



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR RENEE CIPRIANO, DIRECTOR

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CLERK'S OFFICE

APR 21 2005

STATE OF ILLINOIS
Pollution Control Board

AC0567

(217) 782-9817
TDD: (217) 782-9143

April 18, 2005

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

Re: Illinois Environmental Protection Agency v. Donald E. and Mary A. Jennings
IEPA File No. 123-05-AC; 0090105031—Brown County

Dear Clerk Gunn:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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ADMINISTRATIVE CITATION

APR 21 2005

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
DONALD E. and MARY A. JENNINGS,)
))
Respondents.)

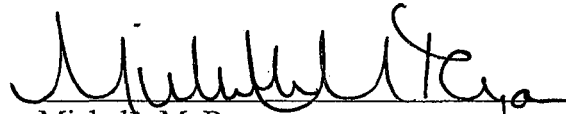
AC 0567
(IEPA No. 123-05-AC)

NOTICE OF FILING

To: Donald E. and Mary A. Jennings
R.R.4, P.O. Box 31
Mt. Sterling, IL 62353

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 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: April 18, 2005

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

APR 21 2005

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

DONALD E. and MARY A. JENNINGS,

Respondents.

AC 0567
(IEPA No. 123-05-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 Donald and Mary Jennings are the present owners and operators of a facility located at the last property with structures on the east side of the road, prior to agricultural fields and a 90 degree curve on South Buckhorn Street, which runs north/south on the west side of the City of Mt. Sterling, Brown County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Mt. Sterling/Jennings, Donald and Mary.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No.0090105031.

3. That Respondents have owned and operated said facility at all times pertinent hereto.

4. That on March 10, 2005, Charles King of the Illinois Environmental Protection Agency's Springfield 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.

VIOLATIONS

Based upon direct observations made by Charles King during the course of his March 10, 2005 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).

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 One Thousand Five Hundred Dollars (\$1,500.00). 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 May 15, 2005, 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, 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, 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 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.

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

Date: 4/18/05

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

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APR 21 2005

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DONALD E. and MARY A. JENNINGS,)
)
)
)
Respondents.)

AC 05-67
(IEPA No. 123-05-AC)

FACILITY: Mt. Sterling/Jennings, Donald & Mary
COUNTY: Brown
DATE OF INSPECTION: March 10, 2005

SITE CODE NO.: 0090105031
CIVIL PENALTY: \$1,500.00

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

AFFIDAVIT

IN THE MATTER OF:)
)
 Illinois Environmental)
 Protection Agency)
)
 vs.)
)
 Donald E. Jennings, and)
 Mary A. Jennings)
 Respondents)

IEPA DOCKET NO.

Affiant, Charles W. King, Jr., being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 10, 2005 between 9:10 AM and 9:35 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Brown County, Illinois, and known as Mt. Sterling/Jennings, Donald & Mary by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 0090105031 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Mt. Sterling/Jennings, Donald & Mary 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 Mt. Sterling/Jennings, Donald & Mary open dump.

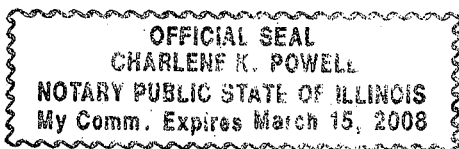
Charles W. King, Jr.

 Charles W. King, Jr.

Subscribed and Sworn To before me
 This 18 day of March, 2005

 Charlene K. Powell

Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Brown LPC#: 0090105031 Region: Springfield
 Location/Site Name: Mt. Sterling/Jennings, Donald and Mary
 Date: 03/10/2005 Time: From 0910 0935 Previous Inspection Date: 11/18/2004
 Inspector(s): Charlie King Weather: Sleet, 31deg. F., Winds NW @ 10 mph
 No. of Photos Taken: # 14 Est. Amt. of Waste: 122 yds³ Samples Taken: Yes # No
 Interviewed: None Complaint #: None

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

Donald and Mary Jennings
 RR # 4, Box 31
 Mt. Sterling, IL 62353
 217/773-2776

RECEIVED

MAR 31 2005

IEPA/BOL

	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 type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input 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 AND REGULATIONS	<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"/>

