

RECEIVED
CLERK'S OFFICE

JUN 28 2004

STATE OF ILLINOIS
Pollution Control Board

INFORMATIONAL NOTICE !!!

Ac04-89

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.

NOTE: This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at State of Illinois Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL.**

RECEIVED
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUN 28 2004

ADMINISTRATIVE CITATION

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

EARL and NORMA MARTIN,

Respondents.

AC

(IEPA No. 305-04-AC)

NOTICE OF FILING

To: Earl and Norma Martin
1260 Moshier
Galesburg, Illinois 61401

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,

Michelle Ryan
Michelle M. Ryan
Special Assistant Attorney General

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

Dated: June 24, 2004

RECEIVED
CLERK'S OFFICE

JUN 28 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

EARL and NORMA MARTIN,

Respondents.

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AC 04-89

(IEPA No. 305-04-AC)

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 (2002).

FACTS

1. That Earl and Norma Martin ("Respondents") are the present owners and operators of a facility located at County Road 2500 North, Rio Township, Knox County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as the Martin Property.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0958145002.
3. That Respondents, Earl and Norma Martin, have owned and operated said facility at all times pertinent hereto.
4. That on May 10, 2004, Jeff Port of the Illinois Environmental Protection Agency's Peoria Regional Office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Jeff Port during the course of his May 10, 2004 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) (2002).
- (2) That Respondent caused or allowed the open dumping of waste in a manner resulting in proliferation of disease vectors, a violation of Section 21(p)(5) of the Act, 415 ILCS 5/21(p)(5) (2002).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2002).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2002), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than July 30, 2004, 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 (2002), 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) (2002), 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 (2002). 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.

Renee Cipriano
Renee Cipriano, Director *by wcc*
Illinois Environmental Protection Agency

Date: 6/24/04

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

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

EARL and NORMA MARTIN,

Respondents.

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AC

(IEPA No. 305-04-AC)

FACILITY: Martin Property

SITE CODE NO.: 0958145002

COUNTY: Knox

CIVIL PENALTY: \$4,500.00

DATE OF INSPECTION: May 10, 2004

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

Open Dump Inspection Checklist

County: Knox LPC#: 0958145002 Region: 3 - Peoria
 Location/Site Name: Rio Township/Martin Property
 Date: 05/10/2004 Time: From 10:30 AM To 11:15 AM Previous Inspection Date: 05/07/2004
 Inspector(s): Jeff Port, Dawn Ingold, Gene Figge Weather: Overcast 70 Degrees F
 No. of Photos Taken: # 30 Est. Amt. of Waste: 2100 yds³ Samples Taken: Yes # No ☒
 Interviewed: No one Present Complaint #: C-2004-056, C-2004-057

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

Earl and Norma Martin
 1260 Moshier
 Galesburg, IL 61401

RECEIVED

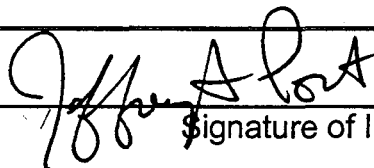
JUN 15 2004

	SECTION	DESCRIPTION	IEPA-DLPC	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 checked="" type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD		<input checked="" 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		<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 checked="" type="checkbox"/>
	(5)	Proliferation of Disease Vectors		<input checked="" type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site		<input type="checkbox"/>

LPC # 0958145002

Inspection Date: 05/10/2004

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>
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"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	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"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:		<input type="checkbox"/>
16.	21(c)	Abandon any vehicle in violation of the "Abandoned Vehicles Amendment to the Illinois Vehicle Code"	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



Signature of Inspector(s)

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
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 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the 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).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

Narrative

RECEIVED
JUN 15 2004
IEPA-DLPC

On May 10, 2004, I (Jeff Port) returned to the Martin property. I arrived at the site at 10:30 AM. The weather was overcast and warm, approximately 60 °F. I was accompanied by Dawn Ingold and Gene Figge DLPC/FOS-Peoria. Mr. Figge brought equipment to the site in order to obtain samples of the mosquito larvae. As Mr. Figge obtained his samples, Mrs. Ingold and I continued our inspection of the site. Photographs P1 through P9, P14, and P15, show various abandoned vehicles present on site. Photographs P4 and P5 show two trucks with vegetation growing up through their engine compartments. Above ground storage tanks can be seen in photograph P10. Photograph P11 shows a truck containing waste tires. Photographs P12 and P13 show the trench containing the demolition debris observed during the previous inspection. Photograph P16 shows and accumulation of scrap metal and a water heater.

