



# 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

LISA BONNETT, DIRECTOR

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

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APR 18 2014

STATE OF ILLINOIS  
Pollution Control Board

April 16, 2014

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

AC14-46  ORIGINAL

Re: Illinois Environmental Protection Agency v Jeanetta and Gary Maddock  
IEPA File No. 101-14-AC; 1278600003

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

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APR 18 2014

STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

JEANETTA and GARY MADDOCK,

Respondents.

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)  
)  
)  
)  
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)  
)

AC

14-46

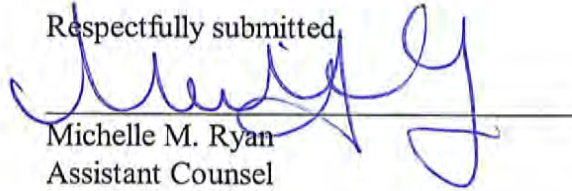
(IEPA No. 101-14-AC)

**NOTICE OF FILING**

To: Gary and Jeanetta Maddock  
3619 Strawberry Road  
Brookport, IL 62910

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: April 16, 2014

RECEIVED  
CLERK'S OFFICE

APR 18 2014

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 JEANETTA and GARY MADDOCK, )  
 )  
 )  
 )  
 Respondents. )

AC 14-46  
 (IEPA No. 101-14-AC)

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 (2012).

FACTS

1. That Jeanetta Maddock is the current owner and Gary Maddock is the current operator ("collectively Respondents") of a facility located at 6728 & 6732 South US Highway 45, Brookport, Massac County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Brookport/Maddock.
2. That said facility is designated with Site Code No. 1278600003.
3. That Respondents have owned or operated said facility at all times pertinent hereto.
4. That on March 26, 2014, Phillip Pierce-Savoie of the Illinois Environmental Protection Agency's ("Illinois EPA") Marion 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 4-16-14, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 3000 8104.

#### VIOLATIONS

Based upon direct observations made by Phillip Pierce-Savoie during the course of his March 26, 2014 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) (2012).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in scavenging, a violation of Section 21(p)(2) of the Act, 415 ILCS 5/21(p)(2) (2012).
- (3) That Respondents 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)(2012).
- (4) 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)(2012).

### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2012), 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 Six Thousand Dollars (\$6,000.00). 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 10, 2014, 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 (2012), 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) (2012), 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 (2012). 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* <sup>WAC</sup>

Date:

4-11-14

Lisa Bonnett, Director  
Illinois Environmental Protection Agency

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

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APR 18 2014

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Complainant, )  
v. )  
JEANETTA and GARY MADDOCK, )  
Respondents. )

AC 14-46  
(IEPA No. 101-14-AC)

FACILITY: Brookport/Maddock  
SITE CODE NO.: 1278600003  
COUNTY: Massac  
CIVIL PENALTY: \$6,000.00  
DATE OF INSPECTION: March 26, 2014

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.



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY )  
)  
Complainant, )  
)  
)  
v. )  
)  
Jeanetta & Gary Maddock )  
)  
Respondent. )

IEPA DOCKET NO.  
**RECEIVED**  
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APR 18 2014  
STATE OF ILLINOIS  
Pollution Control Board

AFFIDAVIT

Affiant, Phillip Pierce-Savoie, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 26, 2014, between 11:00am and 11:10am, Affiant conducted an inspection of a disposal site owned by Jeanetta Maddock, located in Massac County, Illinois, and known as Maddock by the Illinois Environmental Protection Agency. Said site has been assigned site code number 1658600003 by the Agency.
3. Affiant inspected said open-dumping site by an on-site inspection which included walking and photographing the site.

4. As a result of the material actions referred to in paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said open-dumping site.

Phillip Swen Sworn

Subscribed and Sworn to before me  
this 10<sup>th</sup> day of April, 2014

Gail Stricklin  
Notary Public





LPC # 1278600003

Inspection Date: 03/26/2014

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<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 type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input checked="" type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	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"/>
<b>OTHER REQUIREMENTS</b>			
14.		APPARENT VIOLATION OF: ( <input type="checkbox"/> ) PCB; ( <input type="checkbox"/> ) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	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**  
**Narrative Inspection Report**

Site #: 1278600003

Date: 3-26-14

County: Massac

Inspector: Phillip Pierce-Savoie

Subject: Open burning/open dumping complaint

Complaint #: 10-250

**General Remarks**

G.P.S.: N 37.14916 W 88.63060

Time: 11:00-11:10am

Volume of waste found at site: ~20 cu yds of open burning debris & ~100 cu yds of GC/DD

Owner of Property: Jeanetta Maddock

Weather: ~32°F, Sunny

Soil Conditions: Normal

This inspection was made as a follow-up to the June 29, 2011 inspection by this office. The site is located at 6728 & 6732 approximately three (3) miles north of Brookport, Illinois. The site was easily accessed by US Route 45. This inspector knocked on the door but no one answered. I was hailed by a neighbor who informed me that currently these properties were unoccupied. I then observed the property. There appeared to be more General Construction and/or Demolition Debris (GC/DD) on-site than I had observed during the previous inspection, and there were more used tires as well, though still fewer than 12 used tires. The GC/DD was scattered over the lawn between the two properties as well as piled into three piles visually estimated to be about 4 yards by 4 yards by 2 yards each. Open burning had occurred at the site, as was evidenced by scorched soil and partially combusted materials including neatly layered tire beads, food and beverage cans, and dimensional lumber. Wiring harnesses were stockpiled on a bucket near this open burning area. Records at the Massac County Assessor's Office showed that these properties are owned by John and Jeanetta Maddock. Further research revealed that Mr. John Maddock had passed away, leaving Ms. Maddock as the sole owner of record.

