

RECEIVED
CLERK'S OFFICE

APR 03 2006

STATE OF ILLINOIS
Pollution Control Board

INFORMATIONAL NOTICE !!!

Acce-36

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).

RECEIVED
CLERK'S OFFICE

APR 03 2006

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

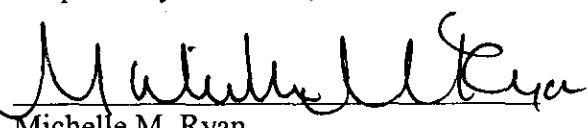
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
ROBERT J. KERKER and DALE KERKER,)
d/b/a KERKER CONSTRUCTION,)
))
Respondents.)

AC *de-36*
(IEPA No. 72-06-AC)

NOTICE OF FILING

To: Robert J. Kerker Dale Kerker, d/b/a/ Kerker Construction
RR 1, Box 76 99West Green Street
Huntsville, IL 62344 Augusta, IL 62311

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 31, 2006

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 Wagner during the course of his February 24, 2006 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) (2004).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2004).
- (3) That Respondents caused or allowed the open dumping of waste in a manner resulting in the deposition of general construction or demolition debris; or clean construction 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), 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 15, 2006, 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 (2004), 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) (2004), 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, 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, 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

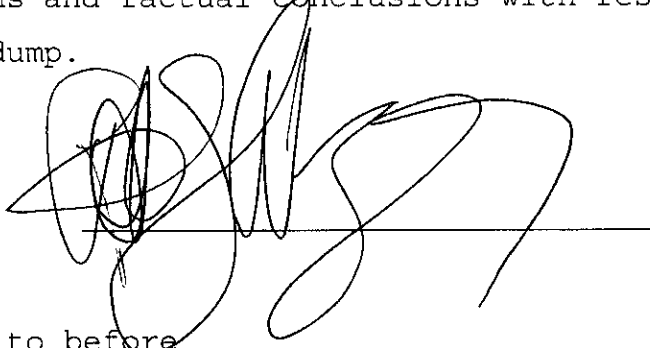
Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2004). If Respondents elect to contest this Administrative Citation, then Respondents shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondents.

Douglas P. Scott
Douglas P. Scott, Director *hwee*
Illinois Environmental Protection Agency

Date: 3/31/06

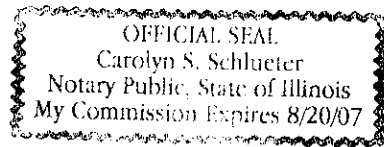
Prepared by: Susan E. Konzelmann, Legal Assistant
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Affiant's observations and factual conclusions with respect to Kerker, Robert open dump.

A large, stylized handwritten signature in black ink, appearing to be 'RS', written over a horizontal line.

Subscribed and Sworn to before

me this 15th day of March



Carolyn S. Schlueter
Notary Public

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist**

County: Schuyler LPC#: 1698015003 Region: 5 - Springfield
 Location/Site Name: Birmingham TWP/Kerker, Robert
 Date: 02/24/2006 Time: From 10:10 AM To 11:15 AM Previous Inspection Date: _____
 Inspector(s): Robert J. Wagner Weather: Sunny, Dry 45 F
 No. of Photos Taken: # 16 Est. Amt. of Waste: 207 yds³ Samples Taken: Yes # _____ No
 Interviewed: Dale Kerker Complaint #: _____
 Latitude: 40.21358 Longitude: -90.79435 Collection Point Description: -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: -

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

Robert J. Kerker
RR 1, Box 76,
Huntsville, IL 62344,
217-392-2498

Kerker Excavating
Dale Kerker
99 West Green Street
Augusta, Illinois, 62311

	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 # 1698015003

Inspection Date: 02/24/2006

	(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: () PCB; () 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"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- 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 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.
- 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).
- Items marked with an "NE" were not evaluated at the time of this inspection.

Narrative

On February 24, 2006, I inspected property owned by Robert J. Kerker. The property is located in Schuyler County in the SE quarter of Section 25 in Birmingham Township, T. 3 N., R. 4 W. (See location map and attached property deed). For the purpose of this report, the property will be referred to as the Kerker Property. Dale Kerker of Kerker Construction participated in the inspection.

