



Jay Scott
State's Attorney
Macon County, Illinois

253 East Wood Street, 4th Floor
Decatur, Illinois 62523
Phone: (217) 424-1400
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Writer's Direct Email: mbaggett@sa-macon-il.us



Dated 25 May 2018

Mr. Don Brown, Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218

Re: County of Macon v. Gary Miller
Administrative Citation: ACL-2018-MC-003
MCEMD File No. AC2018-003: LPC1158125020 – Macon County

Dear Mr. Brown:

Attached for electronic filing with the Illinois Pollution Control Board, please find the Administrative Citation Package, including 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.

On this date, a copy of the Administrative Citation Package was sent to the Respondent 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,


Michael Baggett
Assistant State's Attorney

Enclosures

Cc: Laurie Rasmus, Macon County Environmental Management Dept.
Jeff Turner, IEPA Champaign Regional Office
James Jennings, IEPA
FOS File

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

MACON COUNTY)
ENVIRONMENTAL MGT. DEPT.,)

Complainant,)

v.)

GARY MILLER,)

Respondent.)

Administrative Citation: ACL-2018-MC-003
(MCEMD No. 2018-003: LPC1158125020)

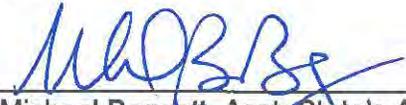
NOTICE OF FILING

To: Mr. Gary Miller
3680 Stare Road
Decatur, IL 62501

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.

Dated: 25 May 2018

Respectfully submitted,



Michael Baggett, Asst. State's Attorney

Macon County State's Attorney's Office
Macon County Courthouse
253 E. Wood Street
Decatur, IL 62523-1496
217/424-1400

NOTICE OF FILING
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

MACON COUNTY)	
ENVIRONMENTAL MGT. DEPT.,)	
)	
Complainant,)	Administrative Citation: ACL-2018-MC-003
)	(MCEMD No. 2018-003: LPC1158125020)
v.)	
)	
GARY MILLER,)	
)	
Respondent.)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Macon County Environmental Management Department, a delegated county of the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act , 415 ILCS 5/31.1.

FACTS

1. That Respondent, Gary Miller, is the land owner/operator of a property located at 3680 Stare Road, Oakley in Macon County, Illinois.
2. That Respondent has owned and/or operated said property at all times pertinent hereto.
3. That from April 26, 2018 through May 10, 2018, Laurie Rasmus of the Macon County Environmental Management Department conducted an investigation concerning the

above-referenced facility. A copy of her report setting forth the results of said investigation is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct findings made by Laurie Rasmus during the course of her investigation of the above-referenced facility, the Macon County Environmental Management Department has determined that Respondent violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed 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); and
- (2) That Respondent caused or allowed 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); and
- (3) That Respondent caused or allowed open dumping of waste in a manner resulting in deposition of General Construction or Demolition Debris as defined in Section 3.160(a), a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4), Respondent is subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500). 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 03, 2018, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1, and if the Illinois Pollution Control Board issues a finding of violation(s) as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Macon County Environmental Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty of Four Thousand Five Hundred Dollars (\$4,500.00).

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 a finding of violation(s) as alleged herein, and shall impose the statutory civil penalty specified above.

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

(1) Macon County Environmental Management Department and mailed to the attention of Debra Hughes-Garrett, Macon County Environmental Management Department, 141 South Main Street, Room 408, Decatur, Illinois 62523.

(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.

Along with payments, Respondent shall complete and return the enclosed Remittance Forms to ensure proper documentation of payments.

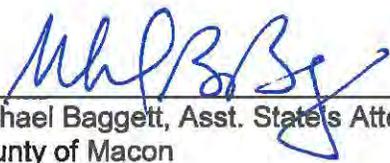
If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be

assessed against the Respondent from the date payment is due up to and including the date that payment is received. The Office of the Macon County State's Attorney may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1. If Respondent elects to contest this Administrative Citation, then Respondent 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 Macon County State's Attorney at 253 East Wood Street, Decatur, Illinois 62523. 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 Respondent.

