

RECEIVED
CLERK'S OFFICE

OCT 25 2004

STATE OF ILLINOIS
Pollution Control Board

INFORMATIONAL NOTICE !!!

05-33

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.

NOTE: This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at State of Illinois Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL.**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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ADMINISTRATIVE CITATION

OCT 25 2004

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Complainant,)

v.)

LEO and DEBRA HARN,)

Respondents.)

AC 05-33

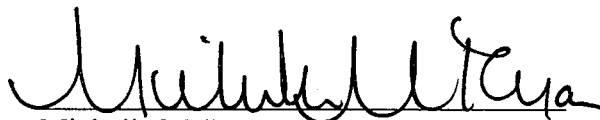
(IEPA No. 538-04-AC)

NOTICE OF FILING

To: Leo and Debra Harn
601 E. Osborn St Lot 41
Bushnell, Illinois 61422

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
Special Assistant Attorney General

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

Dated: October 21, 2004

RECEIVED
CLERK'S OFFICE

OCT 25 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

LEO and DEBRA HARN,

Respondents.

AC 05-33
(IEPA No. 538-04-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 (2002).

FACTS

1. That Leo and Debra Harn are the present owners and operators of a facility located at 601 Osborn Street, Bushnell, McDonough County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Harn Property.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1090155029.
3. That Respondents have owned and operated said facility at all times pertinent hereto.
4. That on September 29, 2004, Robert J. Wagner of the Illinois Environmental Protection Agency's Champaign 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 Robert J. Wagner during the course of his September 29, 2004 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 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) (2002).

- (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) (2002).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2002), 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 Three Thousand Dollars (\$3,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than December 15, 2004, 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 (2002), 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) (2002), 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 (2002). If Respondents elect to contest this Administrative Citation, then Respondents shall file a 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.

Renee Cipriano
Renee Cipriano, Director
Illinois Environmental Protection Agency

Date: 10/21/04

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

ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 538-04-AC)
)	
LEO and DEBRA HARN,)	
)	
)	
)	
Respondents.)	

FACILITY:	Harn Property	SITE CODE NO.:	1090155029
COUNTY:	McDonough	CIVIL PENALTY:	\$3,000.00
DATE OF INSPECTION:	September 29, 2004		

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:

)
)
)
)
)
)
)
)
)
)

IEPA DOCKET NO.

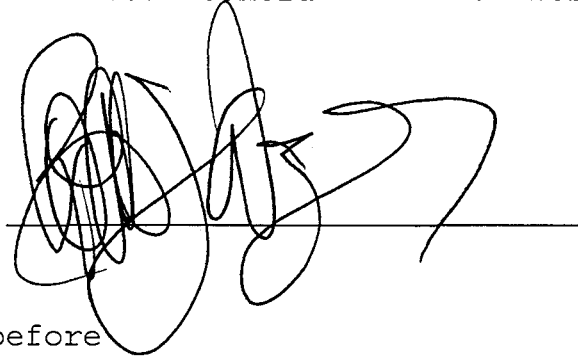
RESPONDENT

)

Affiant, Robert J. Wagner, being first duly sworn, voluntarily deposes and states as follows:

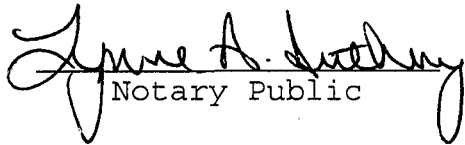
1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On September 29, 2004, between 11:10 a.m. and 11:24 p.m., Affiant conducted an inspection of the open dump in McDonough County, Illinois, known as Harn Property, Illinois Environmental Protection Agency Site No. 1090155029.
3. Affiant inspected said Harn Property open dump site by an on-site inspection, which included walking the site and photographing the site.
4. As a result of the activities referred to in Paragraphs 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

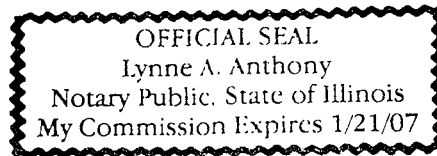
Affiant's observations and factual conclusions with respect to
Harn Property open dump.

A large, stylized handwritten signature in black ink, written over a horizontal line.

Subscribed and Sworn to before

me this 12 day of October 2004


Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: McDonough LPC#: 1090155029 Region: 3 - Peoria
Location/Site Name: Bushnell / Harn Property
Date: 09/29/04 Time: From 11:10 AM To 11:24 AM Previous Inspection Date: 05/03/04
Inspector(s): Robert J. Wagner Weather: 70 F, Sunny, Dry
No. of Photos Taken: # 23 Est. Amt. of 2 yds³ Samples Taken: Yes # _____ No
Waste: _____
Interviewed: No One Onsite Complaint #: C-2004-048-P

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

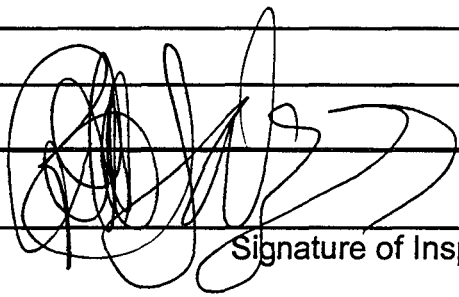
Leo & Debra Harn
601 E Osborn St Lot 41
Bushnell, IL 61422

SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS		
1. 9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2. 9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" 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	<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 checked="" 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 # 1090155029

Inspection Date: 09/29/2004

	(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 checked="" 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:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



Signature of Inspector(s)

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.

