



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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

Ac09-2

RECEIVED
CLERK'S OFFICE

JUL 11 2008

STATE OF ILLINOIS
Pollution Control Board

July 9, 2008

ORIGINAL

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. Theodore & Elizabeth Hollembeak and Hollembeak Concrete, Inc.
IEPA File No. 85-08-AC: 0090105033—Brown 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

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
JUL 11 2008
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

ORIGINAL

Complainant,

AC 09-2

v.

(IEPA No. 85-08-AC)

THEODORE & ELIZABETH HOLLEMBEAK
and HOLLEMBEAK CONCRETE, INC.,

Respondents.

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 (2006).

FACTS

1. That Theodore and Elizabeth Hollembeak are the present owners and Hollembeak Concrete, Inc. is the current operator ("Respondents") of a facility located at 402 Pittsfield Road, Mt. Sterling, Brown County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Mt. Sterling/Hollembeak Concrete.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0090105033.

3. That Respondents have owned/operated said facility at all times pertinent hereto.

4. That on May 30, 2008, William Zierath of the Illinois Environmental Protection Agency's 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.

VIOLATIONS

Based upon direct observations made by William Zierath during the course of his May 30, 2008 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) (2006).
- (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)(2006).
- (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) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2006), 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 August 15, 2008, 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 (2006), 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) (2006), 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, Respondents 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 (2006). 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.


Douglas P. Scott, Director
Illinois Environmental Protection Agency

Date: 7/9/08

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

REMITTANCE FORM

ORIGINAL RECEIVED
CLERK'S OFFICE
JUL 11 2008
AC 09-2
STATE OF ILLINOIS
Pollution Control Board
(IEPA No. 85-08-AC)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
THEODORE & ELIZABETH HOLLEMBEAK)
and HOLLEMBEAK CONCRETE, INC.,)
)
)
Respondents.)

FACILITY: Mt. Sterling/Hollembeak Concrete SITE CODE NO.: 0090105033
COUNTY: Brown CIVIL PENALTY: \$4,500.00
DATE OF INSPECTION: May 30, 2008

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.

LPC # 0090105033

Inspection Date: 05/30/08

	(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"/>
	(3)	Cause or Allow Water to Accumulate in Used Tires	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
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"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:	739.122(c)(1) – Marking Used Oil Containers with the Words “USED OIL”	<input checked="" 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.

MEMORANDUM

Date: May 30, 2008
To: BOL File
From: William E. Zierath, BOL/FOS - Springfield Region
Subject: LPC# 0090105033 – Brown County
Mt. Sterling/Hollembeak Concrete
C-08-019-C
FOS File

A complaint investigation was conducted at this former concrete plant on May 30, 2008. Mr. Theodore Hollembeak, the owner of this site, was interviewed. The weather was cloudy and 75°F. It had rained hard just before this investigation, but did not rain during the investigation.

This complaint was initially investigated on January 7, 2008. After that investigation, a February 21, 2008 Administrative Citation Warning Notice was sent to this site. The ACWN set April 15, 2008 as the date when wastes should have been removed from this site. Mr. Hollembeak did not respond to the ACWN or request an extension of the clean-up time.

Mr. Hollembeak indicated at the beginning of the investigation that he had collected used tires that were not on rims and put them indoors to prevent them from accumulating water. He also said that he had sold some of the metal for scrap.

There were three 5-gallon buckets located west of the garage at this site. Mr. Hollembeak said that the buckets contain used oil from changing the oil in his personal vehicles. The buckets are shown in photograph 0090105033~05302008-001.

A mobile home in the northwest part of the site is used as an office. Behind the mobile home was a small amount of junk, including two used tires that were not on rims. The junk is shown in photographs 0090105033~05302008-002.

There is the remains of a wood-framed building that was missing most of its walls and its entire roof. Mr. Hollembeak said that the building had been damaged in a storm. He said that an associate was going to scrap the remaining metal on the walls and demolish the structure. The remains of the building are shown in photograph 0090105033~05302008-003.

