

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Henry LPC#: 0730655074 Region: 3 - Peoria
 Location/Site Name: Harvey Property
 Date: 01/31/2003 Time: From 11:35 AM To 11:45 AM Previous Inspection Date: 08/08/2002
 Inspector(s): Jeff Port Weather: Overcast Rainy and Cold 32 Degrees F
 No. of Photos Taken: # 16 Est. Amt. of Waste: 150 yds³ Samples Taken: Yes # No ☒
 Interviewed: No One Present Complaint #: C-2002-105-P and C-2002-106-P

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

Vince Harvey
 1456 North East Street
 Kewanee, IL 61443

RECEIVED
 FEB 26 2003
 IEPA-BOI

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input 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 type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>

EXHIBIT

tabbies

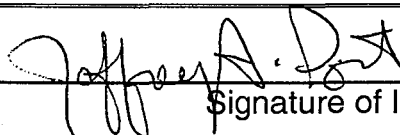
1

(complainant)

LPC # 0730655074

Inspection Date: 01/31/2003

	(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 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 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"/>
	815.201	Failure to file an initial facility report with the Agency to provide information concerning location and disposal practices of the facility	<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.

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Narrative

On January 31, 2003, I (Jeff Port) performed a follow-up inspection at the Vince Harvey property. The purpose of this inspection was to determine if compliance had been achieved with respect to a September 5, 2002, Administrative Citation Warning Notice (ACWN). The ACWN had been sent due to violations observed during an August 8, 2002, complaint investigation (C-2002-105-P and C-2002-106-P). A letter rejecting the September 25, 2002 ACWN Compliance Proposal was sent on October 3, 2002. To date, no additional correspondence has been received.

I arrived at the site at 11:35 AM. The weather was overcast, rainy, and cold, approximately 30 °F. I parked my vehicle and walked to the location of the former home. It appeared that the material observed in the basement during the previous inspection had been removed. Photograph P1 shows part of the foundation and an accumulation of scrap metal. Photographs P2, P15, and P16 show the empty basement. Photographs P3, P4, and P14 show a pile of waste consisting of burned debris, that appears to be the material removed from the basement. Photographs P5 through P13 show the piles of material brought from the former Kewanee Iron and Metal to be used as fill. These piles consisted of soil, rocks, pieces of metal, plastic, processed wood, small branches and roots and chunks of metal slag. It appears that the only thing that had been done at the site was that the burned material had been removed from the basement. After photographing the site, I left at 11:45 AM.

Photograph locations are depicted on the attached site sketch. Based upon this inspection, the following violations were found to be continuing and are indicated on the accompanying checklist.

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 material at the site, Vince Harvey 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 material at the site, Vince Harvey 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: **Vince Harvey caused or allowed the open dumping of waste.**

4. 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: **Vince Harvey conducted a waste disposal operation without a permit granted by the Agency.**

5. 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: **Vince Harvey conducted a waste disposal operation in violation of Section 815.201 of Regulations adopted by the Board.**

6. 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: **Vince Harvey conducted a waste disposal operation at a site that does not meet the requirements of the Sections 9(a), 9(c), 12(a), 12(d), 21(a), 21(d)(1), 21(d)(2) and of the Act and Section 815.201 of the Regulations.**

7. 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.**

8. 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 open burning.