Narrative

On September 29, 2004, [11:10 AM to 11:24 AM] this author (Robert Wagner) conducted an open dump re-inspection at property owned by Leo and Debra Harn. The property is called Bushnell Gardens and is located at 601 Osborn Street, Bushnell Illinois. Bushnell Gardens is a trailer park. The re-inspection was a result of an open dump inspection that took place on May 3, 2004.

History

On May 3, 2004, an inspection in response to a citizen complaint was performed at the Harn Property. The following alleged violations were observed; Sections 9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(3), 21(p)(7) and 55(a)(1) of the Act and Section 812.101(a) of the Regulation. On June 1, 2004, an ACWN was issued by the Agency. The Agency did not receive a written response from Mr. or Mrs. Harn. The Agency did not receive any landfill receipts in regards to the clean up of the property.

Inspection

Upon arrival, this author walked and photographed the property. Some type of clean up activity had taken place at the site since the May 3, 2004 inspection. This author noticed a reduced volume of waste debris at the site. Photographs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 show processed wood, cans, metal debris, tires, insulation, a mattresses carcass, construction and demolition debris pushed over the edge of an embankment (see site sketch). Evidence indicates that open burning had taken place on the property. Photographs 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, and 16 show the charred remains of construction and demolition debris, insulation, a mattress carcass, and a tire rim with beads.

This author went to the Bushnell Gardens office and met with Debra Harn. According to Mrs. Harn, Mr. Harn cleaned up the site. Mrs. Harn said that Mr. Harn took all the waste debris out to their family farm and burnt it as a method of disposal. This author explained to Mrs. Harn that the site was not cleaned up. This author further explained to Mrs. Harn that it was illegal for them to take the waste debris to another site and burn it. This author asked Mrs. Harn where the family farm was located. Mrs. Harn replied that she did not know the location of her family farm. At that time, she called Mr. Harn. Mrs. Harn gave this author her phone to talk to Mr. Harn. This author explained to Mr. Harn that the site was not cleaned up. Mr. Harn admitted to taking the waste debris to his family farm and burning it as a method of disposal. This author pointed out to Mr. Harn that in a previous phone conversation this author told him that he could not burn the waste debris and that it needed to be taken to an IEPA permitted landfill. This author in the same phone conversation also told him that he needed to respond to the ACWN in writing. Mr. Harn acknowledged that the phone conversation took place but disagreed to what this author had told him. According to Mr. Harn this author told him that he could burn the waste debris at his family farm.

The following alleged violations were observed and indicated on the open dump inspection checklist:

1. Pursuant to Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)), no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

A violation of Section 9(a) is alleged for the following reason: **Evidence of open burning which would cause or tend to cause air pollution in Illinois was observed during the inspection.**

2. Pursuant to Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)), no person shall cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act.

A violation of Section 9(c) is alleged for the following reason: **Evidence of open burning was observed during the inspection.**

3. 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) is alleged for the following reason: **Evidence of open dumping of waste was observed during the inspection.**

4. Pursuant to Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)), 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.

A violation of Section 21(d)(1) is alleged for the following reason: **Waste was disposed without a permit granted by the Illinois EPA.**

5. 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) is alleged for the following reason: **A waste disposal operation was conducted in violation of regulations adopted by the Illinois Pollution Control Board.**

6. 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) is alleged for the following reason: **Waste was disposed at this site which does not meet the requirements of the Act and regulations thereunder.**

7. 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) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in litter.**

8. Pursuant to Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)), 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 open burning.

A violation of Section 21(p)(3) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in open burning.**

9. Pursuant to Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)), no person shall cause or allow the open dumping of waste in a manner that results in deposition of (i) general construction or demolition debris as defined in Section 3.160(a) of this Act; or (ii) clean construction or demolition debris as defined in Section 3.160(b) of this Act.

A violation of Section 21(p)(7) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in deposition of general or clean construction or demolition debris.**

10. 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) is alleged for the following reason: **Evidence of open dumping of used or waste tires was observed during the inspection.**

11. Pursuant to Section 55(a)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(2)), no person shall cause or allow the open burning of any used or waste tire.

A violation of Section 55(a)(2) is alleged for the following reason: **Evidence of open burning of used or waste tires was observed during the inspection.**