The area that was previously covered by this building previously contained scrap metal and part of an old bulldozer. The scrap metal had been removed, but the bulldozer remained. The bulldozer is shown in photograph 0090105033~05302008-003.

The wastes located north of the garage included scrap metal (including corrugated metal), wood demolition waste and roofing waste. Mr. Hollebeak said that the roofing waste was from the replacement of the roof on the garage several years before. The waste north of the garage is shown in photographs 0090105033~05302008-004, 0090105033~05302008-005, 0090105033~05302008-006, 0090105033~05302008-007, and 0090105033~05302008-008.

An abandoned pickup truck that had been east of the garage during the January 7, 2008 investigation was no longer present onsite. An abandoned car that was present during the January 7, 2008 investigation was still present during this investigation. This car is shown in photograph 0090105033~05302008-009. There was some scrap metal in the area east of the garage. This waste is shown in photographs 0090105033~05302008-009 and 0090105033~05302008-010.

There was some scattered junk in the weeds in the north part of the site. Some of the junk included vehicle parts such as used transmissions. This junk is shown in photograph 0090105033~05302008-011.

North of the cement scale/mixer building in the central part of the site was a pile of used tires, along with a few scattered tires. All of the used tires in this area were on rims. Mr. Hollebeak said that the tires in this area were the correct size for using on his trucks, so he said that these were being kept prior to being used. The used tires are shown in photographs 0090105033~05302008-013, 0090105033~05302008-014, and 0090105033~05302008-015.

In the east end of the site were several piles of scrap metal. Included in the scrap metal were parts of construction equipment that had been cut (using a torch) to make scrapping the metal out easier. The scrap metal is shown in photographs 0090105033~05302008-016, 0090105033~05302008-017, 0090105033~05302008-018, 0090105033~05302008-019, and 0090105033~05302008-020.

There were two semi tractors in the east part of the site. Mr. Hollebeak said that one of them was operational. He said that the other one didn't work, but that he had \$6000 invested in it, so he is trying to sell it. The non-operating semi is shown in photograph 0090105033~05302008-021. The operating semi is shown in photograph 0090105033~05302008-022.

There were an abandoned truck and an abandoned moped in the central part of the site. These vehicles are shown in photograph 0090105033~05302008-023.

There was a pile of approximately 10 used tires (on rims) and large pieces of metal in the in the east part of the site. These tires and this metal are shown in photographs 0090105033~05302008-024 and 0090105033~05302008-025.

In the southeast part of the site was an old burn pile. The old burn pile was a large pile of ashes and non-burnable material. There was a large amount of unburned waste on the old burn pile. There was no indication that anything had been burned since the January 7, 2008 investigation. The old burn pile is shown in photographs 0090105033~05302008-026, 0090105033~05302008-027, 0090105033~05302008-028, 0090105033~05302008-029, and 0090105033~05302008-030.

In the south area of the site was a pile of old pallets, wood demolition waste and waste plastic. The pile of old pallets, demolition waste and plastic waste is shown in photograph 0090105033~05302008-031.

In the south area of the site was a pile of about 20 used tires on rims. These used tires are shown in photograph 0090105033~05302008-032.

Also along the south area of the site was an area of scattered scrap metal along with approximately 10 used tires. This scrap metal and these used tires are shown in photographs 0090105033~05302008-033 and 0090105033~05302008-034.

There were 5 small propane containers in the central area of the site. The propane containers are shown in photograph 0090105033~05302008-035.

