



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) 811-6060

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

RECEIVED
CLERK'S OFFICE

OCT 20 2008

STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

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

October 15, 2008

AC09-20

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. Charles Kissick
IEPA File No. 298-08-AC: 1370455012—Morgan 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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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OCT 20 2008

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
CHARLES KISSICK,)
))
Respondent.)

ORIGINAL

AC 09-20

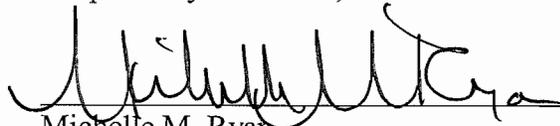
(IEPA No. 298-08-AC)

NOTICE OF FILING

To: Charles Kissick
3249 Loami Road
Alexander, IL 62601

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: October 15, 2008

RECEIVED
CLERK'S OFFICE

OCT 20 2008

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
CHARLES KISSICK,)
))
))
))
Respondent.)

AC 09-20
(IEPA No. 298-08-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 (2006).

FACTS

1. That Charles Kissick is the current owner ("Respondent") of a facility located at 391 West Tanner, Waverly, Morgan County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Waverly/Kissick #2.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1370455012.
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on September 9, 2008, Mark Weber 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 10-15-08, Illinois EPA sent this Administrative Citation via Certified Mail No. 7004 2510 0001 8618 9125.

VIOLATIONS

Based upon direct observations made by Garrison Gross during the course of his September 10, 2008 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent 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 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), Respondent is 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 Three Thousand Dollars (\$3,000.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than November 30, 2008, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects 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, Respondent 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 Respondent fails to petition or elects 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, Respondent 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 Respondent 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 Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has 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 Respondent elects to contest this Administrative Citation, then Respondent 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 Respondent.


Douglas P. Scott, Director
Illinois Environmental Protection Agency

Date: 10/15/08

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

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OCT 20 2008

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
CHARLES KISSICK,)
)
)
Respondent.)

AC 09-20
(IEPA No. 298-08-AC)

ORIGINAL

FACILITY: Waverly/Kissick #2

SITE CODE NO.: 1370455012

COUNTY: Morgan

CIVIL PENALTY: \$3,000.00

DATE OF INSPECTION: September 9, 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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:)
)
Illinois Environmental)
Protection Agency)
)
vs.)
)
Charles Kissick,)
)
)
Respondent.)

1370455012

IEPA DOCKET NO.

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OCT 20 2008
STATE OF ILLINOIS
Pollution Control Board

Affiant, Mark J. Weber, being first duly sworn, voluntarily deposes and states as follows:

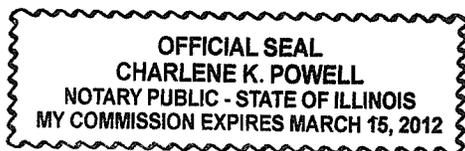
1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On September 9, 2008 between 10:10 AM and 10:50 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Morgan County, Illinois, and known as Waverly/Kissick #2 by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1370455012 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Waverly/Kissick #2 open dump site by an on-site inspection, which included a walk through of the site and photo documentation of site conditions.
4. As a result of the activities 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 Waverly/Kissick #2 open dump.

Mark J. Weber
Mark J. Weber

Subscribed and Sworn To before me
This 6th day of October, 2008

Charlene K. Powell

Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Morgan LPC#: 1370455012 Region: 5 - Springfield
 Location/Site Name: Waverly/Kissick #2
 Date: 09/09/2008 Time: From 1010 To 1050 Previous Inspection Date: 09/14/2007
 Inspector(s): Mark Weber Weather: Approx. 55 degrees F w/10 - 20 mph NWwind
 No. of Photos Taken: # 15 Est. Amt. of Waste: 40 yds³ Samples Taken: Yes # _____ No
 Interviewed: No One Complaint #: C-09-035-C

Responsible Party
 Mailing Address(es)
 and Phone
 Number(s):

