

RECEIVED
CLERK'S OF

MAR 14 2006

STATE OF ILLINOIS
Pollution Control Board

A 06-30

INFORMATIONAL NOTICE !!!

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 James R. Thompson 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.**

Any person other than individuals **MUST** appear through an attorney-at-law licensed and registered to practice law. Individuals may appear on their own behalf, or through an attorney. 35 Ill. Adm. Code 101.400(a).

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
MAR 14 2006
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
RICK LINNABURY,)
)
Respondent.)

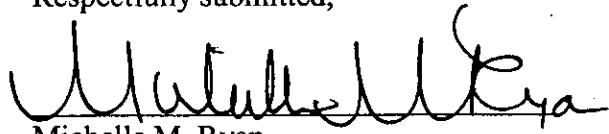
AC 06-30
(IEPA No. 44-06-AC)

NOTICE OF FILING

To: Rick Linnabury
7909 IL Hwy 49
Kansas, IL 61933-6023

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: March 8, 2006

VIOLATIONS

Based upon direct observations made by Mike Mullins during the course of his February 2, 2006 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) (2004).

- (2) That Respondent caused or allowed the open dumping of waste in a manner resulting in the 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) (2004).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2004), 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 April 15, 2006, 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 (2004), 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) (2004), 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 (2004). 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
Douglas P. Scott, Director *by wec*
Illinois Environmental Protection Agency

Date: 3/8/06

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

RECEIVED
CLERK'S OFFICE

MAR 14 2006

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
RICK LINNABURY,)
)
)
)
Respondent.)

AC 06-30
(IEPA No. 44-06-AC)

FACILITY: Newman/Linnabury, Rick SITE CODE NO.: 0410255012
COUNTY: Douglas CIVIL PENALTY: \$3,000.00
DATE OF INSPECTION: February 2, 2006

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,)
Complainant,)
)
RICK LINNABURY)
Respondent,)

IEPA DOCKET NO.

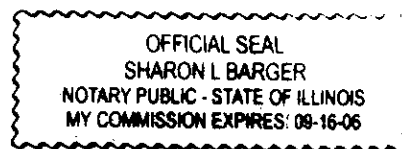
Affiant, Mike Mullins, being first duly sworn, voluntarily deposes and states as follows:

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 February 2, 2006, between 10:00 A.M. and 10:20 A.M., Affiant conducted an inspection of the site in Douglas County, Illinois, known as the Rick Linnabury, AKA "Newman School", Illinois Environmental Protection Agency Site No. 0410255012.
3. Affiant inspected said Rick Linnabury site by an on-site inspection, which included walking the site.
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 the Rick Linnabury site.

Subscribed and Sworn to before me
this 9th day of February,
2006.

Mike Mullins
Mike Mullins

Sharon L Barger
Notary Public



LPC # 0410255012

Inspection Date: 02/02/2006

	(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 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 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"/>
16.	807.201	No person shall cause or allow the development of any new solid waste management site or cause or allow the modification of an existing solid waste management site without a Development Permit issued by the Agency.	<input type="checkbox"/>
17.	807.202	All applications for Operating Permits shall be submitted to the Agency at least 90 days prior to the date on which such permit is required	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

Illinois Environmental Protection Agency
Bureau of Land ♦ Field Operations Section ♦ Champaign

0410255014--Douglas County
Newman/Linnabary, Rick.
Inspection Date: February 2, 2006
Inspector: Mike Mullins
FOS File

General Comments:

GIS Data: Latitude-N 39.80430 °, Longitude-W 087.98448° (Garmin GPSMAP76S) EPE +/- 20'

Ownership: Confirmed by deed from the Records Office, Douglas County Courthouse to belong to Rick Linnabary.

This property is the previous Newman High School. The school district sold the property in 1994 to Raymond Orwick and family. The Orwick's lived in part of the school until 2004 when they left Newman for Broadlands. It was on November 10, 2004 that the property sold to Rick Linnabary who resides in Newman.

This inspection was a follow-up to an inspection conducted with Douglas County Health Department on February 18, 2004 and my previous inspection on November 4, 2005.

