



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) 463-1118

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

RECEIVED
CLERK'S OFFICE

JUN 07 2011

STATE OF ILLINOIS
Pollution Control Board

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

June 2, 2011

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

AC 11-31
ORIGINAL

Re: Illinois Environmental Protection Agency v. Patrick D. and Monique D. Patterson
IEPA File No. 128-11-AC: 1671209263—Sangamon 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

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JUN 07 2011

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
PATRICK D. & MONIQUE D.)
PATTERSON,)
)
Respondents.)

AC 11-31
(IEPA No.128-11-AC)

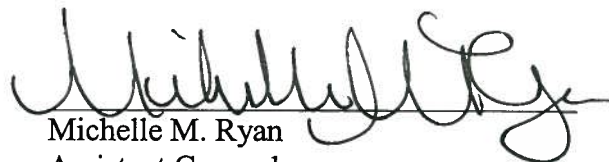
ORIGINAL

NOTICE OF FILING

To: Patrick D. & Monique D. Patterson
6009 Old Salem Lane
Springfield, IL 62711-6016

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: June 2, 2011

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CLERK'S OFFICE

JUN 07 2011

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,))
))
v.))
))
PATRICK D. & MONIQUE D. PATTERSON,))
))
))
))
))
Respondents.)

AC 11-31
(IEPA No. 128-11-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 Patrick D. & Monique D. Patterson are the current owners ("Respondents") of a facility located at 6009 Old Salem Lane, Springfield, Sangamon County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Springfield/Patterson.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1671209263.
3. That Respondents have owned and operated said facility at all times pertinent hereto.
4. That on April 6, 2011, Paul Eisenbrandt of the Illinois Environmental Protection Agency's ("Illinois EPA") Springfield 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 6-2-11, Illinois EPA sent this Administrative Citation via Certified Mail No. 7004 2510 0001 8619 1609.

VIOLATIONS

Based upon direct observations made by Paul Eisenbrandt during the course of his April 6, 2011 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondents have violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2008).
- (2) That Respondent 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) (2008).
- (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) (2008).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2008), 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 June 30, 2011, 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 (2008), 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) (2008), 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, 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, 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 (2008). If Respondents elect to contest this Administrative Citation, then Respondents 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 Respondents.

 Lisa Bonnett *by SOP*

Lisa Bonnett, Interim Director
Illinois Environmental Protection Agency

Date: 5/31/11

Prepared by: Susan E. Konzelmann, Legal Assistant
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

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JUN 07 2011

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
PATRICK D. & MONIQUE D. PATTERSON,)
)
)
)
Respondents.)

AC 11.31
(IEPA No. 128-11-AC)

ORIGINAL

FACILITY: Springfield/Paterson

SITE CODE NO.: 1671209263

COUNTY: Sangamon

CIVIL PENALTY: \$4,500.00

DATE OF INSPECTION: April 6, 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

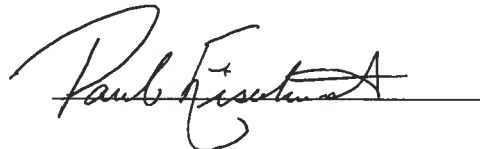
AFFIDAVIT

IN THE MATTER OF:)
)
 Illinois Environmental)
 Protection Agency)
)
 vs.)
)
 Patrick D. & Monique D. Patterson,)
 Respondents)
)

IEPA DOCKET NO.

Affiant, Paul Eisenbrandt, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On April 6, 2011 between 11:25 AM and 11:45 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Sangamon County, Illinois, and known as Springfield/Patterson by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1671209263 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Springfield/Patterson open dump site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities referred to in paragraph 3 above, Affiant completed the Inspection Report form, dated May 3, 2011, 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 Springfield/Patterson open dump.



Subscribed and Sworn To before me
 This 6th day of May, 2011

Charles K. Dowell

Notary Public

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

RECEIVED
CLEAN'S OFFICE
JUN 07 2011
STATE OF ILLINOIS
Region 5 - Springfield
Waste Pollution Control Board

County: Sangamon LPC#: 1671209263
 Location/Site Name: Springfield / Patterson
 Date: 04/06/2011 Time: From 11:25 AM To 11:45 AM Previous Inspection Date: 12/07/2009
 Inspector(s): Eisenbrandt Weather: ~65 degrees F & Cloudy
 No. of Photos Taken: # 29 Est. Amt. of Waste: 25 yds³ Samples Taken: Yes # No
 Interviewed: Patrick Patterson Complaint #: C-10-080-C
 Latitude: 39.799354 Longitude: -89.769695 Collection Point Description: - Already on file
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: - Already on file