The inspection was a result of a referral from Alan Grimmatt, BOA-Asbestos. The Village of Augusta had three buildings located in the center of town. These building are commonly referred to as one building, the Weinberg Building. They were located at 603, 605, and 607 Main Street. The building was demolished by Kerker Construction under the guidance of V3 Companies. Before this inspection, Mr. Grimmatt was at the Weinberg Building doing an asbestos inspection. He suspected that the demolition debris from the Weinberg Building was not taken to an IEPA permitted landfill for disposal. Mr. Grimmatt was unable to determine where the demolition debris was being taken so he called the Peoria Regional Office and told me of his concerns.

I went to Augusta to investigate Mr. Grimmatt's concern regarding the disposal of the demolition debris. I arrived at the Weinberg Building site and observed that the building had been demolished and some to the demolition debris was buried on site. While at the site I met Mr. Dale Kerker. Mr. Kerker is the owner and operator of Kerker Construction. I identified myself to Mr. Kerker and told him why I was visiting the demolition site. Mr. Kerker told me that he wanted to cooperate with the investigation. He explained that he had taken two loads of demolition debris to BackRidge Landfill in La Grange, Missouri and the rest of the demolition debris was taken to his father's farm (Robert J. Kerker) and burned. He told me that Tony Dappas of V3 Companies told him that he could take the material out to his father's farm and burn it.

Using his cellular telephone, Mr. Kerker called Mr. Dappas. After a brief conversation, Mr. Kerker handed me his cellular phone and said I should speak to Mr. Dappas. Mr. Dappas identified himself to me as the consultant overseeing the demolition project. Mr. Dappas informed me that he did tell Mr. Kerker that it was OK to take the demolition debris out to the farm and burn it as a form of recycling. I told Mr. Dappas that it is illegal to dispose of demolition debris using that method. I told Mr. Dappas that the demolition debris that was being buried where the Weinberg Building stood could not be done without meeting the proper regulatory requirements. Mr. Dappas took the name of my immediate supervisor and phone number. After that information was exchanged, the conversation ended.

Mr. Kerker took me to his father's farm where the demolition debris had been dumped and burned (see attached location map). Upon arrival, I observed the charred remains of demolition debris, processed wood, metal debris, and paper. The burned demolition debris had been pushed into a ravine. The debris was still on fire. The area was approximately 70 feet long by 40 feet

wide by 2 feet deep (207 yd³). Mr. Kerker said that there was only 2 feet of demolition debris in the ravine.

Photographs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16 show the property. Photographs 4 and 12 show the tractors that were used at the site.

After walking and photographing the dumpsite, I spoke briefly with Mr. Kerker about properly cleaning up the Kerker Property. I told him all the material had to be removed and taken to an IEPA permitted landfill. Mr. Kerker said the demolition debris was going to be taken to Envirofil in Macomb, Illinois for disposal. He explained why he dumped and burned the demolition debris. Mr. Kerker said that he was going to originally bid the demolition job for a little over \$100,000.00 dollars but Mr. Dappas asked him to bid lower because he could take most of the demolition debris out to the farm and burn it. Mr. Kerker bid approximately \$80,000 dollars to get the job. Mr. Kerker took out his copy of the bid specification and we briefly discussed the Weinberg Building site. Mr. Kerker pointed out that face brick could be segregated from the demolition processes and used as backfill. In addition, in the same paragraph he read that incidental debris consisting of wood, roofing shingles, plaster, window frames, piping, doors, cannot be used as backfill material (see attachment A). I left the site at 11:15 AM.

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: **Dale Kerker as operator and Robert Kerker as owner allowed the discharge or emission of contaminants into the environment so as to cause or tend to cause air pollution in Illinois.**

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: **Dale Kerker as operator and Robert Kerker as owner allowed the open burning of refuse.**

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: **Dale Kerker as operator and Robert Kerker as owner allowed the open dumping of waste.**

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: **Dale Kerker as operator and Robert Kerker as owner conducted a waste-treatment and waste-disposal operation without a permit granted by the Agency.**

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: **Dale Kerker as operator and Robert Kerker as owner conducted a waste-treatment and waste-disposal operation 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: **Dale Kerker as operator and Robert Kerker as owner treated and disposed of waste at a site which does not meet the requirements of the Act and regulations thereunder.**

6. 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: **Dale Kerker as operator and Robert Kerker as owner allowed the open dumping of waste 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: **Dale Kerker as operator and Robert Kerker as owner allowed the open dumping of waste 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: **Dale Kerker as operator and Robert Kerker as owner allowed the open dumping of waste in a manner that resulted in deposition of general construction or demolition debris as defined in Section 3.160(a) of this Act.**

10. 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: **Dale Kerker as operator and Robert Kerker as owner did not submit to the Agency an application for a permit to develop and operate a landfill.**