In the central part of the site was a large conveyor belt leading from a hopper to a bluish-gray structure. Mr. Hollembeak volunteered that he uses this structure to weigh materials that he sells. Materials dumped in the hopper are reportedly conveyed to the bluish-gray building where they are weighed. The materials are then conveyed to a hopper beneath a rusty cylindrical tank where the materials can be loaded into a truck. The long conveyor belt is shown in photographs 0090105033~05302008-043 and 0090105033~05302008-044. The bluish-gray building is shown in photographs 0090105033~05302008-043 and 0090105033~05302008-044. The rusty cylindrical tank is shown in photograph 0090105033~05302008-043. The area under the rusty cylindrical tank is shown in photograph 0090105033~05302008-036. It was observed that the long conveyor belt was off its rollers and could not be used. It was also observed that small trees had grown up in the area that Mr. Hollembeak said was used to load the trucks.

There were two abandoned cement trucks at the site. Mr. Hollembeak had begun to cut them up for scrapping. The cement trucks are shown in photographs 0090105033~05302008-037, 0090105033~05302008-038, 0090105033~05302008-043, and 0090105033~05302008-044.

Scrap metal, vehicle parts, old pallets and demolition waste were scattered along the south area of the site. These wastes are shown in photographs 0090105033~05302008-039, 0090105033~05302008-040, 0090105033~05302008-041, 0090105033~05302008-042, 0090105033~05302008-045, 0090105033~05302008-046, 0090105033~05302008-047, and 0090105033~05302008-048. South of these scattered wastes was an old metal tank. The tank is shown in photograph 0090105033~05302008-047.

In the south area of the site was a rusty tank that Mr. Hollembeak indicated had been used as a burn barrel. The outside of the tank is shown in photograph 0090105033~05302008-049. The wastes inside the tank are shown in photograph 0090105033~05302008-050.

There was an old truck parked in the south area of the site. Mr. Hollembeak indicated that he used the old truck to stored vehicle parts including truck mufflers. The truck was loaded with vehicle parts. The photograph of this truck (0090105033~05302008-051) did not turn out.

During the January 7, 2008 investigation there was an abandoned Ford pickup parked east of the garage. This abandoned vehicle had been moved before this investigation. The former location of this vehicle is shown in photograph 0090105033~05302008-052.

There was a plastic tank south of the garage. During the previous investigation I had misunderstood that this tank was used for used oil. Mr. Hollembeak said that the tank contained a chemical for treating concrete. The label on the tank also indicated that the tank contained a concrete treatment chemical. The tank is shown in photograph 0090105033~05302008-053. The label is shown in photograph 0090105033~05302008-054.

There were four used tires and some metal junk along the south side of the garage. These wastes are shown in photographs 0090105033~05302008-055 and 0090105033~05302008-056.

Apparent violations observed during this investigation are marked on the attached checklist.

cc: BOL/FOS – Springfield Regional File



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:16 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 001
Comments: Three 5-gallon buckets with used oil from do-it-yourself oil changes in the area west of the garage.



Date: May 30, 2008
Time: 11:17 AM
Direction: North
Photo by: W Zierath
Exposure #: 002
Comments: Accumulated junk including two off-rim tires in the area east of the trailer that serves as the office at this facility. Note: the tractors in the background are on the property of Kuhns Implement.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:17 AM
Direction: Northeast
Photo by: W Zierath
Exposure #: 003
Comments: The remains of a bulldozer that Mr. Hollembeak said would be sold for scrap. The gray walls shown on both sides of the photograph are the remaining walls of a storm-damaged building that will be demolished.



Date: May 30, 2008
Time: 11:18 AM
Direction: West
Photo by: W Zierath
Exposure #: 004
Comments: Junk located north of the garage including metal scrap.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:18 AM
Direction: South
Photo by: W Zierath
Exposure #: 005
Comments: Wastes
north of the garage
including corrugated
metal, wood demolition
waste and roofing
waste.



Date: May 30, 2008
Time: 11:18 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 006
Comments: Wastes
north of the garage
including corrugated
metal, wood demolition
waste and roofing
waste.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:18 AM
Direction: East
Photo by: W Zierath
Exposure #: 007
Comments: Wastes north of the garage including corrugated metal, wood demolition waste and roofing waste.



