



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829  
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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

RECEIVED  
CLERK'S OFFICE  
MAY 10 2010  
STATE OF ILLINOIS  
Pollution Control Board

May 4, 2010

John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

AC10-24  
ORIGINAL

Re: Illinois Environmental Protection Agency v. Steve Danielson  
IEPA File No. 151-10-AC; 0118240001—Bureau County

Dear Mr. Therriault:

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

ADMINISTRATIVE CITATION

RECEIVED  
CLERK'S OFFICE

MAY 10 2010

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
STEVE DANIELSON, )  
 )  
Respondent. )

AC 10-24  
(IEPA No. 151-10-AC)

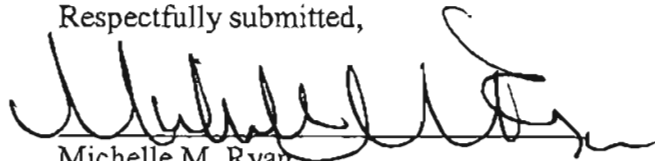
NOTICE OF FILING

ORIGINAL

To: Steven Danielson  
13912 1675 East Street  
Princeton, IL 61356

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  
Assistant Counsel

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

Dated: May 4, 2010

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

MAY 10 2010

STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, ) )  
) )  
v. ) )  
) )  
STEVE DANIELSON, ) )  
) )  
) )  
) )  
) )  
Respondent. ) )

AC *10-24*  
(IEPA No. 151-10-AC)

ORIGINAL

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 (2008).

FACTS

1. That Steve Danielson is the current owner ("Respondent") of a facility located at 13912 1675 East Street, Princeton, Bureau County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Wyanet Township/Danielson.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0118240001.
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on April 6, 2010, Donna Shehane of the Illinois Environmental Protection Agency's ("Illinois EPA") Rockford Regional Office inspected the above-described facility. A copy of her inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on May 4, 2010 Illinois EPA sent this Administrative Citation via Certified Mail No. 7008 1830 0001 4720 7905.

#### VIOLATIONS

Based upon direct observations made by Donna Shehane during the course of her April 6, 2010 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) (2008).

#### CIVIL PENALTY

On January 22, 2009, the Board found Steve Danielson in violation of Section 21(p)(1) of the Act in AC 09-27.

Because this Administrative Citation addresses a second or subsequent violation of Section 21(p)(1) of the Act, pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2008), Respondent is subject to a civil penalty of Three Thousand Dollars (\$3,000.00) for each violation, 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 June 30, 2010, 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 (2008), 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) (2008), 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 (2008). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 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.

Douglas P. Scott Date: 5/4/10  
Douglas P. Scott, Director by G. King  
Illinois Environmental Protection Agency

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

RECEIVED  
CLERK'S OFFICE  
MAY 10 2010  
STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
STEVE DANIELSON, )  
 )  
 )  
 )  
Respondent. )

AC 10-24  
(IEPA No. 151-08-AC)

ORIGINAL

FACILITY: Wyanet Township/Danielson

SITE CODE NO.: 0118240001

COUNTY: Bureau

CIVIL PENALTY: \$3,000.00

DATE OF INSPECTION: April 6, 2010

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: )  
 )  
 Steve Danielson )  
 )  
 Respondent )

IEPA DOCKET NO.

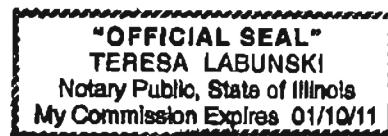
Affiant, Donna Shehane, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On April 6, 2010 between 12:15 p.m. and 12:30 p.m., Affiant conducted an inspection of an open dump, located in Bureau County, Illinois and known as Steven Danielson Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number BOL# 0118240001 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the inspection Report 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 open dump.