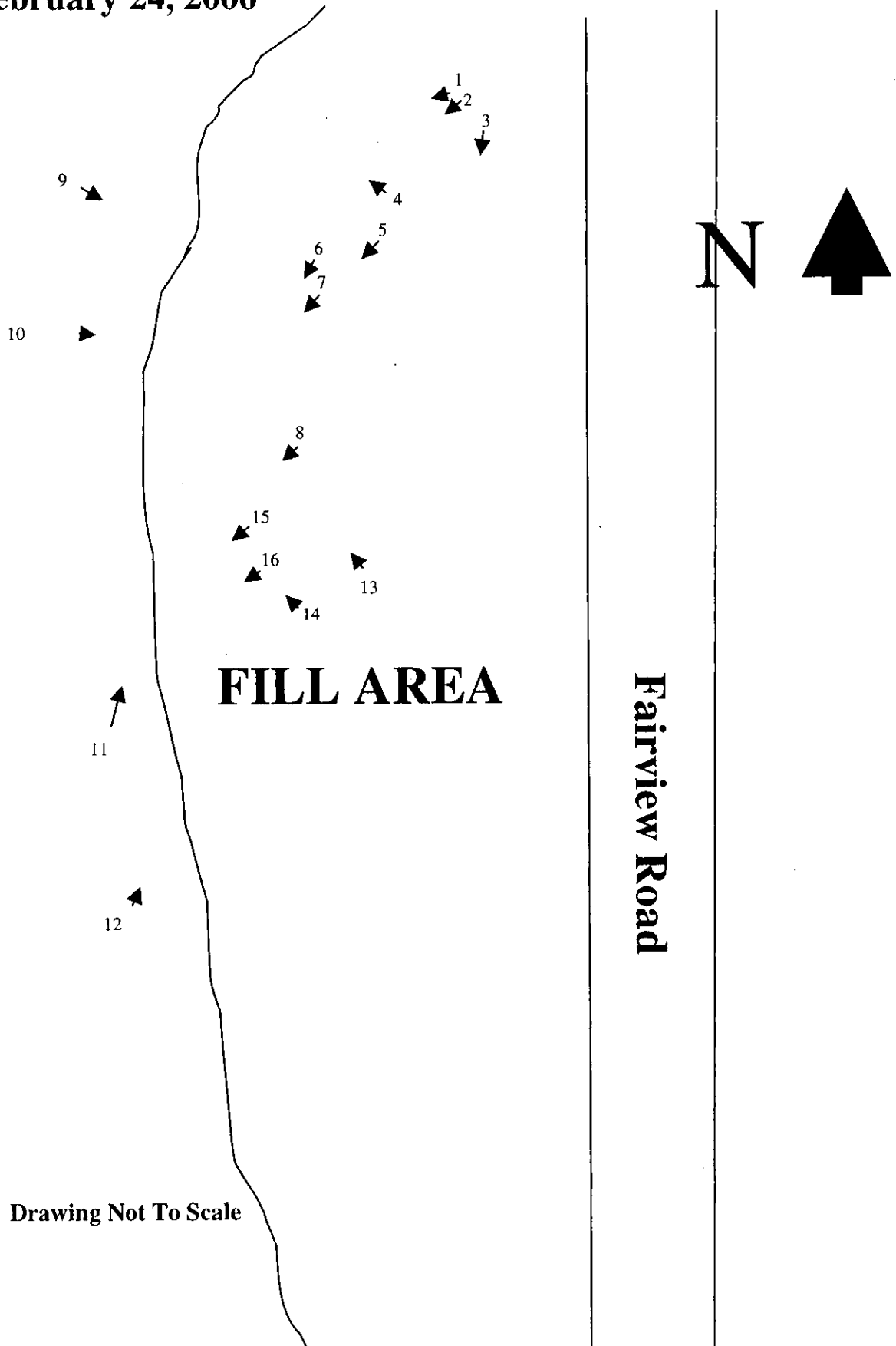
1698015003 -- Schuyler County

Kerker, Robert

Robert J. Wagner

Site Sketch

February 24, 2006



Drawing Not To Scale



DATE: February 24, 2006

TIME: 10:12 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the west.

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
1698015003~02242006-001.jpg

COMMENTS:



DATE: February 24, 2006

TIME: 10:12 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
1698015003~02242006-002.jpg

COMMENTS:



DOCUMENT FILE NAME:



DATE: February 24, 2006

TIME: 10:12 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
1698015003~02242006-003.jpg

COMMENTS:



DATE: February 24, 2006

TIME: 10:12 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the south.