LPC # 0090105031

Inspection Date:

~~July 7, 2004~~
3-10-2005 *us*

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input 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"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Charles W. King

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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

MEMORANDUM

DATE: March 18, 2005

TO: Land Division File

FROM: Charlie King, DLPC/FOS – Springfield Region

SUBJECT: LPC # 0090105031 – Brown County
Mt. Sterling/Jennings, Donald and Mary
FOS File

NARRATIVE RE-INSPECTION REPORT DOCUMENT

The purpose of this memorandum is to serve as the Narrative Re-Inspection Report Document of a re-inspection conducted at the subject site on March 10, 2005 from approximately 9:10 a.m. until 9:35 a.m. by this author. No one accompanied me on the re-inspection. The re-inspection was conducted to follow-up on the original site inspections performed on July 7, 2004 and November 18, 2004, by this author. I was accompanied on the initial site inspection by Paul Eisenbrandt, DLPC/FOS – Springfield Region. The total waste volume was estimated at 276 cubic yards at that time. The original site inspection resulted in the issuance of an Open Dump Administrative Citation Warning Notice (ACWN), dated September 8, 2004. The clean-up deadline in the ACWN was November 1, 2004. The respondents submitted receipts documenting clean-up activities to date, received on November 4, 2004. No one accompanied me on the November 18, 2004 re-inspection. Approximately 50% of the wastes were found to have been removed. The estimated waste volume was estimated at 138 cu. yds. That re-inspection resulted in the issuance of a clean-up time extension until January 15, 2005. The March 10, 2005 re-inspection showed little progress. The waste volume was estimated at 122 cubic yards. Additional receipts documenting only scrap metal clean-up activities were received the following day, on March 11, 2005. However, the dates on those receipts ranged from November 17, 2004 until March 7, 2005, prior to the most recent re-inspection. No copies of landfill receipts have been provided. No additional clean-up time extensions for this site were requested or granted.

The site is located at the last property with structures on the east side of the road, prior to agricultural fields and a 90 degree curve on South Buckhorn Street, which runs north/south on the west side of the City of Mt. Sterling. Legally and specifically, the site is located on property described as follows: A part of the East Half of the Northwest Quarter of Section 17 described by metes and bounds as follows, to-wit: Beginning at a point on the South Side of what was formerly the Toledo, Wabash and Western Railroad (now the Wabash Railroad) 75' from the center of the Main Track at the intersection of West Cross Street in the Town, now City, of Mt. Sterling, in Brown County, Illinois.

Thence South 20° 48' West, 7.99 chains to the South Line of said Northwest Quarter of said Section 17, thence West along said South Line 9.88 chains to the corner between the said East Half and West Half of said Section of land, thence North along said line between the East Half and the West Half of said Quarter Section 15.82 chains to the South Line of said Railroad right-of-way, thence East along said South line of said Railroad right-of-way 16.71 chains to the place of beginning; except for two exceptions as stated on said Warranty Deed No. 89-554 on Book 272, Page 272 of Deeds, obtained in the Brown County Recorder's Office, Brown County Courthouse, Mt. Sterling, IL., following the inspection on the day of the inspection, by this author. The owners of the property listed on the Deed are Donald E. and Mary Ann Jennings, husband and wife. The Deed is dated April 9, 1987. It was filed July 12, 1989. The address of the Jennings' is RR 4, Box 31, Mt. Sterling, IL 62353. Their telephone number is: 217/773-2776.

Upon arrival at the site on the day of the March 10, 2005 re-inspection, the weather was sleeting and overcast, with an air temperature of approximately 31° F. Winds were northwesterly at approximately 10 mph. Surface soil conditions were wet and muddy in most places.

Upon arrival at the site on the day of the re-inspection, it was immediately obvious that the site was not cleaned up. Since the vegetation was down, the wastes appeared more visible than during previous inspections. It is possible that due to dense vegetation during previous site inspections, that some of the wastes were not seen.

Six vehicle were on-site. Three of them, including an old garbage truck, appeared to be inoperable. Most of the remaining wastes consisted of vehicle parts, metals, wood, plastic and cans.