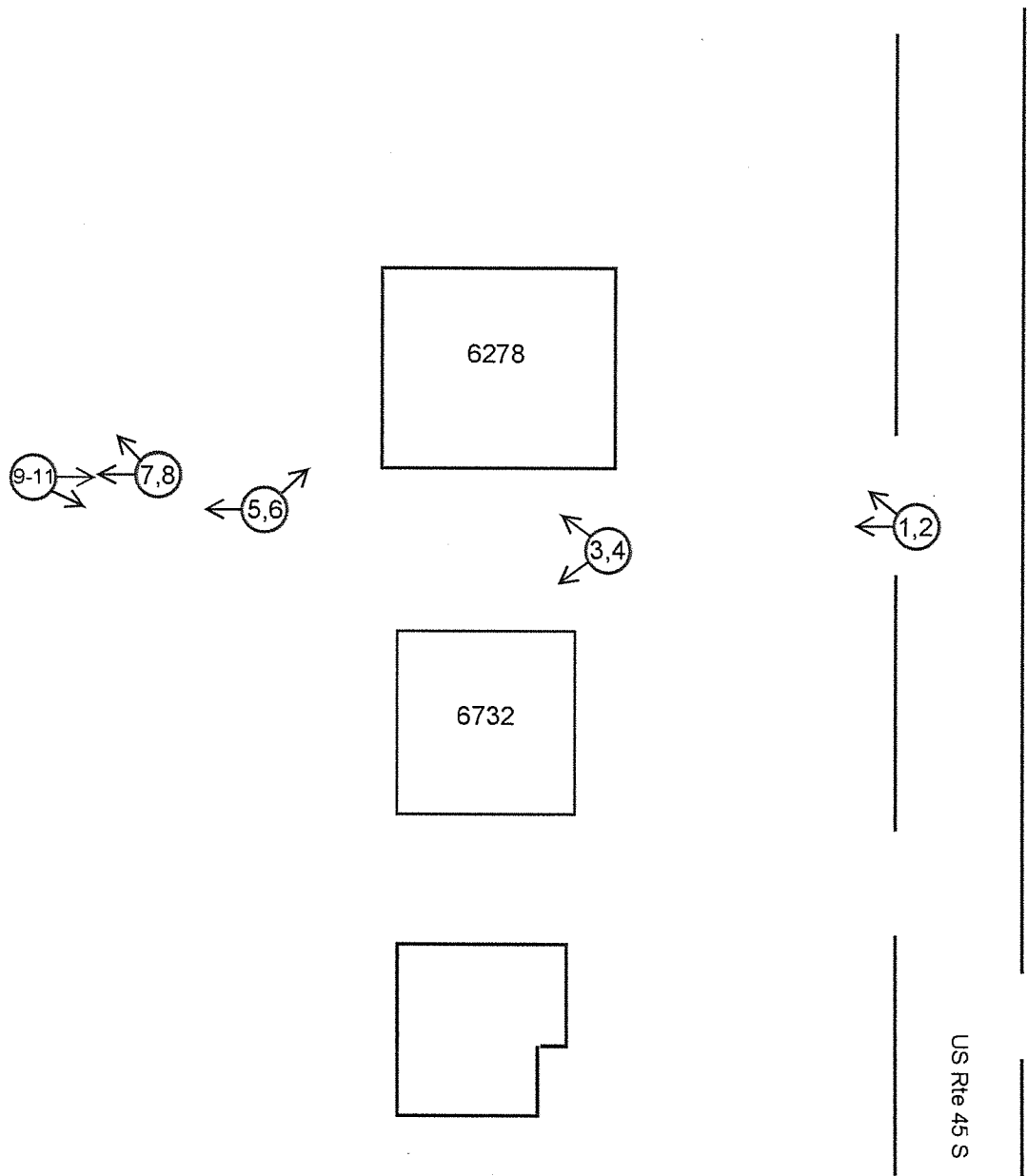
**Findings:**

The following violations were observed:

9(a)	21(d)(2)	21(p)(3)
9(c)	21(e)	21(p)(7)
21(a)	21(p)(1)	55(a)(1)
21(d)(1)	21(p)(2)	812.101(a)

Not to scale  
All locations approximate  
# → Direction and number of photo  
1278600003 -- Massac County  
Brookport/Massac  
3-26-14

1  
N





## DIGITAL PHOTOGRAPHS



**Date:** 3-26-14  
**Time:** 11:04am  
**Direction:** W  
**Photo by:** P. Pierce-Savoie  
**Exposure #:** 001  
**Comments:** View of the site from the road.