Charles Kissick
 3249 Loami Road
 Alexander, IL 62601
 217/652-9936

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 OCT 20 2008
 ORIGINAL
 STATE OF ILLINOIS
 Pollution Control Board

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input 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 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 # 1370455012

Inspection Date: 09/09/2008

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<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"/>
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 checked="" type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input checked="" 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:		<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 MEMORANDUM

DATE: September 25, 2008
TO: BOL - Division File
FROM: Mark Weber, DLPC/FOS - Springfield Region
SUBJECT: LPC# 1370455012 - Morgan County
Waverly/Kissick #2
FOS File

On September 9, 2008 Mr. Mark Weber Division of Land Pollution Control/Field Operations Section (DLPC/FOS) - Springfield Regional Office (SRO) conducted an inspection of the Kissick #2 site in Waverly, Illinois. The Illinois EPA site inspection was conducted based upon two complaints received by the SRO. One of the complainants indicated that the property owner had been bringing junk vehicles, used tires, furniture and leaking fuel tanks to the property. The other complainant reported that Mr. Kissick had crushed a fuel tank before emptying the contents which resulted in a release of fuel onto the ground.

The Kissick #2 site is located at 391 West Tanner in Waverly, Illinois. Legally and specifically the property is located at Lot Five (5) in R.P. Droke's First Addition to the Town, now city of Waverly, Morgan County, Illinois. The legal description was derived from a Warranty Deed recorded on March 31, 2008 with the Morgan County Recorder's Office. The owner on the deed is listed as Charles L. Kissick. Mr. Kissick's mailing address is provided as 3249 Loami Road in Alexander, Illinois.

September 9, 2008 Inspection

The Illinois EPA inspection of the Kissick #2 site took place between 1010 and 1050. The temperature was approximately 55° fahrenheit. The skies were partly cloudy with a 10 – 20 mile per hour northeast wind. Soil conditions were wet/saturated due to recent heavy rains. There is no residence at the property as it had been recently demolished. Mr. Kissick was not present during the site inspection. Mr. Kissick had purchased the property from Mr. Randy Long.

It is important to note that this site was subject to two separate site inspections on April 9, 2007 and a re-inspection on September 14, 2007. At the time the property was owned by Mr. Randy Long. Mr. Long was sent an Administrative Citation Warning Notification (ACWN) as a result of the initial inspection in which a number of violations of the Environmental Protection Act were cited. Open dumped wastes included scrap metal, used tires, lead acid batteries, white goods, and automotive parts. Based upon the available Bureau of Land file information it does not appear that any effort was made by Mr. Long to return to compliance.

The solid waste dumped on-site is easily visible from West Tanner Street. Wastes observed during the September 9, 2008 inspection included dimensional lumber, furniture, plastics, a number of compressed gas cylinders, electronics, mixed metals, construction & demolition debris, and white goods. The total volume of open dumped solid waste is estimated at 30 – 40 cubic yards.

Also located on-site are approximately 20 used tires and at least one lead acid automotive battery. There is also an unlicensed/abandoned vehicle at the property. This inspector also observed a partially crushed above ground storage tank (AST). The total volume of the AST was estimated at 200 gallons. The type of tank is consistent with those used to contain fuel oil. Soil underneath and around the fill cap of the upended AST was darkly stained which is indicative of the contents of the tank spilling directly onto the soil. Mr. Kissick will need to determine whether or not the spilled material is either a hazardous or special waste in order to determine an appropriate disposal method.

Much of the on-site soil appeared to have been recently disturbed. It was learned that Mr. Kissick had demolished the residence at the property which resulted in the construction and demolition debris illegally open dumped on-site. Mr. Kissick reportedly filled the basement of the former residence with broken up concrete and soil. It was also reported that all of the dimensional lumber, shingles, wallboard, and insulation had been removed prior to backfilling. Please refer to the attached photographs for depictions of site conditions as they appeared during the September 9, 2008 inspection

Photograph #1 provides an overall view of the Kissick #2 site from West Tanner Street.