Date: May 30, 2008
Time: 11:18 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 008
Comments: Wastes north of the garage including corrugated metal, wood demolition waste and roofing waste.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:19 AM
Direction: South
Photo by: W Zierath
Exposure #: 009
Comments: Scrap metal, wood demolition waste and an abandoned car. Mr. Hollembeak said that he would be using the car for parts.



Date: May 30, 2008
Time: 11:20 AM
Direction: North
Photo by: W Zierath
Exposure #: 010
Comments: A single piece of scrap metal in the area northeast of the garage.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:20 AM
Direction: Northeast
Photo by: W Zierath
Exposure #: 011
Comments: Old transmissions, other vehicle parts and other scrap metal in the north part of the site.



Date: May 30, 2008
Time: 11:21 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 012
Comments: Sand and gravel in the central part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:23 AM
Direction: South
Photo by: W Zierath
Exposure #: 013
Comments: Scrap metal, a used tire and the remains of a small vehicle.



Date: May 30, 2008
Time: 11:23 AM
Direction: South
Photo by: W Zierath
Exposure #: 014
Comments: Scrap metal, a used tire and the remains of a small vehicle. (Accidental retake of photograph 013)

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:24 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 015
Comments: A pile of used tires, along with a few pieces of scrap metal. Mr. Hollembeak said that the tires were the correct size for his truck and that he would be using them in the future.



Date: May 30, 2008
Time: 11:25 AM
Direction: Northeast
Photo by: W Zierath
Exposure #: 016
Comments: Pieces of metal from a piece of equipment that was being cut up to allow it to be sold for scrap.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:25 AM
Direction: East
Photo by: W Zierath
Exposure #: 017
Comments: Pieces of metal from a piece of equipment that was being cut up to allow it to be sold for scrap. The containers in the background are empty.



Date: May 30, 2008
Time: 11:25 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 018
Comments: Scrap metal in the eastern part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:25 AM
Direction: East
Photo by: W Zierath
Exposure #: 019
Comments: Pieces of metal from a piece of equipment that was being cut up to allow it to be sold for scrap.



Date: May 30, 2008
Time: 11:26 AM
Direction: East
Photo by: W Zierath
Exposure #: 020
Comments: An empty fuel tank, empty 55-gallon drums and scrap metal in the east part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:27 AM
Direction: East
Photo by: W Zierath
Exposure #: 021
Comments: A non-operable semi tractor in the east part of the site.



Date: May 30, 2008
Time: 11:27 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 022
Comments: An operable semi tractor that Mr. Hollembeak said he is trying to sell.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:28 AM
Direction: West
Photo by: W Zierath
Exposure #: 023
Comments: An abandoned van and an abandoned moped in the central part of the site.



Date: May 30, 2008
Time: 11:28 AM
Direction: East
Photo by: W Zierath
Exposure #: 024
Comments: Used tires on rims.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:28 AM
Direction: Northeast
Photo by: W Zierath
Exposure #: 025
Comments: Used tires on rims, along with other waste metal objects.



Date: May 30, 2008
Time: 11:28 AM
Direction: South
Photo by: W Zierath
Exposure #: 026
Comments: A former burn area with ash, metal, plastic, wood and other wastes.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:29 AM
Direction: South
Photo by: W Zierath
Exposure #: 027
Comments: A close-up
of part of the burn pile
shown in photograph
026.



Date: May 30, 2008
Time: 11:29 AM
Direction: South
Photo by: W Zierath
Exposure #: 028
Comments: A close-up
of part of the burn pile
shown in photograph
026.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:29 AM
Direction: Southwest
Photo by: W Zierath
Exposure #: 029
Comments: A close-up
of part of the burn pile
shown in photograph
026.



Date: May 30, 2008
Time: 11:29 AM
Direction: South
Photo by: W Zierath
Exposure #: 030
Comments: A close-up
of part of the burn pile
shown in photograph
026.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:29 AM
Direction: South
Photo by: W Zierath
Exposure #: 031
Comments: Waste pallets, demolition waste and waste plastic in the southern part of this site.