Inspection on November 4, 2005 resulted in Mr. Linnabary receiving an Administrative Citation Warning Notice for Open Dumping, white goods, and tire violations. Mr. Linnabary phoned the IEPA Office on December 2, 2005 and stated that he would comply with cleaning up the debris around the outside of the school by the suspense date of February 1, 2006.

The purpose of this inspection was to determine regulatory status and evaluate compliance with the Environmental Protection Act (Act) and Title 35 Illinois Administrative Code, Subtitle G: Land Pollution (Regulations).

February 2, 2006 Observations:

I arrived at the property about 10:00 am, the weather was 40 degrees, overcast skies, and wet/muddy conditions. The site is on the west side of North Broadway Street just north of High Street.

When I arrived, no one was on-site to interview. The property at this location is scattered with debris consisting of wood, shingles, appliances, vehicle batteries, furniture, carpeting, clothing, heating ducts, burn barrels, and a partially demolished/collapsing structure. Observed was approximately 200 cubic yards of mixed waste to include dimensional lumber, plywood, shingles, steel, plastic, clothing and appliances.

There appears to have been no progress made to remove any of the debris from the site. It also appears that additional debris has been discarded at the site. Additional items include additional appliances have been placed on the old tennis courts (photos 1,2), six vehicles in the parking lot on the east side of the building (photo 4), and metal, appliances and other debris on the east side of the building (photo 7).

As stated in the previous inspection report, The current owner of the property has removed the windows and doors from the building. The building is not secure and can not be easily secured because of the number of unrestricted openings. No attempts have been made to secure the facility and prevent trespass.

Observed though a window frame was one of the lower rooms in the building and exposed pipe wrap that is potentially asbestos containing was easily visible.

With no restriction to trespass, this building is a threat to vandalism, trespass by curious individuals. Trespassing in this building is a hazard due to the possible asbestos presence and the threat of falling debris; the building's roof has already fallen onto the third floor.

Apparent continuing violations observed during this inspection:

Environmental Protection Act. 415 ILCS 5/1 et. Seq. (formerly Ill. Rev. Stat. Ch. 111 1/2, 1001 et. Seq.) {hereinafter call the "Act"}

#1 Pursuant to Section 21(a) of the Act, 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, including dimensional lumber, plywood, shingles, steel, plastic, furniture and appliances were observed during the inspection.**

#2 Pursuant to Section 21(d)(1) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency.

A violation of Section 21(d)(1) is alleged for the following reason: **waste disposal and/or storage operation is being conducted without a permit granted by the Agency.**

#3 Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of regulations adopted by the Illinois Pollution Control Board.

A violation of Section 21(d)(2) is alleged for the following reason: **a waste disposal and/or storage operation is being conducted in violation of regulations adopted by the Illinois Pollution Control Board.**

- #4 Pursuant to Section 21(e) of the Act. 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 the Act and of Regulations and Standards thereunder.

A violation of Section 21(e) is alleged for the following reason: **Wastes were being disposed and/or stored at this facility which does not meet the requirements of the Act and regulations & standards thereunder.**

- #5 Pursuant to Section 21(p)(1) of the Act, no one shall cause or allow the open dumping of any waste in a manner which results in litter.

A violation of Section 21(p)(1) is alleged for the following reason: **evidence of open dumping resulting in litter was observed during the inspection.**

- #6 Pursuant to Section 21(p)(7) of the Act. No person shall cause or allow the open dumping of any waste in a manner which results in the deposition of general construction or demolition debris; or clean construction or demolition debris.

A violation of Section 21(p)(7) is alleged for the following reason: **Evidence of open dumping of wastes resulting in the deposition of general demolition/construction debris was observed during the inspection of this site.**

35 Illinois Administrative Code. (Title 35: Environmental Protection, Subtitle G: Land Pollution, Chapter I: Pollution Control Board) [Regulations]

- #7 Pursuant to Section 812.101(a) of the Regulations, all persons, except those specifically exempted by Section 21(d) of the Act, shall submit to the Agency an application for a permit to develop and operate a landfill.