Photograph #2 provides another view of the Kissick #2 site from West Tanner.

Photograph #3 is of a pile of mixed metals, plastic, white goods, and glass open dumped on-site.

Photograph #4 is a close-up of furniture, white goods, mixed metals, compressed gas cylinders, plastics, and glass open dumped on-site.

Photograph #5 is a close-up of a burn barrel located on-site.

Photograph #6 depicts two trailers located in the northwest corner of the site with metals, solid waste, and a 12 volt battery contained within.

Photograph #7 shows some of the used tires located at the Kissick #2 site.

Photograph #8 depicts more used tires located on-site.

Photograph #9 provides a view of open dumped demolition debris and used tires.

Photograph #10 depicts some used tires, mixed metals, and demolition debris open dumped on-site.

Photograph #11 is of an abandoned vehicle parked at the Kissick #2 site.

Photograph #12 is a close-up of scrap metal and white goods open dumped on-site.

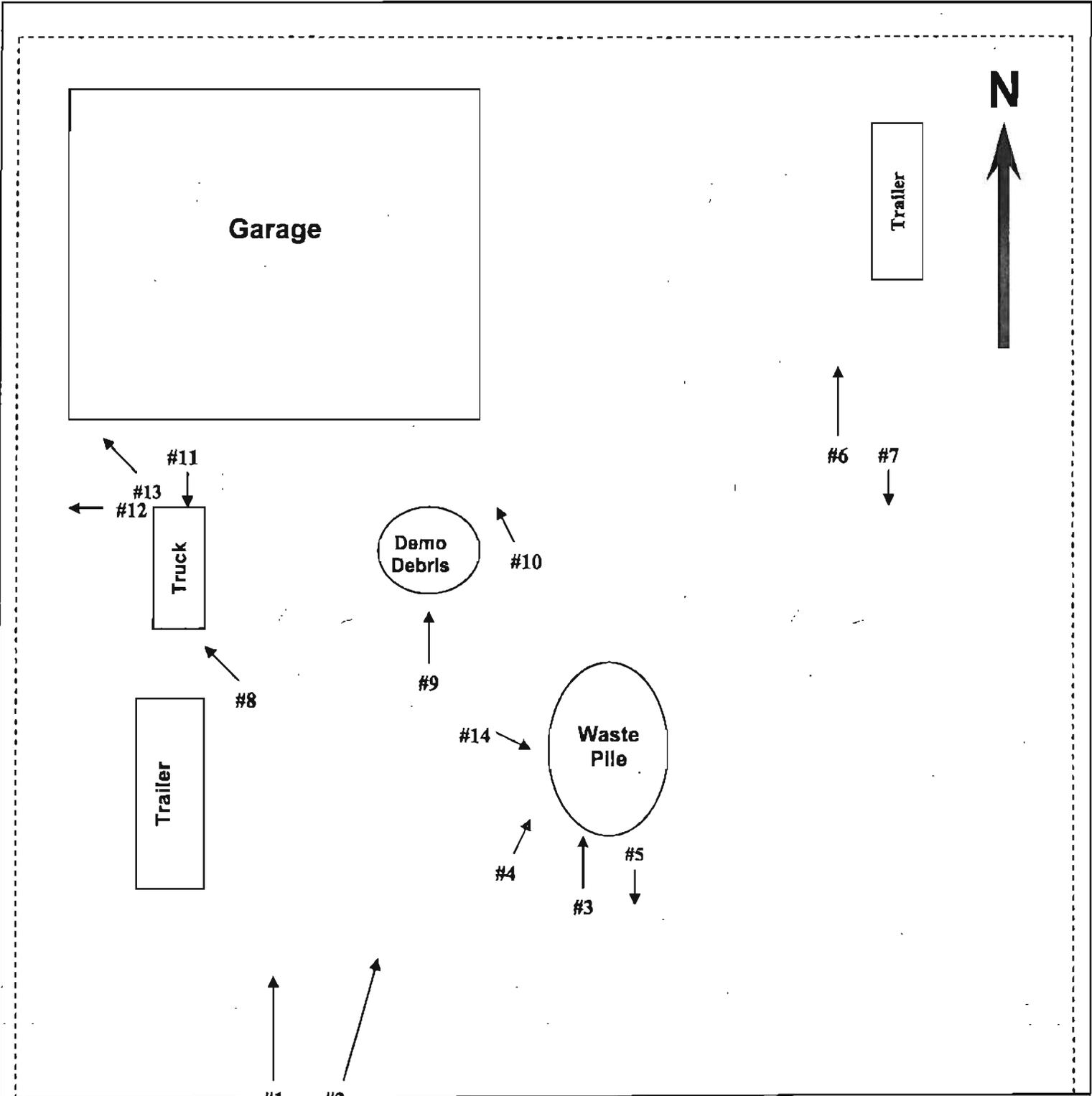
Photograph #13 provides a view of two television sets and a used tire open dumped on-site.