Date: May 30, 2008
Time: 11:30 AM
Direction: South
Photo by: W Zierath
Exposure #: 032
Comments: Used tires (both on and off of rims) in the south part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:30 AM
Direction: Southwest
Photo by: W Zierath
Exposure #: 033
Comments: Scrap metal and used tires (on rims) in the south part of the site.



Date: May 30, 2008
Time: 11:30 AM
Direction: West
Photo by: W Zierath
Exposure #: 034
Comments: Scrap metal and used tires (on rims) in the south part of the site.

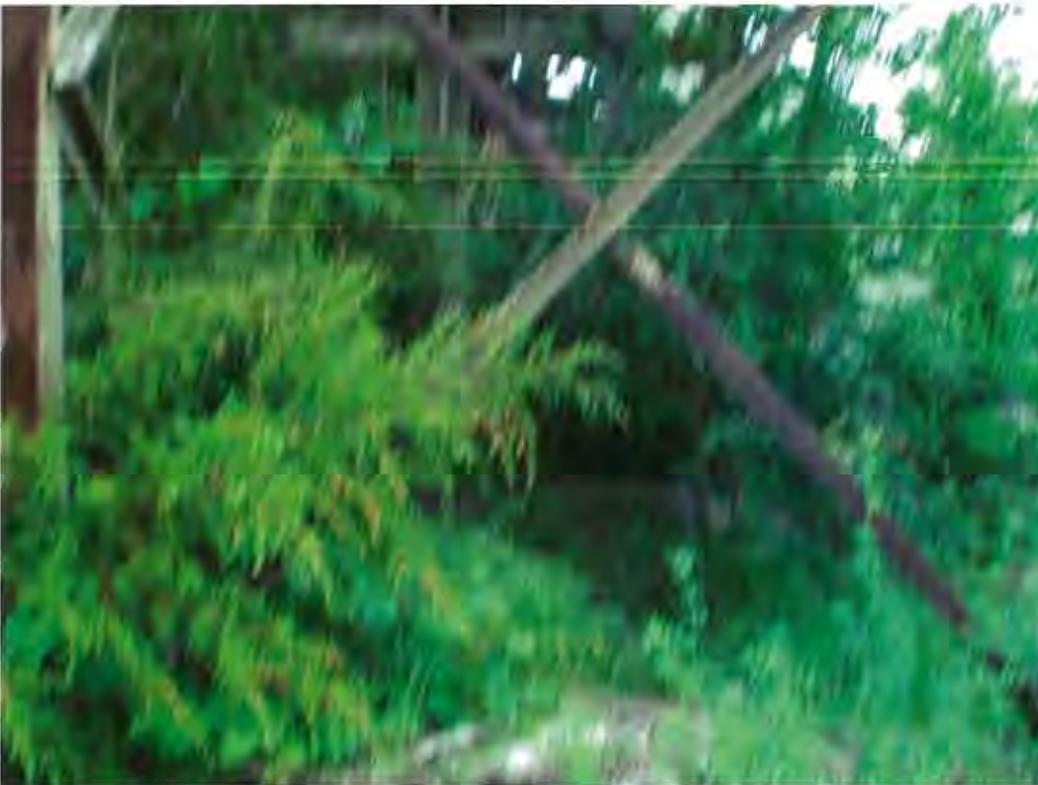
File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:31 AM
Direction: North
Photo by: W Zierath
Exposure #: 035
Comments: Old propane containers in the central part of the site.



Date: May 30, 2008
Time: 11:31 AM
Direction: North
Photo by: W Zierath
Exposure #: 036
Comments: The reported loading area for products sold at the site. The area had numerous small trees that would have prevented access to this area.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:31 AM
Direction: West
Photo by: W Zierath
Exposure #: 037
Comments: An old cement truck that was being cut up to allow it to be scrapped.



