



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-2829  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 804-0926

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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DEC 22 2008

STATE OF ILLINOIS  
Pollution Control Board

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

December 18, 2008

*AC09-31*

John Therriault, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601

Re: Illinois Environmental Protection Agency v. William and Patricia Hajek  
IEPA File No. 331-08-AC: 0370608008—DeKalb County

Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan  
Assistant Counsel

Enclosures

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STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
)   
Complainant, )  
)   
v. )  
)   
WILLIAM and PATRICIA HAJEK, )  
)   
Respondents. )

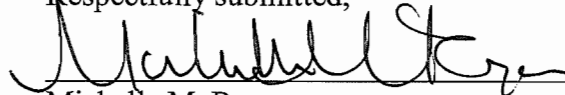
AC 09-31  
(IEPA No. 331-08-AC)

NOTICE OF FILING

To: William & Patricia Hajek  
11683 McAllister Road  
Waterman, IL 60556-7084

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,



Michelle M. Ryan  
Assistant Counsel

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

Dated: December 18, 2008

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DEC 22 2008

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

WILLIAM and PATRICIA HAJEK,

Respondents.

ORIGINAL

AC 09-31

(IEPA No. 331-08-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2006).

FACTS



1. That William and Patricia Hajek are the current owners and operators ("Respondents") of a facility located at 1683 McAllister Road, Waterman, DeKalb County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Waterman/Hajek 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. 0370608008.

3. That Respondents have owned and operated said facility at all times pertinent hereto.

4. That on October 30, 2008, Shaun Newell of the Illinois Environmental Protection Agency's ("Illinois EPA") Rockford Regional Office inspected the above-described facility. A copy of

his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 12-18-08, Illinois EPA sent this Administrative Citation via Certified Mail No. 7007 3020 0002 3214 2896.

#### VIOLATIONS

Based upon direct observations made by Shaun Newell during the course of his October 30, 2008 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) (2006).
  
- (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) (2006).

#### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2006), 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 elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 15, 2009, 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 (2006), 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) (2006), 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 (2006). 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, Director  
Illinois Environmental Protection Agency

Date: 12/18/08

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

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STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, )  
) )  
v. )  
) )  
WILLIAM and PATRICIA HAJEK, )  
) )  
) )  
) )  
) )  
) )  
Respondents. )

AC 09.31  
(IEPA No. 331-08-AC)

FACILITY: Waterman/Hajek Property

SITE CODE NO.: 0370608008

COUNTY: DeKalb

CIVIL PENALTY: \$3,000.00

DATE OF INSPECTION: October 30, 2008

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attn.: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

RECEIVED  
CLERK'S OFFICE

DEC 22 2008

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
STATE OF ILLINOIS  
Pollution Control Board

AFFIDAVIT

IN THE MATTER OF: )  
 )  
 Hajek Property )  
 )  
 )  
 Respondent )

AC09-31

IEPA DOCKET NO.

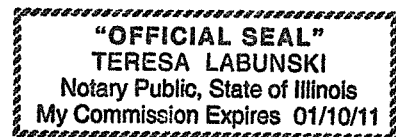
Affiant, Shaun Newell, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On October 30, 2008 between 12:00 p.m. and 12:15 p.m., Affiant conducted an inspection of an open dump, located in DeKalb County, Illinois and known as Hajek Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number BOL #0370608008 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing 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 said open dump.

Shaun A. Newell  
Shaun Newell, EPS III

Subscribed and Sworn to Before Me  
this 26<sup>th</sup> day of November, 2008

Teresa Labunski  
Notary Public





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 Open Dump Inspection Checklist

DEC 22 2008

STATE OF ILLINOIS  
 Pollution Control Board

County: DeKalb LPC#: 0370608008 Region: 1 - Rockford  
 Location/Site Name: Waterman/Hajek Property  
 Date: 10/30/2008 Time: From 12:00PM To 12:15PM Previous Inspection Date: 03/17/2008  
 Inspector(s): Newell Weather: Sunny 50 degrees  
 No. of Photos Taken: # 9 Est. Amt. of Waste: 150 yds<sup>3</sup> Samples Taken: Yes #      No   
 Interviewed: Patricia Hajek Complaint #: C-08-054R  
 Latitude: 41.72163 Longitude: -88.72161 Collection Point Description: Site Entrance -  
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Map Interpolation -

