

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 FRANCES KLINK, )  
 )  
 Respondent. )

AC 10 - 30

RECEIVED  
CLERK OFFICE  
JUN 09 2010  
STATE OF ILLINOIS  
Pollution Control Board

NOTICE OF FILING

To: Frances Klink, 81 Our Lane, Murphysboro, Illinois 62966

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board the Complaint for Administrative Citation, a copy of which is herewith served upon you.



Daniel Brenner  
Assistant State's Attorney  
Jackson County Courthouse, 3<sup>rd</sup> Floor  
Murphysboro, IL 62966  
618-687-7200

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON, )  
 )  
 Complainant, )  
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 v. )  
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 FRANCES KLINK, )  
 )  
 Respondent. )

AC 10 - 30

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STATE OF ILLINOIS  
Pollution Control Board

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the County of Jackson.



Daniel Brenner  
Assistant State's Attorney  
Jackson County Courthouse, 3<sup>rd</sup> Floor  
Murphysboro, IL 62966  
618-687-7200

RECEIVED  
CLERK'S OFFICE  
JUN 09 2010  
STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

COUNTY OF JACKSON, )  
)  
Complainant, )  
)  
v. ) AC10 - 30  
) Site Code: 0778145040  
FRANCES KLINK, )  
)  
Respondent. )

**JURISDICTION**

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/1 *et. seq.*, specifically 415 ILCS 5/31.1.

**FACTS**

1. The Respondent, Frances Klink, is the present owner and occupant and in control and possession of a facility located in the County of Jackson, State of Illinois.

2. The facility is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with the Site Code # 0778145040. The facility is known to the Agency as the Murphysboro/Frances Klink site.

3. The Respondent has owned, occupied, controlled and/or operated the facility at all relevant times hereto.

4. On May 11, 2010, Don Terry, Field Inspector, Jackson County Health Department, inspected the facility. A true and correct copy of the inspection report, along with Mr. Terry's affidavit, are attached and incorporated herein by reference as Exhibit A.

## VIOLATIONS

On the basis of Field Inspector, Don Terry's, direct observation, he has determined that the Respondent has caused or allowed open dumping at the above described facility in a manner that resulted in the following violations:

That on May 11, 2010, an on-site inspection of the facility disclosed the following:

1. The Respondent has caused or allowed litter at the facility in violation of 415 ILCS 5/21(p)(1).
2. The Respondent has caused or allowed open burning at the facility in violation of 415 ILCS 5/21(p)(3).
3. The Respondent has caused or allowed the deposition of general construction or demolition debris; or clean construction or demolition debris at the facility in violation of 415 ILCS 5/21(p)(7).

## CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5), 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 Four Thousand Five Hundred Dollars (\$4,500.00). 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 August 1, 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 (2006), 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 Fifteen Hundred Dollars (\$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), if Respondent fails 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, checks shall be made payable in equal amounts (50% of total penalty each) to:

- (1) County of Jackson, c/o Jackson County Treasurer, Jackson County Courthouse, Murphysboro, Illinois 62966; and
- (2) 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.

Respondent shall complete and return the enclosed Remittance Forms with payments 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 Complainant may either initiate proceedings against Respondent in Circuit Court or other debt collection actions to collect said penalty and/or hearing costs, plus any interest accrued.

### **PROCEDURE FOR CONTESTING ADMINISTRATIVE CITATION**

You have the right to contest this Citation, pursuant to 415 ILCS 5/31.1. If you elect to contest this Citation, you must file a Petition For Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition For Review shall also be filed with Daniel Brenner, Assistant State's Attorney, Jackson County Courthouse, Third Floor, Murphysboro, Il 62966. **YOUR PETITION FOR REVIEW MUST BE FILED WITHIN 35 DAYS OF THE DATE OF SERVICE OF THE PRESENT CITATION ON YOU. YOUR PETITION MUST STATE THE REASON(S) YOU BELIEVE THE PRESENT MATTER SHOULD NOT BE ISSUED. IF YOU FAIL TO FILE YOUR PETITION AND STATE THE REASONS THE PRESENT MATER SHOULD NOT BE ISSUED, A DEFAULT ORDER AGAINST YOU WILL BE ENTERED BY THE POLLUTION CONTROL BOARD.**

Your original Petition must be filed with the Clerk of the Board at:

Clerk  
Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601-3218

A copy must also be sent to:

Office of the State's Attorney  
Daniel Brenner  
Assistant State's Attorney  
Jackson County Courthouse, 3<sup>rd</sup> Floor  
Murphysboro, IL 62966

DATED: JUNE 4, 2010

A handwritten signature in blue ink, appearing to read "Daniel Brenner", written over a horizontal line.