After Mr. Figge obtained his samples, we proceeded to another area of the property that we believed had buried waste. On the way to this area, we observed some waste that appeared to be buried. Photographs P17 and P18 show this waste. We then located the other area that we believed contained buried waste. Photographs P19, P20, and P27 show piles of landscape waste. A large excavator was present at this location. It can be seen in photographs P21, P28 and P30. A large trench had been dug here. Photographs P21 and P22 show the trench. Photographs P24 through P26 show areas of disrupted soils where waste was poking through the surface. Photograph P29 shows an accumulation of what appeared to be wooden tracks for some type of equipment. After photographing this area, we left the site at approximately 11:15 AM.

The used tires were sampled to determine if mosquito larvae were present. Sampling of the tires revealed the presence of larval mosquitoes of the *Ochlerotatus* genus. Other *Ochlerotatus* larvae were collected from an old truck bed that was holding water. Pupae were also found in this sample and were incubated to adulthood. The adult mosquitoes were identified as being *Ochlerotatus Triseriatus* the Tree Hole Mosquito. *Ochlerotatus* is also capable of transmitting West Nile Virus and is the primary carrier of La Crosse encephalitis.

Photograph locations are depicted on the accompanying site maps. Based upon these inspections, the following violations were observed and are indicated on the accompanying checklists.

1. Pursuant to Section 12(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/12(a)), no person shall cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

A violation of Section 12(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/12(a)) is alleged for the following reason: **By allowing the accumulation of waste at the site, Earl and Norma Martin threatened water pollution in Illinois.**

2. Pursuant to Section 12(d) of the {Illinois} Environmental Protection Act (415 ILCS 5/12(d)), no person shall deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

A violation of Section 12(d) of the {Illinois} Environmental Protection Act (415 ILCS 5/12(d)) is alleged for the following reason: **By allowing the accumulation of waste at the site, Earl and Norma Martin created a water pollution hazard.**

3. Pursuant to Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)) is alleged for the following reason: **Earl and Norma Martin caused or allowed the open dumping of waste at the site.**

4. Pursuant to Section 21(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(c)), no person shall Abandon any vehicle in violation of the "Abandoned Vehicles Amendment to the Illinois Vehicle Code".

A violation of Section 21(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(c)) is alleged for the following reason: **Earl and Norma Martin caused or allowed the abandonment of vehicles in violation of the "Abandoned Vehicles Amendment to the Illinois Vehicle Code".**

5. Pursuant to Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)), 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.

A violation of Section 21(d)(1) is alleged for the following reason: **Earl and Norma Martin conducted a waste-disposal operation at the site without a permit granted by the Agency.**

6. Pursuant to Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)), 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 for the following reason: **Earl and Norma Martin conducted a waste-disposal operation in violation of Section 812.101(a) of the Regulations.**

7. Pursuant to Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)), 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 thereunder.

A violation of Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: **Earl and Norma Martin conducted a waste-disposal operation at a site that does not meet the requirements of Sections 12(a), 12(d), 21(a), 21(c), 21(d)(1), and 21(d)(2) of the Act and Section 812.101(a) of the Regulations.**

8. Pursuant to Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in litter.

The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.

A violation of Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in litter.**

9. Pursuant to Section 21(p)(4) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(4)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in the deposition of waste in standing or flowing waters.