Date: May 30, 2008
Time: 11:31 AM
Direction: West
Photo by: W Zierath
Exposure #: 038
Comments: The front of the truck shown in photograph 037 showing where a torch has been used to cut the bumper off.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:32 AM
Direction: South
Photo by: W Zierath
Exposure #: 039
Comments: Scrap metal in the southern part of the site.



Date: May 30, 2008
Time: 11:32 AM
Direction: South
Photo by: W Zierath
Exposure #: 040
Comments: Close-up of some of the scrap metal shown in photograph 039.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:32 AM
Direction: South
Photo by: W Zierath
Exposure #: 041
Comments: Plastic waste in the southern part of the site.



Date: May 30, 2008
Time: 11:32 AM
Direction: South
Photo by: W Zierath
Exposure #: 042
Comments: Scrap plastic and metal tanks in the southern part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:33 AM
Direction: East
Photo by: W Zierath
Exposure #: 043
Comments:
Abandoned cement
trucks.



Date: May 30, 2008
Time: 11:33 AM
Direction: Northeast
Photo by: W Zierath
Exposure #: 044
Comments:
Abandoned semi
tractor and used tires
(on rims) in the central
part of the site. Mr.
Hollembeak claims to
use the conveyor belt
shown in this
photograph to move
sand and gravel to a
scale in the greenish
building. The conveyor
belt was off its rollers.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:33 AM
Direction: South
Photo by: W Zierath
Exposure #: 045
Comments: Old vehicle belts, plastic and demolition waste in the southern part of the site.



Date: May 30, 2008
Time: 11:33 AM
Direction: South
Photo by: W Zierath
Exposure #: 046
Comments: Demolition waste and an old truck hood in the southern part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:33 AM
Direction: South
Photo by: W Zierath
Exposure #: 047
Comments: Used tires
(on rims) and an old
metal tank in the
southern part of the
site.



Date: May 30, 2008
Time: 11:34 AM
Direction: South
Photo by: W Zierath
Exposure #: 048
Comments: Old pallets
and scrap metal in the
southern part of the
site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:34 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 049
Comments: An old
burn barrel in the
southern part of the
site.