Responsible Party
 Mailing Address(es)
 and Phone Number(s):
 Patrick D. & Monique D. Patterson
 5361 Deer View Lane
 Pleasant Plains, IL 62677-3926
 217/793-7491

ORIGINAL

	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 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 # 1671209263

Inspection Date: 04/06/2011

	(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 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

- [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- 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.
- 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.
- 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).
- Items marked with an "NE" were not evaluated at the time of this inspection.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY MEMORANDUM

DATE: May 3, 2011
TO: DLPC / Division File
FROM: Paul Eisenbrandt, DLPC/FOS Springfield Region
SUBJECT: LPC #1671209263 – Sangamon County
Springfield/Patterson
FOS File

COMPLAINT: C-10-080-C

INSPECTION DATES: December 7, 2009 & April 6, 2011

The purpose of this memorandum is to serve as the Narrative Inspection Report Document of an April 6, 2011 follow-up inspection at the above referenced site. This inspection took place from approximately 11:25 am to 11:45 am and twenty-nine (29) digital photographs were taken. The weather during the inspection was cloudy and approximately 65°F. Mr. Patrick D. Patterson was interviewed during of the inspection.

SITE OBSERVATIONS:

The inspector met Mr. Patterson at the front door of the house. I identified myself and explained I was there to conduct a re-inspection as was stated in our latest correspondence. Mr. Patterson claimed he had cleaned up the waste and filled a dumpster and sent in the pictures. I stated I had received his submittal but still needed to confirm the site was cleaned up before returning the site to compliance for which he would receive in writing from the Illinois EPA. It should be noted that his January 21, 2010 submittal did not contain photographs, but referenced that Mr. Patterson had “pictures to prove” the majority of the debris had been cleaned up.

Mr. Patterson led the inspector across the breezeway to the back yard. Photographs 001 and 002 show an area that had been an open burn pile. The attached Site Sketch shows its approximate location that has been cleaned up since the December 2009 inspection. One tree stump remains in the area.

In the background of Photographs 002 and 024, a pile of cinder blocks can be seen. It appears the waste is “clean” construction or demolition debris.

Photograph 003 shows two damaged wooden pallets, cinder block, and a paint tray just off the south side of the new concrete driveway. Mr. Patterson claimed he was going to return the pallets to Lowes.

Photographs 004 and 028 show sections of semi-rigid black drain pipe, a cattle gate, flexible drain pipe, an on-rim used tire, scrap lumber, a cardboard box, metal fence posts, concrete debris, scrap metal, and a smashed plastic bucket astray in the weeds along the driveway.

Photographs 005 and 027 shows gray plastic drain pipe, cyclone fencing, a garden hose, piles of scrap lumber, and miscellaneous waste littered along the south side of the metal barn. If these items are not waste, they must be stored neatly.

After walking around the south side of the metal barn, the inspector observed a large open burn pile. Photographs 006 through 021 show the burn pile that contained landscape waste, general construction or demolition debris, and a small amount of household waste. This open burn pile was not present during the December 2009 inspection. Photograph 006 shows charred metal studs, drywall, beer bottles, and partially burned landscape waste on a concrete pad.

Photograph 007 shows landscape waste intermixed with miscellaneous debris adjacent to the open burn pile. The ground surface from beneath the burn pile and surrounding area slopes into the pond seen in the background of Photograph 007. Soil and surface water samples were not collected during this April 6, 2011 inspection.

Photographs 008 and 009 show charred debris including beer bottles, metal studs, drywall, tile, scrap metal, and lumber.

Photograph 010 shows melted plastic and charred cardboard. Photograph 011 is of charred processed lumber and drywall. Photograph 012 shows charred lumber, drywall, and fiberglass strands that had been burnt. Photograph 013 shows more charred lumber and ceramic tile with the backer board still attached. Photograph 014 shows a rusty aerosol can, green beverage glass, remains of aluminum cans, and ash. Photograph 015 shows scrap metal, a beer bottle, rebar, blackened cinder block, and a recessed light fixture that had been burned. Photograph 016 shows an electrical breaker box and burnt wire. All of these wastes charred wastes and ash demonstrate apparent open dumping and open burning has occurred again on the Patterson site.

Photograph 017 shows a rusty lid and drywall scrap among landscape waste. Mr. Patterson claimed he does not operate his business out of his home. Photograph 018 shows a partially burnt PVC pipe, a charred 2x4, rusty scrap metal, tile backer board, siding, electric wire, cinder block, and landscape waste. Photograph 019 shows the charred PVC pipe, cinder block, Dura rock (tile backer board), and scrap metal. Nearby, carpet, scrap metal, and a trowel can be seen in Photograph 020. Photograph 021 shows an alternate view of the open burn pile and miscellaneous open dumped General Construction or Demolition Debris. Concrete, rock, black plastic, a burned rake, a wood pallet, rusty metal, and dimensional lumber can also be seen intermixed with gravel and dirt.