A violation of Section 21(p)(4) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(4)) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in the deposition of waste in standing or flowing waters.**

10. Pursuant to Section 21(p)(5) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(5)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in the proliferation of disease vectors.

A violation of Section 21(p)(5) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(5)) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in the proliferation of disease vectors.**

11. Pursuant to Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)), no person shall, in violation of subdivision (a) of this Section, cause or allow

the open dumping of any waste in a manner which results in the deposition of general construction or demolition debris; or clean construction or demolition debris.

A violation of Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in the deposition of general construction or demolition debris or clean construction or demolition debris as defined in Section 3.160(b) of this Act.**

12. Pursuant to Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)), no person shall cause or allow the open dumping of any used or waste tire.

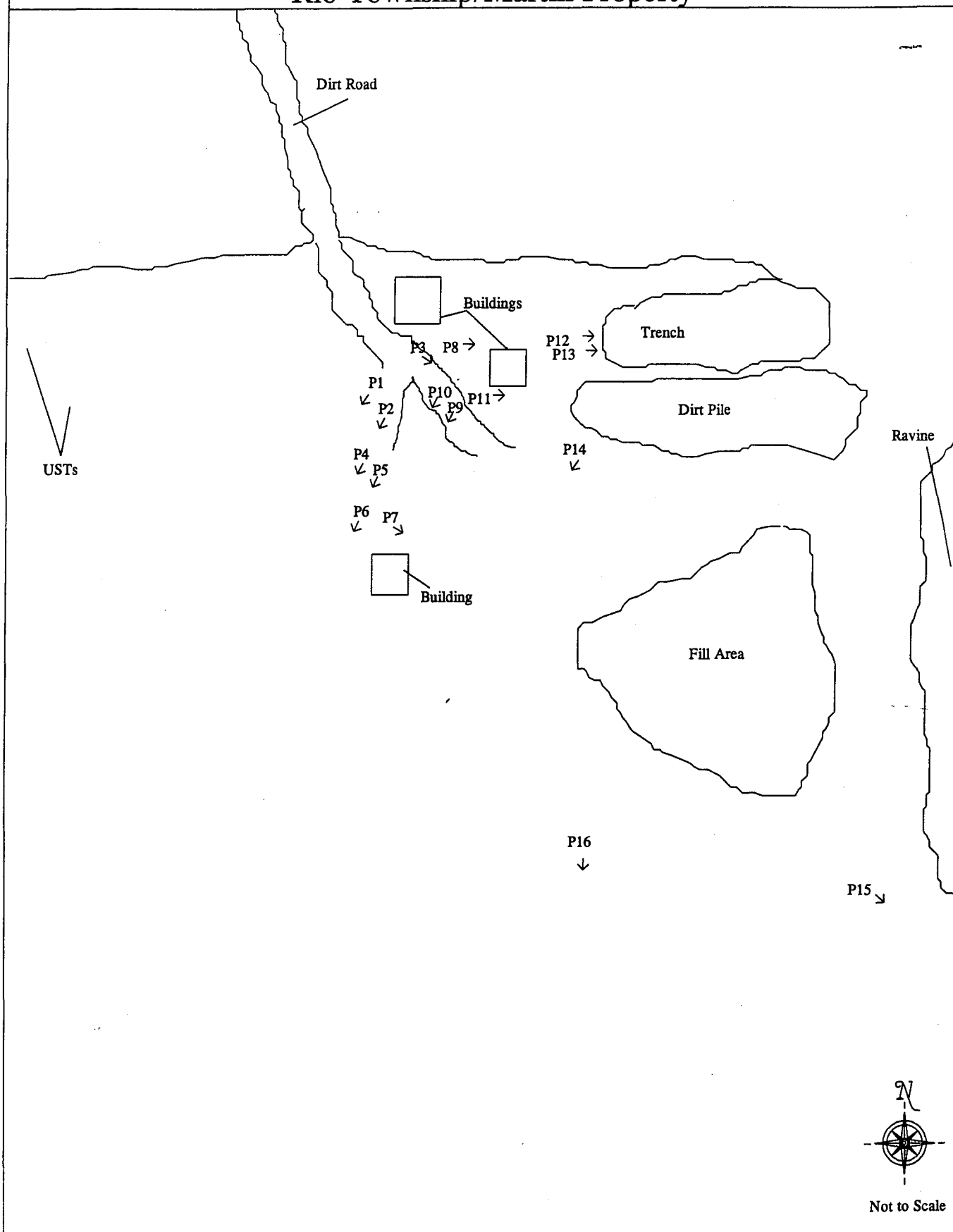
A violation of Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)) is alleged for the following reason: **The open dumping of waste tires was caused or allowed.**