Daniel Brenner  
Assistant State's Attorney

**REMITTANCE FORM TO COUNTY OF JACKSON**

COUNTY OF JACKSON, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 FRANCES KLINK, )  
 )  
 Respondent. )

AC10 -  
Site Code: 0778145040

FACILITY: Murphysboro/Frances Klink Site  
COUNTY: JACKSON  
DATE OF INSPECTION: May 11, 2010  
SITE CODE: 0778145040

Date Remitted: \_\_\_\_\_, 2010

SS/FEIN # \_\_\_\_\_

Signature \_\_\_\_\_

**NOTE**

Please include the information on the blank lines. Mail this form with your check to:

Shirley Dillinger Booker  
Jackson County Treasurer  
Jackson County Courthouse  
Murphysboro, Illinois, 62966



**REMITTANCE FORM TO ILLINOIS EPA**

COUNTY OF JACKSON, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 FRANCES KLINK, )  
 )  
 Respondent. )

AC10 -  
Site Code: 0778145040

FACILITY: Murphysboro/Frances Klink Site  
COUNTY: JACKSON  
DATE OF INSPECTION: May 11, 2010  
SITE CODE: 0778145040

Date Remitted: \_\_\_\_\_, 2010

SS/FEIN # \_\_\_\_\_

Signature \_\_\_\_\_

**NOTE**

Please enter the date of your remittance, social security number, if an individual, or Federal Employer Identification Number (FEIN) if a corporation, and sign the remittance form. Be sure the appropriate check is enclosed and mail, along with this remittance form, to Illinois Environmental Protection Agency, Attn: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

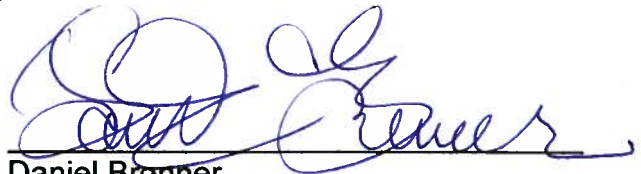
**PROOF OF SERVICE**

I hereby certify that I did on the 4 day of June 2010, send by Certified Mail, Return Receipt Requested, with postage thereon fully repaid, by depositing in a United States Post Office Box a true and correct copy of the following instruments entitled: ADMINISTRATIVE CITATION, AFFIDAVITS, OPEN DUMP INSPECTION CHECKLIST, OPEN DUMP NARRATIVE, SITE SKETCH AND DIGITAL PHOTO SHEETS

To: Frances Klink  
81 Our Lane  
Murphsyboro, Illinois 62966

And the original and nine (9) copies of the same instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

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



Daniel Brenner  
Assistant State's Attorney  
County of Jackson, Illinois

# JACKSON COUNTY HEALTH DEPARTMENT

## AFFIDAVIT

### IN THE MATTER OF:

**077 814 5040 / Jackson County  
Murphysboro / Frances Klink  
COMPLIANCE FILE**

Respondent.

Affiant, Don Terry, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is an Environmental Compliance Inspector employed by Jackson County Health Department and has been so employed at all times pertinent hereto.
2. On May 11, 2010, between the hours of 11:10 a.m. and 11:33 a.m., Affiant conducted an inspection of the open dump site known as Murphysboro / Frances Klink, Jackson County, Illinois.
3. Affiant inspected said open dump site by an on-site inspection.
4. As a result of the activities referred to in Paragraphs 2 and 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 Frances Klink, Murphysboro, Illinois, open dump site.

