



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

RECEIVED
CLERK'S OFFICE

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3992
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

AUG 26 2004

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

STATE OF ILLINOIS
Pollution Control Board

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

AC05-19

August 24, 2004

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. David and Shelby Hill and N.E. Finch Company
IEPA File No. 359-04-AC; 0570255162—Fulton 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

INFORMATIONAL NOTICE !!!

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.

NOTE: This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at State of Illinois Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL.**

RECEIVED
CLERK'S OFFICE

AUG 26 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DAVID and SHELBY HILL and N.E.)
FINCH COMPANY,)
)
Respondents.)

AC 05-19
(IEPA No. 359-04-AC)

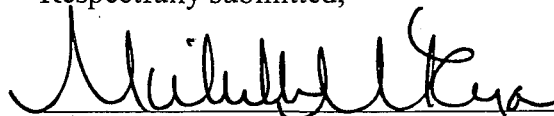
NOTICE OF FILING

To: David and Shelby Hill
20516 E. County Hwy 22
Canton, Illinois 61520

N.E. Finch Co.
Registered Agent: James F. Kane
411 Hamilton, Suite 1711
Peoria, Illinois 61602

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: August 24, 2004

RECEIVED
CLERK'S OFFICE
AUG 26 2004
STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DAVID and SHELBY HILL and N.E. FINCH)
COMPANY,)
)
)
)
Respondents.)

AC 05-19
(IEPA No. 359-04-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 David and Shelby Hill are the present owners and N.E. Finch Company is the operator (collectively "Respondents") of a facility located in St. David, Fulton County, Illinois with a mailing address of 20516 E. County Highway 22, Canton, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Radiator Plus.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0570255162.

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

4. That on June 29, 2004, Robert J. Wagner of the Illinois Environmental Protection Agency's Peoria 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.

VIOLATIONS

Based upon direct observations made by Robert J. Wagner during the course of his June 29, 2004 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 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).

- (2) That Respondents 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) (2002).

- (3) 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) (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 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 September 15, 2004, 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 wcc*
Illinois Environmental Protection Agency

Date: 8/24/04

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

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 359-04-AC)
)	
DAVID and SHELBY HILL and N.E. FINCH)	
COMPANY,)	
)	
)	
Respondents.)	

FACILITY:	Radiator Plus	SITE CODE NO.:	0570255162
COUNTY:	Fulton	CIVIL PENALTY:	\$4,500.00
DATE OF INSPECTION:	June 29, 2004		

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:

)
)
)
)
)
)
)
)
)
)

IEPA DOCKET NO.

RESPONDENT

)

Affiant, Robert J. Wagner, being first duly sworn, voluntarily deposes and states as follows:

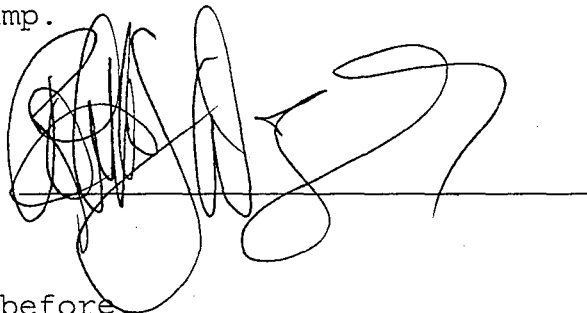
1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On June 29, 2004, between 8:30 a.m. and 9:00 a.m., Affiant conducted an inspection of the open dump in Fulton County, Illinois, known as Radiator Plus, Illinois Environmental Protection Agency Site No. 0570255162.

3. Affiant inspected said Radiator Plus open dumpsite by an on-site inspection, which included walking the site and photographing the site.

4. As a result of the activities referred to in Paragraphs 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

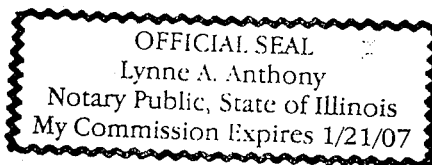
Affiant's observations and factual conclusions with respect to
Trust Number One open dump.

A large, stylized handwritten signature in black ink, written over a horizontal line.