13. Pursuant to Section 812.101(a), all persons, except those specifically exempted by Section 21(d) of the Illinois Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] shall submit to the Agency an application for a permit to develop and operate a landfill. The applications must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 Ill. Adm. Code 817.

A violation of Section 812.101(a) is alleged for the following reason: **Earl and Norma Martin operated a landfill at the site without submitting an application for a permit to the Agency.**

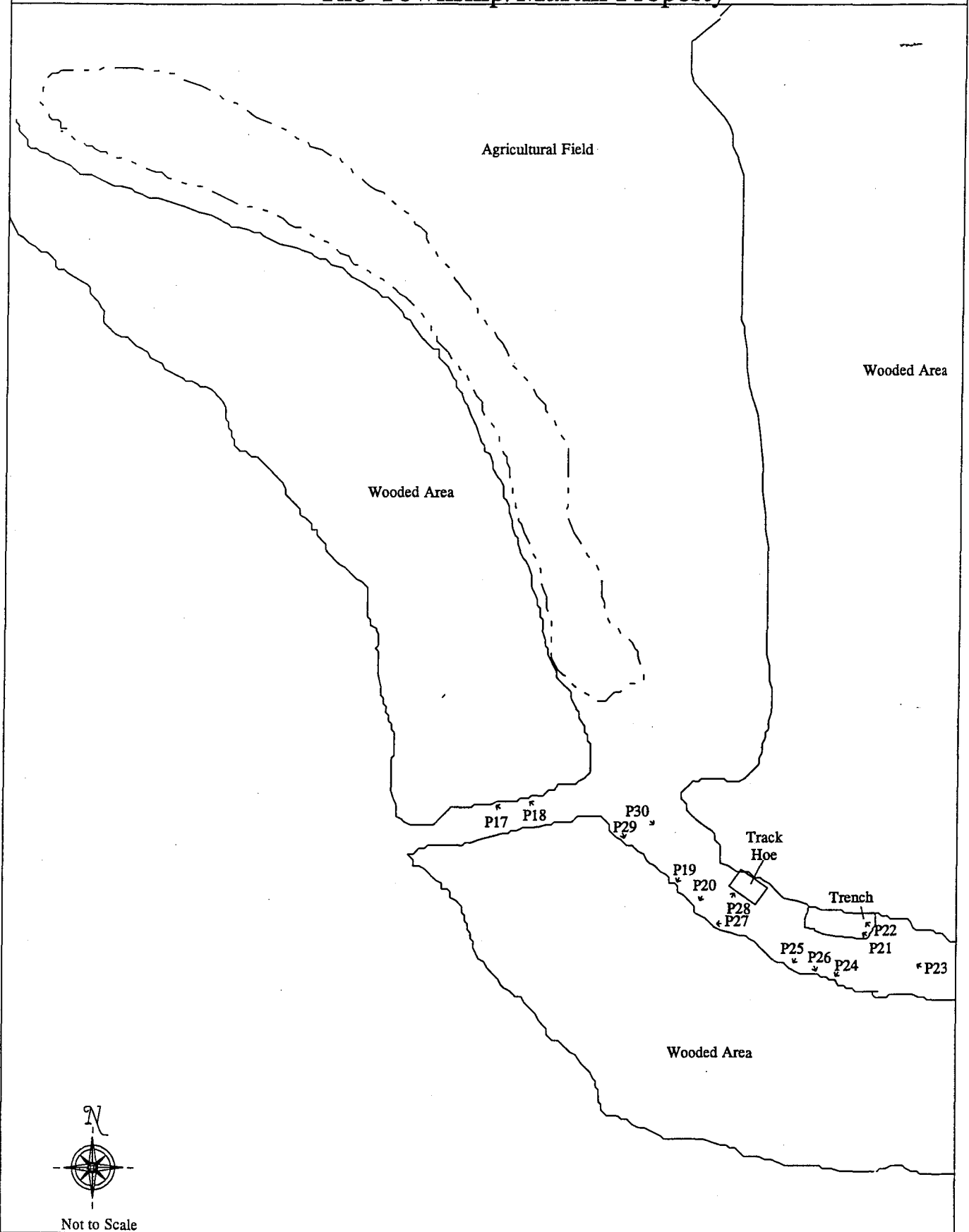
0958145002 -- Knox County
Rio Township/Martin Property