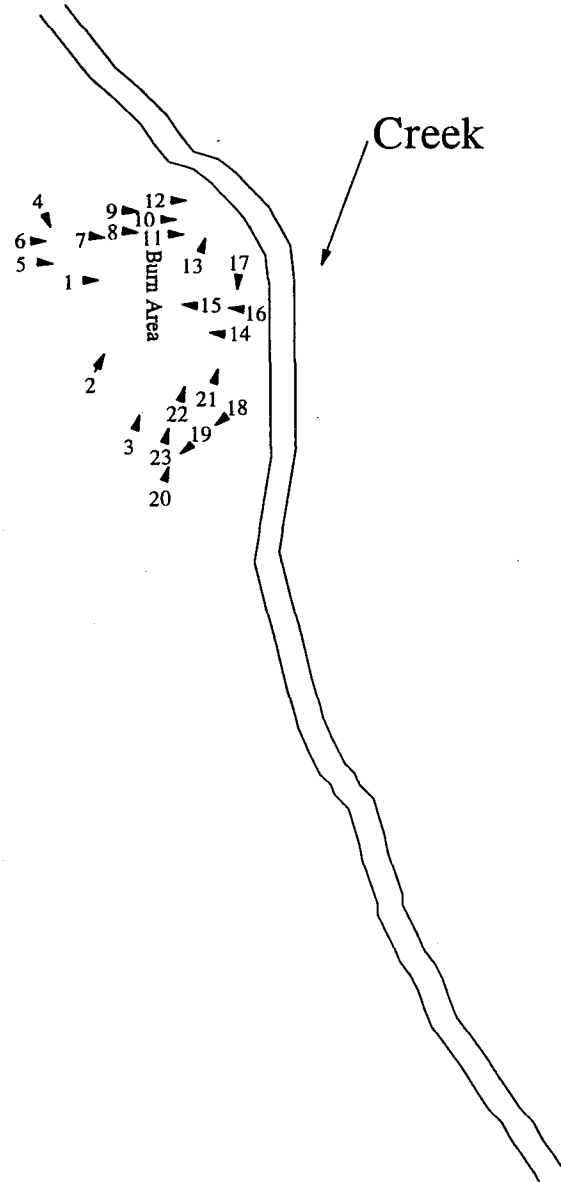
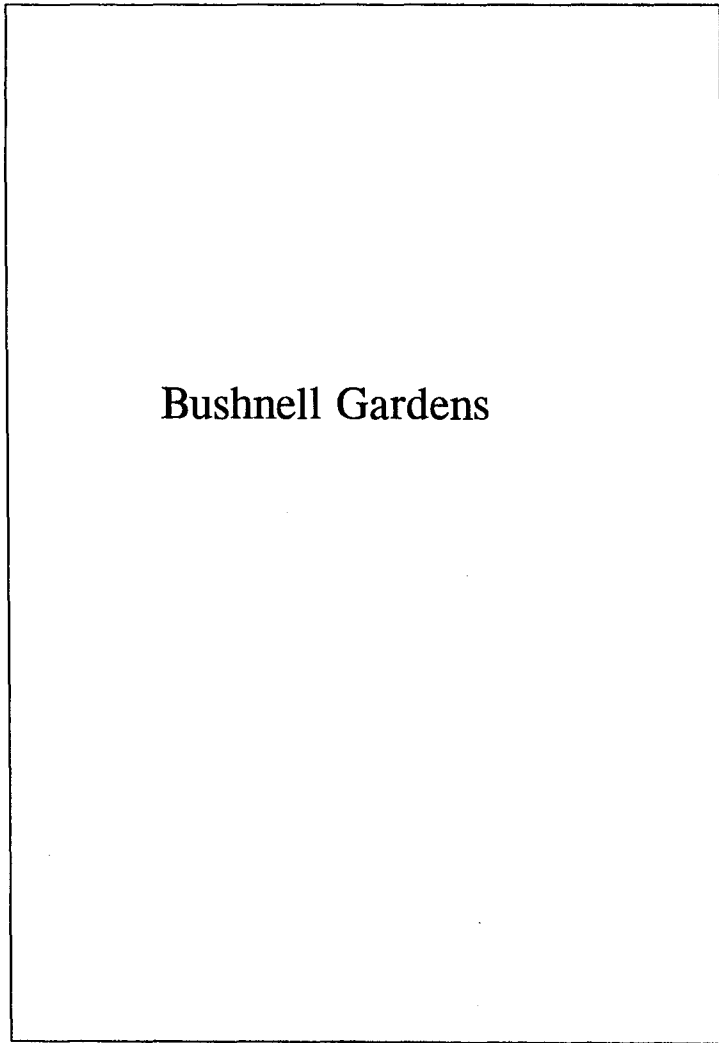
12. Pursuant to 35 Ill. Adm. Code 812.101(a), all persons, except those specifically exempted by Section 21(d) of the {Illinois} Environmental Protection Act, shall submit to the Agency an application for a permit to develop and operate a landfill.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: **A waste disposal site was operated without submitting to the Illinois EPA an application for a permit to develop and operate a landfill.**