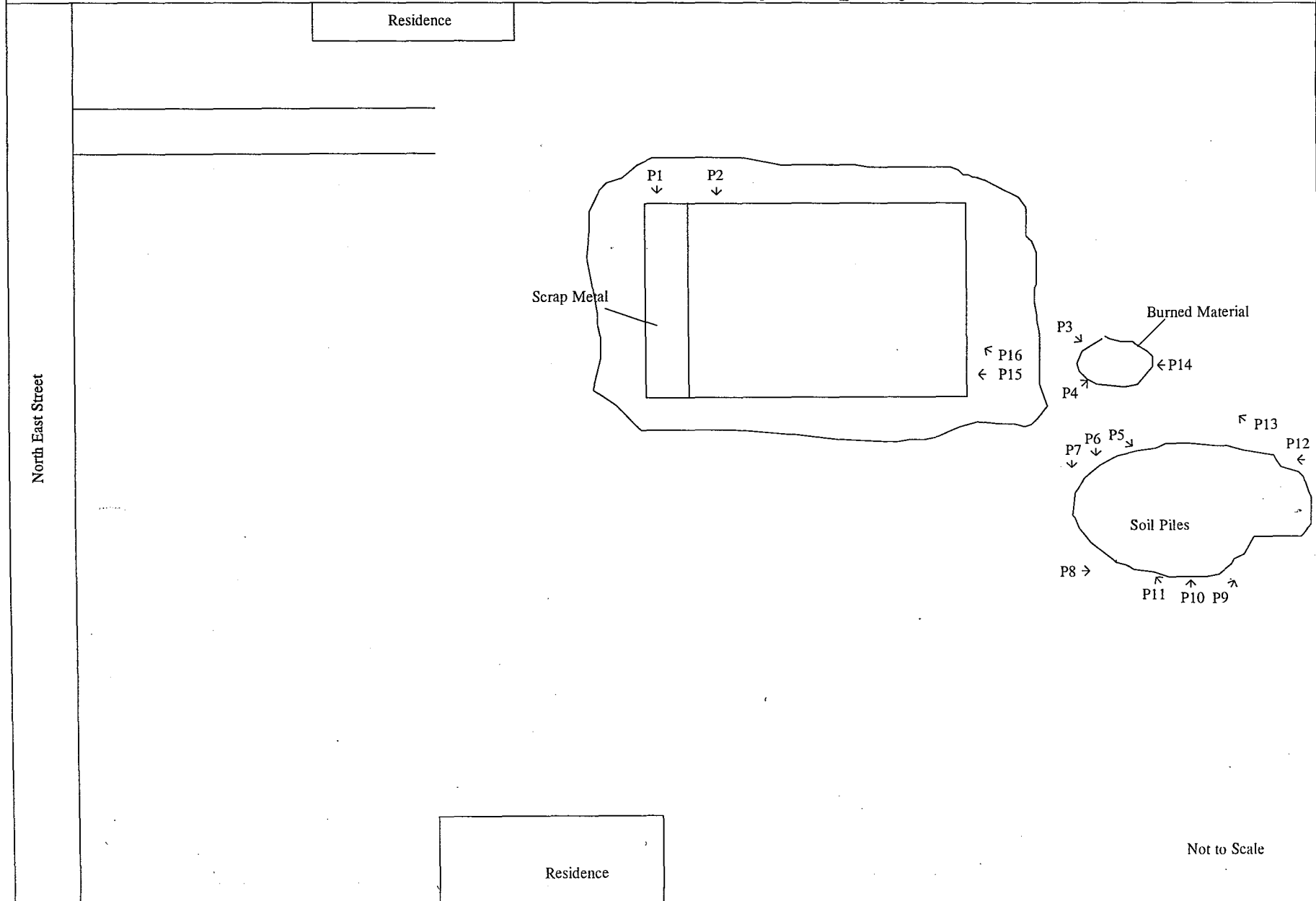
A violation of Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in the deposition of general construction or demolition debris or clean construction or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

9. Pursuant to Section 815.201 of the Regulations, all landfills regulated under this Part shall file an initial facility report with the Agency as specified in this Subpart to provide information concerning location and disposal practices of the facility.

A violation of Section 815.201 of the Regulations is alleged for the following reasons: **An initial facility report describing location and disposal practices was not filed to the Agency.**

0730655074 -- Henry County
Kewanee/Harvey Property

January 31, 2003



DATE: January 31, 2003

TIME: 11:35 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 1

FILE NAME:
0730655074~01312003-001.jpg



DATE: January 31, 2003

TIME: 11:35 AM

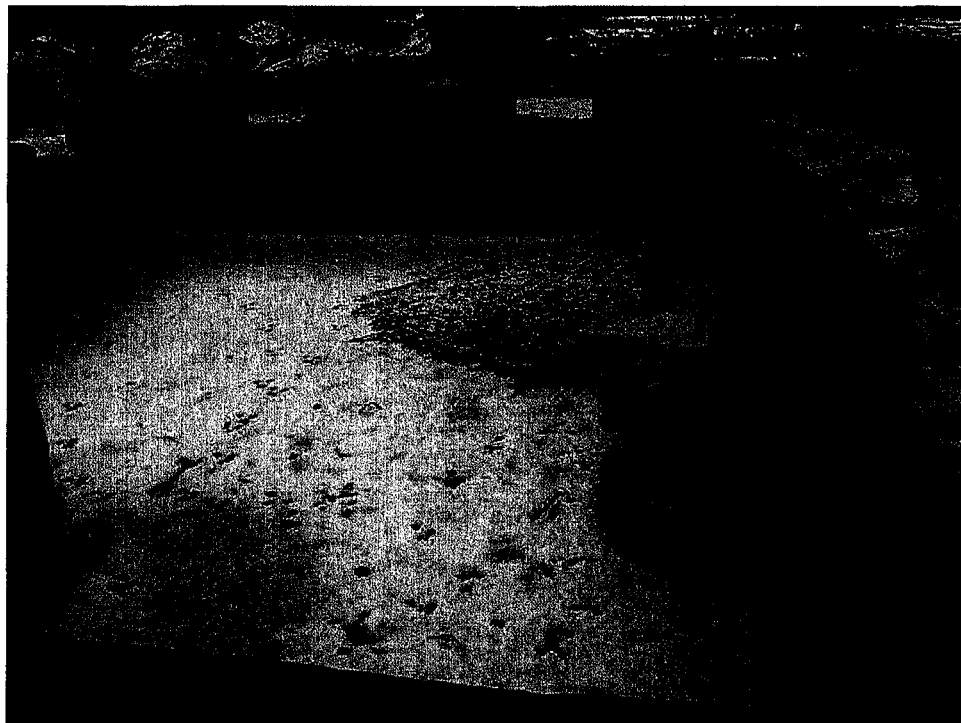
PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 2

