

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2023-
	)	
v.	)	(IEPA No. 141-22-AC)
	)	
HAROLD EDGIL,	)	
	)	
	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

To: Harold Edgil  
P.O. Box 71  
Goreville, IL 62939

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

Dated: September 1, 2022

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Complainant,	)	AC 2023-
	)	
v.	)	(IEPA No. 141-22-AC)
	)	
HAROLD EDGIL,	)	
	)	
	)	
	)	
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 (2022).

FACTS

1. That Harold Edgil (Respondent) is the present owner and operator of a facility located at 20 Indian Creek Drive, Goreville, Johnson County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Goreville/Edgil, Harold.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0878555027.
3. That Respondent has operated said facility at all times pertinent hereto.

4. That on July 21, 2022, Gage Shepard of the Illinois Environmental Protection Agency's Marion 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 September 1, 2022 Illinois EPA sent this Administrative Citation via Certified Mail No. 7015 0640 0005 6905 7890.

#### VIOLATIONS

Based upon direct observations made by Gage Shepard during the course of his July 21, 2022 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) (2022).
- (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) (2022).

#### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2022), 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 Three Thousand Dollars (\$3,000.00). 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 October 24, 2022, 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 (2022), 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) (2022), 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, 1021 North Grand Avenue East, 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 (2022). 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, 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 Respondent.

  
\_\_\_\_\_  
John J. Kim, Director  
Illinois Environmental Protection Agency

Date: 8/30/22

Prepared by: Dawn A. Hollis, 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,	)	AC 2023-
	)	
v.	)	(IEPA No. 141-22-AC)
	)	
HAROLD EDGIL,	)	
	)	
	)	
	)	
Respondent.	)	

FACILITY:	Goreville/Edgil, Harold	SITE CODE NO.:	0878555027
COUNTY:	Johnson	CIVIL PENALTY:	\$3,000.00
DATE OF INSPECTION:	July 21, 2022		

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**

<b>BOL ID</b>	0878555027	<b>Evaluation Date</b>	7/21/2022
<b>USEPA Id</b>	N/A	<b>Region</b>	Marion
<b>Site Name</b>	Edgil, Harold	<b>County</b>	Johnson
<b>Address</b>	20 Indian Creek Dr.	<b>Phone</b>	N/A
<b>City/State/Zip</b>	Goreville, IL 62939	<b>EJ Status</b>	No Environmental Justice
<b>Limited English</b>	<input type="checkbox"/>	<b>Primary Language</b>	

**Observations**

<b>Time</b>	11:28-11:45
<b>Weather Conditions</b>	Sunny; Clear
<b>Temperature</b>	86° F
<b>Photos Taken</b>	Yes (5)
<b>Amount of Waste</b>	~12 Cubic Yards
<b>Number of Tires</b>	4
<b>Complaint Id</b>	5196

**Evaluation Type**

Solid Waste Program - Open Dump Inspection

**Owner**

Harold Edgil  
20 Indian Creek Dr.  
Goreville, IL 62939

**Operator**

Harold Edgil  
20 Indian Creek Dr.  
Goreville, IL 62939

**Inspection Participants**

<u>Person</u>	<u>Affiliation</u>	<u>Phone</u>
Gage Shepard	IEPA FOS Primary Inspector	(618) 993-7256

**Persons Interviewed**

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

**Executive Summary**

I (Gage Shepard) conducted a solid waste open dump inspection at the Edgil, Harold site on July 21, 2022. This site is located at 20 Indian Creek Drive, in rural Goreville, Illinois 62939. This inspection was conducted as a result of Complaint 5196. The complaint alleged open dumping of appliances, trash, and vehicles, as well as open burning of household trash. This site was previously inspected by the Illinois Environmental Protection Agency (Illinois EPA) on August 20, 2021, where alleged violations were dropped due to the de minimis amount of waste. Alleged violations were observed during the July 21, 2022 inspection.

**Evaluation Narrative**

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This site consists of two residential lots with parcel identification numbers of 01-12-115-002 and 01-12-115-004. Johnson County Tax Assessor has the owner listed as Harold Edgil, with a billing address at P.O. Box 71 Goreville, Illinois 62939.

