

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF JACKSON,)
)
Complainant,)
)
v.)
)
JOHN KENNETH LEWIS,)
)
Respondent.)

AC 14 - 18
Site Code: 077 809 5057

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SEP 18 2013
STATE OF ILLINOIS
Pollution Control Board



ORIGINAL

COMPLAINANT'S MOTION TO SUPPLEMENT

Now comes the Complainant, The County of Jackson, by and through the Jackson County State's Attorney's Office, and moves the Board, in accordance with Section 101.500 of its rules, to supplement the Administrative Citation filed herein. In support of the motion it is stated:

1. Complainant filed its Administrative Citation with this Board on or about September 13, 2013.
2. The Respondent was served with a copy of the Citation on September 6, 2013.
3. The time for which to file a response to the Administrative Citation has not expired.
4. Complainant inadvertently omitted the environmental inspector's affidavit attesting to the accuracy and truthfulness to his statements contained in his inspection report of the site. That affidavit is attached hereto.
5. The omission will not cause any harm or prejudice Respondent's defense in this matter, if any he has.

WHEREFORE, the Complainant respectfully requests this Board to grant the motion and allow the affidavit to be admitted and supplement the Administrative Citation filed herein.

Respectfully submitted,

MICHAEL C. CARR
Jackson County State's Attorney



DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

PROOF OF SERVICE

The undersigned certifies that on the 16th day of September, 2013, he mailed a true and correct copy of the foregoing to the addressee listed below, by placing a copy of the document in pre-addressed envelopes with proper first class postage affixed, and depositing the sealed envelopes into a US Mail receptacle in Murphysboro, Illinois.

ADDRESSEE:

John Kenneth Lewis
22083 Highway 1
Allendale, Illinois 62410



Daniel Brenner
Assistant State's Attorney

JACKSON COUNTY HEALTH DEPARTMENT

AFFIDAVIT

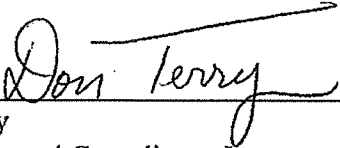
IN THE MATTER OF:

077 809 5057 / Jackson County
Makanda / IDNR
COMPLIANCE FILE

John Kenneth Lewis, Respondent.

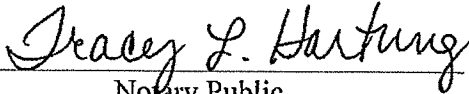
Affiant, Don Terry, being first duly sworn, voluntarily deposes and states as follows:

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 August 8, 2013, between the hours of 10:04 a.m. and 10:25 a.m., Affiant conducted an inspection of the open dump site known as Makanda / IDNR, 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 IDNR (John Kenneth Lewis), Makanda, Illinois, open dump site.



Don Terry
Environmental Compliance Inspector

Subscribed and Sworn To before me
this 13 day of September, 2013



Notary Public





JACKSON COUNTY STATE'S ATTORNEY
Michael C. Carr, State's Attorney

Jackson County Courthouse • 1001 Walnut • Third Floor • Murphysboro, IL 62966
(618) 687-7200 • FAX (618) 687-7215

September 16, 2013

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

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CLERK'S OFFICE
SEP 18 2013
STATE OF ILLINOIS
Pollution Control Board

Re: Administrative Citation/Motion to Supplement
AC 2014 - 18
Jackson County v. John Kenneth Lewis

Dear Clerk:

Enclosed for filing with the Board is the Complainant's Motion to Supplement (original plus nine copies). Please acknowledge receipt and filing of the enclosed material. Thank you.

Sincerely,

MICHAEL C. CARR
Jackson County State's Attorney

A handwritten signature in blue ink, appearing to read "Daniel Brenner".

DANIEL BRENNER
Assistant State's Attorney
Jackson County, Illinois

encls.

cc: Jackson County Health Department