Responsible Party  
 Mailing Address(es)  
 and Phone Number(s):  
 William & Patricia Hajek  
 11683 McAllister Road  
 Waterman, IL 60556  
 815/786-9039

*A 09-31*

	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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	<input checked="" type="checkbox"/>
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>

LPC # 0370608008-DeKalb

Inspection Date: 10-30-08

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>
9.	55(a)	<b>NO PERSON SHALL:</b>	
	(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"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
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"/>
<b>OTHER REQUIREMENTS</b>			
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"/>

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

## Open Dump Inspection Checklist

County: DeKalb LPC#: 0370608008 Region: 1 - Rockford  
 Location/Site Name: Waterman/Hajek Property  
 Date: 10/30/2008 Time: From 12:00PM To 12:15PM Previous Inspection Date: 03/17/2008  
 Inspector(s): Newell Weather: Sunny 50 degrees  
 No. of Photos Taken: # 9 Est. Amt. of Waste: 150 yds<sup>3</sup> Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: Patricia Hajek Complaint #: C-08-054R  
 Latitude: 41.72163 Longitude: -88.72161 Collection Point Description: Site Entrance -  
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Map Interpolation -

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

William & Patricia Hajek  
 11683 McAllister Road  
 Waterman, IL 60556  
 815/786-9039

	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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	<input checked="" type="checkbox"/>
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>

LPC # 0370608008-DeKalb

Inspection Date: 10-30-08

	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>
9.	55(a)	<b>NO PERSON SHALL:</b>	
	(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"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
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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"/>
<b>OTHER REQUIREMENTS</b>			
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"/>

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.

**0370608008-DeKalb County  
Waterman/Hajek Property  
FOS File**

**NARRATIVE INSPECTION REPORT**

On October 30, 2008, I (Shaun Newell) reinspected the above referenced facility. The purpose of the inspection was to determine whether the respondent had complied with all applicable solid waste violations cited during the initial inspection conducted on March 17, 2008. The initial inspection was resulting from a citizen complaint filed with the Bureau of Land in Rockford, Illinois. The complaint, C-08-054R, alleges that the respondent, William & Patricia Hajek of 11683 McAllister Road (rural Waterman, IL), is operating a junk yard and accumulating scrap metal off-site. Apparently, Mr. Hajek was storing thirteen (13) 55-gallon drums of oil (one is leaking), numerous 5 gallon paint containers, gasoline containers, waste tires and numerous vehicles. The complainant has apparently contacted the DeKalb County Planning & Zoning Department regarding the junk vehicles. I spoke briefly with Rebecca Vondrasek from the De Kalb County Planning & Zoning Department. She acknowledged receipt of the same complaint and stated that there are no property maintenance codes to address the solid waste found on site.

While on site on March 17, 2008, the following alleged solid waste violations were cited: Sections 12(a), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(7), 55(a)(1) of the Act and Sections 812.101(a) and 722.111 of 35 Illinois Adm. Code; Subtitle G. Various types of solid metal waste and non-solid waste was observed on site. Waste tires of various sizes, on and off rim were observed piled in tall vegetation. Waste tires contained water accumulation. Fifty-five gallon drums of an unknown black liquid were found on site. Some of the containers were leaking and were not sealed. There were no labels found on the drums. Numerous 5-gallon pails of paint were found scattered on site. A few spent batteries were found on the ground. On April 2, 2008, the IEPA drafted an Open Dump Administrative Citation Warning Notice (ACWN) that was received by Mr. Hajek.

Since April 2, 2008, the Rockford Regional Office has received four written responses from Mr. Hajek dated August 27, 2008 (attached receipt 140lbs. of metal); July 14, 2008 (enclosed testing report from TSC for drums of liquid); June 25, 2008 (receipt for tire & battery disposal through Whittaker Salvage in Earlville, IL); and a June 4, 2008 (overview of plan to clean-up the site). According to Mr. Hajek, the 55-gallon drums were tested by TSC of Carol Stream, Illinois and determined to be asphalt sealant. Mr. Hajek was asked to label the 55-gallon drums since he wanted to reuse the sealant and store them inside a building.

The site was observed again on August 26, 2008 and some improvement had occurred. Some of the solid waste was removed from the garage area. Waste tires were found outside the south end of the barn. Mr. Hajek was again asked to remove the waste tires and recycle them. The IEPA agreed to give Mr. Hajek two additional weeks to comply. No inspection was conducted on this date. A few photographs were taken of the solid waste.