  
\_\_\_\_\_  
Don Terry  
Environmental Compliance Inspector

Subscribed and Sworn To before me  
this 12 day of May, 2010

  
\_\_\_\_\_  
Notary Public



**EXHIBIT**

A

# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Open Dump Inspection Checklist

County: Jackson      LPC#: 077 814 5040      Region: 7 - Marion  
 Location/Site Name: Murphysboro / Frances Klink  
 Date: 05/11/2010    Time: From 11:10 am To 11:33 am    Previous Inspection Date: 11/10/2005  
 Inspector(s): Don Terry      Weather: 78°F - Cloudy with moderate winds  
 No. of Photos Taken: # 37    Est. Amt. of Waste: 400 yds<sup>3</sup>    Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: no one      Complaint #: JCHD 2010-073 & IEPA 10-014  
 Latitude: 37.78919    Longitude: -89.35225    Collection Point Description: Other -  
 (Example: Lat.: 41.26493      Long.: -89.38294)    Collection Method: Map Interpolation -

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

**\*\*OWNER\*\***  
 Ms. Frances Klink  
 81 Our Lane  
 Murphysboro, IL 62966

	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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 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 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 # 077 814 5040

Inspection Date: 05/11/2010

	(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 checked="" type="checkbox"/>
9.	55(a)	<b>NO PERSON SHALL:</b>	
	(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"/>
10.	55(k)	<b>NO PERSON SHALL:</b>	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
11.	812.101(a)	<b>FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL</b>	<input checked="" type="checkbox"/>
12.	722.111	<b>HAZARDOUS WASTE DETERMINATION</b>	<input type="checkbox"/>
13.	808.121	<b>SPECIAL WASTE DETERMINATION</b>	<input type="checkbox"/>
14.	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"/>
15.	815.201	<b>FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.</b>	<input type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
16.		<b>APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:</b>	<input type="checkbox"/>
17.	OTHER:	807.201 Developmental Permit & 807.202 Operational Permit	<input checked="" 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 and subsection (k) of Section 55 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.

## ***Inspection Report Document: Open Dump Site Narrative***

**Date of Inspection:** May 11, 2010

**Time:** 11:10 a.m. – 11:33 a.m.

**Site Code:** 077 814 5040

**Site Name:** Murphysboro / Frances Klink

**County:** Jackson

**Inspector:** Don Terry

**Est. Waste Volume:** 400 cubic yards

**Previous Inspection:** 11/10/2005

**Location:** Lat 37.78919 Long -89.35225

### **GENERAL REMARKS**

During the stated date and time, I conducted an inspection of the site listed above. This inspection was made as a follow up to a complaint received by the Jackson County Health Department in which the complainant stated that the open dumping of waste was occurring at this site. Weather conditions at the time of the inspection were: Cloudy with calm winds and a temperature of approximately 78°F. I was accompanied on this inspection by Henry Mulder of the Jackson County Health Department.

According to records at the Jackson County Assessor's Office, the site is owned by Frances Klink of 81 Our Lane in Murphysboro, IL.

I arrived at the site and drove west on Our Lane, traveling to the Klink residence (**Site Sketch-R1**). As I was driving on Our Lane I observed open dumped waste in the area labeled "D" on the site sketch. I parked the vehicle on the driveway, just north of a shed labeled "S1" on the site sketch. From this location I observed waste open dumped near this shed (**Photo #1, Site Sketch-S1**). Also from this location, I observed more waste open dumped to the northeast (**Photo #2, Site Sketch-Area D**). Mr. Mulder and I walked to the Klink residence to determine if Ms. Klink was home. Near the residence, I observed waste open dumped on the east side of the structure (**Photo #3, Site Sketch-R1**) and on the north side of the structure (**Photo #4, Site Sketch-R1**).

The waste shown in Photos #1 - #4 includes, but is not limited to: metal containers, scrap metal, plastic lawn furniture, plastic items, dimensional lumber, particle board, an abandoned riding lawn mower, a torn plastic tarpaulin and electrical wiring (**Photos #1 - #4, Site Sketch-Areas A & D**).

Mr. Mulder knocked on the front door several times with no one answering. I walked to a location west of the Klink residence (R1 on site sketch), and observed large amounts of open dumped waste (**Photos #5 - #20, Site Sketch-Areas A & B**). The waste in these areas included, but was not limited to: wooden furniture, metal furniture, outdoor grills, cloth cushions, plastic containers, scrap metal, dimensional lumber, plastic items, waste tires, lawn mowers, metal containers, garden hoses, electrical devices, aerosol cans, toilets, bath tubs, metal doors, metal bed springs, a suitcase, four abandoned vehicles, vehicle parts, railroad ties, metal roofing sections, metal above-ground fuel storage tanks, a demolished mobile home, carpeting, bicycles, paper, cardboard, cloth covered furniture, foam padding, gypsum board, electrical wiring, a metal barrel and a house boat. At the time of the inspection, the items listed above were not in use, were not useable in their current condition, and were not stored in such a way as to protect any future use.