Subscribed and Sworn to before

me this 15 day of July 2004

Lynne A. Anthony
Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Fulton LPC#: 0570255162 Region: 3 - Peoria
 Location/Site Name: Canton / Radiator Plus
 Date: 06/29/2004 Time: From 8:30 AM To 9:00 AM Previous Inspection Date: _____
 Inspector(s): Robert J. Wagner Weather: Sunny, Dry, 75°F
 No. of Photos Taken: # 20 Est. Amt. of Waste: 1500 yds³ Samples Taken: Yes # _____ No
 Interviewed: David Hill Complaint #: C-2004-081-P

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

David & Shelby Hill
 D/b/a Radiator Plus
 20516 E. County Hwy 22
 Canton, Il. 61520
 (309) 668-2923

 Canton Industrial Corporation
 Fulton County Trustee
 % Stephen P. Schrimpf
 P.O. Box 96
 Edwardsville, Il. 62025

N.E. Finch Co.
 Registered Agent: James F. Kane
 411 Hamilton
 Suite 1711
 Peoria, Il. 61602

 City Of Canton
 Mayor Jerry Bohler
 210 E. Chestnut St.
 Canton, Il. 61520
 (309) 647-0065

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" 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 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 checked="" 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 # 0570255162

Inspection Date: 06/29/2004

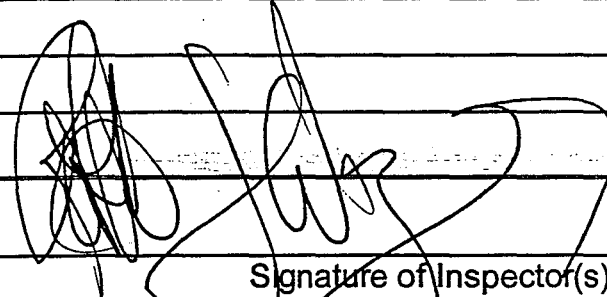
	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any 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"/>
			<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.

Narrative

On June 29, 2004, this author (Robert J. Wagner) inspected a property owned by David & Shelby Hill (see attached property deed). The property is located at 20516 E. County Highway 22, Canton, Illinois. Radiator Plus is the name of the radiator shop located on the property which is operated by Mr. Hill. The inspection was a result of a citizen's complaint (C-2004-081-P).

The complainant alleged that iron, brick and mortar were being dumped in a hollow behind David Hills radiator shop in St. David, Illinois. According to the complainant, N.E. Finch was dumping the material. The material was generated at the old International Harvester Plant in Canton, Illinois. The complainant has witnessed truckloads of material going to the property.

This author arrived at the property at 8:30 AM. David Hill met this author. This author identified himself to Mr. Hill and explained the purpose of the visit. Mr. Hill gave this author permission to walk and photograph the property.

This author observed bricks, metal debris, electrical conduit, processed wood, tires, and rebar dumped in a depression on the property. Photographs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19 and 20 show the area. Evidence indicates that open burning had taken place on the property. Photographs 17 and 18 show the charred remains of processed wood and dry wall (see site sketch). Mr. Hill has been allowing N.E. Finch to bring in demolition debris from the old International Harvester Plant in Canton, Illinois and dump it into a depression on his property. He has not charge N.E. Finch a tipping fee. He just wanted to fill in a 30-foot depression on his property. He estimates that N.E. Finch dump 250 - 300 semi truck loads in the depression. N.E. Finch assured him that this was a legal activity. Mr. Hill called Mr. Sean Strader, Project Manager for N.E. Finch, while this author was at the site. This author spoke to Mr. Strader about the demolition debris that had been dumped in the depression. Mr. Strader said that he had visited the property on several occasions and had not seen any problems with the demolition debris being dumped in the depression. He did state to this author that he might have seen "a little bit of metal" mixed in with the bricks.

According to Mr. Strader, the demolition debris came from razing some of the buildings at the old International Harvester Plant in Canton, Illinois. N.E. Finch was hired by the City Of Canton to do the demolition work at the site. According to the contract all, the demolition materials were to be taken to an EPA-approved landfill.