During the most recent re-inspection, 14 photographs were taken with a digital camera. The photographs show the condition of the site on the day of the re-inspection. From the re-inspection and observations of the inspection photographs and previous site sketches an updated, partially computer generated sketch of the site was developed by this author. It shows the basic layout of the site, as well as the approximate locations and directions of the inspection photos. The digital camera provides a three-digit number to each digital photograph, i.e., 001, 002, etc. This is how the photographs are referred to on the Digital Photographs and in this narrative. However, to save space on the Site Sketch, real numbers were used, i.e., 1, 2, etc. Copies of the Digital Photographs and the Site Sketch accompany this report.

I initially photographed the wastes lining the north side of the driveway. This area measured approximately 30' x 10' x 2' and is shown in photo # 001. Proceeded towards the access road to the east/southeast, photo # 002 shows metals, bags of cans and plastics between the front of the garage door, extending across the access road and lining the area south of the access road. This waste measured approximately 20' x 8' x 2'. Metals, plastics, glass, a few used tires and wood wastes line the areas south of the access road, shown in photo # 003. This area of wastes extended approximately 60' x 8' x 3. An apparently inoperable Chevrolet Suburban and an old pick-up truck were observed in that

area. On the north side of the access road, partial engine blocks, a burn barrel, metals, wood and plastics were observed. They are shown in photo # 004. It was unknown whether an old red farm truck in the distance was operable or not. That truck is shown closer up in photo # 010. More of the wastes on the south side of the access road are shown in photo # 005. Additional wastes on the north side of the access road are shown in photo # 006. An apparently operable refuse hauling truck is shown in photo # 007. The name on the side of the truck reads, "Mark Jennings, Mt. Sterling, IL," and, "Registered Tire Transporter 18522 Expires Oct. 31, 1996." Those engine blocks shown in photo # 004 are shown again in photo # 008, along with additional metals. Photo # 009 shows an empty barrel, metals and plastics on the ground to the north of the access road. Photo # 010 shows an old inoperable pickup truck at right, and other metals. As addressed in the description of photo # 004, it is unknown if the red farm truck is operable or not. The silver pick-up truck appeared to be operable. It is shown again in photo # 011, along with PVC pipe, metals, plastic and wood wastes. The brown pick-up truck shown in photo # 012 is apparently operable. An ATV and an old Dodge Charger on a flatbed are also shown. Wastes along the south side of the access road are shown again from another angle in photo # 013, and on the north side of the road in photo # 014. The inoperable refuse hauling truck is also shown in photo # 014.

During the inspection, apparent violations of the Illinois Environmental Protection Act (Act) and of the regulations, Title 35, Illinois Administrative Code, Subtitle G (35 IAC), were still observed, although the waste volumes, as noted, were slightly decreased. Those apparent violations of the Act include Sections: 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1) and 55(a). An apparent violation of the regulations, 35 IAC, is Section 812.101(a). The Open Dump Inspection Checklist that is included with this report provides additional information.

OTHER COMMENTS

1. The volume of wastes at the site during the re-inspection, was approximately 122 cubic yards. This was evaluated as follows:

<u>Waste Description</u>	<u>Size of Waste Area</u>	<u>Totals in cu. ft.</u>
Wastes north of driveway	30' x 10' x 2'	= 600
Wastes in front and southwest of garage	20' x 8' x 2'	= 320
Wastes along south side of access road	60' x 8' x 3'	= 1,440
Apparently inoperable Chevy Suburban	6' x 10' x 5'	= 300
Inoperable refuse hauling truck	6' x 12' x 6'	= 432
Inoperable old pick-up truck	6' x 7' x 5'	= + 210
		3,302

* 3,302 cu. ft. ÷ 27 (conversion factor of cu. ft. to cu. yds.) = 122.29 or 122 cu. yds.