Donna Shehane  
Donna Shehane EPS III

Subscribed and Sworn to Before Me  
this 22 day of April, 2010

Teresa Labunski  
Notary Public







LPC # 0118240001

Inspection Date: 04/06/2010

	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input type="checkbox"/>
9.	55(a)	<b>NO PERSON SHALL:</b>	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
10.	812.101(a)	<b>FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL</b>	<input checked="" type="checkbox"/>
11.	722.111	<b>HAZARDOUS WASTE DETERMINATION</b>	<input type="checkbox"/>
12.	808.121	<b>SPECIAL WASTE DETERMINATION</b>	<input type="checkbox"/>
13.	809.302(a)	<b>ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST</b>	<input type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
14.		<b>APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:</b>	<input type="checkbox"/>
15.	<b>OTHER:</b>		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

**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.

0118240001 – Bureau County  
Wyanet Township/Steve Danielson

NARRATIVE INSPECTION REPORT DOCUMENT

On April 6, 2010 I (Donna Shehane) conducted an inspection at 13912 1675 East Street in Princeton, Illinois to monitor the cleanup of the property. The weather at the time of this inspection was 75 °F with WSW winds at 21 mph.

The property owner (Mr. Danielson) had received the initial Administrative Citation Warning Notice for an April 14, 2008 inspection. After several deadline extensions, an Administrative Citation in the amount of \$1500.00 was issued for an October 16, 2008 inspection. Mr. Danielson paid this fine.

A new cleanup deadline was given of April 17, 2009. Substantial progress was observed during the May 18, 2009 inspection so a clean up deadline extension was again granted to July 6, 2009. On July 6, 2009 I reinspected the site and found additional progress had been made so an extension was granted to September 18, 2009. On September 30, 2009 an inspection was conducted which verified additional cleanup progress. An extension to December 1, 2009 was granted. A December 18, 2009 inspection was conducted and a final extension deadline of February 28, 2010 was granted.

I arrived on site at approximately 12:15 pm and met with Mr. Danielson. The inspection began on the east side of 1675 East Road. Photo # 1, taken to the east, shows remaining bags of waste to be disposed of. Photo # 2 reveals the dumpster still on site with bags of waste inside and on the ground surrounding the dumpster. Photo # 3 depicts metal debris strewn on the ground. Photo # 4 was taken of more bags of waste on the ground. Photo # 5 reveals partially opened bags of waste, including food containers, beverage containers, papers, and plastics.

Photos # 6 and # 7 were taken of remaining bags of waste and litter located inside a barn. Photo # 8 was taken to the southeast of bags of household waste strewn on the property, including food items and containers.

I left the site at approximately 12:30 pm. The Steve Danielson property was found to remain in apparent violation of the following during this inspection after approximately two years since my first inspection:

1. Section 21(a) of the Act: Cause Or Allow Open Dumping.
2. Section 21(d)(1) of the Act: Conduct Any Waste-Storage, Waste-Treatment, Or Waste-Disposal Operation: Without A Permit
3. Section 21(d)(2) of the Act: Conduct Any Waste-Storage, Waste-Treatment, Or Waste-Disposal Operation: In Violation of Any Regulations or Standards Adopted by the Board.

4. Section 21(e) of the Act: Dispose, Treat, Store, Or Abandon Any Waste, Or Transport Any Waste Into the State At/To Sites Not Meeting Requirements of the Act.
5. Sections 21(p)(1) of the Act: 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
6. Section 812.101(a) of the 35 Illinois Administrative Code Requirements Subtitle G: Failure To Submit An Application For A Permit To Develop And Operate A Landfill.