Page 2  
077 814 5040  
Murphysboro / Frances Klink  
May 11, 2010

West of the shed labeled "S3" on the site sketch, I observed a three waste piles (**Photos #21 - #23, Site Sketch-Area B; BP1**). In two of the waste piles, waste was being open burned. The waste in the two open burn piles consisted of, but was not limited to: ash, metal mattress springs, glass, dimensional lumber, particle board, plastic items, scrap metal, metal containers, metal wire and landscape waste. I observed that much of the waste in these two burn piles and the vegetation surrounding these burn piles was charred, indicating that the waste had been open burned at this location (**Photos #21 - #23, Site Sketch-Area B; BP1**). The waste in the third pile consisted of, but was not limited to: paper, plastic and landscape waste (**Photo #22, Site Sketch-Area B; BP1**).

North of the burn piles I observed five abandoned vehicles (**Photos #24 - #27, Site Sketch-Area C**). At the time of the inspection, these vehicles were not in use, were not useable in their current condition, and were not stored in such a way as to protect any future use. Also, I observed no evidence that these vehicles had been moved recently (IE tracks in the surrounding vegetation) and none of these vehicles were displaying current Illinois license plates. North of my location, I observed another vehicle which was parked in a field, grown up with vegetation and appeared abandoned (**Photo #28, Site Sketch-Area B**).

I walked east to a location north of the mobile home labeled "MH1" on the site sketch. In this area I observed a burn pile (**Photo #29, Site Sketch-Area C; BP2**). The waste in this pile consisted of, but was not limited to: ash, metal containers, broken concrete and bricks, aerosol cans, scrap metal and landscape waste. I observed that much of the waste in the burn pile, as well as the soil at the burn pile was charred, indicating that the waste had been open burned at this location (**Photo #29, Site Sketch-Area C; BP2**). I also observed a plastic barrel sitting about three feet from the burn pile, which had been partially melted (**Photo #29, Site Sketch-Area C; BP2**), indicating that it had been subjected to intense heat. I observed that it contained waste, that included but was not limited to: paper, metal cans, liquid and other materials not readily identifiable. I tapped the side of the barrel to determine if mosquitoes were breeding in the standing water. I observed no mosquitoes at this time.

North of the burn pile labeled "BP2" on the site sketch, I observed part of what appeared to be an abandoned bus (painted blue-green) in the foliage (**Photo #30, Site Sketch-Area C**). Later, I observed the rest of this abandoned vehicle from another location (**Photo #32, Site Sketch-Area C**).

I walked to a location east of the shed labeled "S4" on the site sketch. From this area I observed open dumped waste and abandoned vehicles in an area north of the shed labeled "S4" on the site sketch (**Photos #31 & #32, Site Sketch-Area C**). The waste in this area consisted of, but was not limited to: a metal tank, PVC pipe, plastic items, two pickup truck bed caps, a small trailer with waste spilling out of it and two abandoned vehicles. At the time of the inspection, the items listed above were not in use, were not useable in their current condition, and were not stored in such a way as to protect any future use. Also, I observed no evidence (IE tracks through the vegetation), that the vehicles observed in this area had been recently moved.

I walked east to an area that I observed while driving to the Klink residence (**Site Sketch-Area D**). As I walked around this area, I observed open dumped waste (**Photos #33 - #37, Site Sketch-Area D**). The waste in this area consisted of, but was not limited to: dimensional lumber, railroad ties, plywood, gas powered lawn equipment, plastic sheeting, wire fence, a metal table, a pickup truck bed cap, waste tires, plastic containers and a metal gas cylinder. At the time of the inspection, the items listed above were not in use, were not useable in their current condition, and were not stored in such a way as to protect any future use.

The total volume of waste I observed at this site was approximately 400 cubic yards.

My inspection ended at approximately 11:33 a.m.