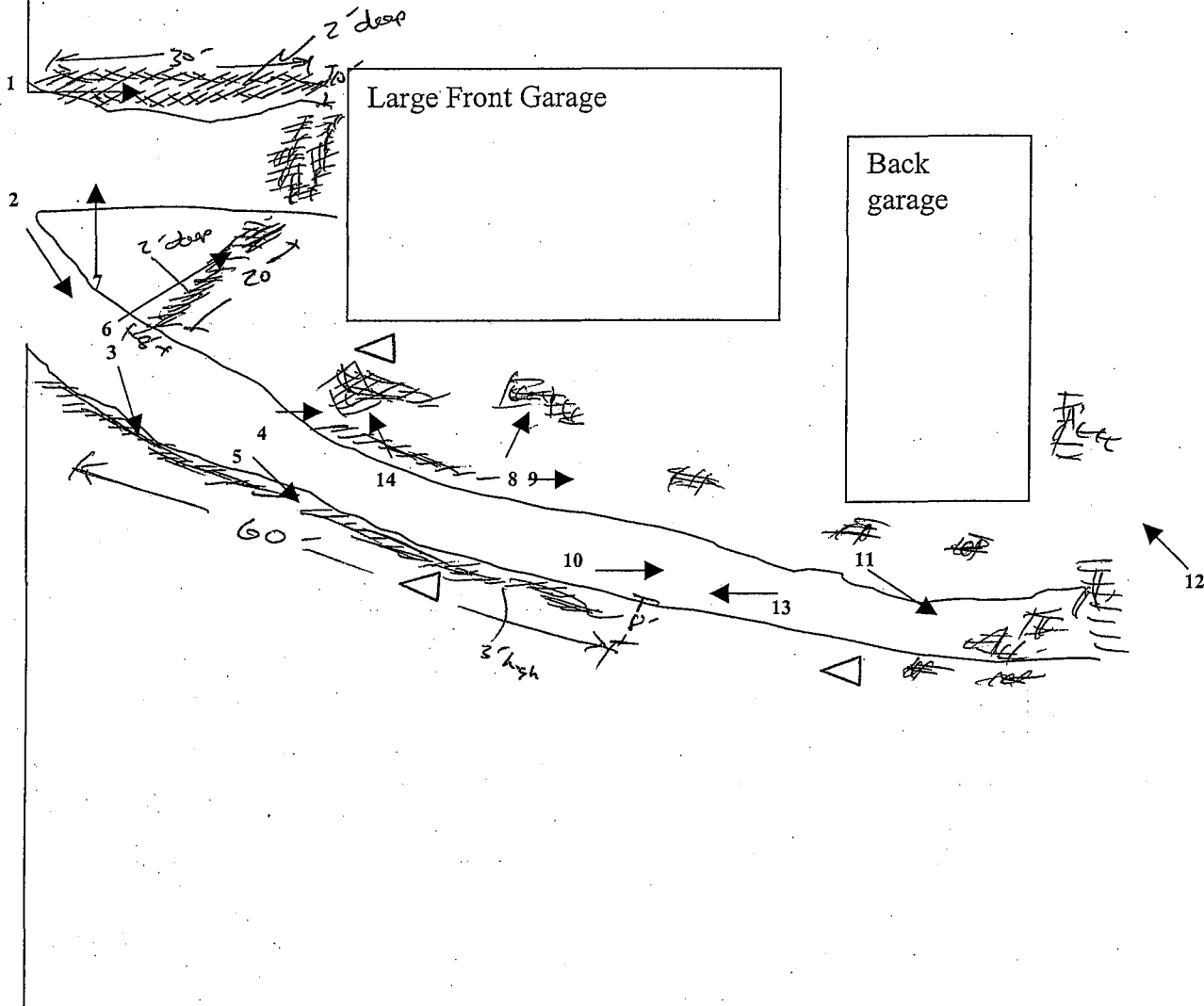
CK

cc: DLPC/FOS – Springfield Region

SITE SKETCH

Site name: Mt. Sterling/Jennings, Donald and Mary County: Brown
LPC #: 0090105031 Date: March 10, 2005
Inspector: Charlie King Time: 9:10 a.m. to 9:35 a.m.