Photograph #14 is a close-up of stained soil underneath an AST that appeared to likely contain fuel oil at one time.

During the September 9, 2008 site inspection apparent violations of the Illinois Environmental Protection Act were observed. The violations of the Act which were observed include Sections: 21(a), 21(d)(1) and (2), 21(e), 21(p)(1), 21(p)(7) and 55(a)(1). Apparent violations of the Regulations, 35 IAC include Sections 812.101, 722.111 and 808.121. Refer to the attached Open Dump Checklist for additional information.

The Illinois EPA inspector left the Kissick #2 site and proceeded to the Morgan County Courthouse in Jacksonville, Illinois to obtain a deed for the property.

cc: DLPC/FOS - Springfield Region



Tanner Road

Not To Scale



WAVERTLY

Route 111

Kissick Site

LPC# 1370455012 - Morgan County
Waverly/Kissick #2
FOS File
USGS Aerial Photograph 3/29/1998

USGS



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1018
Direction: N
Photo by: Mark Weber
Exposure #: 1
Comments: Overall view
of the Kissick #2 site
from Tanner Street.



Date: 09/09/2008
Time: 1018
Direction: N
Photo by: Mark Weber
Exposure #: 2
Comments: Another view
of the Kissick #2 site
from Tanner Street.

File Names: 1370455012~09092008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1019
Direction: N
Photo by: Mark Weber
Exposure #: 3
Comments: Pile of mixed metals, plastic, white goods, and glass open dumped on-site.



Date: 09/09/2008
Time: 1019
Direction: NE
Photo by: Mark Weber
Exposure #: 4
Comments: Furniture, white goods, mixed metals, compressed gas cylinders, plastics, and glass open dumped on-site.

File Names: 1370455012~09092008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1020
Direction: S
Photo by: Mark Weber
Exposure #: 5
Comments: A burn barrel located on-site.



Date: 09/09/2008
Time: 1020
Direction: N
Photo by: Mark Weber
Exposure #: 6
Comments: Two abandoned/inoperable trailers with metals, solid waste, and a 12 volt battery contained within.

File Names: 1370455012~09092008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1021
Direction: S
Photo by: Mark Weber
Exposure #: 7
Comments: Some of the used tires located at the Kissick #2 site.



Date: 09/09/2008
Time: 1022
Direction: NW
Photo by: Mark Weber
Exposure #: 8
Comments: More used tires located on-site.

File Names: 1370455012~09092008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1022
Direction: N
Photo by: Mark Weber
Exposure #: 9
Comments: Open
dumped demolition debris
and used tires.



Date: 09/09/2008
Time: 1022
Direction: NW
Photo by: Mark Weber
Exposure #: 10
Comments: Some used
tires, mixed metals, and
demolition debris open
dumped on-site.