According to the property deed the old International Harvester Plant is owned by the defunct Canton Industrial Corporation. The trustee to the Canton Industrial Corporation is Fulton County. According to Mr. Cliff O'Brien, Cantons Public Works Director, there is an intergovernmental agreement between the City of Canton and Fulton County for ownership of the Canton Industrial Corporation property. This agreement is fairly new and may not have been entered into the county record as of the date of this inspection.

The following alleged violations were observed and indicated on the open dump inspection checklist:

1. Pursuant to Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)), no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

A violation of Section 9(a) is alleged for the following reason: **Evidence of open burning which would cause or tend to cause air pollution in Illinois was observed during the inspection.**

2. Pursuant to Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)), no person shall cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act.

A violation of Section 9(c) is alleged for the following reason: **Evidence of open burning was observed during the inspection.**

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) is alleged for the following reason: **Evidence of open dumping of waste was observed during the inspection.**

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: **Waste was disposed without a permit granted by the Illinois EPA.**

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: **A waste disposal operation was conducted in violation of regulations adopted by the Illinois Pollution Control Board.**

6. 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) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in litter.**

7. Pursuant to Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)), 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)(3) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in open burning.**

8. Pursuant to Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)), no person shall cause or allow the open dumping of waste in a manner that results in deposition of (i) general construction or demolition demolition debris as defined in Section 3.160(a) of this Act; or (ii) clean construction or demolition demolition debris as defined in Section 3.160(b) of this Act.

A violation of Section 21(p)(7) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in deposition of general or clean construction or demolition demolition debris.**

9. Pursuant to Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)), no person shall cause or allow the open dumping of any used or waste tire.

A violation of Section 55(a)(1) is alleged for the following reason: **Evidence of open dumping of used or waste tires was observed during the inspection.**

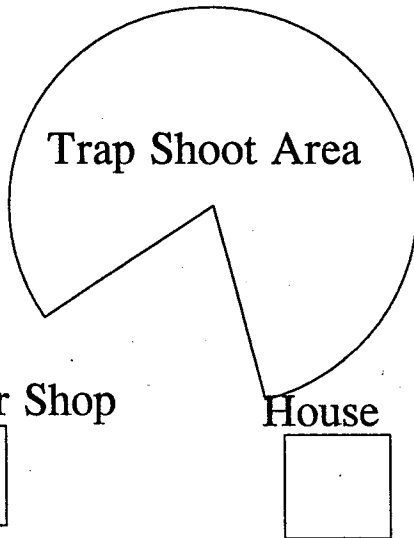
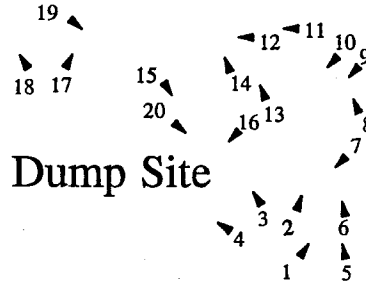
10. Pursuant to 35 Ill. Adm. Code 812.101(a), all persons, except those specifically exempted by Section 21(d) of the {Illinois} Environmental Protection Act, shall submit to the Agency an application for a permit to develop and operate a landfill.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: **A waste disposal site was operated without submitting to the Illinois EPA an application for a permit to develop and operate a landfill.**

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
SITE SKETCH

DATE OF INSPECTION: 06/29/04
SITE CODE: 0570255162
SITE NAME: Radiator Plus

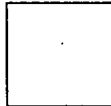
INSPECTOR(S): Robert J. Wagner
COUNTY: Fulton
TIME: 8:30 AM to 9:00 AM



Radiator Shop



House



County Highway 22

Drawing Not To Scale

190° 05'

