

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2017-
)	
v.)	(IEPA No. 35-17-AC)
)	
CCMKRMD TRUST AND)	
CURT DUSEK)	
)	
Respondents.)	

NOTICE OF FILING

To: CCMKRMD Trust
Cara/Curt Dusek, Trustees
P.O. Box 3666
Peoria, IL 61612

Curt Dusek
1602 North Christ Church Road
Hanna City, IL 61536

PLEASE TAKE NOTICE that on this date I electronically filed 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: February 27, 2017

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC 2017-
)	
v.)	(IEPA No 35-17-AC)
)	
CCMKRMD TRUST and KURT DUSEK,)	
)	
)	
)	
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 (2014).

FACTS

1. That CCMKRMD Trust and Kurt Dusek are the current owners ("Respondents") of a facility located at 1602 North Christ Church Road, Hanna City, Peoria County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as CCMKRMD Trust. The facility operator is Curt Dusek, 1602 North Christ Church Road, Hanna City, Peoria County, Illinois.
2. That said facility is designated with Site Code No. 1438085017.
3. That Respondents have owned said facility at all times pertinent hereto.
4. That on February 1, 2017, R. Eugene Figge of the Illinois Environmental Protection Agency's ("Illinois EPA") Peoria Regional Office inspected the above-described facility. A copy of the inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on February 27, 2017 Illinois EPA sent this Administrative Citation to CCMKRMD Trust via Certified Mail No. 7011 1150 0001 0863 2550 and to Curt Dusek via Certified Mail No. 7011 1150 0001 0863 2567.

VIOLATIONS

Based upon direct observations made by R. Eugene Figge during the course of the February 1, 2017 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) (2014).
- (2) 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) (2014).
- (3) That Respondents caused or allowed water to accumulate in used or waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2014).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2014), 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 May 2, 2017, 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 (2014), 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) (2014), 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 (2014). 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.


Alec Messina, Director *AKK*
Illinois Environmental Protection Agency

Date: 2-24-17

Prepared by: Dawn A. Hollis, 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

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 35-17-AC)
)	
CCMKRMD TRUST and CURT DUSEK,)	
)	
)	
Respondents.)	

FACILITY: CCMKRMD TRUST
SITE CODE NO.: 1438085017
COUNTY: Peoria
CIVIL PENALTY: \$4,500.00
DATE OF INSPECTION: February 1, 2017

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.

Electronic Filing Received, Clerk's Office 02/27/2017
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: Peoria LPC#: 1438085017 Region: 3 - Peoria
 Location/Site Name: Limestone Twp./CCMKRMD Trust
 Date: 02/01/2017 Time: From 10:30 am To 11:00 am Previous Inspection Date: _____
 Inspector(s): Gene Figge Weather: Cloudy 35 F
 No. of Photos Taken: # 13 Est. Amt. of Waste: 100 yds³ Samples Taken: Yes # _____ No
 Interviewed: Complainants Complaint #: C-2017-005-P, C-2017-006-P, C-2017-007-P, C-2017-010-P
 Latitude: 40.706533 Longitude: -89.712851 Collection Point Description: Dump Location - Center of Dump
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Map Interpolation - Google Maps

Responsible Party Mailing Address(es) and Phone Number(s):	CCMKRMD Trust Cara/Curt Dusek, Trustee's PO Box 3666 Peoria, Illinois 61612	Curt Dusek 1602 North Christ Church Road Hanna City, Illinois 61536 309-648-2120
------------------------------------------------------------------	--------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------

	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"/>
	(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"/>

LPC # 1438085017

Inspection Date: 02/01/2017

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"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS			
11.	95(a)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	95(b)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	95(c)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A CED OR OTHER LISTED DEVICE WITH WASTE THAT IS INTENDED FOR DISPOSAL BY BURNING OR INCINERATION	<input type="checkbox"/>
14.	95(d)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	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"/>
19.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY	<input type="checkbox"/>
OTHER REQUIREMENTS			
20.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- 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.
- The provisions of subsection (p) of Section 21, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that Act.
- 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); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).
- Items marked with an "NE" were not evaluated at the time of this inspection.