File Names: 1370455012~09092008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1023
Direction: S
Photo by: Mark Weber
Exposure #: 11
Comments: Abandoned
vehicle parked on the
Kissick #2 site.



Date: 09/09/2008
Time: 1023
Direction: W
Photo by: Mark Weber
Exposure #: 12
Comments: Scrap metal
and white goods open
dumped on-site.

File Names: 1370455012~09092008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: 09/09/2008
Time: 1024
Direction: NW
Photo by: Mark Weber
Exposure #: 13
Comments: Two television sets and a used tire open dumped on-site.



Date: 09/09/2008
Time: 1026
Direction: SE
Photo by: Mark Weber
Exposure #: 14
Comments: Stained soil underneath an AST that appeared to likely contain fuel oil at on time.

File Names: 1370455012~09092008-[Exp. #].jpg

LPL# 1370455012 - Morgan Co.
Waverly/Kissick #2
FOS File



561404

BARBARA J. GROSS

For Use By County Recorder's Office

RECORDED
MORGAN COUNTY, IL
RECORDED IN
03/31/2008 03:23:35PM
REC. FEE: 40.00
RHSP: 10.00
PAGES: 4

032586
STATE OF ILLINOIS
REAL ESTATE TRANSFER TAX
MAR 28 '08
DEPT. OF REVENUE
07.50
P.D. 11249

County of Morgan
Real Estate Transfer Tax
Paid \$75

WARRANTY DEED

THIS INDENTURE WITNESSETH, that the Grantor,

RANDY JOE LONG, a single person

of Waverly, in the County of Morgan, and State of Illinois, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable consideration, in hand paid, Convey and Warrant to

CHARLES L. KISSICK,

of Alexander, in the County of Morgan, and State of Illinois, the following described real estate, to-wit:

Lot Five (5) in R P. Droke's First Addition to the Town, now city of Waverly,
Morgan County, Illinois

PERMANENT INDEX NUMBER: 19-11-113-026

situated in the County of Morgan, in the State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

The warranty herein is made and accepted subject to, whether public or private, existing easements, rights-of-way, streets and alleys, real estate taxes which are not yet due and payable, and zoning and building laws and ordinances, and is further subject to the following:

- Terms and provisions of a Gas Storage Lease with Panhandle Eastern Pipe Line Company, recorded April 23, 1963 in Miscellaneous Record "ZZ", page 385 as Document # 147102.
- Blanket Assignment by Panhandle Eastern Pipe Line Company to Pan Gas Storage Company, a Delaware Corporation, d/b/a Southwest Gas Storage Company dated May 10, 1999 and recorded June 9, 1999 as Document # 485538.

The general taxes for the year 2007 due and payable in 2008, and the general taxes for all subsequent years shall be paid by the Grantee, arrangement for the pro-ration having been made at the time of delivery of this deed.

DATED this 26 day of March, 2008.

Randy Joe Long
Randy Joe Long

STATE OF ILLINOIS)
) SS.
COUNTY OF MORGAN)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that **RANDY JOE LONG**, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 26 day of March, 2008.



Amy L Coats
Notary Public

Deed prepared by:

Lowry & Hoskin, LLP
Attorneys at Law
130 S. Madison
P.O. Box 167
Pittsfield, IL 62363
(217) 285-4822

Mail Tax Bills to Grantee's Address:

Mr. Charles L. Kissick
2247 Loami Road
Alexander, IL 62601

REMCAC-LongtoKissick/warranty deed

IF RETURN TO



ORIGINAL

PROOF OF SERVICE

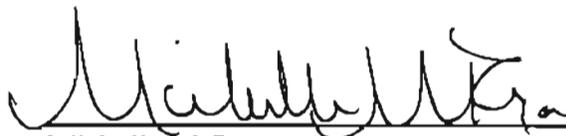
I hereby certify that I did on the 15th day of October 2008, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Charles Kissick
3249 Loami Road
Alexander, IL 62601

RECEIVED
CLERK'S OFFICE
OCT 20 2008
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



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