END NARRATIVE BY DONNA SHEHANE

STATE OF ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY  
SITE SKETCH

Date of Inspection: 04/06/10  
BOL ID No.: 0118240001  
Site Name: Steve Danielson

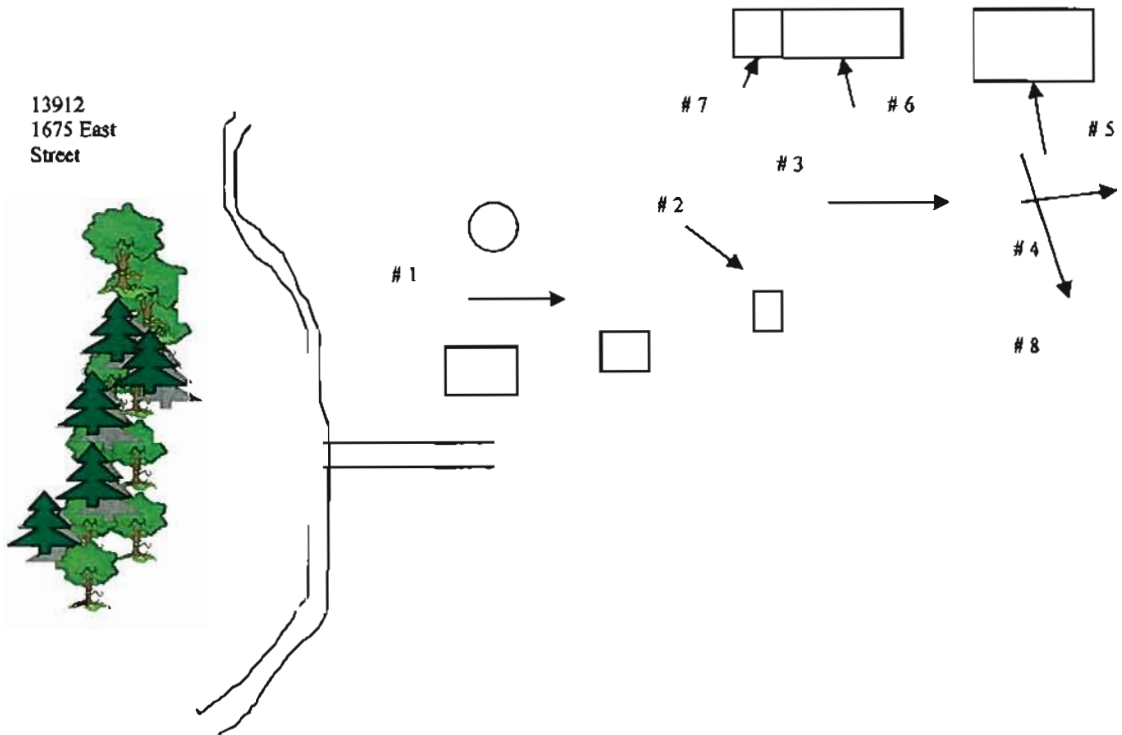
Inspector(s): Shehane  
County: Bureau  
Time: 12:15 pm to 12:30 pm

Measurements Approximate

Not To Scale  
North



Direction of Photo ↙





## DIGITAL PHOTOGRAPHS

File Names: 0118240001~040610



Date: 04/06/2010  
Time: 12:21 pm  
Direction: E  
Photo by: Shehane  
Exposure #: 001  
Comments: bagged  
refuse and waste  
on the property