CCMKRMD Trust

FOS

Inspection Date: February 1, 2017

Prepared By: Gene Figge

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Narrative

Three citizen complaints were received on this site. C-2017-005-P was received on January 23, 2017. C-2017-006-P was received on January 23, 2017. C-2017-007 was received on January 24, 2017. All three complaints alleged that Curt Dusek, a roofing contractor, was open dumping shingles from his business at his residence, 1602 North Christ Church Road, Hanna City, IL.

On February 1, 2017 from 10:30 a.m. until 11:00 a.m., I conducted an open dump inspection at the property. I found a chained gate with a padlock across the driveway which is located adjacent to Christ Church. I parked and inspected the gate and found that it was "dummy locked" and not actually secure. I then walked up the driveway to the house where I knocked on the door and found that no one was home. I could see the open dump from the porch.

There were two open dumps on the property. The larger dumpsite was located on the east side of the property and consisted of approximately 80 cubic yards of shingles and other general construction and demolition debris. See photographs 1 through 8. There was a used tire on the rim that was tied to a pallet as well. See photographs 2 and 3.

The other open dump was located along both sides of the driveway as one enters the property. It consisted of general construction and demolition debris. See photographs 9 through 13. There were also four used tires. Three of the tires were not on a rim and one was on a rim. The three tires that were not on the rim contained water. See photographs 10 and 13. After walking and photographing the property, I departed.

Research at both the Peoria County Assessor's office and the Peoria County Recorder of Deeds revealed that the property is owned by CCMKRMD Trust. The Trust lists Cara and Curt Dusek as Trustees. After searching on the internet, I found that the horse operation on the property is listed on Facebook as Waterfall Farms, phone number 309-648-2120.

I contacted the complainants. None of them knew the name of Mr. Dusek's roofing business, but they said he resides on the property and does subcontracted roofing for various contractors. The waste that is generated from the roofing projects is then brought to the property and dumped.

On February 10, 2017, Citizen Complaint C-2017-010-P was received.

The following apparent violations were observed during the inspection:

1. Pursuant to Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator caused or allowed the open dumping of waste.**

2. Pursuant to Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)), in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder.

A violation of Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator conducted a waste-disposal operation without a permit granted by the Agency.**

3. Pursuant to Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

A violation of Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator conducted a waste disposal operation in violation of regulations adopted by the Illinois Pollution Control Board.**

4. Pursuant to Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator disposed of waste at a site which did not meet the requirements of the Act and regulations thereunder.**

5. Pursuant to Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in litter.

The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.

A violation of Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)) is alleged for the following reason: **The CCMKRMD Trust as owner and**

CCMKRMD Trust

FOS

Inspection Date: February 1, 2017

Prepared By: Gene Figge

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Curt Dusek as operator caused or allowed the open dumping of waste in a manner which resulted in litter.

6. Pursuant to Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)), no person shall, in violation of subdivision (a) of this Section, cause or allow the deposition of general construction or demolition debris as defined in Section 3.160(a) of the Act or the deposition of clean construction or demolition debris as defined in Section 3.160(b) of the Act.

The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.

A violation of Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator caused or allowed the deposition of general construction and demolition debris and clean construction and demolition debris.**

7. Pursuant to Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)), no person shall cause or allow the open dumping of any used or waste tire.

A violation of Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator caused or allowed the open dumping of used or waste tires.**

8. Pursuant to Section 55(k)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(k)(1)), no person shall cause or allow water to accumulate in used or waste tires.