FILE NAME:
0730655074~01312003-002.jpg



DATE: January 31, 2003

TIME: 11:35 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 3

FILE NAME:
0730655074~01312003-003.jpg



DATE: January 31, 2003

TIME: 11:36 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 4

FILE NAME:
0730655074~01312003-004.jpg



DATE: January 31, 2003

TIME: 11:36 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 5

FILE NAME:
0730655074~01312003-005.jpg



DATE: January 31, 2003

TIME: 11:36 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 6

FILE NAME:
0730655074~01312003-006.jpg



DATE: January 31, 2003

TIME: 11:37 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 9

FILE NAME:
0730655074~01312003-009.jpg



DATE: January 31, 2003

TIME: 11:37 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 10

FILE NAME:
0730655074~01312003-010.jpg



DATE: January 31, 2003

TIME: 11:37 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 11

FILE NAME:
0730655074~01312003-011.jpg



DATE: January 31, 2003

TIME: 11:38 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 12

FILE NAME:
0730655074~01312003-012.jpg



DATE: January 31, 2003

TIME: 11:39 AM

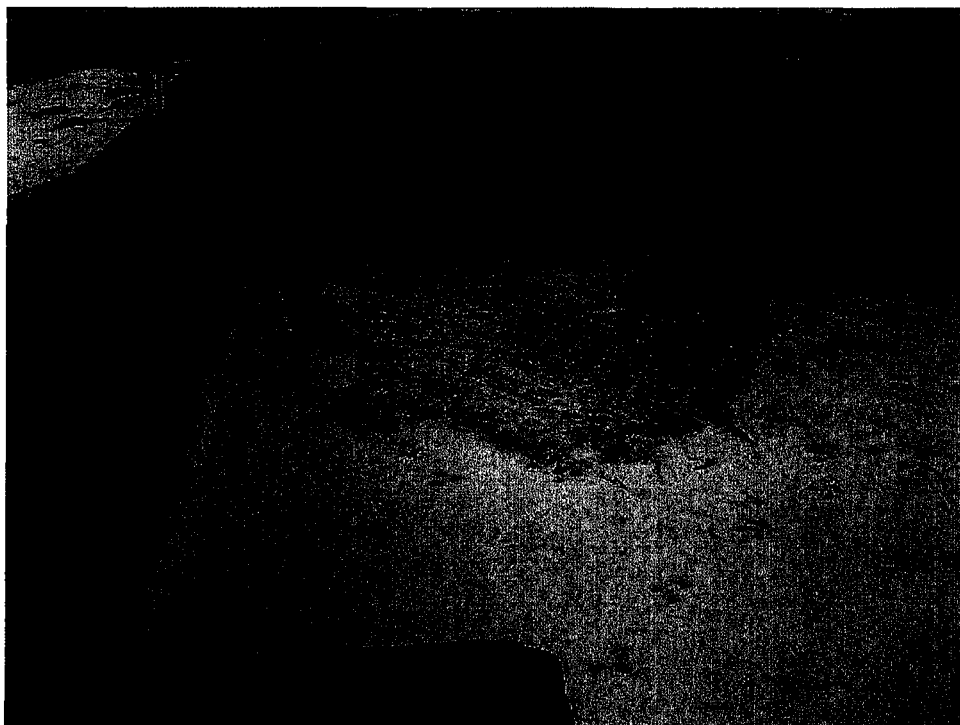
PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 15

