

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
)	
Complainant,)	AC 2025-
)	
v.)	(IEPA No. 62-25-AC)
)	
JEFFREY A. COX, RHONDA E. COX,)	
and MITCHELL A. GRAY,)	
)	
Respondents.)	
)	


NOTICE OF FILING

To: Jeffrey A. and Rhonda E. Cox
318 South 5th Street SW
Clay City, IL 62824

Mitchell A. Gray
225 South 5th Street SW
Clay City, IL 62824

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.

Respectfully submitted,



_____ e-signature valid for IPCB e-filings ONLY _____

Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: April 22, 2025

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2025-
)	
v.)	(IEPA No 62-25-AC)
)	
JEFFREY A. COX, RHONDA E. COX, and)	
MITCHELL A. GRAY,)	
)	
Respondents.)	

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 (2024).

FACTS

1. That Jeffrey A. and Rhonda E. Cox are the current owners (“Respondents”) of a facility located at 318 South 5th Street SW, Clay City, Clay County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Cox, Jeffrey and Rhonda. The facility operator is Mitchell A. Gray, 225 South 5th Street SW, Clay City, Clay County, Illinois.
2. That said facility is designated with Site Code No. 0250055030.
3. That Respondents have owned and operated said facility at all times pertinent hereto.
4. That on March 3, 2025, Garrison Gross of the Illinois Environmental Protection Agency’s (“Illinois EPA”) Marion 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 April 22, 2025, Illinois EPA sent this Administrative Citation to Jeffrey A. and Rhonda E. Cox via Certified Mail No. 7015 0640 0005 6905 7982, and to Mitchell A. Gray via Certified Mail No. 7015 0640 0005 6905 7975.

VIOLATIONS

Based upon direct observations made by Garrison Gross during the course of the March 3, 2025 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) (2024).
- (2) 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) (2024).
- (3) 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) (2024).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2024), 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 June 6, 2025, 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 (2024), 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) (2024), 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, Respondents' check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 2520 West Iles Avenue, 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 (2024). 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, 60 E. Van Buren Street, Suite 630, Chicago, Illinois 60605. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 2520 West Iles Avenue, 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.



Andrew Armstrong, Chief Legal Counsel
Illinois Environmental Protection Agency

Date: 04/17/2025

Prepared by: Dawn A. Hollis, Legal Assistant
Division of Legal Counsel
Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,) AC 2025-
)
v.)
) (IEPA No 62-25-AC)
JEFFREY A. COX, RHONDA E. COX, and)
MITCHELL A. GRAY,)
)
)
Respondents.)

FACILITY: Clay City/Cox, Jeffrey & Rhonda

SITE CODE NO.: 0250055030

COUNTY: Clay

CIVIL PENALTY: \$4,500.00

DATE OF INSPECTION: March 3, 2025

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

Bureau of Land – Field Operations Section

Inspection Report

General Facility Information

BOL ID	0250055030	Evaluation Date	3/3/2025
USEPA Id	N/A	Region	Marion
Site Name	Cox, Jeffrey and Rhonda	County	Clay
Address	225 S. 5th Street SW	Phone	618-843-2013
City/State/Zip	Clay City, IL 62824	EJ Status	None
Limited English	<input type="checkbox"/>	Primary Language	English

Observations

Time	10:29 - 10:36
Weather Conditions	clear skies, moderate breeze, muddy surface
Temperature	47° Fahrenheit
Photos Taken	Yes (14)
Amount of Waste	~20 cubic yards
Number of Tires	13 tires

Evaluation Type

Solid Waste Program - Open Dump Inspection

Owner

Jeffery & Rhonda Cox
318 S. 5th Street SW
Clay City, IL 62824

Operator

Mitchell A. Gray
225 S. 5th Street SW
Clay City, IL 62824

Inspection Participants

<u>Person</u>	<u>Affiliation</u>	<u>Phone</u>
Garrison Gross	IEPA FOS Primary Inspector	(618) 993-7254

Persons Interviewed

<u>Person</u>	<u>Phone</u>	<u>E-Mail</u>
N/A		

Executive Summary

On Monday, March 3, 2025, I (Garrison Gross) conducted a follow-up open dump site inspection at the Cox, Jeffrey and Rhonda site. The last inspection was conducted on December 14, 2023. The site is located at 225 South 5th Street SW, Clay City, Illinois 62824. No one answered the door. The inspection was performed to evaluate the compliance status after the issuance of Violation Notices on June 20, 2023. Fourteen photographs were taken. Apparent violations were found and are discussed below.