A violation of Section 55(k)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(k)(1)) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator caused or allowed water to accumulate in used or waste tires.**

9. Pursuant to Section 812.101(a), all persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] shall submit to the Agency an application for a permit

1438085017 -- Peoria County

CCMKRMD Trust

FOS

Inspection Date: February 1, 2017

Prepared By: Gene Figge

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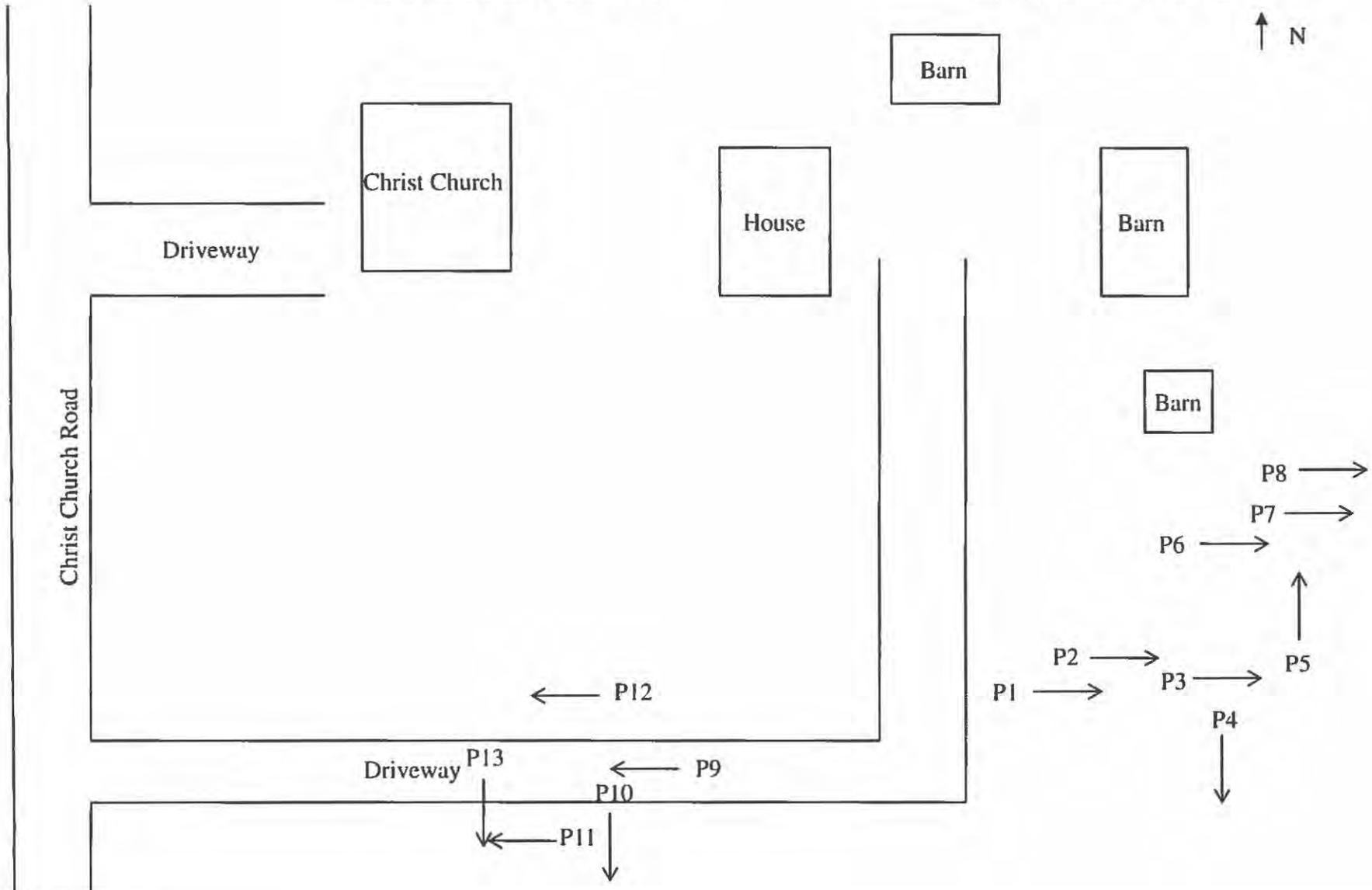
to develop and operate a landfill. The applications must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 Ill. Adm. Code 817.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: **The CCMKRMD Trust as owner and Curt Dusek as operator developed and operated a landfill without submitting an application for a permit to develop and operate a landfill.**