A violation of Section 812.101(a) is alleged for the following reason: **this waste storage site has not submitted an application to the Agency for a permit to develop and operate a landfill.**

- #8 Pursuant to Section 807.201 of the Regulations, no person shall cause or allow the development of any new solid waste management site or cause or allow the modification of an existing solid waste management site without a Development Permit issued by the Agency.

A violation of Section 807.201 is alleged for the following reason: **the property owner has not submitted an application to develop a new solid waste management facility at this location.**

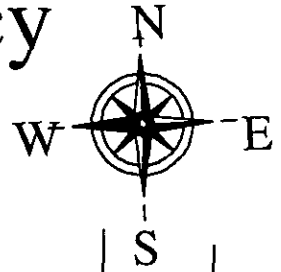
#9 Pursuant to Section 807.202 of the Regulations, no person shall cause or allow the use or operation of any solid waste management site for which a Development Permit is required under Section 807.201 without an Operating Permit issued by the Agency, except for such testing operations as may be authorized by the Development Permit.

A violation of Section 807.202 is alleged for the following reason: **the property owner has not submitted an application to operate a new solid waste management facility at this location for which a developmental permit was required.**

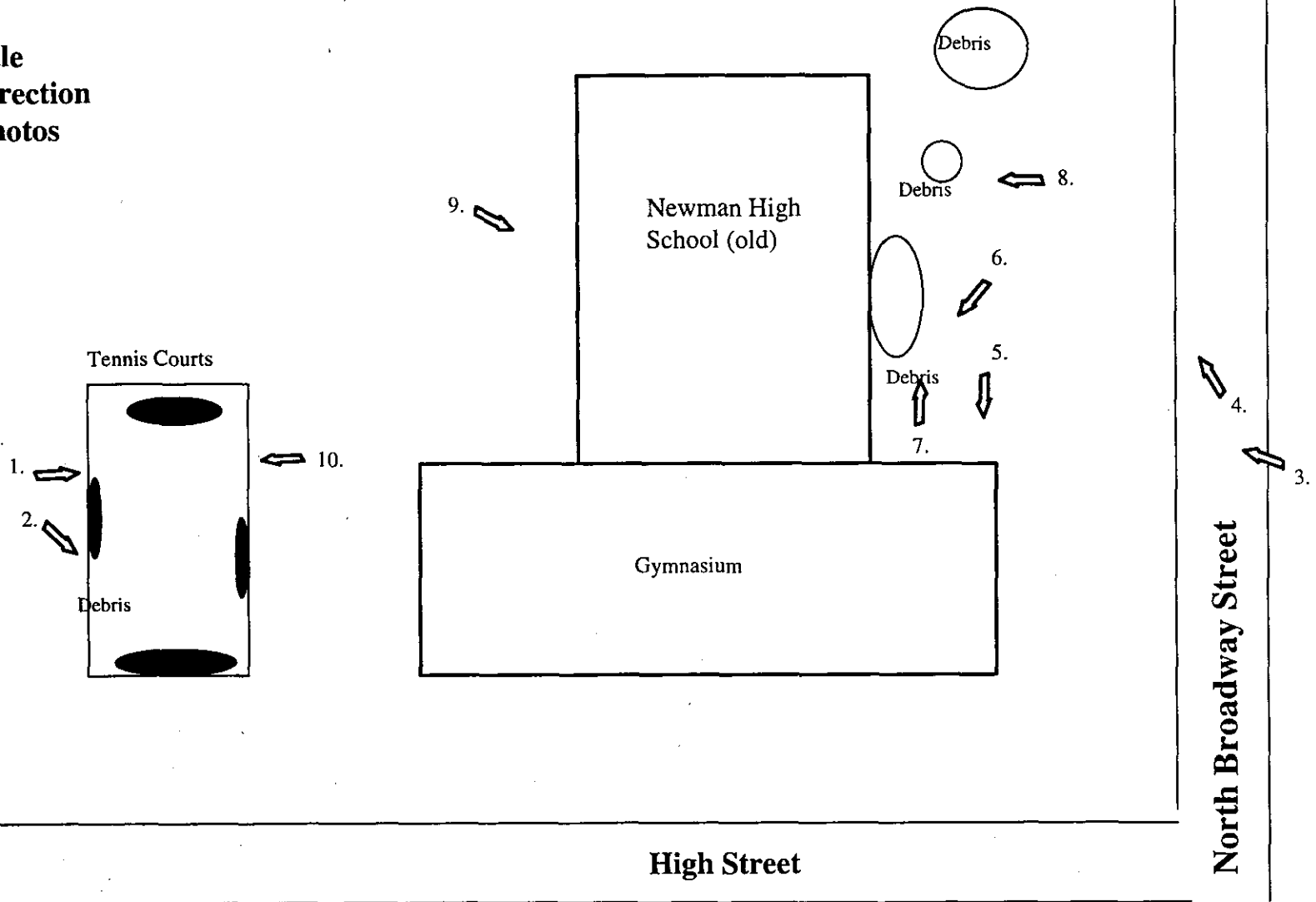
Illinois Environmental Protection Agency