May 10, 2004



0958145002 -- Knox County
Rio Township/Martin Property

May 10, 2004



**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 1 of 15**

DATE: May 10, 2004

TIME: 10:33 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
0958145002~05102004-001.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:33 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
0958145002~05102004-002.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 2 of 15**

DATE: May 10, 2004

TIME: 10:34 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
0958145002~05102004-003.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:34 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
0958145002~05102004-004.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 3 of 15**

DATE: May 10, 2004

TIME: 10:35 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
0958145002~05102004-005.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:35 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
0958145002~05102004-006.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

DATE: May 10, 2004

TIME: 10:35 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
0958145002~05102004-007.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:36 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
0958145002~05102004-008.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:37 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:
0958145002~05102004-009.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:37 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:
0958145002~05102004-010.jpg

COMMENTS:



**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 6 of 15**

DATE: May 10, 2004

TIME: 10:38 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
0958145002~05102004-011.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:39 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
0958145002~05102004-012.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 7 of 15**

DATE: May 10, 2004

TIME: 10:39 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
0958145002~05102004-013.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:42 AM

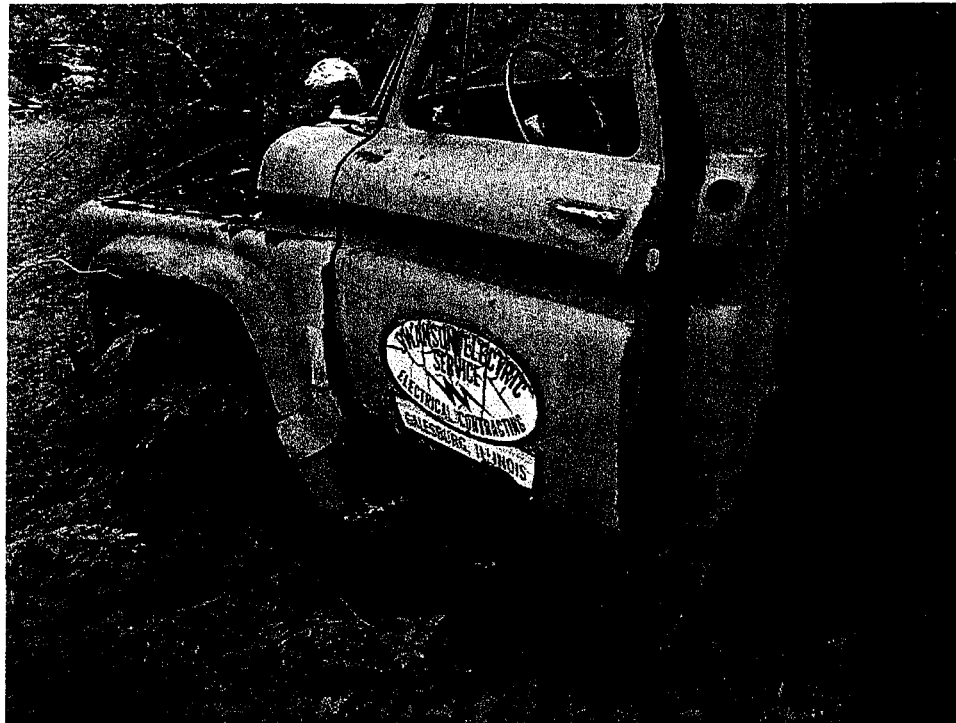
PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:
0958145002~05102004-014.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

