

Illinois Pollution Control Board Finds Open Dumping Violations and Issues \$3,000 Penalty

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On April 1st, the Illinois Pollution Control Board issued an interim opinion in *Illinois Environmental Protection Agency, Inc. v. Vanderheiden, No. AC 08-27 and IEPA No. 51-08-AC*, which concerned the defendant's property, known as Manito/Vanderheiden and located at 510 N. Park Ave., Manito, Mason County, Illinois.

The Pollution Control Board found that Mr. Vanderheiden violated the Illinois Environmental Protection Act by causing or allowing open dumping of litter and general and/or construction or demolition debris. The IEPA inspector took 51 photographs showing that the defendant allowed the following materials onsite: cinder block, buckets, automotive parts, wood siding, lawn tools, floor jacks, commercial lights, PVC conduit, weathered lumber, roofing materials, Christmas lights, wooden ladders, trailers, an air conditioner, wheelbarrows, boats, camper, parts washer, scrap metal, ductwork, rusty drum, tanks, tires, drain tile, snowmobiles, shower stall, snow fence, snowplows, scaffolding, fence posts, sawhorse, bicycles, wire, landscape waste and other miscellaneous items. Some of these items were covered with algae and dust and vegetation.

Because these were the defendant's first violations, the Pollution Control Board will issue a final order penalizing the defendant in the amount of \$3,000.

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