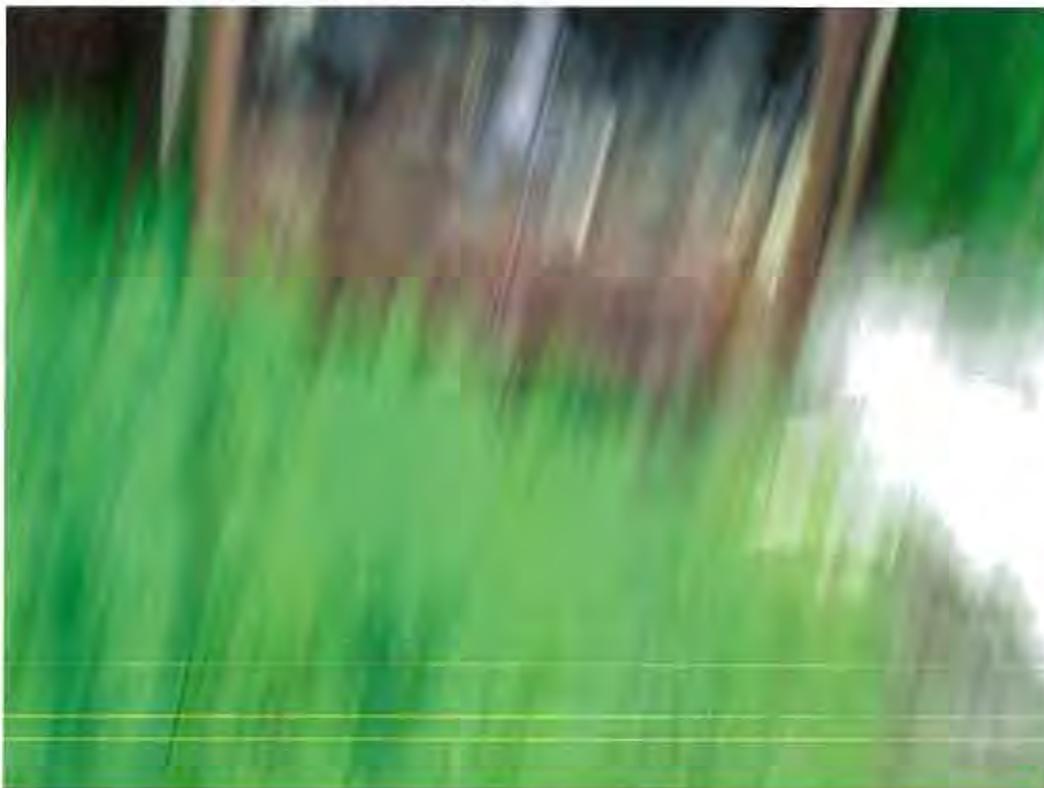


Date: May 30, 2008
Time: 11:34 AM
Direction: East
Photo by: W Zierath
Exposure #: 050
Comments: Wastes
inside the burn barrel
shown in photograph
049.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:34 AM
Direction: Southeast
Photo by: W Zierath
Exposure #: 051
Comments: This photograph was meant to show the interior of the truck shown in background in photograph 009, but the camera was moved prematurely before the camera used a flash when taking the photograph. The truck contained truck mufflers, other vehicle parts and tools.



Date: May 30, 2008
Time: 11:36 AM
Direction: North
Photo by: W Zierath
Exposure #: 052
Comments: An abandoned car in the southern part of the site.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:37 AM
Direction: Northeast
Photo by: W Zierath
Exposure #: 053
Comments: A tank that Mr. Hollembeak said contained a chemical for treating concrete.



Date: May 30, 2008
Time: 11:37 AM
Direction: East
Photo by: W Zierath
Exposure #: 054
Comments: The label on the tank shown in photograph 053.

File Names: 0090105033~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 11:38 AM
Direction: Northwest
Photo by: W Zierath
Exposure #: 055
Comments: A used tire located along the south wall of the garage.