State of Illinois Environmental Protection Agency Site Sketch

Inspector: Gene Figge
Date of Inspection: February 1, 2017
Site Name: CCMKRMD Trust

LPC #: 1438085017
County: Peoria
Time: 10:30 am - 11:00 am



Not to Scale



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
Page 1 of 7

DATE: February 1, 2017

TIME: 10:42 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
1438085017~02012017-001.jpg

COMMENTS: Open dump
containing shingles.



DATE: February 1, 2017

TIME: 10:43 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
1438085017~02012017-002.jpg

COMMENTS: Open dump
containing shingles.



DOCUMENT FILE NAME:
1438085017~02012017.doc



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
Page 2 of 7

DATE: February 1, 2017

TIME: 10:43 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
1438085017~02012017-003.jpg

COMMENTS: Used tire tied to a
pallet.



DATE: February 1, 2017

TIME: 10:43 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
1438085017~02012017-004.jpg

COMMENTS: Open dump
containing shingles.



DOCUMENT FILE NAME:
1438085017~02012017.doc



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
Page 3 of 7

DATE: February 1, 2017

TIME: 10:43 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
1438085017~02012017-005.jpg

COMMENTS: Open dump
containing shingles.



DATE: February 1, 2017

TIME: 10:43 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
1438085017~02012017-006.jpg

COMMENTS: Open dump
containing shingles.



DOCUMENT FILE NAME:
1438085017~02012017.doc



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
Page 4 of 7

DATE: February 1, 2017

TIME: 10:44 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
1438085017~02012017-007.jpg

COMMENTS: Open dump
containing shingles.



DATE: February 1, 2017

TIME: 10:44 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
1438085017~02012017-008.jpg

COMMENTS: Open dump
containing shingles.



DOCUMENT FILE NAME:
1438085017~02012017.doc



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
Page 5 of 7

DATE: February 1, 2017

TIME: 10:48 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:
1438085017~02012017-009.jpg

COMMENTS: Waste
accumulated along the sides of the
driveway.



DATE: February 1, 2017

TIME: 10:48 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:
1438085017~02012017-010.jpg

COMMENTS: Used tires.



DOCUMENT FILE NAME:
1438085017~02012017.doc



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
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DATE: February 1, 2017

TIME: 10:48 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
1438085017~02012017-011.jpg

COMMENTS: Waste
accumulated along the sides of the
driveway.



DATE: February 1, 2017

TIME: 10:48 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
1438085017~02012017-012.jpg

COMMENTS: Waste
accumulated along the sides of the
driveway.



DOCUMENT FILE NAME:
1438085017~02012017.doc



1438085017 -- Peoria County
CCMKRMD Trust
FOS

Site Photographs
Page 7 of 7

DATE: February 1, 2017

TIME: 10:48 a.m.

PHOTOGRAPHED BY:
Gene Figge

DIRECTION: Photograph taken
toward the south.

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
1438085017~02012017-013.jpg

COMMENTS: Used tire.



DOCUMENT FILE NAME:
1438085017~02012017.doc

Google Maps



Imagery ©2017 DigitalGlobe, USDA Farm Service Agency, Map data ©2017 Google 100 ft

Electronic Filing: Received, Clerk's Office 2/27/2017

1438085017 - Peoria Co.
CCMRMD Trust
FOS



Recorded In
Peoria County Recorder of Deeds, ILLINOIS
Teste:

Bradley E. Horton
Recorder of Deeds

39

COVER SHEET

FOR RECORDING

- DEED
- MORTGAGE
- ASSIGNMENT
- RE-RECORDING
- OTHER

2000-002180

1084

CCMKRMD Trust
FOS



Mail Tax Statements to and
Return to:
Cara/Curt Dusek, Trustee's
PO Box 3666
Peoria, Illinois 61612