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
1698015003~02242006-004.jpg

COMMENTS:



DOCUMENT FILE NAME:



DATE: February 24, 2006

TIME: 10:13 AM

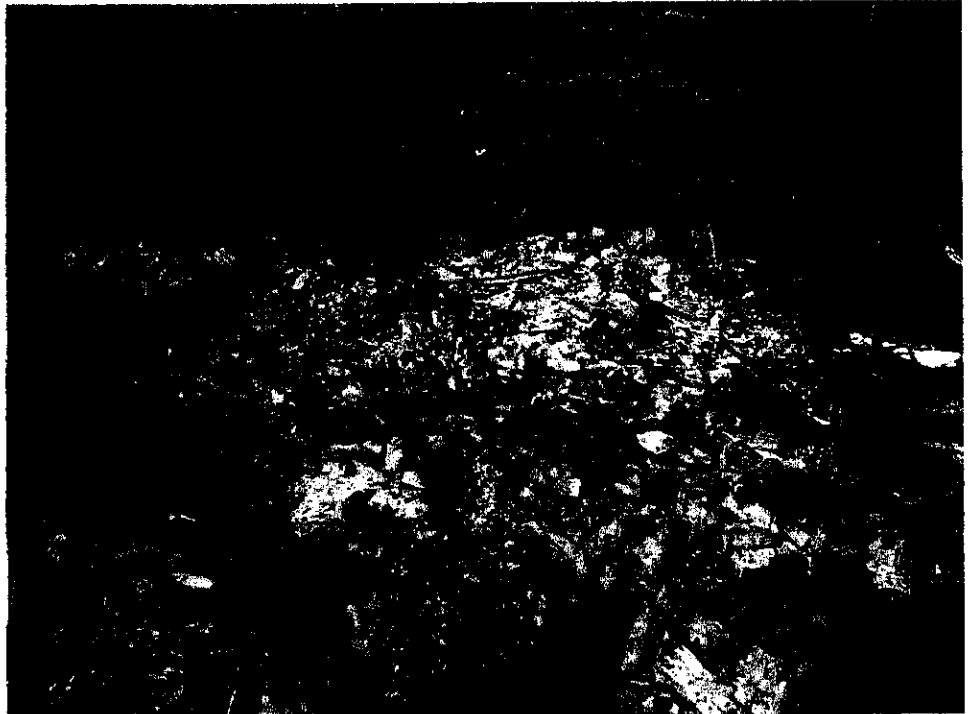
PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the northwest.

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
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COMMENTS:



DATE: February 24, 2006

TIME: 10:13 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
1698015003-02242006-006.jpg

COMMENTS:



DOCUMENT FILE NAME:
1698015003-02242006-006.jpg



DATE: February 24, 2006

TIME: 10:13 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
1698015003~02242006-007.jpg

COMMENTS:



DATE: February 24, 2006

TIME: 10:13 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
1698015003~02242006-008.jpg

COMMENTS:



DOCUMENT FILE NAME:

1698015003~02242006-007.jpg



DATE: February 24, 2006

TIME: 10:14 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southeast.

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:
1698015003~02242006-009.jpg

COMMENTS:



DATE: February 24, 2006

TIME: 10:14 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the northeast.

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:
1698015003~02242006-010.jpg

COMMENTS:



DOCUMENT FILE NAME:

1698015003~02242006-010.jpg



DATE: February 24, 2006

TIME: 10:14 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the north.

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
1698015003-02242006-011.jpg

COMMENTS:



DATE: February 24, 2006

TIME: 10:14 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the northeast.

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
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COMMENTS:



DOCUMENT FILE NAME:



DATE: February 24, 2006

TIME: 10:20 AM

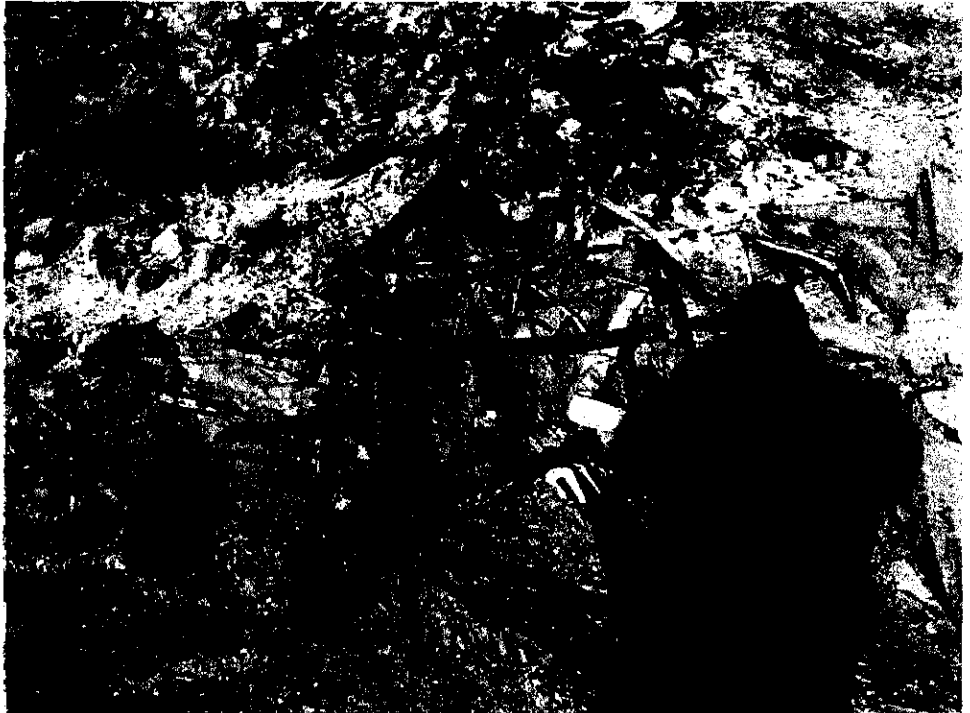
PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the northwest.

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
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COMMENTS:



DATE: February 24, 2006

TIME: 10:20 AM

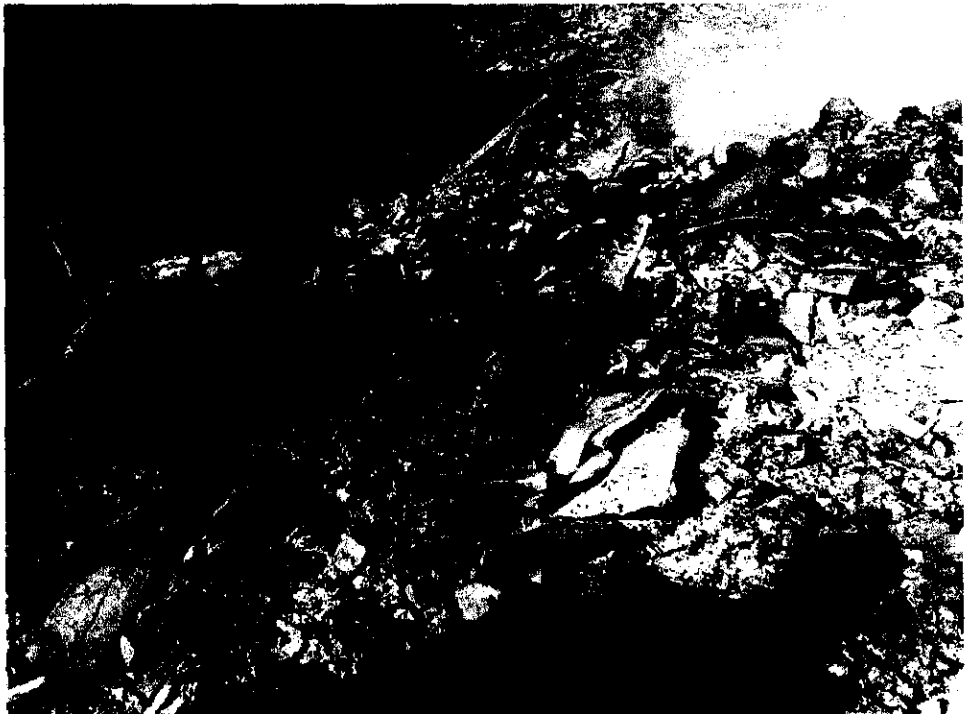
PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the northwest.

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:
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COMMENTS:



DOCUMENT FILE NAME:



DATE: February 24, 2006

TIME: 10:20 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:
1698015003-02242006-015.jpg

COMMENTS:



DATE: February 24, 2006

TIME: 10:21 AM

PHOTOGRAPHED BY:
Robert J. Wagner

DIRECTION: Photograph taken toward
the southwest.