FILE NAME:
0730655074~01312003-015.jpg



DATE: January 31, 2003

TIME: 11:39 AM

PHOTOGRAPHED BY:
Jeff Port

LOCATION:
0730655074 -- Henry County
Harvey Property
Complaint #C-2002-105-P

COMMENTS: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 16

FILE NAME:
0730655074~01312003-016.jpg



R.R. 1 Box 10 • Wyoming, IL 61491 • (309) 695-6455 • Fax (309) 695-2027 • (800) 322-7618
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09-25-02 14:06

11260 1b G

~~04-25-02 14:23~~

5500 1b 5

City of Kewanee
Solid Waste Transfer Station
Fisher Avenue
Kewanee, Illinois 61443

PAID
APR 30 2003
BY CITY OF SEWANE

12:13PM 4-30-03
LOOP #17 42520 lb IN

12:16PM 4-30-03

60780 1B GR
42520 1B TA
18460 1B NT

TICKET FOR DISPOSAL OF SOLID WASTE

If not weighed, number of cubic yards

3 cubic yards = 1 ton

Delivery was made by	License #:
----------------------	------------

Print Name: V. ncent HARVEY

Company Name: _____

Address: 14/56 Vininost

Signature: _____

Payment. All solid waste bills are due twenty (20) days after being sent out. The City will add a penalty of ten percent (10%) to all bills not paid by the 20th. day after mailing.

Rev: 9501

EXHIBIT

Subject:

2

(Respondent)

(Signature of Transfer Station Operator)

477.04

059625

PAID

APR 30 2003

BY CITY OF KEWANEE

City of Kewanee
Solid Waste Transfer Station
Fisher Avenue
Kewanee, Illinois 61443

7:56AM 4-30-03
LOOP #12 33400 1b IN

7:57AM 4-30-03
58580 1b GR
35400 1b TA
23180 1b NT

TICKET FOR DISPOSAL OF SOLID WASTE

If not weighed, number of cubic yards

3 cubic yards = 1 ton

Delivery was made by License #

Print Name: Vincent HARRIS

Company Name: S O F S

Address: 1456 North 1st St

Signature: [Signature]

Payment. All solid waste bills are due twenty (20) days after being sent out. The City will add a penalty of ten percent (10%) to all bills not paid by the 20th. day after mailing.
Rev: 9501

(Signature of Transfer Station Operator)

396.5

059619

PAID

APR 30 2003

BY CITY OF KEWANEE

City of Kewanee
Solid Waste Transfer Station
Fisher Avenue
Kewanee, Illinois 61443

8:08AM 4-30-03
LOOP # 3 53400 1b IN

7:06AM 4-30-03
56780 1b GR
34400 1b TA
22580 1b NT

TICKET FOR DISPOSAL OF SOLID WASTE

If not weighed, number of cubic yards

3 cubic yards = 1 ton

Delivery was made by License #

Print Name: Vincent HARRIS

Company Name: S O F S

Address: 1456 North 1st St

Signature: [Signature]

Payment. All solid waste bills are due twenty (20) days after being sent out. The City will add a penalty of ten percent (10%) to all bills not paid by the 20th. day after mailing.

Rev: 9501

(Signature of Transfer Station Operator)

353.31

PAID 059616

APR 30 2003

BY CITY OF KEWANEE

City of Kewanee
Solid Waste Transfer Station
Fisher Avenue
Kewanee, Illinois 61443

6:15AM 4-30-03
LOOP #30 45460 1b IN

If not weighed, number of cubic yards

3 cubic yards = 1 ton

6:19AM 4-30-03
65580 1b GR
45460 1b TA
20120 1b NT

Delivery was made by License #:

Print Name: Vincent HARJAV

Company Name: _____

Address: 1456 Northwest ST
KEWANEE

Signature: [Signature]

TICKET FOR DISPOSAL OF SOLID WASTE

Payment. All solid waste bills are due twenty (20) days after being sent out. The City will add a penalty of ten percent (10%) to all bills not paid by the 20th. day after mailing.

Rev: 9501

(Signature of Transfer Station Operator)

Free

063871

City of Kewanee
Solid Waste Transfer Station
Fisher Avenue
Kewanee, Illinois 61443

04E67
10:54AM 9-24-03
LOOP #11 49920 1b IN

If not weighed, number of cubic yards

3 cubic yards = 1 ton

10:56AM 9-24-03
50740 1b GR
49920 1b TA
820 1b NT

Delivery was made by License #:

Print Name: Vince HARJAV

Company Name: _____

Address: 1456 Northwest

Signature: [Signature]

TICKET FOR DISPOSAL OF SOLID WASTE

Payment. All solid waste bills are due twenty (20) days after being sent out. The City will add a penalty of ten percent (10%) to all bills not paid by the 20th. day after mailing.

Rev: 9501

(Signature of Transfer Station Operator)