Evaluation Narrative

Site History: The site was initially inspected on April 14, 2022 based on complaint #4901 which alleged open dumping of tires. An Administrative Citation Warning Notice (ACWN) was issued to Jeffery A. & Rhonda E. Cox on May 10, 2022 for open dumping of used or waste tires, household wastes, and water in tires. A follow-up inspection was conducted on September 7, 2022 and a Continuing Violations Letter was sent on September 29, 2022. The site was reinspected on April 17, 2023. Violation Notice (VN) letters were issued to Jeffery A. & Rhonda E. Cox on June 20, 2023. Open burning and demolition debris were added as new alleged violations. No one responded to the VN within the 45-day period.

On August 16, 2023, Mitchell Gray called me and said he had been living at the site for several years. He reported he was related to Mr. and Mrs. Cox and they lived a few houses down the street to the west. He said he was working on getting the site cleaned up and intended to take some waste items from the back yard to a city clean up. Mr. Gray emailed on October 11, 2023 and reported old furniture and junk had been hauled to city dumpsters. On December 14, 2023, I conducted a follow-up inspection and found similar site conditions. VNs were issued to Mitchell Gray, Jeffery Cox, and Rhonda Cox on January 18, 2024. No one responded to the VNs and Notice on Non-Issuance letters were mailed to the responsible parties on March 19, 2024.

Follow-up Inspection Findings: I arrived at the site and observed several 4-wheelers and a side-by-side parked along the edge of the property (photo 1). A utility trailer was parked in the back yard which had several pallets stacked on it (photo 2). A stack of extralong pallets were observed near the garage (photo 14). Pallets do not appear to be generated onsite. I observed the area along the privacy fence, and it appeared most of the used or waste tires had been removed from the fence and the shed (photo 3). Two off-rim tires, a 4-wheeler frame, and a vehicle seat remained in this area (photo 3). A new pile of cut lumber was dumped next to the green shed (photo 4). It appeared some of the mattresses and household trash had been removed from the fenced-in side of the yard (photo 5). One mattress had been placed on top of what appeared to be a covered animal enclosure. Six off-rim tires were observed next to the garage (photo 6). Some of the tires had accumulated water (photo 7).

Household items remained in piles between the garage and sidewalk (photo 8), and the garage and house (photo 9). These items include but are not limited to plastic containers, PVC pipe, cardboard boxes, furniture, cloth items, metal fencing, bed frame, metal racks, all-terrain vehicle, and parts. Demolition debris including lumber and weathered plywood was observed next to the house (photo 10). Pieces of cut lumber were observed next to the garage (photo 11). Four all-terrain vehicle tires were stacked next to the green shed (photo 12). These tires were on rim and holding air. It appeared a metal burn ring had been used for open burning since the last inspection based on photograph comparisons (photo 13).

Summary of Apparent Violation(s)

Status	Date	Violation	Narrative
Continuing	4/14/2022	21(a)	Cause or allow open dumping
Continuing	4/14/2022	21(d)(1)	Conduct a waste storage, treatment, or disposal operation without a permit
Continuing	4/14/2022	21(e)	Dispose, treat, store, abandon any waste, or transport any waste into Illinois at or to sites not meeting requirements of the Act
Continuing	4/14/2022	21(p)(1)	Cause or allow open dumping of any waste in a manner which results in litter
Continuing	4/14/2022	55(a)(1)	Cause or allow open dumping of any used or waste tire
Continuing	4/14/2022	55(k)(1)	Cause or allow water to accumulate in used or waste tires
Continuing	4/17/2023	21(p)(7)	Cause or allow open dumping of any waste in a manner which results in deposition of general or clean construction or demolition debris