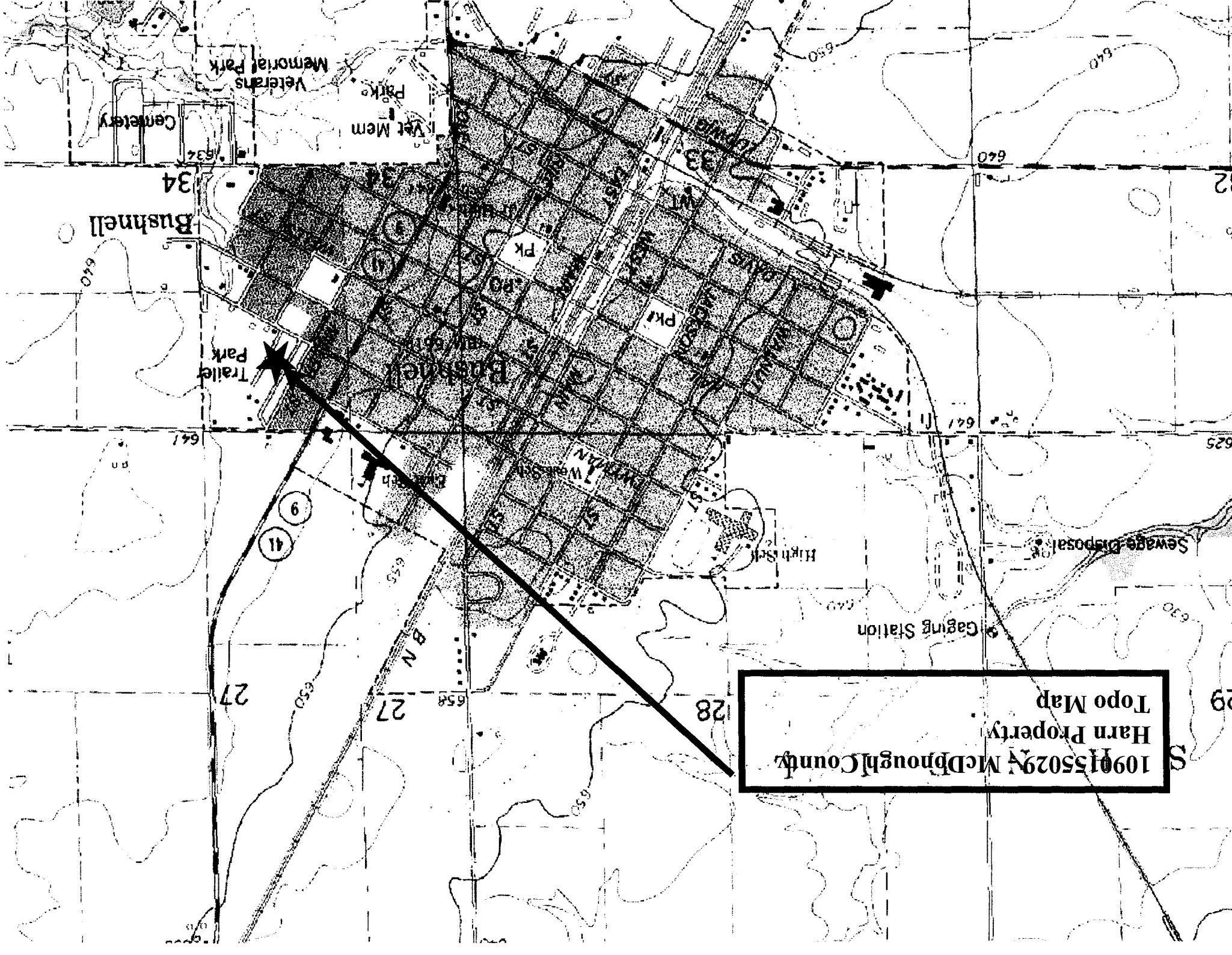
STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
SITE SKETCH

DATE OF INSPECTION: 05/03/04
SITE CODE: 1090155029
SITE NAME: Harn Property

INSPECTOR(S): Robert J. Wagner
COUNTY: McDonough
TIME: 11:10 AM to 11:24 AM



Drawing Not To Scale



S 1090155029 McPhough County
Harn Property
Topo Map

DATE: September 29, 2004

TIME: 11:16 AM

PHOTOGRAPHED BY:

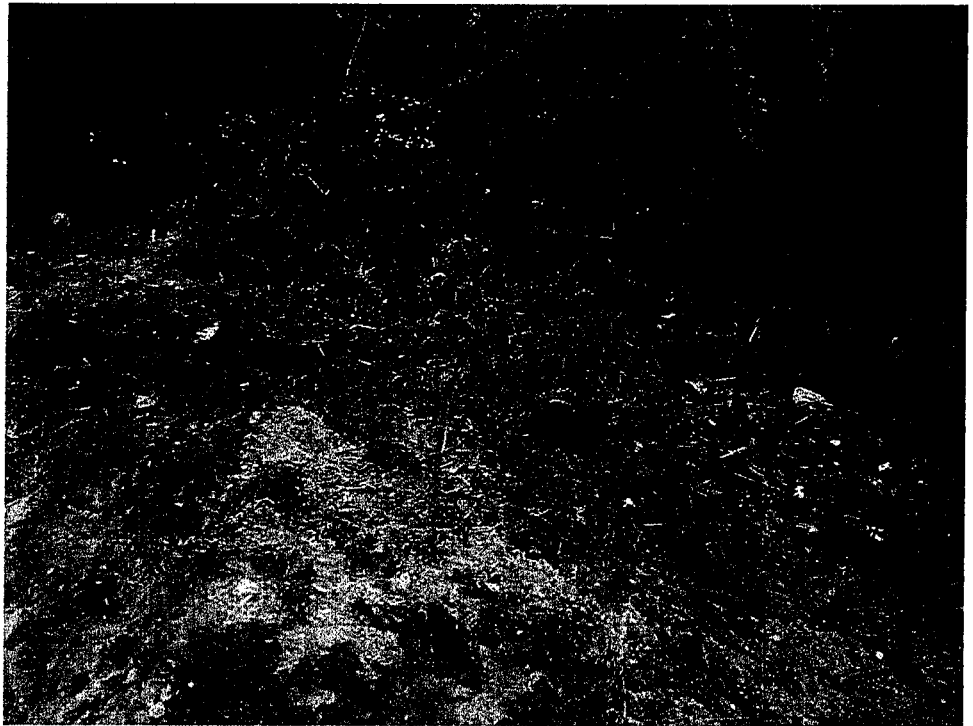
Robert J. Wagner

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
1090155029~09292004-001.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:16 AM