Photograph 022 shows plastic pipe, a plastic bucket, and scraps of lumber to the north of the burn pile. Photographs 023 and 024 show a pile of rubber horse stall mats in the weeds. Mr. Patterson asked what was wrong with the horse mats. He claimed he tore them out of the barn and poured a concrete floor. The inspector asked if he had any horses to which he answered

“No”. The inspector told him they are considered waste since he tore them out of the barn, has no horses, and they are not stacked neatly. In the photographs you can also see twisted sheet metal, Styrofoam insulation board, scrap lumber, and another plastic bucket among the overgrown weeds.

Photograph 025 shows approximately twenty-four off-site generated Christmas trees. Mr. Patterson claimed the City of Springfield dropped them off. Mr. Patterson was planning to use them for fish habitat in the pond, however, the City dropped them off after the ice on the pond had already melted.

Photograph 026 shows a gasoline can, some plastic sheeting, and scrap lumber.

Photograph 027 shows dark staining from an open dumped hydrocarbon smelling material. The upside down metal paint tray and a piece of wire scrap can also be seen in the photograph.

Mr. Patterson had previously stated he owns a landscaping company and when the job is over the rock, soil, concrete, and sometimes miscellaneous waste end up getting dumped on this side of his shed. He previously claimed they sort out the trash and then dispose of it. He had also claimed he was planning to reuse the concrete for riprap near the pond. Mr. Patterson was previously advised that transporting trade waste to his property and then sorting it would require a transfer station permit from the Illinois EPA. Mr. Patterson was also informed that he could not bring landscape waste to his property for burning or composting. Mr. Patterson was previously informed on how to manage his household waste, construction and demolition debris, and his business generated trade waste in person and via the January 13, 2010 Administrative Citation Warning Notice.

APPARENT VIOLATIONS:

There were apparent violations of Sections 9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(2), 21(p)(7), and 55(a)(1) of the [Illinois] Environmental Protection Act and 35 Illinois Administrative Code Subtitle G Section 812.101(a). Three continuing violations of Section 21(p) are equal to \$4500 of potential penalties for non-compliance with the Environmental Protection Act.

It should be noted the Section 55(k)(1) violation, cause or allow water to accumulate in used or waste tires, is resolved as this Environmental Protection Act violation was not observed during this April 6, 2011 inspection.

RECOMMENDATIONS:

The debris and unusable wastes located outside of the house, garage, or metal shed must be disposed at an Illinois EPA permitted landfill or transfer station. Landscape waste must be removed to an Illinois EPA permitted landscape waste transfer facility or compost site. Scrap metal not disposed at a landfill can be taken to a properly licensed and operating scrap metal facility or recycling center. Any used tires must be stored inside or covered to prevent the

accumulation of water. The used or waste tire(s) must be removed to an Illinois EPA registered used tire storage or used tire disposal facility. Used or waste tires and landscape waste cannot be taken to a landfill or transfer station for the purpose of disposal. All the remaining useable materials, spare tires, and construction related materials must be organized in a manner that depicts a useable storage area rather than an open dump.

