

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

MAY 05 2011

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DENNIS WEILER)
)
Respondent.)

AC

11-23

(IEPA No. 65-11-AC)

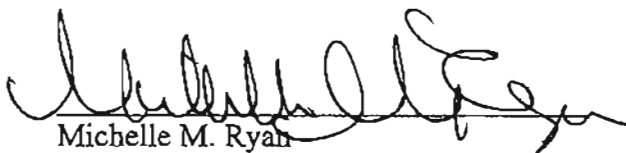
ORIGINAL

NOTICE OF FILING

To: Dennis Weiler
101 W. Walnut
West Liberty, IL 62475

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 2, 2011



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

May 2, 2011

John Therriault, 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. Dennis Weiler
IEPA File No. 65-11-AC: 0798015002—Jasper 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 05 2011
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
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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 Dennis Weiler is the current owner ("Respondent") of a facility located along the 200 block of East Railroad Street, West Liberty, Jasper County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as West Liberty/Weiler, Dennis.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0798015002.
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on March 29, 2011, Curt White of the Illinois Environmental Protection Agency's ("Illinois EPA") Champaign Regional Office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 5-2-11, Illinois EPA sent this Administrative Citation via Certified Mail No. 7004 2510 0001 8619 1364.

VIOLATIONS

Based upon direct observations made by Curt White during the course of his March 29, 2011 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).

- (2) That Respondent 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) (2008).

- (3) That Respondent caused or allowed the open dumping of waste in a manner resulting in used tires, at this site, not altered, covered or otherwise prevented from accumulating water, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2008).

CIVIL PENALTY

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 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 June 15, 2011, 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.

Lisa Bonnett, ISY SOP
Lisa Bonnett, Interim Director
Illinois Environmental Protection Agency

Date: 4/22/2011

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

RECEIVED
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MAY 05 2011

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,))
))
v.))
))
DENNIS WEILER,))
))
))
))
Respondent.))

AC 11-23
(IEPA No. 65-11-AC)

ORIGINAL

FACILITY: West Liberty/Weiler, Dennis
SITE CODE NO.: 0798015002
COUNTY: Jasper
CIVIL PENALTY: \$4,500.00
DATE OF INSPECTION: March 29, 2011

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
Open Dump Inspection Checklist

CLERK'S OFFICE
MAY 05 2011
STATE OF ILLINOIS
Pollution Control Board
Region: Champaign

County: Jasper LPC#: 0798015002
Location/Site Name: West Liberty / Weiler, Dennis
Date: 03/29/2011 Time: From 10:15 am To 11:45 am Previous Inspection Date: 10/15/2009
Inspector(s): Curl White Weather: Cloudy & 50° F
No. of Photos Taken: # 8 Est. Amt. of Waste: 60 yds³ Samples Taken: Yes # No
Interviewed: N/A Complaint #: C97-057-CH
Latitude: 38.85384 Longitude: -88.08310 Collection Point Description: Dump Location - +/- 15
Elevation: Lat 4: 26493 Long -89 38294 Collection Method: GPS - GarminGPSmap 76S

Responsible Party
Mailing Address(es)
and Phone Number(s):
Dennis Weiler
101 W. Walnut
West Liberty, IL 62475
618/754-3077



	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 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 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 # 0798015002

Inspection Date: 03/29/2011

	(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)	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"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	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			
15.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
16.	OTHER:		<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

Illinois Environmental Protection Agency
Bureau of Land ♦ Field Operations Section ♦ Champaign

LPC #0798015002—Jasper County
West Liberty / Weiler, Dennis
FOS
Inspector: Curt White
Insp. Dates: 3/29/11
Complaint # C97-057-CH

INSPECTION REPORT NARRATIVE

Curt White of DLPC/FOS Champaign Regional Office reinspected this site on March 29, 2011. The weather conditions during the inspection was sunny and 45° F. No interviews were conducted during the inspection. The initial inspection was conducted as a result of a citizen complaint.

