

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
)	
Complainant,)	AC 2026-
)	
v.)	(IEPA No. 43-26-AC)
)	
HENSLEY TOWNSHIP,)	
)	
)	
Respondent.)	
)	

NOTICE OF FILING

To: Hensley Township
c/o Daniel Weckhorst, Township Supervisor
3001 W Hensley Road
Champaign, IL 61822

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: May 6, 2026

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2026
)	
v.)	(IEPA No. 43-26-AC)
)	
HENSLEY TOWNSHIP,)	
)	
)	
)	
Respondent.)	

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 Hensley Township is the present owner of a property located at 3001 W. Hensley Road, Champaign, Champaign County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Champaign/Hensley Township.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0190105218.
3. That Respondent has operated said facility at all times pertinent hereto.
4. That on March 4, 2026, Elliot Augustus of the Illinois Environmental Protection Agency's Champaign 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.

5. That on May 6, 2026, Illinois EPA sent this Administrative Citation via Certified Mail No. 7015 0640 0005 6905 8019 to Hensley Township.

VIOLATIONS

Based upon direct observations made by Elliot Augustus during the course of his March 4, 2026 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent 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 Respondent caused or allowed the 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) (2024).
- (3) That Respondent 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), Respondent is subject to civil penalties 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 Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalties specified above shall be due and payable no later than June 8, 2026, 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 (2024), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing,

Respondent 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 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 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, 2520 West Iles Avenue, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondent 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 Respondent 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 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 (2024). If Respondent elects to contest this Administrative Citation, then Respondent shall file a Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, 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 Respondent.

Andrew Armstrong

Andrew Armstrong, Chief Legal Counsel
Illinois Environmental Protection Agency

04/03/2026

Date

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 2026-
)
v.)
) (IEPA No. 43-26-AC)
HENSLEY TOWNSHIP,)
)
)
Respondent.)

FACILITY: Hensley Township

SITE CODE NO.: 0190105218

COUNTY: Champaign

CIVIL PENALTY: \$4,500.00

DATE OF INSPECTION: March 4, 2026

DATE REMITTED:

SIGNATURE:

NOTE

Please enter the date of your remittance 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, 2520 West Iles Avenue, 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	0190105218	Evaluation Date	3/6/2026
USEPA Id	Not Applicable	Region	Champaign
Site Name	Hensley Township	County	Champaign
Address	3001 W. Hensley Rd.	Phone	217-352-0121
City/State/Zip	Champaign, IL 61822	EJ Status	None
Limited English	No	Primary Language	English

Observations

Weather Conditions	Foggy, wet from recent rain
Temperature	43 Fahrenheit
Photos Taken	Yes (14)
Amount of Waste	1 cubic yard
Number of Tires	40
Complaint Id	9736

Evaluation Type

Solid Waste Program - Open Dump Inspection

Owner

Hensley Township
 Attn: Robert Sherman
 3001 W. Hensley Rd.
 Champaign, IL 61822

Operator

Hensley Township
 Attn: Robert Sherman
 3001 W. Hensley Rd.
 Champaign, IL 61822

Inspection Participants

<u>Person</u>	<u>Affiliation</u>	<u>Phone</u>
Elliot Augustus	IEPA FOS Primary Inspector	(217) 278-5800
Dustin Burger	IEPA FOS Secondary Inspector	(217) 278-5827
Giuliana Adrianzen	IEPA FOS Secondary Inspector	(217) 278-5824

Persons Interviewed

<u>Person</u>	<u>Phone</u>	<u>E-Mail</u>
No one interviewed		

Permit

<u>Application Date</u>	<u>Log #</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Mod/Sp #</u>	<u>Mod/Sp Date</u>
NONE					

Active Enforcement Orders

<u>CACO</u>	<u>Consent Decree</u>	<u>CAFO</u>	<u>IPCB</u>	<u>Federal Court</u>	<u>State Court</u>
NONE					

Executive Summary

I, Elliot Augustus, with Dustin Burger and Giuliana Adrianzen, conducted an open dump complaint inspection on March 4th, 2026, at the Hensley Township property located at 3001 W. Hensley Road, Champaign, IL. The inspection was conducted in response to complaint #9736 alleging open dumping and burning at the site. No one was present during our visit. Apparent violations related to open dumping and open burning were observed.