Recorded in
Peoria County Recorder of Deeds, ILLINOIS
Title:

Bradley E. Hostler
Recorder of Deeds

*RECORDED TO CORRECT LEGAL
QUIT CLAIM DEED*

39

THE GRANTOR, CATHERINE DUSEK REVOCABLE TRUST, DATED 12/27/05
AND DEBORAH DUSEK, of Peoria, in the State of Illinois, for and in consideration of
FIVE DOLLARS and other good and valuable consideration does hereby CONVEY and
QUIT CLAIM to CCMKRMD TRUST, of Peoria, in the State of Illinois, all interest in
the following described Real Estate: *SEE ATTACHED*

Parcel Identification No.: 17-04-100-005.

1602 North Christ Church Road, Hanna City, Peoria County, Illinois., described below.
A tract of land/Farm House Outbuilding, located in apart of the NW1/4 section 4, T8N,
R7E of the 4th P.M., Peoria, Illinois. More particular bounded and described as follows
and bearings are for the purpose of description only.
Beginning at an iron rod at the Northwest corner of the NW 1/4 of said Section 4; Thence
S 89 43'00" E, along the North line of the NW 1/4 of said Section 4; a distance of 1865.40
feet; Thence S 00 24' 34"W, 2159.50 feet to an iron rod, Thence N 89 36' 40", 1865.40
feet to the west line of the NW 1/4 section 4; Thence N 00 24' 34" E, along said West line
582.13 feet to the Southwest corner of the existing tract, Thence N 89 35' 21" E, 508.20
feet to an iron rod at the Northeast corner of said tract; Thence S 89 35' 21 "W501.88
feet to the west line of the NW 1/4 of said section 4. The last three (3) named courses
being along the South, East and North lines of an existing Church and Cemetery tract;
Thence N 00 24' 34" E along said west line 1309.74 feet to the place of beginning and
containing 89.34 acres more or less. Subject to the right away of a public road along the
West side of the above described tract and also subject to all easements of records.
ALSO SUBJECT TO a 32' Ingress & Egress Easement as shown on the Plat of Survey
by Mauer Stutz, Inc., South of the South side of the existing Church and Cemetery tract.

200-002780

200-001768

2064

Subject to covenants and restrictions or record, easements, governmental rules,
regulations, statutes, and to the authority of the Greater Peoria Sanitary District.

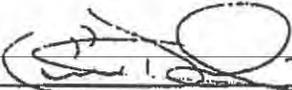
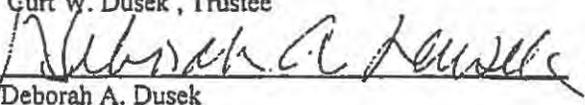
Date: JAN 22 2010

Peoria County Recorder
Rental Housing Support
Program Fund Surcharge: \$10.00

1438085017 - Peoria Co.
CCMK RMD Trust
FOS

Situated in the County of Peoria, in the State of Illinois, hereby releasing and waiving all rights under And by virtue of the Homestead Exemption Laws of the State of Illinois.

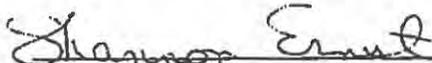
Dated this 5th day of December, 2008.


Catherine Dusek Revocable Trust Dated 12/27/05
Curt W. Dusek, Trustee

Deborah A. Dusek

State of Illinois)
) ss.
County of Peoria)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Curt W.Dusek Trustee for the Catherine Dusek Revocable Trust and Deborah Dusek, appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Official Seal, this 5th day of December, 2008.


Notary Public



This transcription is exempt under Provisions of paragraph c, of the Real Estate Transfer Tax Law (35 ILCS 200/31-45).