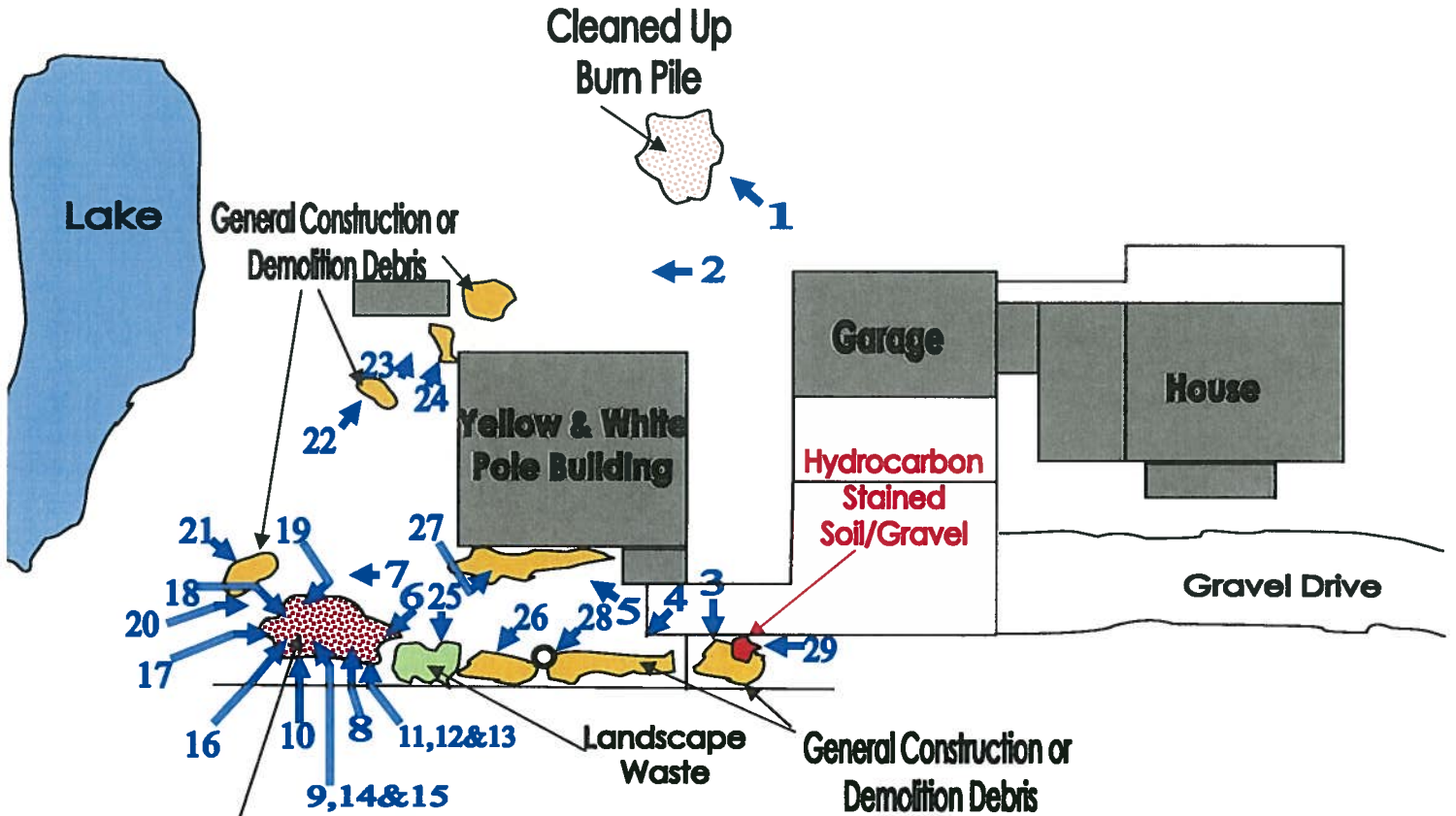
The apparent hydrocarbon contaminated soil, gravel, rock, and/or concrete must be scraped up and properly disposed at an Illinois EPA permitted landfill. Mr. Patterson will have to demonstrate proper disposal of the material to the Illinois EPA inspector. Photographs, receipts, and/or bills of lading should be used to make the compliance demonstration.

There were approximately twenty-five cubic yards of on and offsite generated waste observed. Numerous apparent violations are noted above as a result of the observations made during the inspection and are indicated on the attached Open Dump Inspection Checklist. A Site Sketch, an aerial image, and digital photographs accompany this narrative.

cc: DLPC/FOS Springfield Region
DLPC/Division File



SITE SKETCH



Burn Pile mixed with General Construction or Demolition Debris and Trade Waste

6009 Old Salem Lane



Measurements Approximate
Direction of Photo →
Not to Scale



DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:29 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 001
Comments: Area that had been an open burn pile. This area was cleaned up after the December 2009 inspection.



Date: April 6, 2011
Time: 11:29 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 002
Comments: Area mostly cleaned up after the December 2009 inspection. In the background of the photograph a pile of cinder blocks can be seen.

Photograph File: 1671209263-04062011-[Exp. #].jpg





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:32 AM
Direction: S
Photo by: Eisenbrandt
Exposure #: 003
Comments: Damaged wood pallets, cinder block, and a paint tray off the south side of the driveway.



Date: April 6, 2011
Time: 11:32 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 004
Comments: Drainage pipe, a cattle gate, an on-rim used tire, scrap lumber, a cardboard box, metal fence posts, and a smashed plastic bucket astray in the weeds along the driveway.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:32 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 005
Comments: Plastic drain pipe, cyclone fencing, a garden hose, a pile of scrap lumber, and miscellaneous waste littered along the south side of the metal barn.



Date: April 6, 2011
Time: 11:33 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 006
Comments: An open burn pile that was not present during the December 2009 inspection. Charred metal studs, drywall, beer bottles, and landscape waste were observed.