Evaluation Narrative

On March 4, 2026, I, Elliot Augustus, along with Dustin Burger, and Giuliana Adrianzen conducted a complaint investigation at 3001 W. Hensley Road, Champaign, Illinois, also known as Hensley Township. The investigation was conducted in response to complaint #9736, alleging that the property was being used for open dumping and open burning of mattresses, computers, tires, and landscape waste. Review of the parcel information prior to investigation showed both parcels 12-14-21-200-001 (north parcel) and 12-14-21-200-030 (south parcel) to be owned by Hensley Township. The current commissioner for Hensley Township Road District is Robert Sherman.

A file review found prior inspections at this site showing resolved prior violations of 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(3), and 812.101(a). The first inspection on January 29, 2010, resulted in an Administrative Citation Warning Notice (ACWN) for open dumping and open burning. A second inspection on May 24, 2010, found the dumped waste had been removed and resulted in a Return to Compliance Letter. A third inspection on October 19, 2010, resulted in an ACWN for open dumping and open burning. A fourth inspection on January 26, 2011, found the dumped waste had been removed and resulted in a Return to Compliance Letter.

We arrived for inspection at 9:29am. On arrival, smoke and embers were visible in the burn pile on the south parcel (Photo 2). An oily sheen was present on pooled water around the burn pile (Photo 3). Mattress boxsprings, burnt metal, plastics, and at least one aerosol canister were observed among the debris in the burn pile (Photos 4-10). Open dumping and open burning are apparent violations of Sections 9(a), 9(c), 21(a), 21(e), 21(p)(1), and 21(p)(3) of the Act.

After documenting the conditions on the south parcel, we stopped at the buildings on the north parcel to see if anyone was present on the property. Two vehicles were parked by the northernmost building on the property, but no one was present.

While looking for someone with whom to speak, we observed a pile of 40 used and waste tires at the southwest corner of the northernmost building on the north parcel (Photo 11). Used tires in this pile contained standing water (Photos 12-15) in apparent violation of Section 55(a)(3), 55(e) and 55(k)(1) of the Act.

The allegations of open dumping and open burning were substantiated, though there was no apparent evidence observed to substantiate allegations of open burning of tires. As a site operated by a unit of local government, the Township may burn off-site generated landscape waste from its jurisdiction.

Non-landscape waste cannot be open burned and must be disposed of at a permitted sanitary landfill. Outdoor tire storage must be done in a manner in which tires are prevented from accumulating water. Used and waste tires may not be disposed of at a landfill and must be hauled by a registered used tire hauler.

Summary of Apparent Violation(s)

Status	ate	Violation	Narrative
New	3/6/2026	21(a)	Cause or allow open dumping
New	3/6/2026	21(e)	Dispose, treat, store, abandon any waste, or transport any waste into Illinois at or to sites not meeting requirements of the Act
New	3/6/2026	21(p)(1)	Cause or allow open dumping of any waste in a manner which results in litter
New	3/6/2026	21(p)(3)	Cause or allow open dumping of any waste in a manner which results in open burning
New	3/6/2026	55(a)(3)	Except at a tire storage site containing >50 used tires, cause or allow storage of used tires unless tires are altered, reprocessed, converted, covered, or otherwise prevented from accumulating water
New	3/6/2026	55(e)	Cause or allow used/waste tire disposal in violation of Board regulations/standards
New	3/6/2026	55(k)(1)	Cause or allow water to accumulate in used or waste tires
New	3/6/2026	9(a)	Cause, threaten or allow air pollution in Illinois
New	3/6/2026	9(c)	Cause or allow open burning

Attachment Listing

Type	Description
NONE	

Site Diagram



Digital Photographs



Bureau Id: 0190105218
Photo No.: 2
Photo Date: 3/4/2026
Photo Time: 9:30:43 AM
Direction: NW
Taken By: Elliot Augustus

The burn pile located on the south parcel.



Bureau Id: 0190105218
Photo No.: 3
Photo Date: 3/4/2026
Photo Time: 9:30:58 AM
Direction: N
Taken By: Elliot Augustus

Oily sheen on pooled water at burn pile.