On October 30, 2008, the site was reinspected. I spoke briefly with Mrs. Hajek who stated that this matter is between the IEPA and her husband. As I inspected the site, I observed waste tires (30) near the south end of a barn and (20) waste tires piled along the north end of a barn. I also saw tires stacked inside a barn through the open doorway. I discovered there were an additional 200 plus used/waste tires inside the barn. Mr. Hajek states that he intends to reuse the tires on vehicles on site. Solid waste was found piled between the three barns found on site. The tall vegetation is dying and additional solid waste is now exposed. It is estimated there is approximately 150 cu. yards of solid waste on site. All but four drums of waste are now removed from between two barns and north of the house.

**0370608008-DeKalb County**  
**Waterman/Hajek Property**  
FOS File

Mr. Hajek was contacted on November 6, 2008 by phone. I informed him of the IEPA findings and that solid waste violations still exist on site. Mr. Hajek stated that it is an impossible task to clean up the mess. I informed him that non-retail facilities that store more than 50 used/waste tires are considered tire storage site and subject to an annual fee of \$100 due every January 30<sup>th</sup> of each calendar year.

Several photographs were taken to document the solid waste present on site: Photograph 0370608008~103008-001 faces north showing the solid waste on site. Photograph 0370608008~103008-002 faces north showing the waste tires on site. Photograph 0370608008~103008-003 faces east showing the waste tires on site. Photograph 0370608008~103008-004 faces north showing the demolition waste on site. Photograph 0370608008~103008-005 faces south showing the used/waste tires inside the barn. Photograph 0370608008~103008-006 faces east showing the waste tires along the north side of the barn. Photograph 0370608008~103008-007 faces south showing the solid waste on site. Photograph 0370608008~103008-008 faces north showing solid waste on site. Photograph 0370608008~103008-009 faces northeast showing solid waste on site.

Since Mr. Hajek tested, removed and managed the liquid asphalt sealant in accordance with IEPA rules and regulations, the following solid waste violations were considered resolved: Section 12(a) of the Act and Section 722.111 of 35 IL Adm. Code; Subtitle G. All other cited solid waste violations initially observed on March 17, 2008 remain unresolved. A Continuing Violations letter will be sent to the RP to address the unresolved violations as well as the two resolved violations.



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397  
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

815/987-7760  
FAX: 815/987-7005

November 26, 2008

William & Patricia Hajek  
11683 McAllister Road  
Waterman, IL 60556

Re: 0370608008 - DeKalb County  
Waterman / Hajek Property  
Compliance File

Dear Mr. Hajek:

On October 30, 2008, your facility was inspected by Shaun Newell of the Illinois Environmental Protection Agency. The purpose of this inspection was to determine your facility's compliance with the Illinois Environmental Protection Act and 35 Illinois Administrative Code Part 722 and 848 regulations. At the time of the inspection, apparent violations found in previous inspection conducted on March 17, 2008 were again observed.

Continuing violations observed during the October 30, 2008 inspection include the following: Sections 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(7), and 55(a)(1) of the Illinois Environmental Protection Act and Part 812.101(a) of the Management Standards. Be advised that the October 30, 2008 inspection determined you have corrected the following violations: Section 12(a) of the Illinois Environmental Protection Act and Part 722.111 of the Management Standards by analyzing, removing and properly managing the 55-gallon drums of asphalt sealant.

For your information, a copy of this inspection report is enclosed. Please contact Shaun Newell at 815/987-7760 if you have any questions regarding this inspection.

Sincerely,

David S. Retzlaff  
Manager - Region 1  
Field Operations Section  
Bureau of Land

bcc: Division File  
Rockford Region

DSR:SN:tl

Enclosure

7-14-08

TO: SHAUN NEWELL E.P.A.

FROM WILLIAM HAJEK

I AM ENCLOSEING A REPORT FROM  
T.S.C. REGARDING TESTING OF  
CONTENTS OF 55 GALLON CONTAINERS  
AT MY PROPERTY AT 11683 McALISTER  
ROAD, WATERMAN ILL.