PHOTOGRAPHED BY:

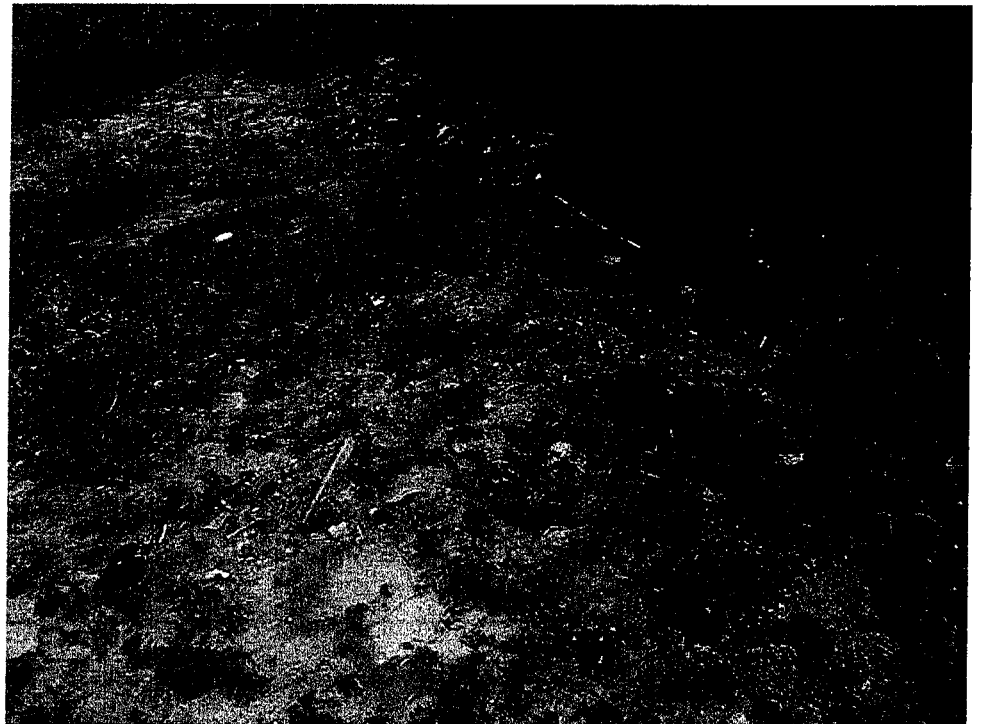
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
1090155029~09292004-002.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:16 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
1090155029~09292004-003.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:17 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
1090155029~09292004-004.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:17 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
1090155029~09292004-005.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:17 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
1090155029~09292004-006.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:17 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the southeast.

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:

1090155029~09292004-007.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:17 AM

PHOTOGRAPHED BY:

Robert J. Wagner

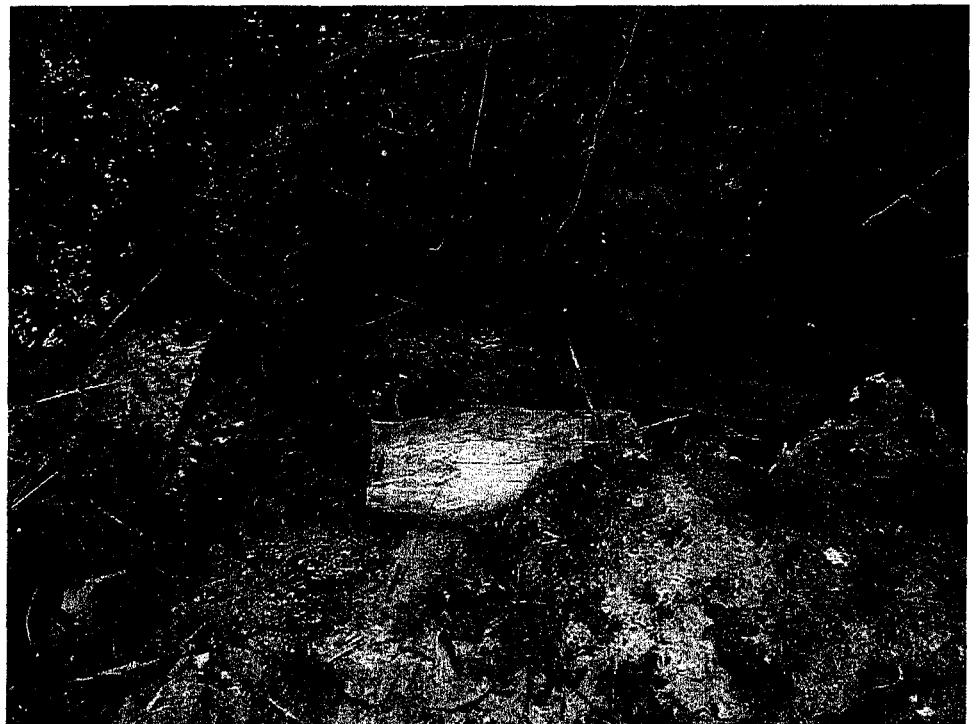
DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:

1090155029~09292004-008.jpg

COMMENTS:



DOCUMENT FILE NAME:

1090155029~09292004.doc

DATE: September 29, 2004

TIME: 11:17 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:

1090155029~09292004-009.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:18 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:

1090155029~09292004-010.jpg

COMMENTS:



DOCUMENT FILE NAME:

1090155029~09292004.doc

DATE: September 29, 2004

TIME: 11:18 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
1090155029~09292004-011.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:19 AM

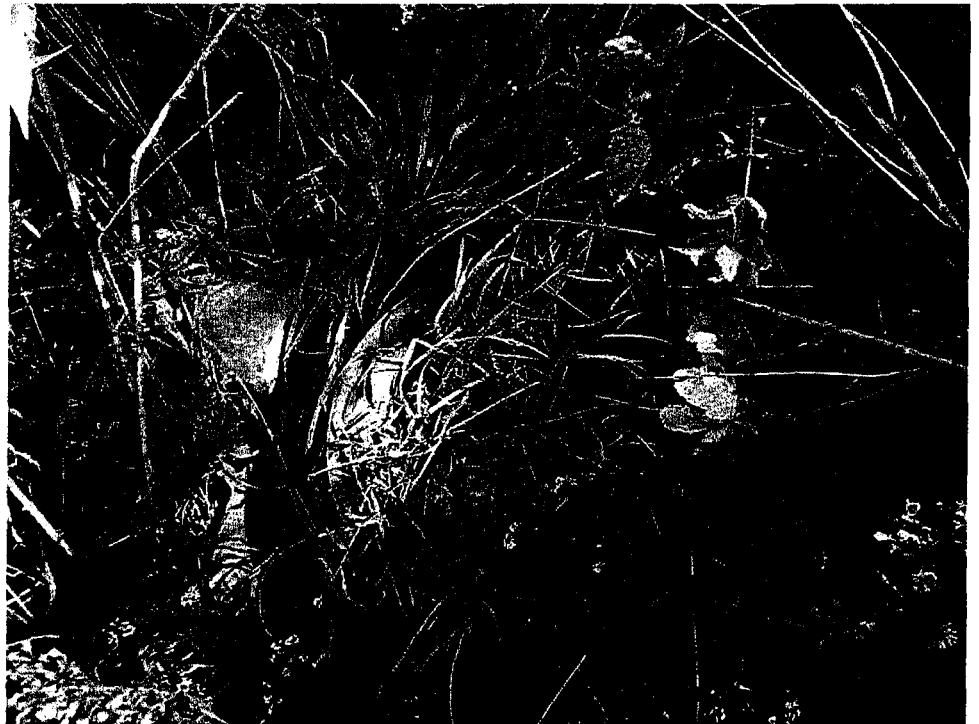
PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the east.

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
1090155029~09292004-012.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:19 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northwest.

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
1090155029~09292004-013.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:21 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:
1090155029~09292004-014.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:21 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:
1090155029~09292004~015.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:21 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the west.

PHOTOGRAPH NUMBER: 16

PHOTOGRAPH FILE NAME:
1090155029~09292004~016.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:22 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 17

PHOTOGRAPH FILE NAME:
1090155029~09292004-017.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:22 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 18

PHOTOGRAPH FILE NAME:
1090155029~09292004-018.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:22 AM

PHOTOGRAPHED BY:

Robert J. Wagner

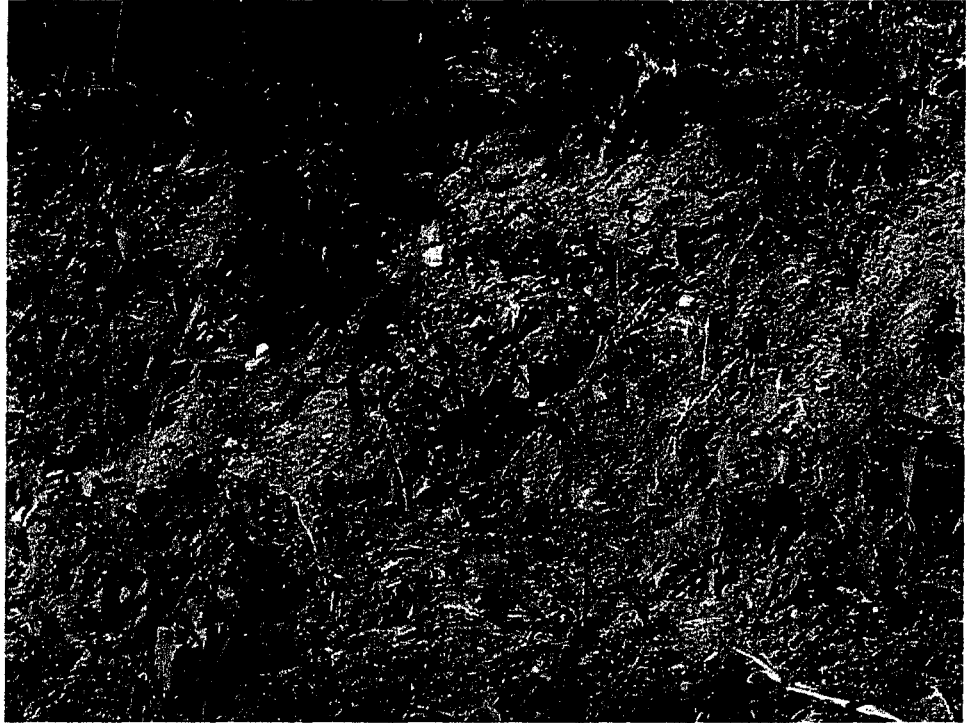
DIRECTION: Photograph taken
toward the southwest.