A digital camera was used for the Inspection photos. Distances are approximate – Not drawn to scale



LEGEND

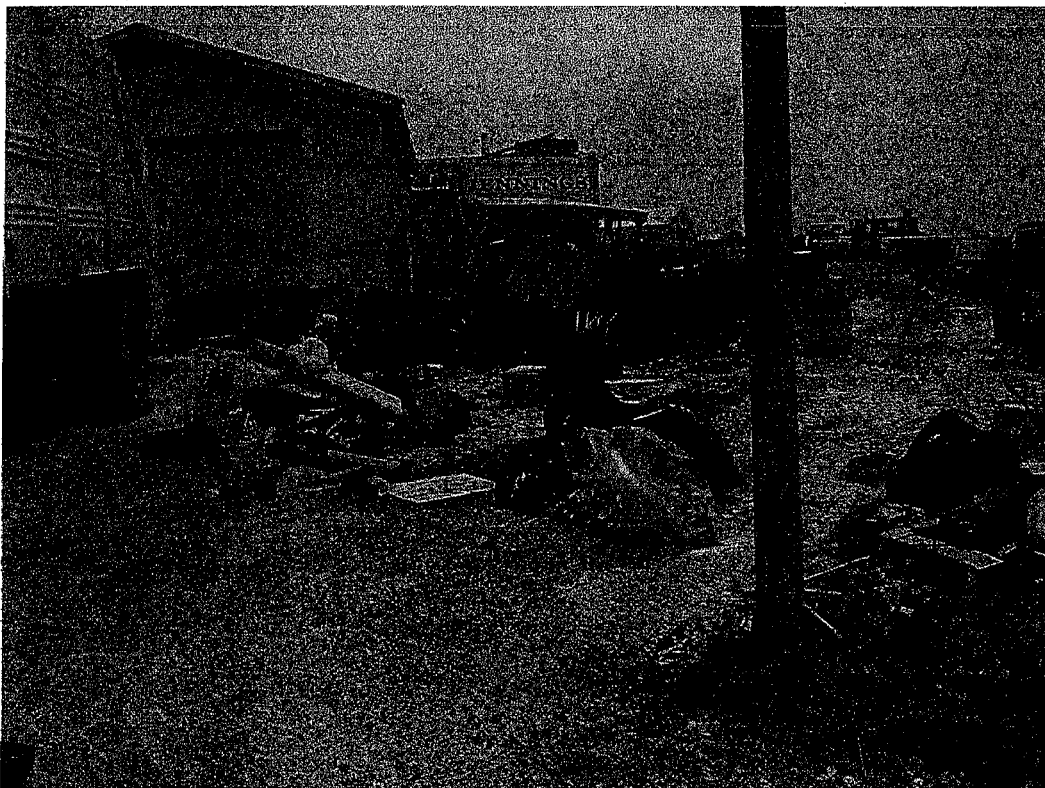
- 2→ - Denotes location and direction of photo.
- △ - Apparent junk vehicle
- /// - Apparent open dumped wastes



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:14 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 001
Comments: Loose wastes on the ground in an area measuring approximately 30' x 10' x 2'.



Date: March 10, 2005
Time: 9:15 a.m.
Direction: E/SE
Photo by: Charlie King
Exposure #: 002
Comments: Bags of cans, metals and plastics can be seen on the ground to the front and south of the front of the garage. This waste area measured approximately 20' x 8' x 2'.

File Names: 0090105031~03102005-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:15 a.m.
Direction: SE
Photo by: Charlie King
Exposure #: 003
Comments: Wastes on the south side of the south access road measured approximately 60' x 8' x 3' and included metals, plastics, glass, a few used tires and wood wastes. An apparently inoperable Chevrolet Suburban can also be seen in this area.