Will Hajek

RECEIVED

JUL 16 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS



July 9, 2008



TESTING SERVICE CORPORATION

Corporate Office:

360 S. Main Place, Carol Stream, IL 60188-2404  
630.462.2600 • Fax 630.653.2988

Mr. Bill Hajak  
11683 McAllister Road  
Waterman, Illinois 60556

RE: L - 71,781  
Environmental Services  
11683 McAllister Road  
Waterman, Illinois 60556

Dear Mr. Hajak:

Testing Service Corporation (TSC) has completed Environmental Services at the above noted property herein identified as the 'Site.' The scope of service for this work was outlined in our proposal PN 41,163, dated June 17, 2008. Authorization to proceed was received on June 28, 2008. TSC's General Conditions for Environmental Services, included with our proposal, are enclosed as part of this report.

The scope of work, as presented in our proposal, included taking samples for analytical testing from steel 55-gallon drums located at the Site. The purpose of this work was to establish if the contents of the drums are considered to be hazardous materials.

The drums were sampled by a TSC Environmental Professional on June 30, 2008 and the sample was submitted to First Environmental Laboratories in Naperville, Illinois the same day. The sample was analyzed for ignitability, corrosivity and reactivity. The results are included with this letter.

In a July 8, 2008 phone conversation with Shaun Newell of the Illinois Environmental Protection Agency's Rockford, IL office, he stated that you should supply him with the analytical results directly. If you have any questions, please do not hesitate to call me at (630) 784-4011.

Respectfully,

TESTING SERVICE CORPORATION

A handwritten signature in black ink, appearing to read "Alex Johnson", written over a white background.

Alex Johnson  
Project Manager

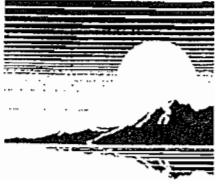
AJ:ds

Enc: Analytical Reports  
Chain-of-Custody Record  
General Conditions

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JUL 16 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS



**First  
Environmental  
Laboratories, Inc.**

IL ELAP / NELAC Accreditation # 100292

1600 Shore Road • Naperville, Illinois 60563 • Phone (630) 778-1200 • Fax (630) 778-1233

July 08, 2008

Mr. Alex Johnson  
**TESTING SERVICE CORP.**  
360 So. Main Place  
Carol Stream, IL 60188

Project ID: 71781  
First Environmental File ID: 8-2830  
Date Received: June 30, 2008

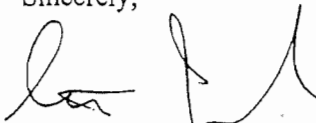
Dear Mr. Alex Johnson:

The above referenced project was analyzed as directed on the enclosed chain of custody record.

All Quality Control criteria as outlined in the methods and current IL ELAP/NELAP have been met unless otherwise noted. QA/QC documentation and raw data will remain on file for future reference. Our accreditation number is 100292 and our current certificate is number 002045: effective 05/14/08 through 02/28/09.

I thank you for the opportunity to be of service to you and look forward to working with you again in the future. Should you have any questions regarding any of the enclosed analytical data or need additional information, please contact me at (630) 778-1200.

Sincerely,



Stan Zaworski  
Project Manager

**RECEIVED**

JUL 16 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS  
Page 1 of 3



**First  
Environmental  
Laboratories, Inc.**

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IL ELAP / NELAC Accreditation # 100292

## Case Narrative

### TESTING SERVICE CORP.

Project ID: 71781

First Environmental File ID: 8-2830

Date Received: June 30, 2008

Flag	Description	Flag	Description
<	Analyte not detected at or above the reporting limit.	L+	LCS recovery outside control limits; high bias.
B	Analyte detected in associated method blank.	L-	LCS recovery outside control limits; low bias.
C	Identification confirmed by GC/MS.	M	MS recovery outside control limits; LCS acceptable.
D	Surrogates diluted out; recovery not available.	M+	MS recovery outside control limits high bias; LCS acceptable.
E	Estimated result; concentration exceeds calibration range.	M-	MS recovery outside control limits low bias; LCS acceptable.
F	Field measurement.	N	Analyte is not part of our NELAC accreditation.
		ND	Analyte was not detected using a library search routine; No calibration standard was analyzed.
G	Surrogate recovery outside control limits; matrix effect.	P	Chemical preservation pH adjusted in lab.
H	Analysis or extraction holding time exceeded.	Q	The analyte was determined by a GC/MS database search.
J	Estimated result; concentration is less than calib range.	S	Analyte was sub-contracted to another laboratory for analysis.
K	RPD outside control limits.	T	Sample temperature upon receipt exceeded 0-6°C
RL	Routine Reporting Limit (Lowest amount that can be detected when routine weights/volumes are used without dilution.)	W	Reporting limit elevated due to sample matrix.