2010-002780

2010-001768

1438085017 - Peoria Co
CCM RMD Trust
FOS

SCHEDULE "A"

A tract of land located in a part of the Northwest Quarter of Section 4, Township 8 North, Range 7 East of the Fourth Principal Meridian, Peoria County, Illinois; more particularly bounded and described as follows and bearings are for the purpose of description only:

Beginning at an iron rod at the Northwest corner of the Northwest Quarter of said Section 4; thence South 89°43'00" East, along the North line of the Northwest Quarter of said Section 4, a distance of 1865.40 feet; thence South 00°24'34" West, 2159.50 feet to an iron rod; thence North 89°36'40" West, 1865.40 feet to the West line of the Northwest Quarter of said Section 4; thence North 00°24'34" East, along said West line, 582.13 feet to the Southwest corner of an existing tract; thence North 89°35'21" East, 508.20 feet to an iron rod at the Southeast corner of said tract; thence North 00°57'45" West, 264.18 feet to an iron rod at the Northeast corner of said tract; thence South 89°35'21" West, 501.88 feet to the West line of the Northwest Quarter of said Section 4. The last three (3) named courses being along the South, East and North lines of an existing Church and Cemetery tract; thence North 00°24'34" East, along said West line, 1309.74 feet to the Place of Beginning and containing 89.34 acres, more or less. Subject to the right-of-way of a Public Road along the West side of the above described tract and also subject to all easements of record. ALSO subject to a 32' Ingress & Egress Easement as shown on the Plat of Survey by Maurer Stutz, Inc., South of the South side of the existing Church and Cemetery tract.

Parcel Address: 1602 N. Christ Church Road, Hanna City, IL 61536
Parcel ID No.: 17-04-100-005

2010-002780

07 24033

4064
3.

PEORIA COUNTY, ILLINOIS
CCMKRMD TRUST
FOS

Case No. 061-10-V at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **CURT W. DUSEK**, acting on his own behalf, requests a **VARIANCE** from Section 24-6-3.E.1.b of the Zoning Ordinance which requires a minimum lot size of 40 acres in the "A-1" Agricultural Preservation District. The petitioner proposes to divide a 89.165 acre parcel into 4 parcels. The proposed parcel sizes are 10 acres, 25 acres, 28 acres and 26 acres. (CCMKRMD TRUST, PO BOX 3666, PEORIA IL 61612, OWNER)

Ms. Lowder opened the case. To date, there were 0 consents and 53 objections on file. The case was published in the Peoria Journal Star on August 15, 2010 and the Limestone Independent News on August 18, 2010. The Limestone Township Planning Commission recommended approval. The Peoria City/County Health Department had no objection. Copies of the countywide map, aerial view of the property, surrounding zoning, and site plan of the property were shown in a video presentation. A site video of the subject property was shown.

Curt Dusek, 1602 Christ Church Road, was sworn in. He presented for the record a township map indicating proposed acreage for the subject sites as well as acreage of surrounding properties. The map was marked as Exhibit #1. Mr. Dusek seeks permission to divide the property into 4 parcels. The property is owned by a trust involving 6 children, 4 of which are minors. The property was purchased by his mother in 2007. Mr. Dusek lives on what would be parcel B. Mr. Dusek as well as other family members would like to purchase land from the trust. The property is served by city water.

Mr. Dusek was asked if he met with the objectors. Mr. Dusek stated that he spoke with several objectors following the Limestone Township Planning Commission meeting. He stated that they are objecting to further land splits and potential mobile homes, not a division into 4 parcels. He explained that an original investor wanted to divide the property into as many as 80 lots. Mr. Dusek explained that he is no longer part of the trust. Mr. Dusek felt the wording on the objection letter was not clearly stated.

Ms. Taylor stated the ZBA is voting on a variance to divide 89 acres into 4 parcels. Ms. Lowder explained that if approved, Mr. Dusek would be allowed 4 lots of 10 acres, 25 acres, 28 acres and 26 acres give or take a half acre. Ms. Lowder stated the zoning will not change. Ms. Lowder verified that a mobile home is only allowed with approval of a special use. The LESA scored 171.3 out of 300, which is a low rating for protection. Ms. Lowder explained that the score takes into account access to public services, and surrounding parcel sizes.