Date 25 May 2018



Michael Baggett, Asst. State's Attorney
County of Macon

REMITTANCE FORM - COUNTY

MACON COUNTY)
 ENVIRONMENTAL MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 GARY MILLER,)
)
 Respondent.)

Administrative Citation: ACL-2018-MC-003
(MCEMD No. 2018-003: LPC1158125020)

FACILITY: Oakley Twp/Miller

Land Pollution Control No.: 1158125020

COUNTY: Macon

CIVIL PENALTY: \$2,250.00

DATE OF INSPECTION: April 26, 2018 – May 10, 2018

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 Macon County Environmental Management Department, Attn.: Debra Hughes-Garrett, 141 South Main Street, Room 408, Decatur, Illinois 62523.

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REMITTANCE FORM - STATE

MACON COUNTY)
 ENVIRONMENTAL MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 GARY MILLER,)
)
 Respondent.)

Administrative Citation: ACL-2018-MC-003
(MCEMD No. 2018-003: LPC1158125020)

FACILITY: Oakley Twp/Miller

Land Pollution Control No.: 1158125020

COUNTY: Macon

CIVIL PENALTY: \$2,250.00

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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, IL 62794-9276.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATION CITATION

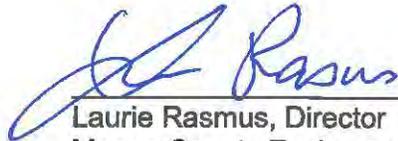
MACON COUNTY)
 ENVIRONMENTAL MGT. DEPT.,)
)
 Complainant,)
)
 v.)
)
 GARY MILLER,)
)
 Respondent.)

Administrative Citation: ACL-2018-MC-003
(MCEMD No. 2018-003: LPC1158125020)

AFFADAVIT OF SERVICE

I, the undersigned, on oath [or affirmation] state that I have served on the date of May 25, 2018, a true and correct Copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, AND OPEN DUMP INSPECTION CHECKLIST upon the following persons by Certified Mail #7011 2970 0003 6583 0730, Return Receipts Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box:

To: Mr. Gary Miller
 3680 Stare Road
 Oakley, IL 62501



Laurie Rasmus, Director
 Macon County Environmental Management
 141 S. Main St., Room 408
 Decatur, IL 62523
 217/425-4505

Subscribed and Sworn to before me
 this 25 of May 2018

Lorri A Watkins
 Notary Public



CLERK OF COURT
COURT HOUSE
1000 EAST 10TH AVENUE
DENVER, CO 80202

Electronic Illinois Environmental Protection Agency 18-016 **
Open Dump Inspection Checklist

County: Macon BOL #: 1158125020 Region: 4 - Champaign
 Site Name: Oakley Twp/Miller
 Site Address: 3680 Stare Road City: Oakley
 Inspector: Laurie Rasmus Interviewed: Gary Miller, Chief Powell, Asst. Chief Schoemperlen, Lt. Stemple
 Date: April 26 – May 10, 2018 Current Est. 06 yds³
 Complaint #: 20180426 Waste Amt. _____

Responsible Party	Gary Miller & Tracy Miller	
Mailing Address(es)	3680 Stare Road	
and Phone Number(s):	Oakley, IL 62501	
	217-454-4058	

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

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

Notes

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

LPC #1158125020 - Macon County

Site/Locations: Oakley Twp/Miller

FOS File

Investigation dates: April 26 – May 10, 2018

Inspector(s): Laurie Rasmus

Report Narrative

An investigation regarding this site was conducted from April 26, 2018 through May 10, 2018 by Laurie Rasmus (author of this report), representing the Macon County Environmental Management Department (MCEMD). The following persons were interviewed/communicated with:

Gary Miller, property owner

Delbert Powell, fire chief of the Cerro Gordo Fire Protection District (CGFPD)

Tim Schoemperlen, assistant chief of the Cerro Gordo Fire Protection District

Tim Stemple, lieutenant of the Cerro Gordo Fire Protection District

General Information/Site History/Property Ownership

This rural, residential property in the Oakley Township of Macon County of approximately ten acres is designated as Parcel # 14-08-35-100-016 (alternate Parcel # 08-35-100-016) and addressed as 3680 Stare Road, Oakley.