All quality control criteria, as outlined in the methods, have been met except as noted below or on the following analytical report.

#### Sample Batch Comments:

Sample acceptance criteria were met.



**First  
Environmental  
Laboratories, Inc.**

IL ELAP / NELAC Accreditation # 100292

1600 Shore Road • Naperville, Illinois 60563 • Phone (630) 778-1200 • Fax (630) 778-1233

**Analytical Report**

**Client:** TESTING SERVICE CORP.  
**Project ID:** 71781  
**Sample ID:** S-1  
**Sample No:** 8-2830-001

**Date Collected:** 06/30/07  
**Time Collected:** 12:30  
**Date Received:** 06/30/08  
**Date Reported:** 07/08/08

Analyte	Result	R.L.	Units	Flags
<b>Flash Point - Closed Cup</b> Analysis Date: 07/07/08	Method: 1010			
Flash Point - Closed Cup	Flash @ 90		°F	
<b>pH @ 25°C</b> Analysis Date: 06/30/08 15:50	Method: 4500H+,B			
pH @ 25°C	6.06		Units	
<b>Sulfide, Reactive</b> Analysis Date: 07/02/08	Method: 7.3.4.2.			
Sulfide, Reactive	< 10	10	mg/L	
<b>Cyanide, Reactive</b> Analysis Date: 07/02/08	Method: 7.3.3.2.			
Cyanide, Reactive	< 10	10	mg/L	



**First Environmental Laboratories, Inc.**

First Environmental Laboratories  
1600 Shore Road, Suite D  
Naperville, Illinois 60563  
Phone: (630) 778-1200 • Fax: (630) 778-1233  
E-mail: firstinfo@firstenv.com  
IEPA Certification #100292

**CHAIN OF CUSTODY RECORD**

Company Name: TSC

Street Address: 360 S. Main Pl

City: Carol Stream

State: IL Zip: 60189

Phone: 630 462 2600 Fax: 630 653 2988 e-mail: ajohnson@tscorp.com

Send Report To: Alex Johnson Via: Fax  e-mail

Sampled By: [Signature]

Project I.D.: 71781  
P.O. #: 71781

**Analyses**

Date/Time Taken	Sample Description	Matrix	Matrix Codes: S = Soil W = Water O = Other			Comments	Lab I.D.
			S	W	O		
<u>6/30/07 1330</u>	<u>S-1</u>	<u>O</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>Ignitibility</u>	<u>8-2820-001</u>
						<u>Reactivity</u>	
						<u>Reactivity</u>	

**FOR LAB USE ONLY:**

Cooler Temperature: 0.1-6°C Yes  No  N/A °C  
 Received within 6 hrs. of collection: \_\_\_\_\_  
 Ice Present: Yes  No   
 Sample Refrigerated: Yes  No   
 Refrigerator Temperature: \_\_\_\_\_ °C  
 5035 Vials Frozen: Yes  No   
 Freezer Temperature: \_\_\_\_\_ °C  
 Containers Received Preserved:  Yes  No

**Notes and Special Instructions:**

Relinquished By: [Signature] Date/Time 6/30/08 1407 Received By: [Signature] Date/Time 6/30/08 1407  
 Relinquished By: \_\_\_\_\_ Date/Time \_\_\_\_\_ Received By: \_\_\_\_\_ Date/Time \_\_\_\_\_  
 Rev. 406



## TESTING SERVICE CORPORATION

# GENERAL CONDITIONS ENVIRONMENTAL SERVICES

**1. PARTIES AND SCOPE OF WORK:** "This Agreement" consists of Testing Service Corporation's ("TSC") proposal, TSC's Schedule of Fees and Services, client's written acceptance thereof, if accepted by TSC, and these General Conditions. The terms contained in these General Conditions are intended to prevail over any conflicting terms in this Agreement. "Client" refers to the person or entity ordering the work to be done or professional services to be rendered by TSC (except where distinction is necessary, either work or professional services are referred to as "services" herein). If Client is ordering the services on behalf of another, Client represents and warrants that Client is the duly authorized agent of said party for the purpose of ordering and directing said services, and in such case the term "Client" shall also include the principal for whom the services are being performed. Prices quoted and charged by TSC for its services are predicated on the conditions and the allocations of risks and obligations expressed in these General Conditions. Unless otherwise stated in writing, Client assumes sole responsibility for determining whether the quantity and the nature of the services ordered by Client are adequate and sufficient for client's intended purpose. Client shall communicate these General Conditions to each and every third party to whom the Client transmits any report prepared by TSC. Unless otherwise expressly assumed in writing, TSC shall have no duty to any third party, and in no event shall TSC have any duty or obligation other than those duties and obligations expressly set forth in this Agreement. Ordering services from TSC shall constitute acceptance of TSC's proposal and these General Conditions.