PHOTOGRAPH NUMBER: 19

PHOTOGRAPH FILE NAME:

1090155029~09292004-019.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:23 AM

PHOTOGRAPHED BY:

Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 20

PHOTOGRAPH FILE NAME:

1090155029~09292004-020.jpg

COMMENTS:



DOCUMENT FILE NAME:

1090155029~09292004.doc

DATE: September 29, 2004

TIME: 11:23 AM

PHOTOGRAPHED BY:

Robert J. Wagner

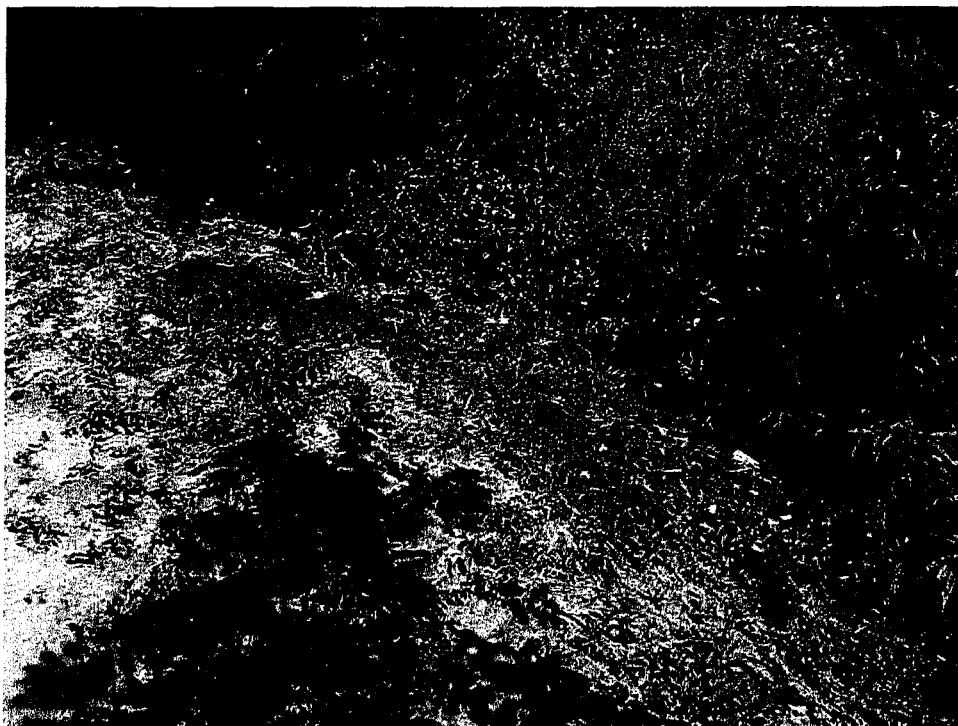
DIRECTION: Photograph taken
toward the northeast.

PHOTOGRAPH NUMBER: 21

PHOTOGRAPH FILE NAME:

1090155029~09292004-021.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:24 AM

PHOTOGRAPHED BY:

Robert J. Wagner

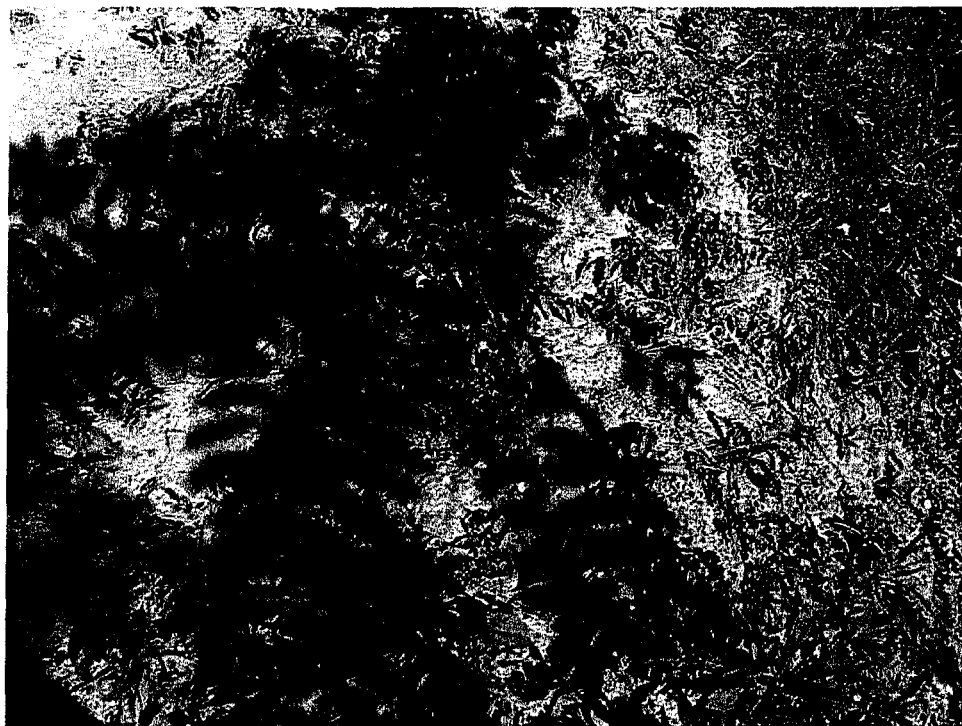
DIRECTION: Photograph taken
toward the north.