Photograph File: 1671209263~04062011-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:33 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 007
Comments: Landscape waste intermixed with miscellaneous debris near the open burn pile. The ground surface slopes into the pond seen in the background.



Date: April 6, 2011
Time: 11:33 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 008
Comments: Charred debris including beer bottles, metal studs, drywall, lumber, tile, scrap metal, and landscape waste.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:33 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 009
Comments: Alternate view of the open burn pile.



Date: April 6, 2011
Time: 11:34 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 010
Comments: Melted plastic and charred cardboard.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:34 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 011
Comments: Charred processed lumber and drywall.



Date: April 6, 2011
Time: 11:34 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 012
Comments: Charred lumber, drywall, and fiberglass strands.

Photograph File: 1671209263~04062011-[Exp. #].jpg





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:34 AM
Direction: N
Photo by: Eisenbrandt
Exposure #: 013
Comments: Charred
lumber and ceramic tile.



Date: April 6, 2011
Time: 11:34 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 014
Comments: A rusty
aerosol can, green
beverage glass, remains of
aluminum cans, and ash.

Photograph File: 1671209263~04062011-[Exp. #].jpg





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:34 AM
Direction: NW
Photo by: Eisenbrandt
Exposure #: 015
Comments: Scrap metal, a beer bottle, rebar, cinder block, and a recessed light fixture.



Date: April 6, 2011
Time: 11:35 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 016
Comments: A charred electrical breaker box and burnt wire.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:35 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 017
Comments: A rusty lid, drywall scrap, and landscape waste.



Date: April 6, 2011
Time: 11:35 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 018
Comments: Partially burnt PVC pipe, a charred 2x4, rusty scrap metal, tile backer board, siding, electric wire, and landscape waste.

Photograph File: 1671209263-04062011-[Exp. #].jpg





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:35 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 019
Comments: Charred PVC pipe, cinder block, Dura rock, and scrap metal.



Date: April 6, 2011
Time: 11:35 AM
Direction: E
Photo by: Eisenbrandt
Exposure #: 020
Comments: Carpet, scrap metal, and a trowel.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:36 AM
Direction: SE
Photo by: Eisenbrandt
Exposure #: 021
Comments: Alternate view of the open burn pile and miscellaneous open dumped General Construction or Demolition Debris. Concrete, rock, black plastic, a burned rake, a wood pallet, rusty metal, and dimensional lumber were among the waste intermixed with gravel and dirt.



Date: April 6, 2011
Time: 11:37 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 022
Comments: Plastic pipe, a plastic bucket, and scraps of lumber.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:37 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 023
Comments: A pile of rubber horse stall mats.



Date: April 6, 2011
Time: 11:37 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 024
Comments: Drywall corner beads, Styrofoam, scrap lumber among the weeds in the foreground. In the background (seen through the fence) is a pile of cinder block and demolition debris.

Photograph File: 1671209263~04062011-[Exp. #].jpg





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:38 AM
Direction: S
Photo by: Eisenbrandt
Exposure #: 025
Comments: Approximately two dozen off-site generated Christmas trees.



Date: April 6, 2011
Time: 11:38 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 026
Comments: A gasoline can and lumber.





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:38 AM
Direction: NE
Photo by: Eisenbrandt
Exposure #: 027
Comments: Metal pipe, scraps of dimensional lumber, and plastic pipe.



Date: April 6, 2011
Time: 11:39 AM
Direction: SW
Photo by: Eisenbrandt
Exposure #: 028
Comments: Black plastic drain tile, an on-rim used tire, metal pipe, a cardboard box, concrete debris, and rusty scrap metal.

Photograph File: 1671209263~04062011-[Exp. #].jpg





DIGITAL PHOTOGRAPHS



Date: April 6, 2011
Time: 11:40 AM
Direction: W
Photo by: Eisenbrandt
Exposure #: 029
Comments: Dark staining
from an open dumped
hydrocarbon material.



RECEIVED
CLERK'S OFFICE

JUN 07 2011

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

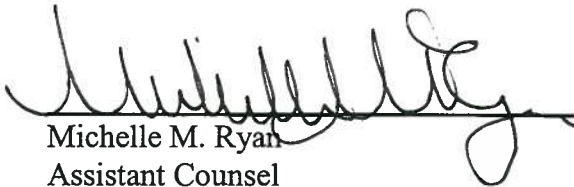
I hereby certify that I did on the 2nd day of June 2011, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN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

To: Patrick D and Monique D. Patterson
6009 Old Salem Lane
Springfield, IL 62711-6016

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