**2. HAZARDOUS SUBSTANCES:** TSC's professional services shall include limited visual observation, laboratory analyses or physical testing for the purpose of detection, quantification or identification of the extent, if any, of the presence of hazardous substances, materials or waste, petroleum products, asbestos-containing materials or lead based paint as specifically set forth in TSC's proposal. Hazardous materials, substances or waste (all cumulatively referred to herein as "hazardous substances") include those defined as such in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. § 9601 et seq., ("CERCLA"), the Resource Conservation Recovery Act, 42 U.S.C. § 6901 et seq., as amended, ("RCRA") or by a state or Federal Environmental Protection Agency ("EPA"), including but not limited to §§ 3.14 - 3.15 of the Illinois Environmental Protection Act, 415 ILCS 5/3.14 and 3.15 (West, 1994). "Contaminants" as used herein shall refer to hazardous substances, asbestos-containing materials, petroleum products, lead based paint and the like. "Polluted" as used herein shall mean containing contaminants. Unless specifically set forth in TSC's proposal, nothing contained in this agreement shall, however, be construed or interpreted as requiring TSC to assume the status of a generator, transporter,

treater, storer, as those terms appear within RCRA or within any Federal or state statute or regulation. Client assumes full responsibility of compliance with CERCLA, RCRA and any other Federal or state statute or regulation governing the generation, handling, storage, transportation, treatment and disposal of contaminants or other refuse.

**3. SCHEDULING OF SERVICES:** The services set forth in this Agreement will be accomplished in a timely and workmanlike manner. If TSC is required to delay any part of its services to accommodate the requests or requirements of Client, regulatory agencies, or third parties, or due to any cause beyond its reasonable control, Client agrees to pay such additional charges, if any, as may be applicable.

**4. ACCESS TO SITE:** Client will arrange and provide access to each site upon which it will be necessary for TSC to perform its services pursuant to this agreement. In the event services are required on any site not owned by Client, Client represents and warrants to TSC that Client has obtained all necessary permissions for TSC to enter upon the site and conduct its services. Client shall, upon request, provide TSC with evidence of such permission, as well as acceptance of the other terms and conditions set forth herein by the owner(s) and tenant(s), if applicable, of such site(s) in form acceptable to TSC. Client acknowledges that it is not TSC's responsibility to notify any such property owner or tenant of the discovery of actual or suspected contaminants. Client further recognizes that knowledge of such suspected or actual condition may result in a reduction in a property's value and may provide incentive to owners of properties affected to initiate legal action against Client and/or others. Any work performed by TSC with respect to obtaining permission to enter upon and perform professional services on the lands of others as well as any work performed by TSC pursuant to this agreement, shall be deemed as being done on behalf of Client, and Client agrees to assume all risks thereof. TSC shall take reasonable measures and precautions to minimize damage to each site and any improvements thereon resulting from its work and the use of its equipment; however, TSC has not included in its fee the cost of restoration of damage that may occur. If Client or the possessor of any interest in any site desires or requires TSC to restore the site to its former condition, upon written request from Client, TSC will perform such additional work as is necessary to do so, and Client agrees to pay TSC the costs thereof plus TSC's normal mark up for overhead and profit.

**5. CLIENT'S DUTY TO NOTIFY TSC:** Client represents and warrants that Client has advised TSC of any known or suspected contaminants, utility lines and underground structures at any site at which TSC is to perform services under this agreement. Client agrees to defend, indemnify and save TSC harmless from all claims, suits, losses, costs and expenses,

including reasonable attorneys' fees as a result of personal injury, death or property damage occurring with respect to TSC's performance of its services and resulting to or caused by contact with sub-surface or latent objects, structures, lines or conduits where the actual or potential presence and location thereof was not revealed to TSC by Client. In the event that TSC's undertaking includes contacting a public utility locating agency, its responsibility shall not extend to warranty the accuracy of the information so obtained.