Mr. Roberts asked if there was anyone wishing to speak to the ZBA.

Dr. Daniel Cramer, 1907 N Christ Church Road, was sworn in. Mr. Cramer helped to write the objection statement and obtained many of the objection signatures. He is concerned with multiple residences on one property and further subdivision.

Discussion followed. Mr. Roberts explained the request to Mr. Cramer. Mr. Cramer testified that he is not opposed to 4 houses on 4 parcels. He is concerned with further development at a later date.

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CCM & RMD TRUST
FOS

Mr. Roberts stated Mr. Dusek is going through the proper channels to divide the land. He feels the wording on the objection letter although unintentional did not provide a clear picture as to what is being requested. The lots sizes are larger than those in the area.

Mr. Cox stated he heard testimony that they are not concerned with 4 parcels, but are concerned with what could happen in the future.

Mr. Heinz felt the division based on the lay of the land made sense.

A motion to approve the requested variance was made by Mr. Heinz and seconded by Mr. Lightbody. Six affirmative votes; 6-0.

Parcel Information for Parcel 2016 17-04-100-009

2016 17-04-100-009 Active Parcel Parcel Report Find Parcel Add Parcel Retire Pa

Overview Assessment Board of Review Corrections Drainage Exemptions Farmland Forfeiture Genealogy Legal Desc. Lot / Acres Mobile Homes Names Permits Property Chars. Redemption Sales Site Address Tax Bill Tax Payments Tax Rates Time Memo

Owner Alternate Owner History Alternate History All

All Names

Name	Document	Relationship	Status	Year
CCMKRMD TRUST	1001768	OWNER	Current	20
DUSEK FAMILY ILLINOIS TRUST	0729033	OWNER	Current	20
DUSEK, DEBORAH A		TAXBILL	Current	20
CCMKRMD TRUST	1001768	OWNER	Current	20
DUSEK, DEBORAH A		TAXBILL	Current	20
CCMKRMD TRUST	1001768	OWNER	Current	20
DUSEK, DEBORAH A		TAXBILL	Current	20
CCMKRMD TRUST	1001768	OWNER	Current	20
DUSEK, DEBORAH A		TAXBILL	Current	20
CCMKRMD TRUST	1001768	OWNER	Current	20
DUSEK, DEBORAH A		TAXBILL	Current	20

Name Detail

Last Updated by: slaylor Last Modified: 11/28/2016 Deeded to This Owner? Yes No

Relationship: OWNER

Individual Organization

Org. Name: CCMKRMD TRUST

Trust Number: [Empty]

Comments: Chain of title seems pretty clear to me. D Illinois Trust has a half interest per WD 07 CCMKRMD trust has a half interest per Q Record corrected 11-28-16. ST 10 30780 Summary in file 12 3 10 am

Address: U.S. Address Foreign Address

1602 N CHRIST CHURCH ROAD

City: HANNA CITY State: IL Zip: 61536

Phone/FAX: () - -1

Birth Date1: 00/00/0000 Print Label: Yes No

Birth Date2: 00/00/0000 Lending Code: [Empty]

Email: [Empty]

Mailing Flags: Tax Bill Yes No Change Notice Yes No Delinquent Notice Yes No Exemption Notice Yes No

Ownership: Trust

Document Number: 10-01768

Document Type: Corrected Quit Claim Deed

Document Date: 01/22/2010

Document Book: [Empty]

Page: [Empty]

Consideration: [Empty]

This name is associated with 23 parcel entries.

143 8085017 - Peoria Co.
CCMKRMD Trust
FOS

PROOF OF SERVICE

I hereby certify that I did on the 27th day of February, 2017, serve by Certified Mail, Return Receipt Requested, with postage thereon 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: CCMKRMD Trust	Curt Dusek
Cara/Curt Dusek, Trustees	1602 North Christ Church Road
P.O. Box 3666	Hanna City, IL 61536
Peoria, IL 61612	

and the original via electronic filing on the same date

To: Don Brown, 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