1.5 mi

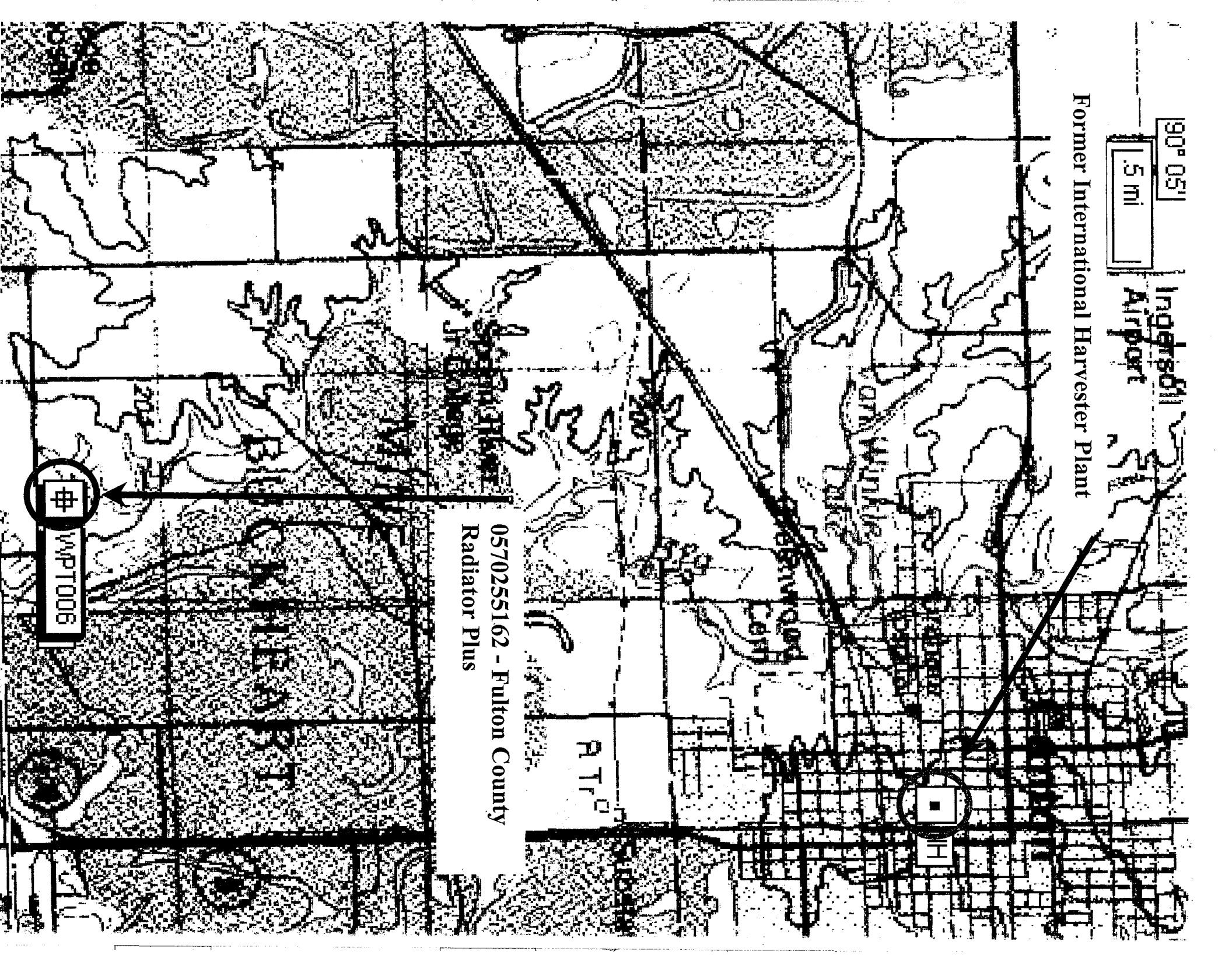
Ingersoll
Airport

Former International Harvester Plant

0570255162 - Fulton County
Radiator Plus

RT 1

WPT006



An aerial photograph showing a large, irregularly shaped area labeled "DUMP". A large circle is drawn around a portion of the dump site. An arrow points from the bottom of the circle down to a specific location on a road or path. The image is high-contrast and grainy.