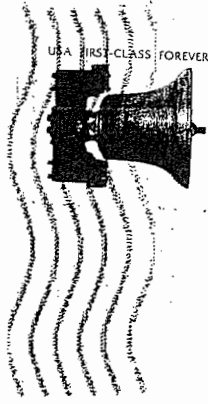
**6. DISCOVERY OF UNANTICIPATED CONTAMINANTS:** The discovery of certain contaminants may make it necessary for TSC to take immediate measures to protect health and safety. TSC agrees to notify Client as soon as practically possible should such contaminants be suspected or discovered. Client agrees to reimburse TSC for the reasonable cost of implementing such measures under the circumstances.

**7. LIMITATIONS OF PROCEDURES, EQUIPMENT AND TESTS:** Information obtained from borings, observations, and analyses of sample materials shall be reported in formats considered appropriate by TSC unless directed otherwise by Client. Such information is considered evidence with respect to the detection, quantification and identification of contaminants, but any inference or conclusion based thereon is, necessarily, an opinion also based on professional judgment and shall not be construed as a representation of fact. Subsurface conditions may not be uniform throughout an entire site. The presence and extent of contaminants as well as the levels of groundwater may fluctuate within the site due to climatic and other variations and, unless thorough sampling and testing are conducted over an extended period of time, contaminants contained within the site may escape detection. A site at which contaminants are not found to exist, or at the time of inspection do not, in fact, exist, may later, due to intervening causes, such as natural groundwater flows or human activities, become polluted. There is a risk that sampling techniques may themselves result in pollution of certain sub-surface areas such as when a probe or boring device moves through an area containing contaminants linking it to an aquifer, underground stream or other hydrous body not previously polluted. Because the risks set forth in this paragraph are unavoidable and because the sampling techniques to be employed are a necessary aspect of TSC's work on client's behalf, Client agrees to assume these risks.

**8. SOIL AND SAMPLE DISPOSAL:** Unless otherwise agreed in writing, soils known at the time to be polluted will be left on the site for proper disposal by Client; and samples removed by TSC to its laboratory, upon completion of testing, will be disposed by TSC in an approved manner or returned to the site for disposal by others.

11683 McAUSTER RD  
WATERMAN-DR-6055

McAuster Rd  
Waterman-Dr-6055



CAROL STREAM IL 601

15 JUL 2008 PM 3 T

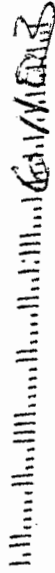
SHAUN NEDELL

FULL, E.P.A

4302 N. MAIN STREET

ROCKFORD ILL

61105#1209 R018



905627

**STATEMENT**

DATE May 24/2008 TERMS

TO Bill Hagedorn

ADDRESS

IN ACCOUNT WITH Whitaker Salvage  
Earlwood Rd

	28 car Batterys	112
	3500 LBS Scap	218
	PAID	330

**RECEIVED**

JUN 05 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS

907618

**STATEMENT**

DATE 3-17-08 TERMS Jan

TO J. Sellen Hagedorn

ADDRESS 11683 McALWATER

IN ACCOUNT WITH WATERMAN INC  
W HITTAKER SALVAGE  
BARRIDGE, ILL

	Dispos 20 Axon	80
	and 3 Appliances	111

**RECEIVED**

JUN 05 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS



ATTN: SHAWN NEWELL

6-4-08

REF # 0310608008 CITATION DATED  
4/2/08

WILLIAM HAJEK

11683 McALISTER ROAD

WATERMAN ILL, 60556-7084

RECEIVED

JUN 05 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS

THIS IS TO CONFIRM OUR RECENT  
PHONE CONVERSATION, WHICH I INFORMED YOU  
I HAVE MADE PROGRESS IN DISPOSING OF  
NON-HAZARDOUS SOLID WASTE.

IN ADDITION, I HAVE TAKEN THE  
BATTERIES TO A RECYCLING FACILITY WITH  
RECEIPT ENCLOSED.

I HAVE ALSO TAKEN APPLIANCES,  
BATHTUB AND OTHER SCRAP METAL TO A  
RECYCLING FACILITY WITH RECEIPT ENCLOSED.

I HAVE CONTACTED A HAZARDOUS WASTE  
TESTING SERVICE AND SCHEDULING A TESTING  
DATE FOR THE 55 GALLON BARRELS.

I WILL RECYCLE ~~THE~~ THESE THIS WEEKEND.