PHOTOGRAPH NUMBER: 16

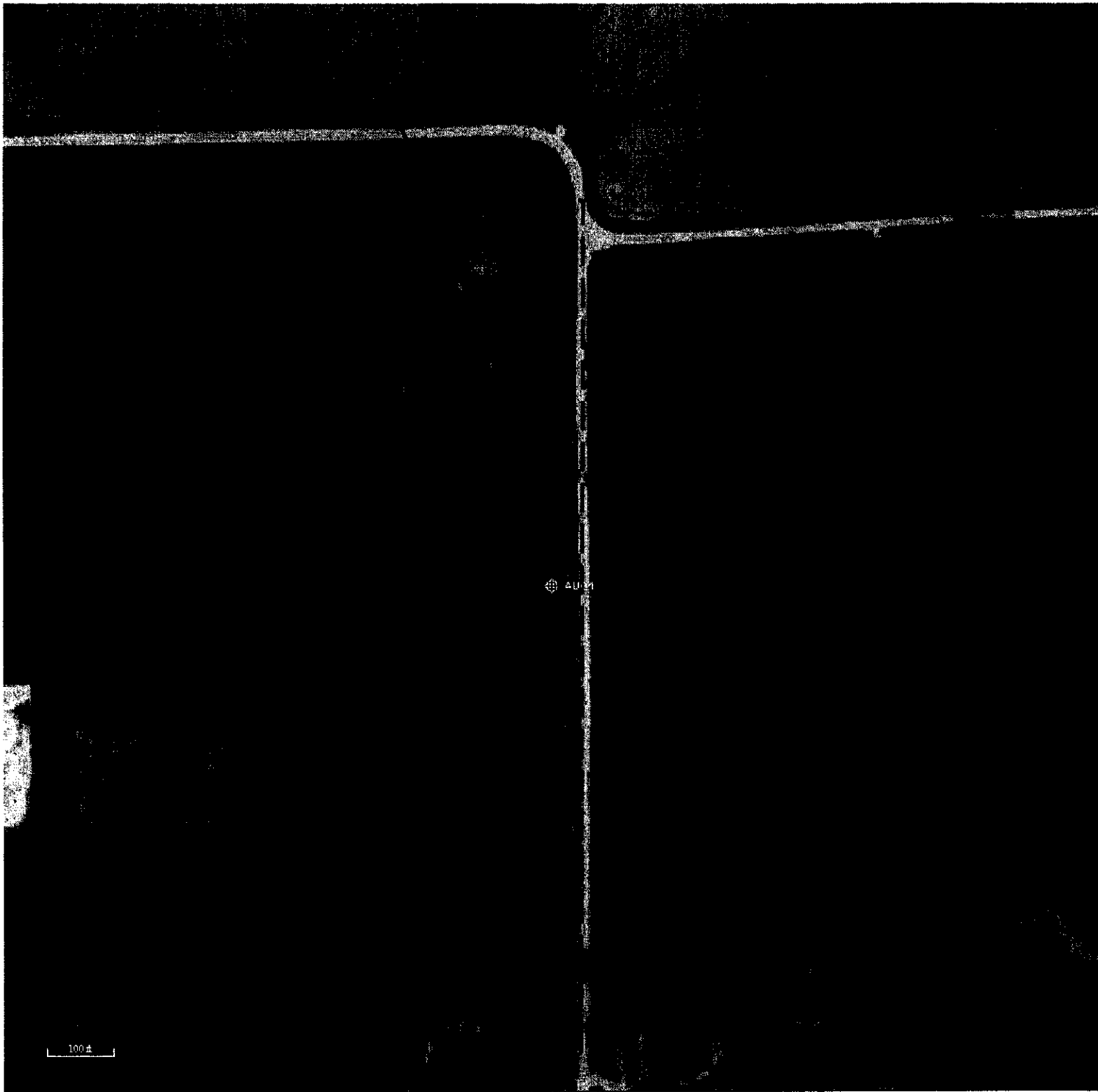
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COMMENTS:



DOCUMENT FILE NAME:

1698015003-02242006-016.jpg



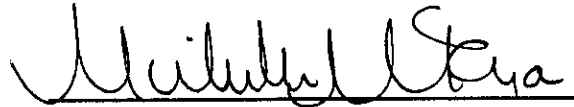
PROOF OF SERVICE

I hereby certify that I did on the 31st 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:	Robert J. Kerker	Dale Kerker, d/b/a/ Kerker Construction
	RR 1, Box 76	99West Green Street
	Huntsville, IL 62344	Augusta, IL 62311

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