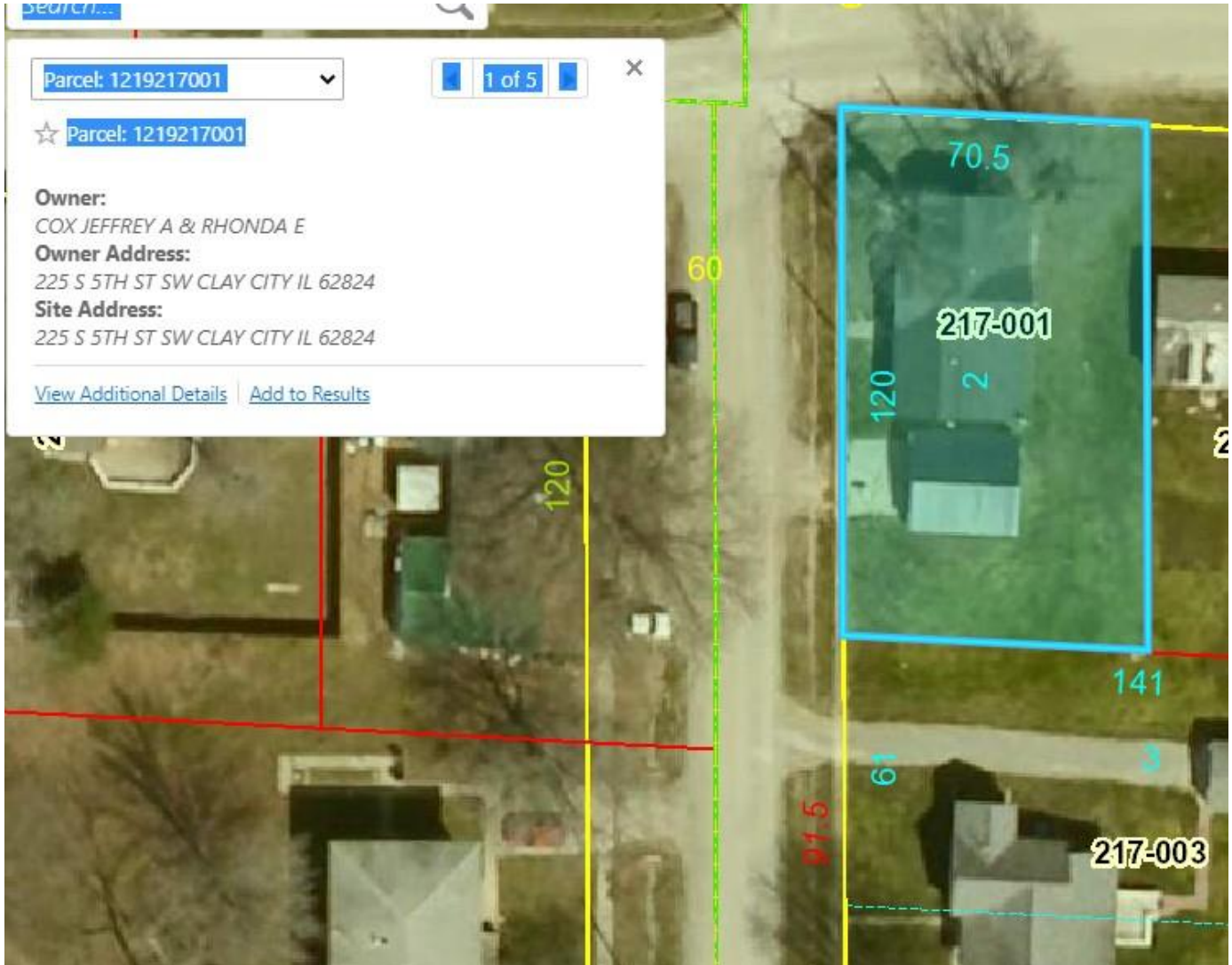
Attachment Listing

Type	Description
N/A	

Site Diagram



0250055030



Digital Photographs



Bureau Id: 0250055030
Photo No.: 1
Photo Date: 3/3/2025
Photo Time: 10:31:51 AM
Direction: north
Taken By: Garrison Gross

Photograph of 4-wheelers and a side-by-side parked near the garage.



Bureau Id: 0250055030
Photo No.: 2
Photo Date: 3/3/2025
Photo Time: 10:32:03 AM
Direction: north
Taken By: Garrison Gross

A utility trailer loaded with wooden pallets.



Bureau Id: 0250055030
Photo No.: 3
Photo Date: 3/3/2025
Photo Time: 10:32:25 AM
Direction: north
Taken By: Garrison Gross

Two used or waste tires, 4-wheeler frame, and automotive seat remained along the privacy fence.



Bureau Id: 0250055030
Photo No.: 4
Photo Date: 3/3/2025
Photo Time: 10:32:43 AM
Direction: north
Taken By: Garrison Gross

A pile of cut pieces of lumber.



Bureau Id: 0250055030
Photo No.: 5
Photo Date: 3/3/2025
Photo Time: 10:32:59 AM
Direction: north
Taken By: Garrison Gross

Household trash remaining in the side yard. Some waste items had been removed from this area.