DUMP

0570255162 - Fulton County
Radiator Plus

**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:36 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
0570255162~06292004-001.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:36 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
0570255162~06292004-002.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:37 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
0570255162~06292004-003.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:37 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
0570255162~06292004-004.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:37 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
0570255162~06292004-005.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:37 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
0570255162~06292004-006.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:38 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
0570255162~06292004-007.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:38 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
0570255162~06292004-008.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

**Site Photographs
Page 5 of 10**

DATE: June 29, 2004

TIME: 8:39 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:
0570255162~06292004-009.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:39 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:
0570255162~06292004-010.jpg

COMMENTS:



DOCUMENT FILE NAME:
0570255162~06292004.doc

**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:39 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
0570255162~06292004-011.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:40 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
0570255162~06292004-012.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:41 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
0570255162~06292004-013.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:41 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:
0570255162~06292004-014.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:41 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:
0570255162~06292004-015.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:41 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 16

PHOTOGRAPH FILE NAME:
0570255162~06292004-016.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:42 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 17

PHOTOGRAPH FILE NAME:
0570255162~06292004-017.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:42 AM

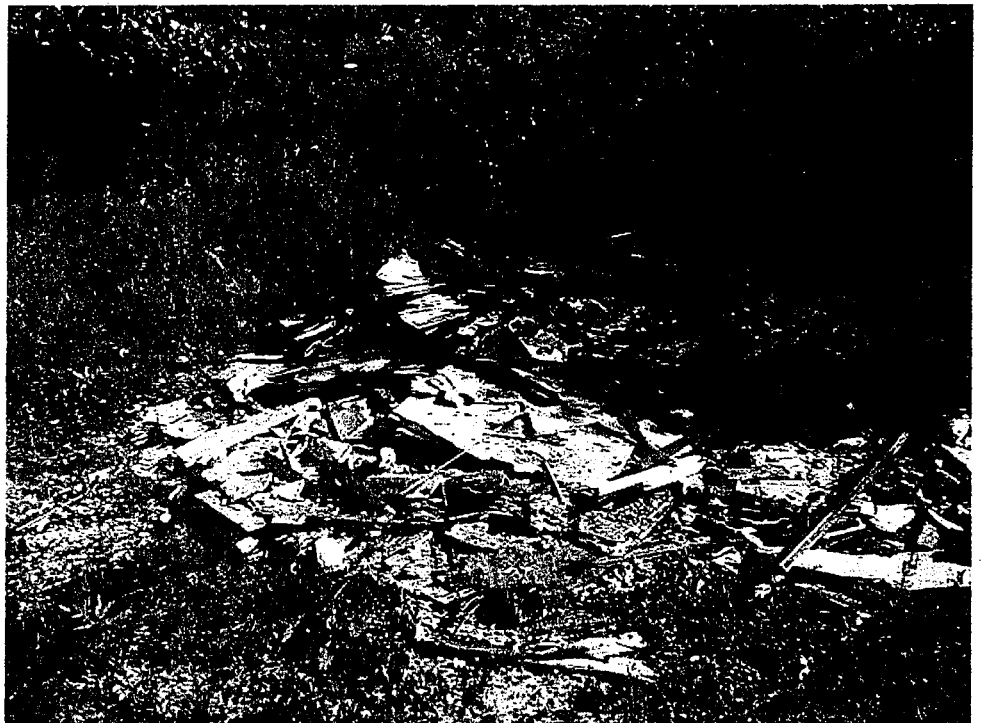
PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 18

PHOTOGRAPH FILE NAME:
0570255162~06292004-018.jpg

COMMENTS:



**0570255162 - Fulton County
Radiator Plus
FOS File**

DATE: June 29, 2004

TIME: 8:42 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 19

PHOTOGRAPH FILE NAME:
0570255162~06292004-019.jpg

COMMENTS:



DATE: June 29, 2004

TIME: 8:43 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 20

PHOTOGRAPH FILE NAME:
0570255162~06292004-020.jpg

COMMENTS:



PROOF OF SERVICE


I hereby certify that I did on the 24th day of August 2004, 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: David and Shelby Hill
20516 E. County Hwy 22
Canton, Illinois 61520

N.E. Finch Co.
Registered Agent: James F. Kane
411 Hamilton, Suite 1711
Peoria, Illinois 61602

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