According to the Macon County Recorder's Office records, the property is owned by Gary S. and Tracy L. Miller.

This initial investigation was conducted after receiving a complaint on April 26, 2018, which alleged that waste items, including carpet, sofas and chairs, had been open burned at the site on the preceding night.

Investigation Findings

On April 27, 2018, I initiated a telephone conversation with Gary Miller. I first explained that a complaint had been received and described the nature of the complaint. I then stated that I wished to inspect the property that day at approximately 3:00 p.m. Mr. Miller said that he would not be there at that time. I then went on to explain that he didn't need to be present during the inspection but asked if he would be available at another time. Mr. Miller replied, "Stay off of my property" and "don't come out unless you have a warrant from the sheriff."

On May 03, 2017, Chief Powell returned my previous telephone call and we conversed about his department's involvement with the fire on the Miller property on April 25, 2018. Chief Powell said that observations had been made by CGFPD personnel and said, "It looked like he was burning tractor tires." I asked Chief Powell for a copy of the report that was made and he said that he would check into it.

On May 07, 2018, Chief Powell met with me in my office. He gave me copy of the report for his fire department's alarm and response to a fire on April 25, 2018 at the Miller property. (See attached Cerro Gordo Fire Alarm Log Sheet and second page). Chief Powell said that he was not at the site on April 25, 2018 but that the report was written by Assistant Chief Brian Schoemperlen.

Later on May 07, 2018 I initiated a telephone call with Assistant Chief Schoemperlen, who reported that he himself was on site but not at the exact location in which he could directly observe the fire but that Lt. Tim Stemple had observed the fire. I asked Assistant Chief Schoemperlen to have Lt. Stemple send me his observations in an email. I asked Assistant Chief Schoemperlen if he was sure if the address noted as the location on the report was accurate. He said that he would check into it.

On May 08, 2018, Assistant Chief Schoemperlen initiated a telephone conversation with me. He said that the address for the Miller property in regards to the April 25, 2018 fire was 3682 Stare Road.

On May 10, 2018, Lt. Tim Stemple met with me in my office. He asked me if I had received his email message and I said that I had not. Lt. Stemple then found the message on his phone and we were able to see that there was an error in my email address. He then read the message of the email aloud to me. From his phone, he then forwarded me the email message to my correct email address (see attached mail, dated May 08, 2018 and forwarded May 10, 2018). I asked Lt. Stemple if he actually saw the waste items, such as the couch and tire, that he had listed in the email and he said, "Yes." We then discussed the location of the fire on the Miller property during the night of April 25, 2018. I showed Lt. Stemple an aerial view that I had printed from the County's 2016 aerial imagery and asked him to mark the print where the fire had occurred (see attached aerial photo). Using a silver colored marker, Lt. Stemple first made a dot and then an "X" on the print. The marked "X" was on the eastern section of parcel 08-35-100-016 that, according to Macon County's records, is addressed as 3680 Stare Road and owned by Gary and Tracy Miller. I asked him if he would be willing to sign and date the print as part of his testimony and he did so with a pen. Lt. Stemple also signed on the printed copy of his email message (see attached mail, dated May 08, 2018 and forwarded May 10, 2018) and on an affidavit that was then notarized (see attached Affidavit).

Summary of Apparent Violations

Environmental Protection Act 415 ILCS 5/1 et seq. (formerly Ill Rev. Stat. Ch. 111 ½, 1001 et seq.) {hereinafter referred to as the "Act"} and **35 Illinois Administrative Code.** (Title 35: Environmental Protection, Subtitle G: Land Pollution, Chapter I: Pollution Control Board) [Regulations]

Pursuant to Section 9(a) of the Act, no person shall cause, threaten, or allow; or tend to cause, threaten or allow, air pollution in Illinois.