**Violations Observed:**

**Item #1(9)(a): Cause, threaten or allow air pollution in Illinois; Item #2(9)(c): Cause or allow open burning; Item #8(21)(p)(3): Cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site: (3) Open Burning:** During the inspection, evidence of the open dumping of waste that resulted in open burning and which caused, threatened or allowed air pollution in Illinois was observed.

**Item #5(21)(a): Cause or allow open dumping; Item #8(21)(p)(1 and 7): 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 and (7) Deposition of general construction or demolition debris; or clean construction or demolition debris:** During the inspection, the open dumping of waste that resulted in litter and the deposition of general construction or demolition debris was observed.

**Item #6(21)(d)(1): Conduct any waste-storage, waste-treatment, or waste-disposal operation: Without a permit:** At the time of this inspection the Jackson County Health Department (JCHD) had not received documentation from the Illinois Environmental Protection Agency (IEPA), that the owner of this site had obtained a permit to conduct a waste-storage, waste-treatment or waste-disposal operation.

**Item #6(21)(d)(2): Conduct any waste-storage, waste-treatment, or waste-disposal operation: In violation of any regulations or standards adopted by the Board:** During the inspection, violations of regulations or standards adopted by the Board regarding the operation of a waste-storage, waste-treatment or waste-disposal site were observed. One such violation was of 811.107(f) that prohibits open burning.

**Item #7(21)(e): Dispose, treat, store, or abandon any waste, or transport any waste into the State at/to sites not meeting requirements of the Act:** During the inspection, waste that had been disposed was observed at this site. At the time of the inspection, this site did not meet the requirements of a landfill.



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077 814 5040

Murphysboro / Frances Klink

May 11, 2010

**Item #9(55)(a)(1): No person shall: Cause or allow open dumping of any used or waste tire:**  
During the inspection, waste tires that had been open dumped were observed.

**Item #11(812.101)(a): Failure to submit an application for a permit to develop and operate a landfill:** At the time of the inspection, the JCHD had not received from the IEPA documentation that the site owner had submitted an application for a permit to develop and operate a landfill.

**Item #17(807.201): Failure to obtain a Developmental Permit to operate a solid waste management site:** At the time of the inspection, the JCHD had not received from the IEPA documentation that the site owner had obtained a Developmental Permit to operate a solid waste management site.

**Item #17(807.202): Failure to obtain an Operational Permit to operate a solid waste management site:** At the time of the inspection, the JCHD had not received from the IEPA documentation that the site owner had obtained an Operational Permit to operate a solid waste management site.