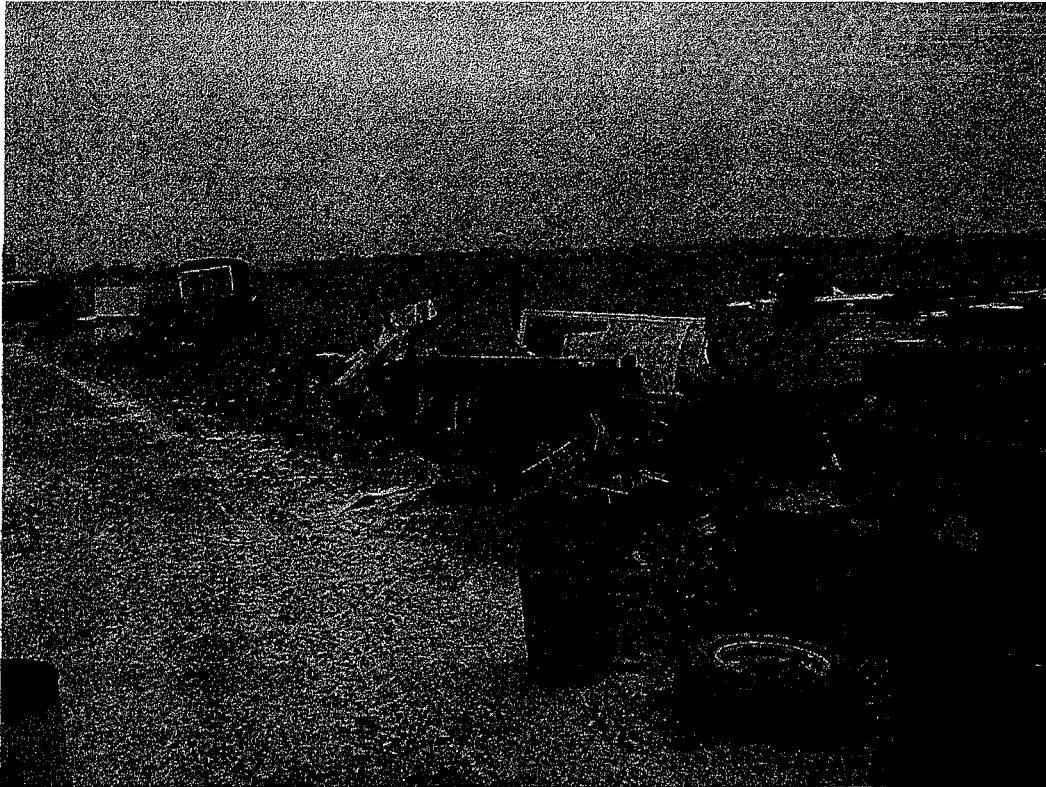


Date: March 10, 2005
Time: 9:15 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 004
Comments: Partial engine blocks, dumpsters, a burn barrel and waste metals, wood and plastics can be seen along the north side of the site access road. The two pick-up trucks in the distant left and center apparently are operable. The junk truck to the right is not. It is unknown if the farm truck in the distance is operable or not.

File Names: 0090105031~03102005-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:15 a.m.
Direction: SE
Photo by: Charlie King
Exposure #: 005
Comments: More of the wastes on the south side of the site access road are shown.



Date: March 10, 2005
Time: 9:16 a.m.
Direction: NE
Photo by: Charlie King
Exposure #: 006
Comments: More of the wastes to the southwest of the garage door are shown.

File Names: 0090105031~03102005-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:16 a.m.
Direction: N
Photo by: Charlie King
Exposure #: 007
Comments: This apparently operable refuse hauling truck has the name, "Mark Jennings, Mt. Sterling, IL," and, "Registered Tire Transporter18522 Expires Oct. 31, 1996."



Date: March 10, 2005
Time: 9:17 a.m.
Direction: NE
Photo by: Charlie King
Exposure #: 008
Comments: Engine blocks shown in photo # 004 are shown again here. Other metals can also be seen, some tarped, some not.

File Names: 0090105031~03102005-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:17 a.m.
Direction: E/NE
Photo by: Charlie King
Exposure #: 009
Comments: A pile of assorted metals and plastics are shown.



Date: March 10, 2005
Time: 9:18 a.m.
Direction: E
Photo by: Charlie King
Exposure #: 010
Comments: More metals, glass and plastics on both sides of the south access road are shown.

File Names: 0090105031~03102005-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:18 a.m.
Direction: SE
Photo by: Charlie King
Exposure #: 011
Comments: Metals,
PVC pipe and wood
wastes are shown.