OWNERSHIP

This site is located along the 200 block of East Railroad Street, West Liberty, IL 62475. The owner of the property is Dennis Weiler. The mailing address for Mr. Weiler is PO Box 52, West Liberty, IL 62475. The ownership was determined by going to the Jasper County Recorder's Office and obtaining a copy of the deed. The site sits on five lots. The property ID's for these lots are 29-18-22-408-002, 29-18-22-408-004, 29-18-22-408-006, 29-18-22-408-007 and 29-18-22-408-008.

This inspection was conducted in accordance with Sections 4(c) and (d) of the Illinois Environmental Protection Act ("Act"). The purpose of this inspection was to determine if the site is in compliance with the Act and Regulations.

MARCH 29, 2011 INSPECTION FINDINGS

I arrived on the property at 10:15 am. Nobody was present. I walked around the site. I observed lawn mowers, farm implements, snowmobiles, vehicles, used tires, scraps of dimensional lumber, uninhabited mobile homes, boat, camper, metal and other wastes scattered around the site (see photos 1 thru 8). I inspected the used tires for water accumulation. I observed water accumulation (see photo 8). This material was being dumped haphazardly in weeds and trees, not stored in such a way as to protect any future use and being kept unsightly and in an unsanitary manner. I left the site at 10:45 am.

Summary of Violations

Environmental Protection Act, 415 ILCS 5/1 et. seq. (formerly Ill. Rev. Stat. Ch. 111 § 1001 et seq.) (hereinafter called the "Act")

1. Pursuant to Section 21(a) of the Act. No one 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 at the site during the inspection.**

2. 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 condition 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.**

3. 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.**

4. Pursuant to Section 21(e) of the Act. No person shall dispose, treat, store, or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment except at a site or facility which meets the requirements of the Act and of Regulations and Standards thereunder.

A violation of Section 21(e) is alleged for the following reason: **Evidence of wastes disposal was observed during the inspection of the site, which does not meet the requirements of the Act and regulations thereunder.**

5. Pursuant to Section 21(p)(1) of the Act. No one shall cause or allow the open dumping of any waste in a manner, which results in litter at the dumpsite.

A violation of Section 21(p)(1) is alleged for the following reason: **Evidence of open dumping of waste was observed at this site, which resulted in litter.**

6. Pursuant to Section 21(p)(7) of the Act. No one shall cause or allow the open dumping of any waste in a manner, which results in the deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris.

A violation of Section 21(p)(7) is alleged for the following reason: **Evidence of open dumping of waste was observed at this site which resulted in the deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris.**

7. 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.**

8. Pursuant to Section 55(k)(1) of the Act, no person shall cause or allow storage of any used tire unless the used tire is altered, covered, or otherwise prevented from accumulating water.

A violation of Section 55(k)(1) is alleged for the following reason: **Used tires at this site were not altered, covered, or otherwise prevented from accumulating water.**

35 Illinois Administrative Code. (Title 35: Environmental Protection, Subtitle G: Waste Disposal, Chapter I: Pollution Control Board) [Regulations]

9. Pursuant to 35 Ill. Adm Code 812.101(a), All persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021(d)) [415 ILCS 5/21(d)], shall submit to the Agency an application for a permit to develop and operate a landfill. The application must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 Ill. Adm. Code 817.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: **This waste management site has not submitted an application to the Agency for a permit to develop and operate a landfill.**