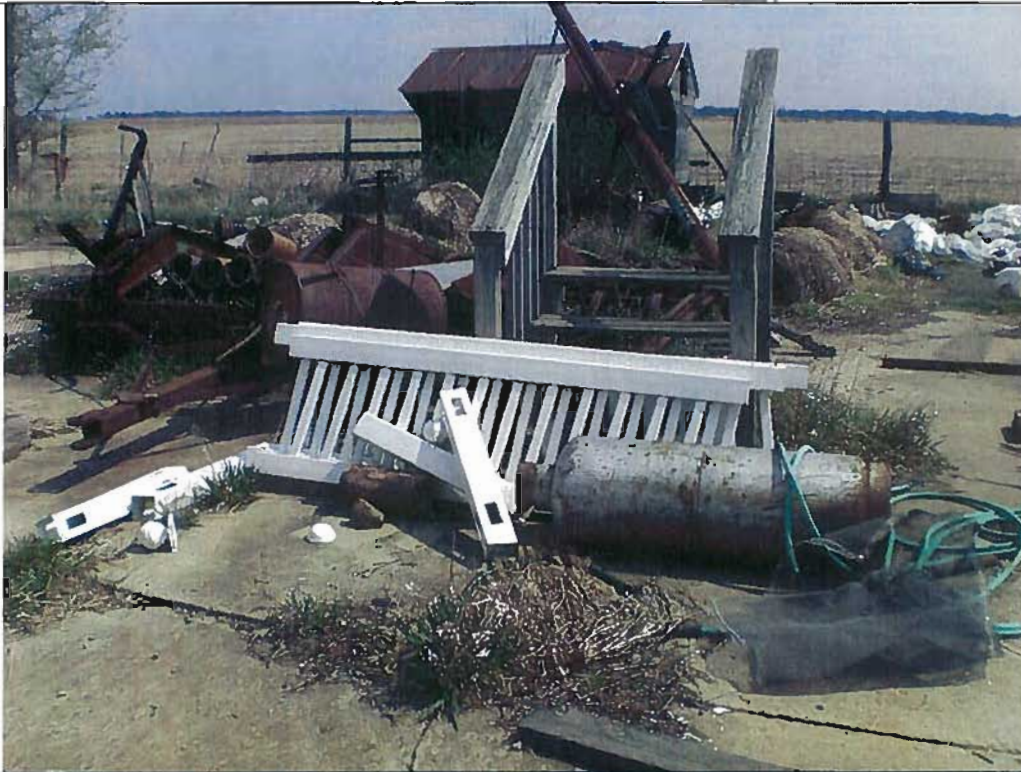


Date: 04/06/2010  
Time: 12:22 pm  
Direction: SE  
Exposure #: 002  
Comments:  
dumpster full of  
refuse and waste  
bags



## DIGITAL PHOTOGRAPHS

File Names: 0118240001~040610



Date: 04/06/2010  
Time: 12:24 pm  
Direction: E  
Photo by: Shehane  
Exposure #: 003  
Comments: litter and  
metal debris



Date: 04/06/2010  
Time: 12:24 pm  
Direction: E  
Photo by: Shehane  
Exposure #: 004  
Comments: bags of  
household waste  
including food  
containers strewn on  
the site



*DIGITAL PHOTOGRAPHS*

File Names: 0118240001~040610



Date: 04/06/2010  
Time: 12:24 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 005  
Comments: household waste including food containers, beverage containers, paper strewn on the property



Date: 04/06/2010  
Time: 12:25 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 006  
Comments: bags of refuse and waste remaining





Illinois Environmental Protection Agency  
Bureau of Land  
Division of Land Pollution Control

0118240001 — Bureau County  
Wyanet Township/Steve Danielson  
FOS File

*DIGITAL PHOTOGRAPHS*

File Names: 0118240001~040610



Date: 04/06/2010  
Time: 12:25 pm  
Direction: N  
Photo by: Shehane  
Exposure #: 007  
Comments: litter and  
bags of waste



Date: 04/06/2010  
Time: 12:26 pm  
Direction: SE  
Photo by: Shehane  
Exposure #: 008  
Comments: bags of  
household waste  
including paper,  
plastic, food  
containers littering  
the property

RECEIVED  
CLERK'S OFFICE

MAY 10 2010

STATE OF ILLINOIS  
Pollution Control Board

**PROOF OF SERVICE**

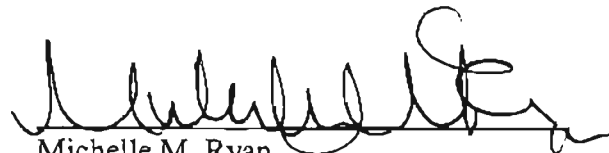
I hereby certify that I did on the 4th day of May, 2010, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Steven Danielson  
13912 1675 East Street  
Princeton, IL 61356

ORIGINAL

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



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

THIS FILING SUBMITTED ON RECYCLED PAPER