A violation of Section 9(a) is alleged because evidence of open-burning that would cause, threaten, or allow; or tend to cause, threaten, or allow air pollution

in the State of Illinois was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 9(c) of the Act, no person shall cause or allow the open burning of any refuse, conduct any salvage operation by open burning or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and not approved by the agency.

A violation of Section 9(c) is alleged because evidence that open burning of refuse occurred on site was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) is alleged because evidence of open dumping of waste was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(d)(1) of the Act, in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted there under.

A violation of Section 21(d)(1) is alleged because evidence that waste was disposed of and/or stored without a permit granted by the Agency was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

A violation of Section 21(d)(2) is alleged because evidence that waste was disposed of and/or stored in a way that violates regulations and standards adopted by the Board was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(e) of the Act, no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards there under.

A violation of Section 21(e) is alleged because evidence that waste was disposed of and/or stored in a manner that does not meet the requirements of the Act was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(p)(1) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...litter.

A violation of Section 21(p)(1) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in litter deposition on site was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(p)(3) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...open burning.

A violation of Section 21(p)(3) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in open burning on site was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 21(p)(7) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...clean construction and/or demolition debris as defined in Section 3.160(b) of this Act.

A violation of Section 21(p)(7) is alleged because evidence that the open dumping of waste was caused or allowed to occur and resulted in the deposition of clean construction and/or demolition debris on site was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 55(a), (1) of the Act, no person shall cause or allow open dumping of any used or waste tire.

A violation of Section 55(a), (1) is alleged because evidence that waste tires were open-dumped on the site **Pursuant to Section 55(a), (1) of the Act**, no person shall cause or allow open dumping of any used or waste tire.

A violation of Section 55(a), (1) is alleged because evidence that waste tires were open-dumped on the site was reportedly observed by fire department personnel during firefighting activities.

Pursuant to Section 55(a), (2) of the Act, no person shall cause or allow open burning of any used or waste tire.

A violation of Section 55(a), (2) is alleged because evidence that a waste tire was reportedly observed by fire department personnel during firefighting activities.

Cerro Gordo Fire Alarm Log Sheet

Month April Dispatch 20:08 (Office Only) #18- 052
 Date 25 Day Wed En Route 20:15 Type of Alarm STILL ALARM
 Year 2018 Arrival 20:23 Location 3731 STARE Rd.
 Apparatus Ran 540, 542, 545 Task Complete 20:50 OAKLEY, IL - 62501
 Back in Station 21:00
 Total Number of People 18 Person Making Log Sheet E. HILDERBRAND
 Weather FAIR Temperature 54 Wind Speed - Direction E 6 mph
 Officer or Personnel In Charge of Incident B. SCHOEMPERLEN

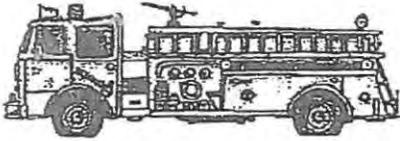
<u>Active Personnel</u>	<u>Alarm</u>	<u>Station</u>	<u>Honorary Personnel</u>	<u>Alarm</u>	<u>Station</u>
Aaron Barger			Sam Brandenburg		
Erin Barger			Paul Espy		
* Zach Braden	X		Oscar Lanter		
Chad Cottrell	X		Richard "Marine" Marvin		
Rebecca Cottrell	X		Jim Mudd		
Jason Frydenger			Jeff Powers		
Duane Ghere			Gene Timmerman		
Siegel Grimes			Gary Shaffer		
Butch Hilderbrand	X		Gary "Zach" Zachery		
* Drew Hilderbrand	X				
Erica Hilderbrand		X			
Nick Hyde	X				
Rob Kelly					
Terry Marvin		X			
Ben Peter					
Delbert Powell					
Mike Powell	X				
John Rhoades	X				
* John Spain	X				
* Tim Stemple	X				
Brian Schoemperlen	X				
<u>Cadet</u>	<u>Alarm</u>	<u>Station</u>			
Thomas Askew		X			
Josh Blomgren	X				
* Nick Boleman	X				
Devyn Sheets	X				
Sammi Swaim					

at office from
Chief Delbert Powell

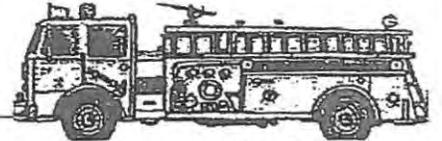
RECEIVED
 MAY 7 2018
 MAJON CO. ENVIRN. MGT.