LPC # 0410255012--Douglas County
Newman/Linnabary, Rick
Insp. Date 2/2/2006

Site Map



Map not to Scale
Arrows indicated direction
and location of Photos



Site Photos

Photo 1-10 @
10:00-10:20 am



Illinois Environmental Protection Agency
Bureau of Land

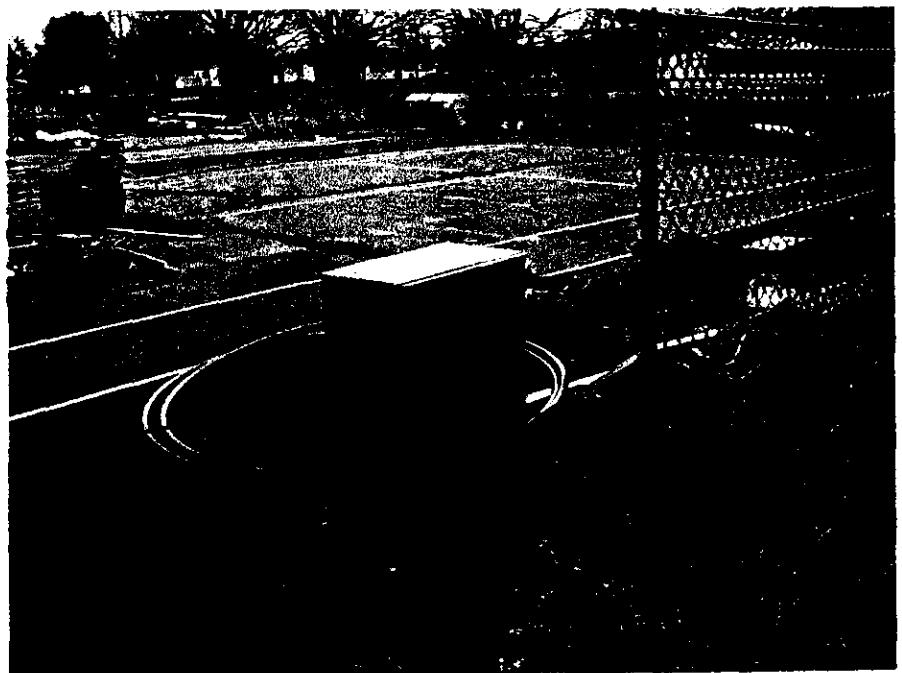
DIGITAL PHOTOGRAPHS

**LPC #0410255012 — Douglas County
Newman/Linnabary, Rick
FOS File**

**DATE: - February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: East
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-001.jpg
COMMENTS:**



**DATE: February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: Southeast
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-002.jpg
COMMENTS:**





Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

**LPC #0410255012 — Douglas County
Newman/Linnabary, Rick
FOS File**

**DATE: - February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: West
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-003.jpg
COMMENTS:**



**DATE: February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: Northwest
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-004.jpg
COMMENTS:**





Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

LPC #0410255012 — Douglas County
Newman/Linnabary, Rick
FOS File

DATE: - February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: South
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-005.jpg
COMMENTS:



DATE: February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: Southwest
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-006.jpg
COMMENTS:





Illinois Environmental Protection Agency
Bureau of Land

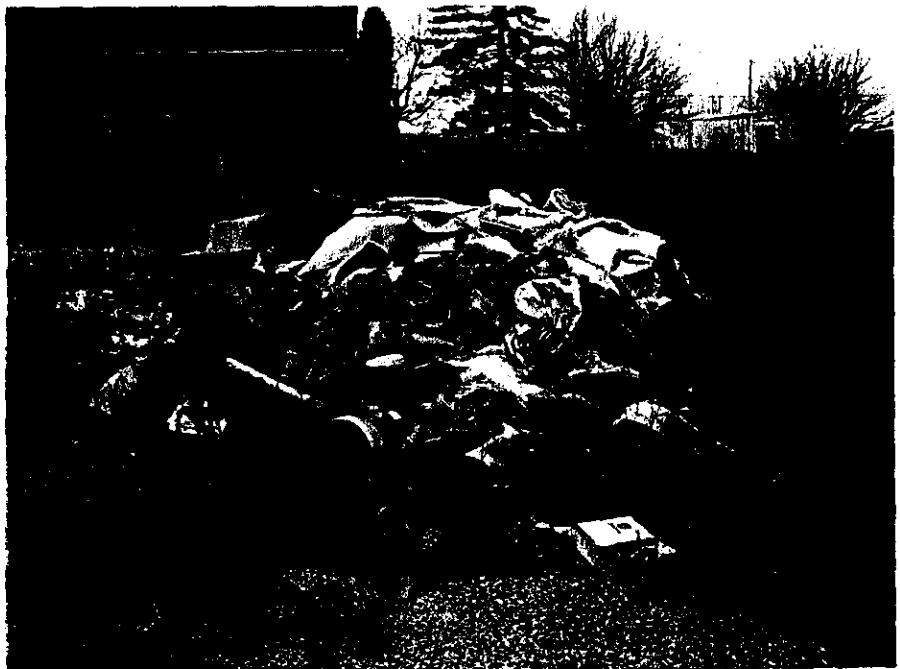
DIGITAL PHOTOGRAPHS

**LPC #0410255012 — Douglas County
Newman/Linnabary, Rick
FOS File**

**DATE: - February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: North
PHOTO by: Mike Mullins
PHOTO FILE NAME:
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COMMENTS:**



**DATE: February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: West
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-008.jpg
COMMENTS:**





Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

**LPC #0410255012 — Douglas County
Newman/Linnabary, Rick
FOS File**

**DATE: - February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: Southeast
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-009.jpg
COMMENTS:**



**DATE: February 2, 2006
TIME: 10:00-10:20 AM
DIRECTION: West
PHOTO by: Mike Mullins
PHOTO FILE NAME:
0410255012~02022006-010.jpg
COMMENTS:**



Dated this 10 day of November 3rd, 2004.

Raymond E. Orwick
RAYMOND E. ORWICK

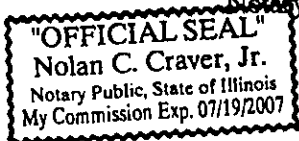
Joyce R. Orwick
JOYCE R. ORWICK

State of Illinois)
County of Champaign) SS

I, the undersigned, a Notary Public for the State of Illinois, certify that **RAYMOND E. ORWICK and JOYCE R. ORWICK**, husband and wife, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the waiver of the right of homestead.