Date: March 10, 2005
Time: 9:19 a.m.
Direction: NW
Photo by: Charlie King
Exposure #: 012
Comments: An old
Dodge Charger is
shown on a trailer.
Also shown are an
apparently operable
pick-up truck and an
ATV (All-Terrain
Vehicle).

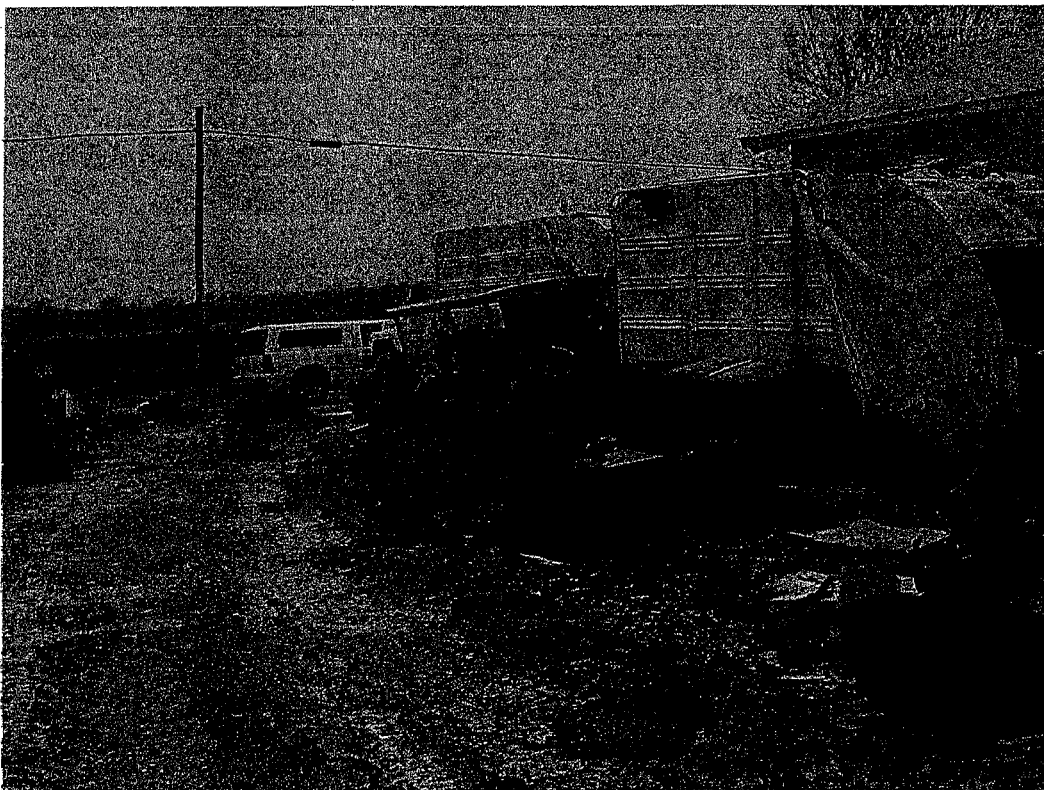
File Names: 0090105031~03102005-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 10, 2005
Time: 9:19 a.m.
Direction: W/SW
Photo by: Charlie King
Exposure #: 013
Comments: Wastes, along the south side of the access road, some on trailers, some on dumpsters and some on the ground, are shown.



Date: March 10, 2005
Time: 9:19 a.m.
Direction: W/NW
Photo by: Charlie King
Exposure #: 014
Comments: Wastes along the north side of the access road shown from another angle.

File Names: 0090105031~03102005-[Exp. #].jpg

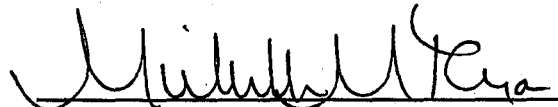
PROOF OF SERVICE

I hereby certify that I did on the 18th day of April 2005, 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: Donald E. and Mary A. Jennings
R.R.4, P.O. Box 31
Mt. Sterling, IL 62353

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