Bureau Id: 0190105218
Photo No.: 4
Photo Date: 3/4/2026
Photo Time: 9:31:04 AM
Direction: N
Taken By: Elliot Augustus

Burnt mattress boxsprings and metal in burn pile.



Bureau Id: 0190105218
Photo No.: 5
Photo Date: 3/4/2026
Photo Time: 9:31:28 AM
Direction: N
Taken By: Elliot Augustus

Metal debris in burn pile.



Bureau Id: 0190105218
Photo No.: 6
Photo Date: 3/4/2026
Photo Time: 9:31:35 AM
Direction: N
Taken By: Elliot Augustus

Metal debris in burn pile.



Bureau Id: 0190105218
Photo No.: 7
Photo Date: 3/4/2026
Photo Time: 9:32:12 AM
Direction: N
Taken By: Elliot Augustus

Burnt mattress boxsprings in burn pile. Outline added for visibility.



Bureau Id: 0190105218
Photo No.: 8
Photo Date: 3/4/2026
Photo Time: 9:32:33 AM
Direction: N
Taken By: Elliot Augustus

Metal debris in burn pile.



Bureau Id: 0190105218
Photo No.: 9
Photo Date: 3/4/2026
Photo Time: 9:32:46 AM
Direction: N
Taken By: Elliot Augustus

Burnt mattress boxsprings in burn pile. Outline added for visibility.



Bureau Id: 0190105218
Photo No.: 10
Photo Date: 3/4/2026
Photo Time: 9:32:52 AM
Direction: NW
Taken By: Elliot Augustus

Metal debris and plastics in burn pile.



Bureau Id: 0190105218
Photo No.: 11
Photo Date: 3/4/2026
Photo Time: 9:35:47 AM
Direction: N
Taken By: Elliot Augustus

Used/waste tire pile at north building on north parcel.



Bureau Id: 0190105218
Photo No.: 12
Photo Date: 3/4/2026
Photo Time: 9:35:56 AM
Direction: E
Taken By: Elliot Augustus

Water accumulation in used/waste tires.



Bureau Id: 0190105218
Photo No.: 13
Photo Date: 3/4/2026
Photo Time: 9:36:00 AM
Direction: E
Taken By: Elliot Augustus

Water accumulation in used/waste tires.



Bureau Id: 0190105218
Photo No.: 14
Photo Date: 3/4/2026
Photo Time: 9:36:08 AM
Direction: N
Taken By: Elliot Augustus

Water accumulation in used/waste tires.



Bureau Id: 0190105218
Photo No.: 15
Photo Date: 3/4/2026
Photo Time: 9:36:13 AM
Direction: NE
Taken By: Elliot Augustus

Water accumulation in used/waste tires.



Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Acting Director

IN THE MATTER OF:

IEPA DOCKET NO.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,
Complainant

vs.

Hensley Township,
Respondent

AFFIDAVIT

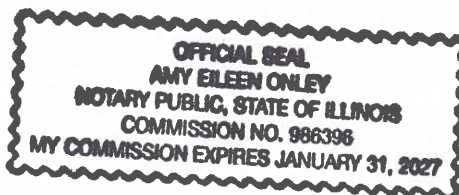
Affiant, Elliot Augustus, being first duly sworn, voluntarily deposes and states as follows:

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 06, 2026, between 9:29 am and 9:40 am, Affiant conducted an inspection of the site in Champaign County, Illinois, known as Hensley Township, located at 3001 W Hensley Rd, Champaign, IL 61822, and designated Bureau of Land Site # 0190105218.
3. Affiant inspected said site by an on-site inspection, which included walking 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 20th day of March,

Elliot Augustus

Notary Public



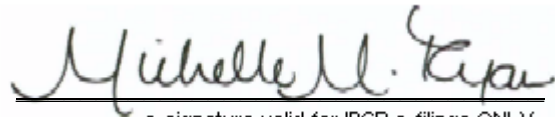
PROOF OF SERVICE

I hereby certify that I did on the 6th day of May 2026, 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: Hensley Township
c/o Daniel Weckhorst, Township Supervisor
3001 W Hensley Road
Champaign, IL 61822

and the original via electronic filing on May 6, 2026

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
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