PHOTOGRAPH NUMBER: 22

PHOTOGRAPH FILE NAME:

1090155029~09292004-022.jpg

COMMENTS:



DATE: September 29, 2004

TIME: 11:24 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken
toward the north.

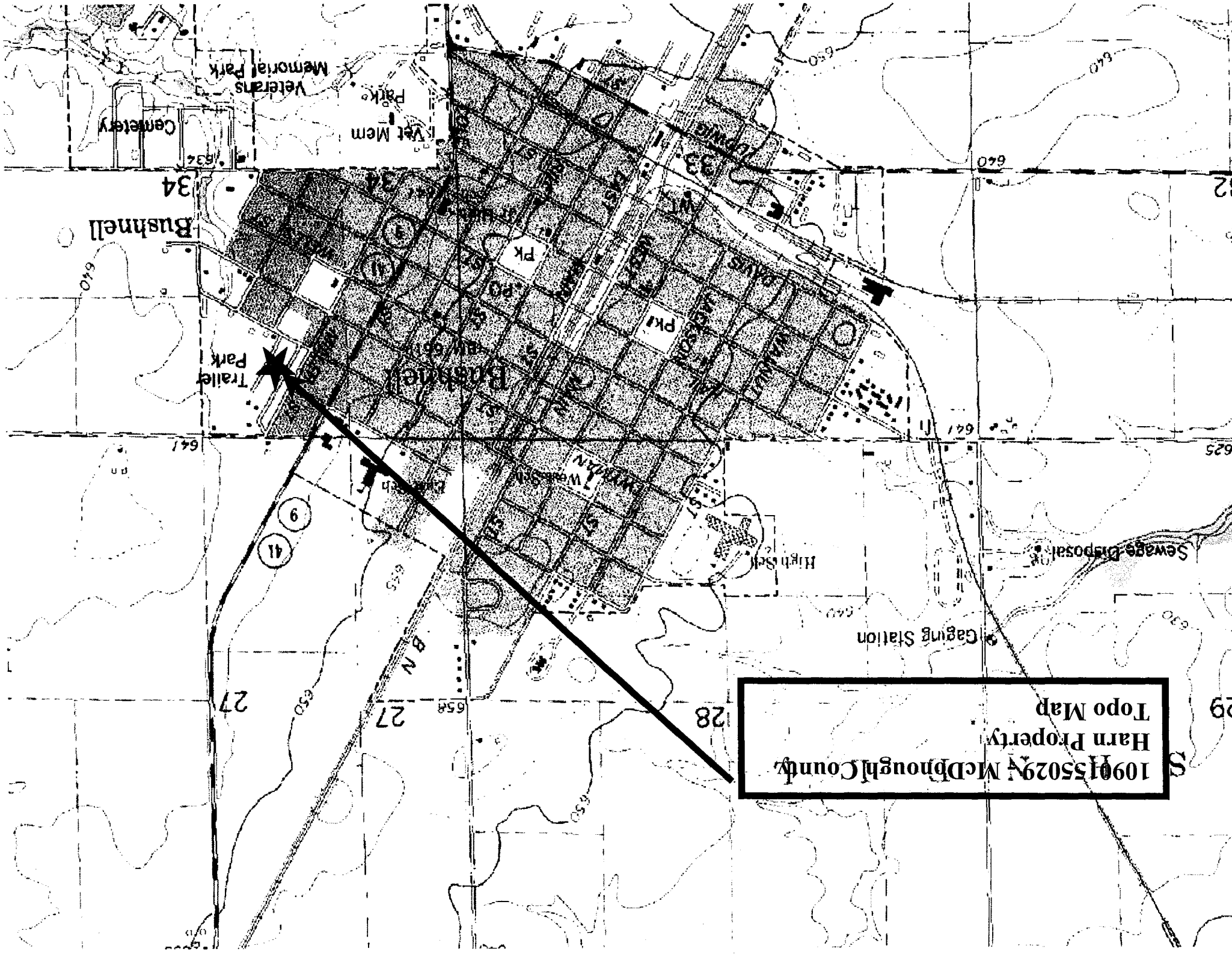
PHOTOGRAPH NUMBER: 23

PHOTOGRAPH FILE NAME:
1090155029~09292004-023.jpg

COMMENTS:



S 1090155029N McDough County
Harn Property
Topo Map



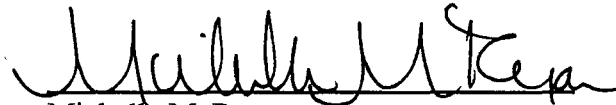
PROOF OF SERVICE

I hereby certify that I did on the 21st day of October 2004, 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: Leo and Debra Harn
601 E. Osborn St Lot 41
Bushnell, Illinois 61422

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: Dorothy Gunn, 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