# OPEN DUMP INSPECTION SITE SKETCH

**Date of Inspection:** May 11, 2010

**Time:** 11:10 a.m. – 11:33 a.m.

**Site Code:** 077 814 5040

**Site Name:** Murphysboro / Frances Klink

**Inspector:** Don Terry

**County:** Jackson

**Est. Waste Volume:** 400 cubic yards

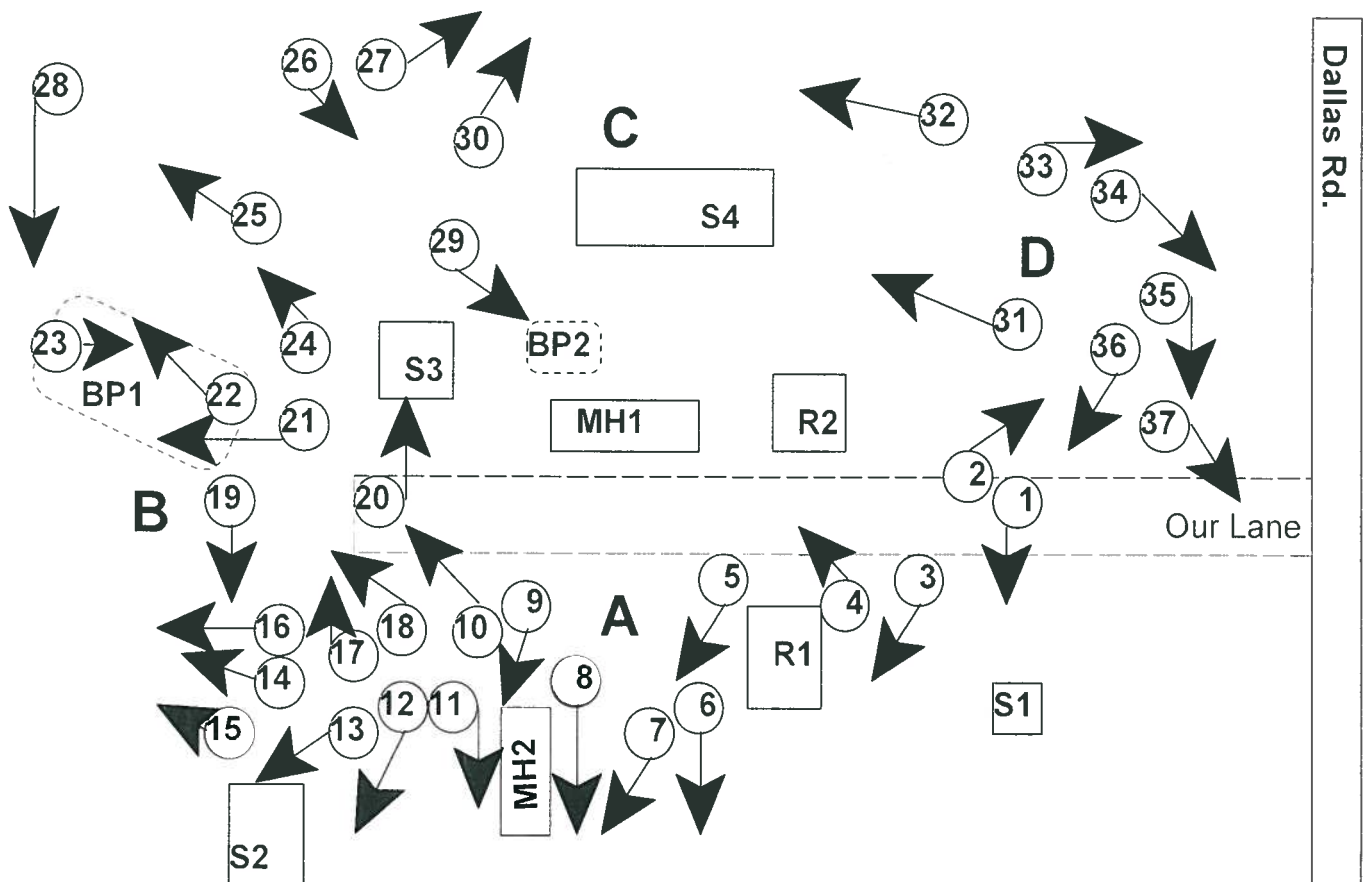
**Previous Inspection:** 11/10/2005

**Location:** Lat 37.78919 Long -89.35225

**Not Drawn to Scale**

*All Locations Are Approximate*

O → Indicates *Approximate* Location & Direction of Photos



Key: MH=mobile home; S=shed; R=residence; BP=burn pile



**Date of Inspection:** May 11, 2010  
**Photos by:** Don Terry

**Site #:** 077 814 5040  
**Site Name:** Murphysboro / Frances Klink

**Photo Name:**  
0778145040-05112010-01

**Time:** 11:12 a.m.

**Photo Taken Toward:**

South



**Photo Name:**  
0778145040-05112010-02

**Time:** 11:12 a.m.

**Photo Taken Toward:**

Northeast





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-03

Time: 11:13 a.m.

Photo Taken Toward:  
Southwest



Photo Name:  
0778145040-05112010-04

Time: 11:13 a.m.

Photo Taken Toward:  
Northwest





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-05

Time: 11:13 a.m.

Photo Taken Toward:

Southwest



Photo Name:  
0778145040-05112010-06

Time: 11:14 a.m.

Photo Taken Toward:

South





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-07

Time: 11:14 a.m.

Photo Taken Toward:  
Southwest



Photo Name:  
0778145040-05112010-08

Time: 11:14 a.m.

Photo Taken Toward:  
South





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-09

Time: 11:14 a.m.

Photo Taken Toward:

Southwest



Photo Name:  
0778145040-05112010-10

Time: 11:14 a.m.

Photo Taken Toward:

Northwest





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-11

Time: 11:14 a.m.

Photo Taken Toward:

South



Photo Name:  
0778145040-05112010-12

Time: 11:15 a.m.