Bobby Marvin
 Revised March 31, 2018 X

* FIRE INVESTIGATION



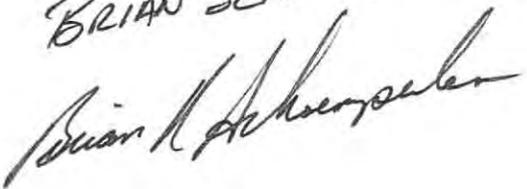
**CERRO GORDO
FIRE PROTECTION DISTRICT**



P.O. Box 327
Cerro Gordo, IL 61818-0327

phone 217-763-6031

ON April 25th 2018 Cerro Gordo Fire and A/O Fire (Mutual Aid) WERE DISPATCHED out for a Large Fire Burning in the WOODED AREA OF 3731 STARE Rd. CHIEF Cory White of A/O FIRE WAS the first officer on scene and HAD Command. Upon ARRIVAL of Both DEPARTMENTS, FIRE FIGHTERS from both Departments went into the WOODED AREA to Investigate. When they RETURNED they Reported to CHIEF WHITE and myself that they had observed in the burning pile were Recliners, MATTRESS, TRACTOR Tires, Wire, FIBERGLASS MATERIAL, etc.

CGFPD Asst. Chief
BRIAN SCHEMPERLEN


Laurie Rasmus

From: Tim Stemple <tstemple@aircaster.com>
Sent: Thursday, May 10, 2018 4:07 PM
To: Tim Stemple; Laurie Rasmus
Subject: Re: Cerro Gordo fire.

Get [Outlook for Android](#)

From: Tim Stemple
Sent: Tuesday, May 8, 2018 8:33:15 PM
To: LRasmus@macon.il.us
Subject: Cerro Gordo fire.

On April 25 at 20:08 our fire department was dispatched to 3628 Stare Rd for a first alarm along with Argenta. Enroute to the fire we could see black smoke billowing in the sky from our location of the intersection of county highway 24 and county highway 25 . Upon arrival we found a substantial fire burning on the far east side of property where there was a substantial Pile of brush burning a long with what appeared to be a couch or box springs, a old door , a large garden tractor tire and some copper wire and some miscellaneous construction materials. Because the fire was too hard to reach and most of the material was burnt up we left the fire burn itself out. This is not the first time we have been called to this residence for illegal burns , and we are usually not very welcomed by the land owner .

Thank you,
Tim Stemple , Lieutenant Cerro Gordo fire department.

Tim J Stemple
5/10/2018

1 inch = 491 feet



Aerial photo is 2016 file photo.
Tina J. Dupole
5/10/2018



COUNTY OF MACON

AFFIDAVIT

MACON COUNTY)
 ENVIRONMENTAL MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 GARY MILLER,)
)
 Respondent.)

Administrative Citation: ACL-2018-MC-003
(MCEMD No. 2018-003)

Affiant, Tim Stemple, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a fire fighter of Cerro Gordo Fire Protection District and has been a fire fighter at all times pertinent hereto.

2. On April 25, 2018 between 8:00 p.m. and 11:00 p.m., Affiant responded to a fire call on of a property operated by Gary Miller and located in Macon County, Illinois and known as Oakley Twp/Miller by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 115 8125020.

3. Affiant observed said Mr. Miller property while conducting firefighting activities.

4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the email statement + annotated aerial photo attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the facility.

Tim S Stemple
Printed

[Signature]
Signed

Subscribed and Sworn to before me
this 10th of May 2018.

[Signature]
Notary Public