DATE: May 10, 2004

TIME: 10:43 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:
0958145002~05102004-015.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 10:46 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 16

PHOTOGRAPH FILE NAME:
0958145002~05102004-016.jpg

COMMENTS:



**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 9 of 15**

DATE: May 10, 2004

TIME: 11:02 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 17

PHOTOGRAPH FILE NAME:
0958145002~05102004-017.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:02 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 18

PHOTOGRAPH FILE NAME:
0958145002~05102004-018.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

DATE: May 10, 2004

TIME: 11:05 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 19

PHOTOGRAPH FILE NAME:
0958145002~05102004-019.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:05 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 20

PHOTOGRAPH FILE NAME:
0958145002~05102004-020.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:06 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 21

PHOTOGRAPH FILE NAME:
0958145002~05102004-021.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:06 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the northwest..

PHOTOGRAPH NUMBER: 22

PHOTOGRAPH FILE NAME:
0958145002~05102004-022.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:07 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 23

PHOTOGRAPH FILE NAME:
0958145002~05102004-023.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:07 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 24

PHOTOGRAPH FILE NAME:
0958145002~05102004-024.jpg

COMMENTS:



**0958145002 -- Knox County
Martin Property
FOS File**

**Site Photographs
Page 13 of 15**

DATE: May 10, 2004

TIME: 11:08 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 25

PHOTOGRAPH FILE NAME:
0958145002~05102004-025.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:08 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 26

PHOTOGRAPH FILE NAME:
0958145002~05102004-026.jpg

COMMENTS:



DOCUMENT FILE NAME:
0958145002~05102004.doc

DATE: May 10, 2004

TIME: 11:09 AM

PHOTOGRAPHED BY:

Jeff Port

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 27

PHOTOGRAPH FILE NAME:

0958145002~05102004-027.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:09 AM

PHOTOGRAPHED BY:

Jeff Port

DIRECTION: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 28

PHOTOGRAPH FILE NAME:

0958145002~05102004-028.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:10 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 29

PHOTOGRAPH FILE NAME:
0958145002~05102004-029.jpg

COMMENTS:



DATE: May 10, 2004

TIME: 11:10 AM

PHOTOGRAPHED BY:
Jeff Port

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 30

PHOTOGRAPH FILE NAME:
0958145002~05102004-030.jpg

COMMENTS:



AFFIDAVIT

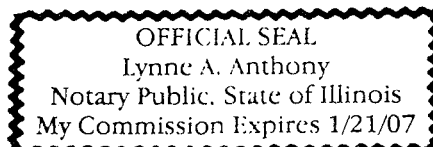
RESPONDENT

IEPA DOCKET NO.

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On May 10, 2004, between 10:30 AM and 11:15 AM, Affiant conducted an inspection of the open dump in Knox County, Illinois, known as the Martin Property, Illinois Environmental Protection Agency Site No. 0958145002.
3. Affiant inspected said Martin Property open dump 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 Martin Property open dump.

Subscribed and Sworn to before
me this 11 day of June 2004

James A. Anthony
Notary Public



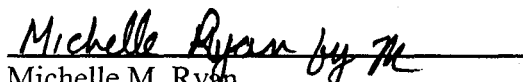
PROOF OF SERVICE

I hereby certify that I did on the 24th day of June 2004, 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: Earl and Norma Martin
1260 Moshier
Galesburg, Illinois 61401

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


Michelle M. Ryan
Special Assistant Attorney General

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