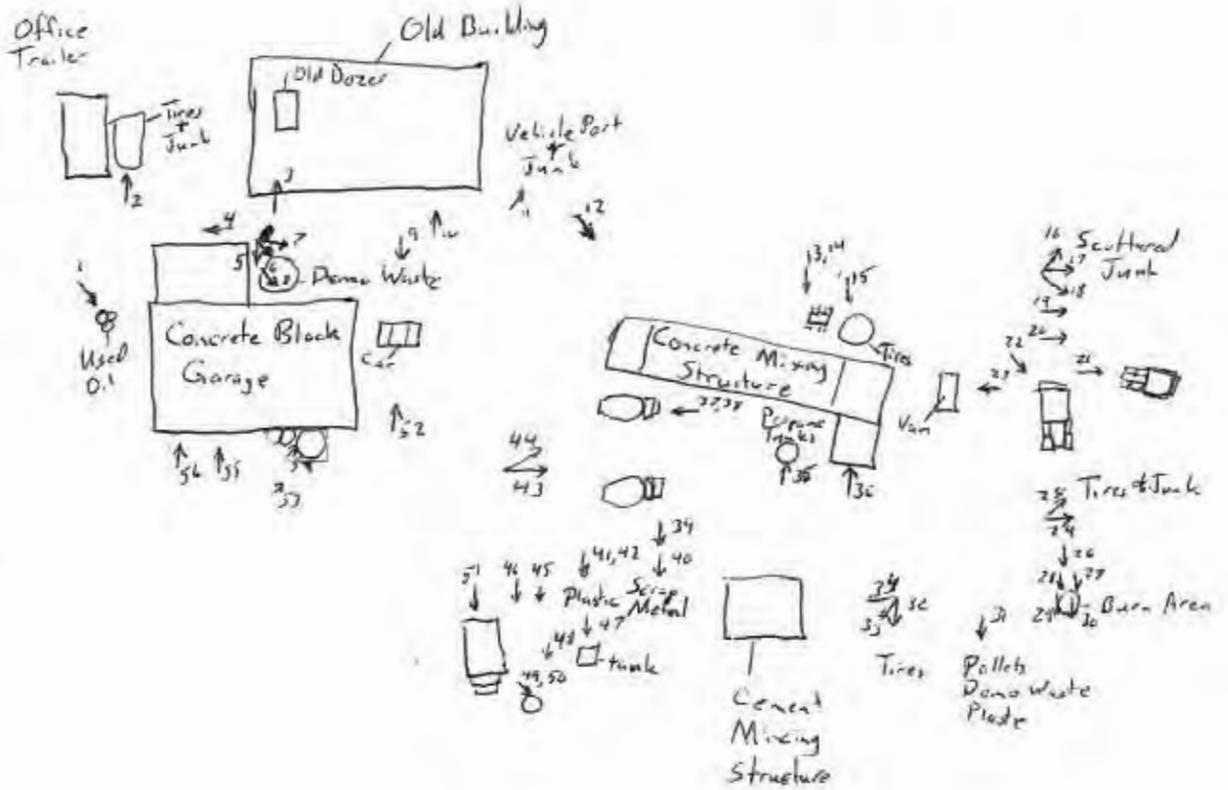
Date: May 30, 2008
Time: 11:38 AM
Direction: North
Photo by: W Zierath
Exposure #: 056
Comments: Used tires leaned against the south wall of the garage.

File Names: 0090105033~05302008-[Exp. #].jpg

LPC# 0090105033 - Brown County
 Mt. Sterling/Hollemeak Concrete
 May 30, 2008
 Site Plan



Not to scale
 ↗ = Direction of Photograph



Pittsfield Rd

LPc# 009 0105033
 HOLLEMBEAK
 CONCRETE
 FOS FILE

CYBERDRIVEILLINOIS

 JESSE WHITE
 SECRETARY OF STATE

[SERVICES](#) [PROGRAMS](#) [PRESS](#) [PUBLICATIONS](#) [DEPARTMENTS](#) [CONTACT](#)
CORPORATION FILE DETAIL REPORT

Entity Name	HOLLEMBEAK CONCRETE, INC.	File Number	51163435
Status	GOODSTANDING		
Entity Type	CORPORATION	Type of Corp	FOREIGN BCA
Qualification Date (Foreign)	05/16/1977	State	DELAWARE
Agent Name	THEODORE R HOLLEMBEAK	Agent Change Date	00/00/0000
Agent Street Address	402 PITTSFIELD RD	President Name & Address	THEODORE R HOLLEMBEAK 402 PITTSFIELD RD MT STERLING
Agent City	MT STERLING	Secretary Name & Address	ELIZABETH J HOLLEMBEAK 402 PITTSFIELD RD MT STERLING
Agent Zip	62353	Duration Date	PERPETUAL
Annual Report Filing Date	04/18/2008	For Year	2008

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PROOF OF SERVICE

I hereby certify that I did on the 9th day of July 2008, 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: Theodore and Elizabeth Hollembeak
317 Fairgrounds St.
Mt. Sterling, Illinois 62353

Hollembeak Concrete, Inc.
ATTN: Theodore Hollembeak
402 Pittsfield Road
Mt. Sterling, Illinois 62353

RECEIVED
CLERK'S OFFICE

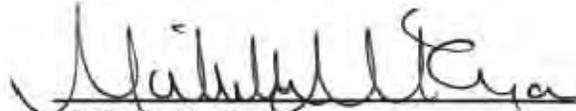
JUL 11 2008

STATE OF ILLINOIS
Pollution Control Board

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
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544