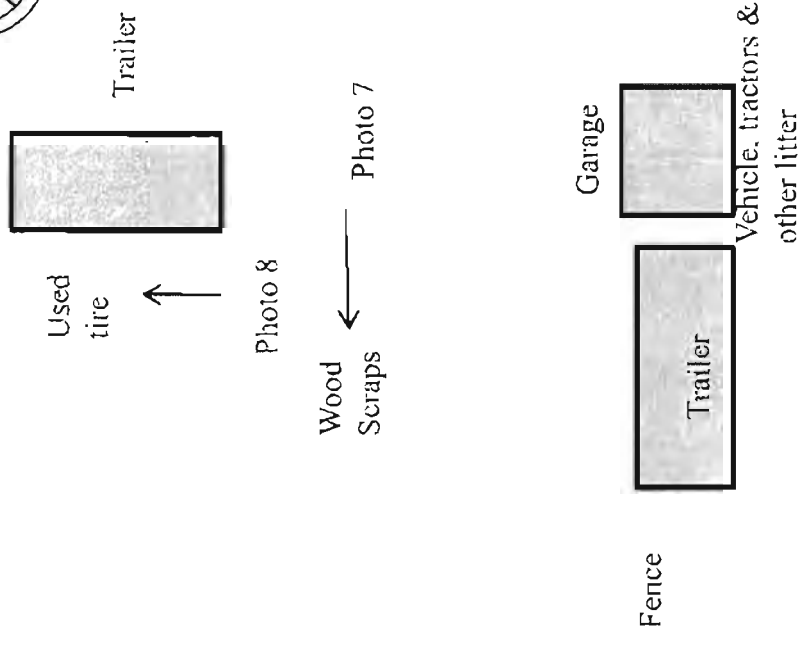
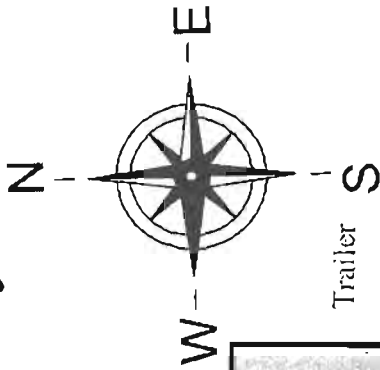
Illinois Environmental Protection Agency

Site Map

LPC #0798015002--Jasper County
 West Liberty / Weiler, Dennis
 Insp. Date: 3 / 29 / 11

Site Photos

1. Photo 1 @ 10:17 am
2. Photo 2 @ 10:18 am
3. Photo 3 @ 10:18 am
4. Photo 4 @ 10:19 am
5. Photo 5 @ 10:19 am
6. Photo 6 @ 10:20 am
7. Photo 7 @ 10:23 am
8. Photo 8 @ 10:24 am



East Railroad Street

Map not to Scale
 Arrows indicated direction
 and location of Photos



Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

**LPC # 0798015002 — Jasper County
West Liberty / Weiler, Dennis
FOS File**

**DATE: 3-29-2011
TIME: 10:17 AM
DIRECTION: North
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-001.jpg
COMMENTS: Lawn mowers
and other waste in weeds.**



**DATE: 3-29-2011
TIME: 10:18 AM
DIRECTION: West
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-002.jpg
COMMENTS: Trailer, vehicles
and other waste in weeds.**





Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

**LPC # 0798015002 — Jasper County
West Liberty / Weiler, Dennis
FOS File**

**DATE: 3-29-2011
TIME: 10:18 AM
DIRECTION: East
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-003.jpg
COMMENTS: Scattered litter
in weeds.**



**DATE: 3-29-2011
TIME: 10:19 AM
DIRECTION: East
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-004.jpg
COMMENTS: Waste stored in
building.**





Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

**LPC # 0798015002 — Jasper County
West Liberty / Weiler, Dennis
FOS File**

**DATE: 3-29-2011
TIME: 10:19 AM
DIRECTION: North
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-005.jpg
COMMENTS: Litter in weeds
and trees.**



**DATE: 3-29-2011
TIME: 10:20 AM
DIRECTION: East
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-006.jpg
COMMENTS: Litter in weeds.**





Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

**LPC # 0798015002 — Jasper County
West Liberty / Weiler, Dennis
FOS File**

**DATE: 3-29-2011
TIME: 10:23 AM
DIRECTION: West
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-007.jpg
COMMENTS: Scraps of
dimensional lumber.**



**DATE: 3-29-2011
TIME: 10:24 AM
DIRECTION: North
PHOTO by: Curt White
PHOTO FILE NAME:
0798015002~03292011-008.jpg
COMMENTS: Water in used
tire.**



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STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

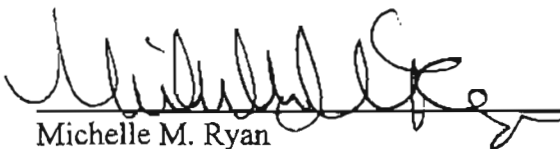
I hereby certify that I did on the 2nd day of May 2011, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Dennis Weiler
101 W. Walnut
West Liberty, IL 62475

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
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(217) 782-5544