Photo Taken Toward:

Southwest







Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-13

Time: 11:15 a.m.

Photo Taken Toward:

Southwest



Photo Name:  
0778145040-05112010-14

Time: 11:15 a.m.

Photo Taken Toward:

Northwest





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-15

Time: 11:15 a.m.

Photo Taken Toward:

Northwest



Photo Name:  
0778145040-05112010-16

Time: 11:17 a.m.

Photo Taken Toward:

West





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-17

Time: 11:17 a.m.

Photo Taken Toward:

North



Photo Name:  
0778145040-05112010-18

Time: 11:17 a.m.

Photo Taken Toward:

Northwest





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-19

Time: 11:17 a.m.

Photo Taken Toward:

Southwest



Photo Name:  
0778145040-05112010-20

Time: 11:18 a.m.

Photo Taken Toward:

North





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-21

Time: 11:18 a.m.

Photo Taken Toward:

West



Photo Name:  
0778145040-05112010-22

Time: 11:18 a.m.

Photo Taken Toward:

Northwest





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-23

Time: 11:18 a.m.

Photo Taken Toward:

East



Photo Name:  
0778145040-05112010-24

Time: 11:18 a.m.

Photo Taken Toward:

Northeast





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-25

Time: 11:19 a.m.

Photo Taken Toward:

Northwest



Photo Name:  
0778145040-05112010-26

Time: 11:20 a.m.

Photo Taken Toward:

Southeast





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-27

Time: 11:20 a.m.

Photo Taken Toward:

Northeast



Photo Name:  
0778145040-05112010-28

Time: 11:23 a.m.

Photo Taken Toward:

South







Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-29

Time: 11:24 a.m.

Photo Taken Toward:

Southeast



Photo Name:  
0778145040-05112010-30

Time: 11:25 a.m.

Photo Taken Toward:

Northeast





**Date of Inspection:** May 11, 2010  
**Photos by:** Don Terry

**Site #:** 077 814 5040  
**Site Name:** Murphysboro / Frances Klink

**Photo Name:**  
0778145040-05112010-31

**Time:** 11:27 a.m.

**Photo Taken Toward:**  
  
Northwest



**Photo Name:**  
0778145040-05112010-32

**Time:** 11:27 a.m.

**Photo Taken Toward:**  
  
Northwest





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-33

Time: 11:28 a.m.

Photo Taken Toward:

East



Photo Name:  
0778145040-05112010-34

Time: 11:28 a.m.

Photo Taken Toward:

Southeast





Date of Inspection: May 11, 2010  
Photos by: Don Terry

Site #: 077 814 5040  
Site Name: Murphysboro / Frances Klink

Photo Name:  
0778145040-05112010-35

Time: 11:28 a.m.

Photo Taken Toward:

South



Photo Name:  
0778145040-05112010-36

Time: 11:29 a.m.

Photo Taken Toward:

Southwest





**Date of Inspection:** May 11, 2010  
**Photos by:** Don Terry

**Site #:** 077 814 5040  
**Site Name:** Murphysboro / Frances Klink

**Photo Name:**  
0778145040-05112010-37

**Time:** 11:29 a.m.

**Photo Taken Toward:**

**Southeast**





**MICHAEL L. WEPSIEC**  
State's Attorney Jackson County  
Jackson County Courthouse, Third Floor  
Murphysboro, Illinois 62966  
(618) 687-7200 FAX (618) 687-7215



June 4, 2010

Clerk of the Board  
Illinois Pollution Control Board  
100 W. Randolph, Suite 11-500  
Chicago, Illinois 60601

RECEIVED  
CLEAN AIR DIVISION

JUN 10

STATE OF ILLINOIS  
Pollution Control Board

Re: Administrative Citation – Jackson County/Frances Klink  
Site Code 0778145040  
Inspection Date: May 11, 2010

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against Frances Klink of Murphysboro, Illinois. The Respondent's mailing address is 81 Our Lane, Murphysboro, Illinois 62966.

I will file proof of service once that is obtained on Respondent. Please acknowledge receipt and filing of the enclosed materials. Thank you.

Sincerely,

Daniel Brenner  
Assistant State's Attorney  
Jackson County, Illinois

encls

cc: Jackson County Health Department