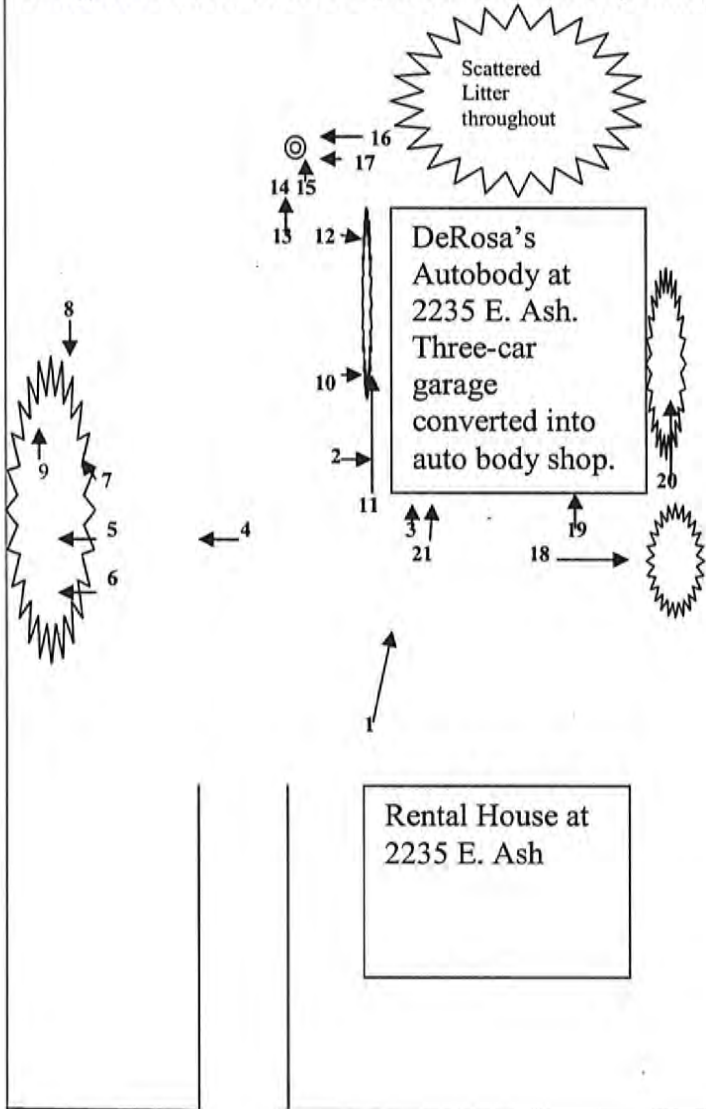
Date: December 2, 2014
Time: 10:57 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 021
Comments: Apparent
paint overspray or
paint sweepings on the
ground in front of the
left garage door.
Wastes measured
approximately 2' x 8' x
< 1'.

SITE SKETCH

Site name: Springfield/DeRosa Autobody
LPC #: 1671209146
Inspector: Charlie King

County: Sangamon
Date: December 2, 2014
Time: 9:28 a.m. – 10:01 a.m.
FOS File

A digital camera was used for the Inspection photos. Distances are approximate – Not drawn to scale



Southeast High School Track

LEGEND

- 2 - Photo number, direction, location
- ⊙ - Open dumping
- ⊙ - Burn Barrel
- △ - Vehicle

RECEIVED
CLERK'S OFFICE

JAN 02 2015

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 31st day of December 2014, send by Certified Mail, Return Receipt Requested, with postage thereon fully 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: Joseph DeRosa & Gwen A Griffitts DeRosa Autobody
3980 Irwin Bridge Road 2235 E. Ash Street
Cantrall, IL 62625-8853 Springfield, IL 62703

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

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

Scott B. Sievers
Assistant Counsel

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