I arrived on-site at 11:28 a.m. and knocked on the door. I spoke with Mr. Harold Edgil and asked about the waste on-site. Mr. Edgil claimed his son was responsible for bringing in the scrap metal waste. I asked why they were continuing to burn on the ground and Mr. Edgil claimed they would get another burn barrel and quit burning on the ground. I then proceeded to walk and photograph the site. Five (5) photographs were taken during the July 21, 2022 inspection. Metal waste, a mattress and box spring, fencing, and other miscellaneous waste was stacked around a tree in the front yard (photos 1, 3). An engine and other vehicle parts were also on the side yard near the tree (photo 2). The burn pile of household trash remained in the back yard (photos 4, 5).

<b>Summary of Apparent Violation(s)</b>			
<b>Status</b>	<b>Date</b>	<b>Violation</b>	<b>Narrative</b>
New	7/21/2022	9(c)	Cause or allow open burning
New	7/21/2022	9(a)	Cause, threaten or allow air pollution in Illinois
New	7/21/2022	21(p)(3)	Cause or allow open dumping of any waste in a manner which results in open burning
New	7/21/2022	21(p)(1)	Cause or allow open dumping of any waste in a manner which results in litter
New	7/21/2022	21(e)	Dispose, treat, store, abandon any waste, or transport any waste into Illinois at or to sites not meeting requirements of the Act
New	7/21/2022	21(d)(1)	Conduct a waste storage, treatment, or disposal operation without a permit
New	7/21/2022	21(a)	Cause or allow open dumping



Site Diagram



Digital Photographs



Bureau Id: 0878555027  
Photo No.: 1  
Photo Date: 7/21/2022  
Photo Time: 11:37:17 AM  
Direction: Southwest  
Taken By: Gage Shepard

Scrap metal waste, a tire, fencing, and other miscellaneous waste.



Bureau Id: 0878555027  
Photo No.: 2  
Photo Date: 7/21/2022  
Photo Time: 11:37:23 AM  
Direction: Southwest  
Taken By: Gage Shepard

Car parts and pieces.



Bureau Id: 0878555027  
Photo No.: 3  
Photo Date: 7/21/2022  
Photo Time: 11:38:04 AM  
Direction: North  
Taken By: Gage Shepard

A mattress and box spring, truck bed,  
and miscellaneous waste.



Bureau Id: 0878555027  
Photo No.: 4  
Photo Date: 7/21/2022  
Photo Time: 11:38:30 AM  
Direction: West  
Taken By: Gage Shepard

Open burning of household trash.



Bureau Id: 0878555027  
Photo No.: 5  
Photo Date: 7/21/2022  
Photo Time: 11:38:51 AM  
Direction: East  
Taken By: Gage Shepard

Another view of the burn pile.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF: )  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
Complainant, )  
HAROLD EDGIL, )  
Respondent, )

IEPA DOCKET NO.


AFFIDAVIT

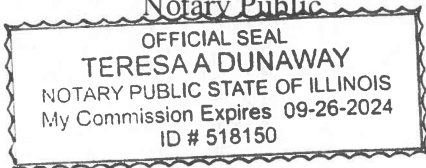
Affiant, Gage Shepard, being first duly sworn, voluntarily deposes and states as follows:

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 July 21, 2022 between 11:28 and 11:45, Affiant conducted an inspection of the site in Johnson County, Illinois, known as the Harold Edgil site, located at 20 Indian Creek Drive in the Eagle Point Bay area of rural Goreville, Illinois 62939, designated Illinois Environmental Protection Agency Site No.0878555027.
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 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 the site.

Subscribed and Sworn to before me  
this 8 day of August,  
2022 TO

  
Gage Shepard

  
Notary Public



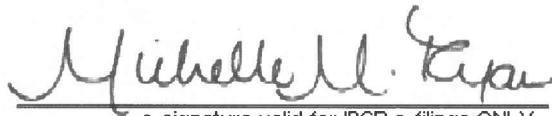
**PROOF OF SERVICE**

I hereby certify that I did on the 1<sup>st</sup> day of September, 2022, serve by Certified Mail, Return Receipt Requested, 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: Harold Edgil  
P.O. Box 71  
Goreville, IL 62939

and the original via electronic filing on September 1, 2022

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



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan  
Assistant Counsel

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