Dated: 11-10-04

[Signature]
Notary Public



=====
Deed Prepared By:
Nolan C. Craver, Jr.
Middleton, Craver & Keller
210 N. Broadway Ave.
Urbana, IL 61801
(217) 367-1131

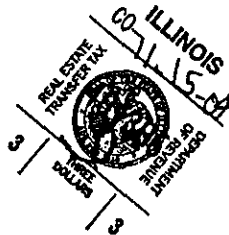
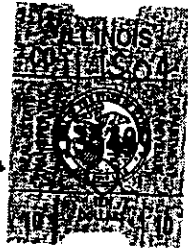
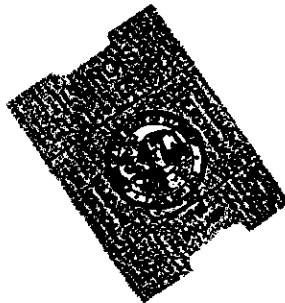
=====
Return Recorded Deed to:
Rick Linnabary
709 W. Green St.
Newman, IL 61942

=====
Send Tax Bill to:
Rick Linnabary
709 W. Green St.
Newman, IL 61942

=====
EXEMPT under provision of Paragraph _____, Section 4, Real Estate Transfer Tax Act

=====
Date _____ Signature _____
Buyer, Seller or Representative
=====

\$ COUNTY TAX
9.00
PAID



WARRANTY DEED

The **GRANTORS, RAYMOND E. ORWICK and JOYCE R. ORWICK**, husband and wife, of the County of Champaign and State of Illinois, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, **CONVEY and WARRANT** to the **GRANTEE, RICK LINNABARY**, of the County of Douglas and State of Illinois, the real estate described on Exhibit A, attached hereto and incorporated herein by this reference.

- Subject to:
- (1) Real estate taxes for the year 2004 and subsequent years;
 - (2) Covenants, conditions, restrictions, easements and encroachments apparent or of record;
 - (3) All applicable zoning laws and ordinances.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of Illinois.

74960

Exhibit A
Legal Description

From a stone marking the Northeast corner of the Northwest Quarter of Section 31, Township 16 North, Range 14 West of the Second Principal Meridian, measure Westerly along the North line of said Section 31 for a distance of 380.0 feet; thence Southerly 187.5 feet to a point for a place of beginning; thence Southerly 181.5 feet to the center line of the abandoned highway, formerly extending in a Northeast and Southwest direction across the Northeast Quarter of the Northwest Quarter of said Section 31; thence Northeasterly along the center line of said abandoned highway to a point 186.67 feet East of the place of beginning; thence Westerly 186.67 feet to the place of beginning, and containing 0.39 acres more or less, situated in Douglas County, Illinois.

AND Beginning 12 feet North of the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 31, Township 16 North, Range 14 West of the Second Principal Meridian; thence North on the Half Section line (variation North 5 degrees East) 476 feet; thence West 366 feet; thence South 476 feet; thence East 366 feet to the place of beginning, containing 4 acres more or less, situated in the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of said Section 31, Township 16 North, Range 14 West of the Second Principal Meridian, situated in Douglas County, State of Illinois; and also

AND all that part of the Northeast Quarter of the Northwest Quarter of Section 31, Township 16 North, Range 14 West of the Second Principal Meridian, lying East of King Street extended in the City of Newman, and lying South and East of an angling road, running in a Northeasterly direction from said King Street extended to the North line of said Section 31, at the Northeast corner of the Northwest Quarter of said Section 31 EXCEPTING THEREFROM THE FOLLOWING: Beginning 12 feet North of the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 31, Township 16 North, Range 14 West of the Second Principal Meridian; thence North on half section line (variation North 5 degrees East) 476 feet; thence West 366 feet; thence South 476 feet; thence East 366 feet to the place of beginning (containing 4.17 acres) situated in the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of said Section 31, Township 16 North, Range 14 West of the Second Principal Meridian, containing in all about 5.87 acres, situated in Douglas County, State of Illinois. EXCEPT the North 187.5 feet thereof.

Permanent Parcel Index Number: 07-06-31-318-001

Common Address: 708 N. Broadway, Newman, Illinois

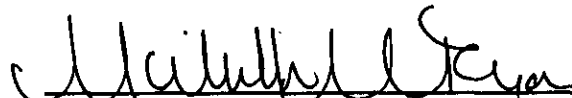
PROOF OF SERVICE

I hereby certify that I did on the 8th day of March 2006, 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: Rick Linnabury
7909 IL Hwy 49
Kansas, IL 61933-6023

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

THIS FILING SUBMITTED ON RECYCLED PAPER