**Date:** 3-26-14  
**Time:** 11:04am  
**Direction:** NW  
**Photo by:** P. Pierce-Savoie  
**Exposure #:** 002  
**Comments:** View of the site from the road.

**File Names:** 1278600003~03262014-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



**Date:** 3-26-14  
**Time:** 11:04am  
**Direction:** SW  
**Photo by:** P. Pierce-Savoie  
**Exposure #:** 003  
**Comments:** General construction and/or demolition debris and general refuse.



**Date:** 3-26-14  
**Time:** 11:04am  
**Direction:** NW  
**Photo by:** P. Pierce-Savoie  
**Exposure #:** 004  
**Comments:** General construction and/or demolition debris and general refuse.

**File Names:** 1278600003~03262014-[Exp. #].jpg





**DIGITAL PHOTOGRAPHS**



**Date:** 3-26-14  
**Time:** 11:04am  
**Direction:** NE  
**Photo by:** P. Pierce-Savoie  
**Exposure #:** 005  
**Comments:** General construction and/or demolition debris, used tires, and general refuse.



**Date:** 3-26-14  
**Time:** 11:05am  
**Direction:** W  
**Photo by:** P. Pierce-Savoie  
**Exposure #:** 006  
**Comments:** General construction and/or demolition debris, used tires, and general refuse.

**File Names:** 1278600003~03262014-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 3-26-14  
Time: 11:05am  
Direction: W (down)  
Photo by: P. Pierce-Savoie  
Exposure #: 007  
Comments: Dimensional  
lumber and cans in fire  
pit.



Date: 3-26-14  
Time: 11:05am  
Direction: N  
Photo by: P. Pierce-Savoie  
Exposure #: 008  
Comments: Wiring  
harnesses stockpiled near  
fire pit.

File Names: 1278600003~03262014-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 3-26-14  
Time: 11:06am  
Direction: E (down)  
Photo by: P. Pierce-Savoie  
Exposure #: 009  
Comments: Partly  
combusted dimensional  
lumber in fire pit.



Date: 3-26-14  
Time: 11:06am  
Direction: e (down)  
Photo by: P. Pierce-Savoie  
Exposure #: 010  
Comments: Burnt tire  
beads in and near fire pit.

File Names: 1278600003~03262014-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 3-26-14  
Time: 11:06am  
Direction: E (down)  
Photo by: P. Pierce-Savoie  
Exposure #: 011  
Comments: Closer view  
of burnt cans and tire  
bead in fire pit.

Date: 3-26-14  
Time:  
Direction:  
Photo by: P. Pierce-Savoie  
Exposure #:  
Comments:

No Photograph

File Names: 1278600003~03262014-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 6-29-11  
Time: 10:13am  
Direction: W  
Photo by: P. Fatka  
Exposure #: 001  
Comments: View of the site from the road.



Date: 6-29-11  
Time: 10:22am  
Direction: NW  
Photo by: P. Fatka  
Exposure #: 002  
Comments: Area where open burning of General Construction and/or Demolition Debris and trade waste had occurred.

File Names: 1278600003~06292011-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 6-29-11  
Time: 10:23am  
Direction: N  
Photo by: P. Fatka  
Exposure #: 003  
Comments: GC/DD  
deposited directly on the  
ground, unprotected from  
the elements.



Date: 6-29-11  
Time: 10:23am  
Direction: NE  
Photo by: P. Fatka  
Exposure #: 004  
Comments: GC/DD  
partially protected from  
the elements and used  
tires.

File Names: 1278600003~06292011-[Exp. #].jpg



## DIGITAL PHOTOGRAPHS



Date: 6-29-11  
Time: 10:26am  
Direction: S  
Photo by: P. Fatka  
Exposure #: 005  
Comments: Open burned  
GC/DD and used tires  
(tire beads at center).

Date: 6-29-11  
Time:  
Direction:  
Photo by: P. Fatka  
Exposure #:  
Comments:

No Photograph.

File Names: 1278600003~06292011-[Exp. #].jpg

**PROOF OF SERVICE**

I hereby certify that I did on the 16th day of April 2014, 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: Gary and Jeanetta Maddock  
3619 Strawberry Road  
Brookport, IL 62910

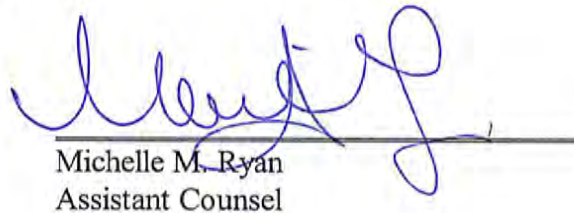
RECEIVED  
CLERK'S OFFICE

APR 18 2014

STATE OF ILLINOIS  
Pollution Control Board

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