Bureau Id: 0250055030
Photo No.: 6
Photo Date: 3/3/2025
Photo Time: 10:33:32 AM
Direction: east
Taken By: Garrison Gross

Off-rim used or waste tires. Some of the tires had accumulated water.



Bureau Id: 0250055030
Photo No.: 7
Photo Date: 3/3/2025
Photo Time: 10:33:37 AM
Direction: east
Taken By: Garrison Gross

Water in tire.



Bureau Id: 0250055030
Photo No.: 8
Photo Date: 3/3/2025
Photo Time: 10:33:53 AM
Direction: east
Taken By: Garrison Gross

Waste items piled up next to garage and house (plastic containers, plastic pipe, insulating bubble wrap, and old 4-wheeler.



Bureau Id: 0250055030
Photo No.: 9
Photo Date: 3/3/2025
Photo Time: 10:33:59 AM
Direction: east
Taken By: Garrison Gross

Waste items piled up between house and garage (plastic containers, off-rim tire, fence panel, cloth items, metal rack, and bed frame).



Bureau Id: 0250055030
Photo No.: 10
Photo Date: 3/3/2025
Photo Time: 10:34:06 AM
Direction: east
Taken By: Garrison Gross

Waste items piled up next to house (weathered plywood, lumber, and gutter).



Bureau Id: 0250055030
Photo No.: 11
Photo Date: 3/3/2025
Photo Time: 10:34:20 AM
Direction: east
Taken By: Garrison Gross

Waste pile next to green shed (cut pieces of lumber).



Bureau Id: 0250055030
Photo No.: 12
Photo Date: 3/3/2025
Photo Time: 10:34:28 AM
Direction: east
Taken By: Garrison Gross

Used or waste tires (on-rim 4-wheeler tires).



Bureau Id: 0250055030
Photo No.: 13
Photo Date: 3/3/2025
Photo Time: 10:34:50 AM
Direction: north
Taken By: Garrison Gross

Burn ring appeared to have been used since the last inspection.



Bureau Id: 0250055030
Photo No.: 14
Photo Date: 3/3/2025
Photo Time: 10:36:37 AM
Direction: south
Taken By: Garrison Gross

Extralong pallets stacked next to the garage and driveway.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:

IEPA DOCKET NO.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

vs.

Jeffrey Cox & Rhonda Cox,
Respondent

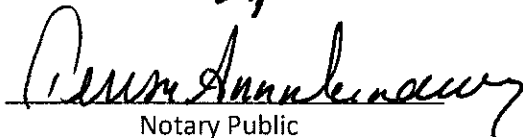
AFFIDAVIT

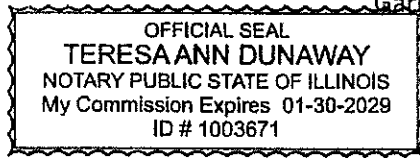
Affiant, Garrison Gross, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Bureau of Land of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 3, 2025, between 10:29 and 10:36, Affiant conducted an inspection of the site in Clay County, Illinois, known as Clay City/Cox, Jeffrey/Rhonda, located at 225 South 5th Street SW, Clay City, Illinois 62824, and designated Bureau of Land Site # 0250055030.
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 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 the site.

Subscribed and Sworn to before me
this 2 day of April 2025.


Garrison Gross


Notary Public





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:

IEPA DOCKET NO.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

vs.

Mitchell Gray,
Respondent

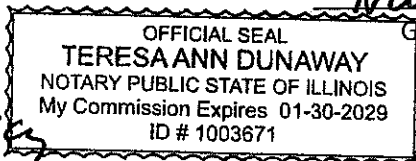
AFFIDAVIT

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Subscribed and Sworn to before me
this 2 day of April 2025.

Teresa Ann Dunaway
Notary Public



Garrison Gross
Garrison Gross

PROOF OF SERVICE

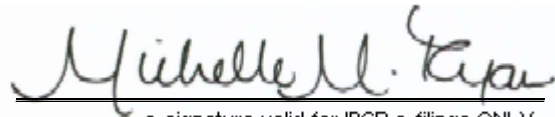
I hereby certify that I did on the 22nd day of April 2025, serve with postage thereon prepaid, by depositing in a United States Post Office box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Jeffrey A. and Rhonda E. Cox
318 South 5th Street SW
Clay City, IL 62824

Mitchell A. Gray
225 South 5th Street SW
Clay City, IL 62824

and the original via electronic filing on April 22, 2025

To: Don Brown, Clerk
Pollution Control Board
60 E. Van Buren St., Ste. 630
Chicago, IL 60605



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544