11.1.10 11.1.10



WHITTAKER SALVAGE  
WESS WHITTAKER  
DL # W326-8815-8349  
1365 N. 45TH RD. PH. 815-246-7019  
EARLVILLE, IL 60518

43363

70-2152-719

DATE 5-17-08

PAY TO THE ORDER OF William Hajek

\$ 111<sup>80</sup>

*Overpaid in full*

DOLLARS Security Features Included. Default on Bank.



National Bank of Earlville  
Earlville, Illinois 60518

FOR Self

Wess Whittaker

MP

⑈043363⑈ ⑆071921529⑆

01967619⑈01

907618

**STATEMENT**

DATE 3-17-08

TERMS Net

TO William Hajek

ADDRESS 11683 McALISTER

Waterman IL

IN ACCOUNT WITH WHITTAKER SALVAGE

Earlville, IL

Dispers 20 Bats					
and 3 Appliances	CA#43363	111	80		

RECEIVED

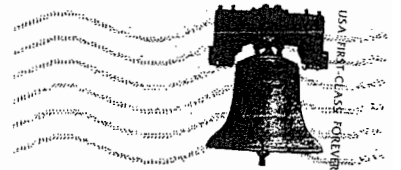
JUN 05 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS

11683 McAlister Rd  
Waterman IL 60556-2084

CAROL STREAM IL 501

04 JUN 2008 PM 2 L



ILLINOIS ENVIRONMENTAL PROTECTION Agency  
SHAUN NEWELL  
4302 N. MAIN STREET  
ROCKFORD IL

61103

907630

**STATEMENT**

DATE 6-13-08

TERMS

TO		<u>William F. Hajek</u>	
ADDRESS		<u>91683 McCallister Rd</u>	
		<u>Waterman IL 60556</u>	
IN ACCOUNT WITH		<u>Whittaker Salvage</u>	
		<u>20 Junk tires Ford dinged</u>	<u>40 00</u>
		<u>at 8 buck apiece</u>	
		<u>4 Junk Battery's</u>	<u>- 16 00</u>
		<u>Ad Cash</u>	<u>24 00</u>
		<u>6-13-08</u>	

6-25-08

ILL E.P.A.  
TO: SHAUN NEWELL

FROM: WILLIAM HAJEK

I AM ENCLASING COPIES OF 2 DOCUMENTS

- #1 Receipt FOR TIRE DISPOSAL
- #2 Copy OF CONTRACT WITH TESTING SERVICE CORP TO ANALYZE THE CONTENTS OF 55 GALLON DRUMS.

I WILL FORWARD A COPY OF THE REPORT AS SOON AS IT HAS BEEN COMPLETED

William Hajek

RECEIVED

JUN 26 2008

ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS

June 17, 2008



TESTING SERVICE CORPORATION

*Main Office:*

360 S. Main Place, Carol Stream, IL 60188-2492  
630.653.3920 • Fax 630.653.2988

Mr. Bill Hajak  
11683 McAllister Road  
Waterman, Illinois 60556

RE: P. N. 41,163  
Environmental Services  
11683 McAllister Road  
Waterman, Illinois

Dear Mr. Hajak:

Testing Service Corporation (TSC) is pleased to present a proposal to perform environmental services at the above referenced property.

The purpose of the work is to collect and analyze a sample of asphalt sealer.

#### **SUBSURFACE EXPLORATION**

The scope of the services will include collection of a composite sample from drums containing asphalt sealer. The sample will be properly preserved and submitted for laboratory analysis following standard chain-of-custody procedures. The sample will be analyzed for ignitibility, corrosivity, and reactivity.

The analytical report will be provided.

#### **COST ESTIMATE & PROJECT SCHEDULE**

Our fee for performing the outlined scope of service is presented on Attachment A. The invoice will be itemized using the unit rates outlined on Attachment B and based on the work performed. The performance of this work is subject to our General Conditions for Environmental Services (attached). We anticipate completion of the project within two weeks following authorization to proceed. During the course of performing this study, if conditions become apparent which suggest further inquiry is warranted, we will contact you verbally to discuss the concerns.

**CLOSURE**

Bill Hajak  
P.N. 41,163 - June 17, 2008

---

CLOSURE

To acknowledge acceptance of this proposal and provide authorization to proceed, please sign one copy of this proposal and return it along with the Project Data Sheet to our Carol Stream office.

---

We appreciate the opportunity to submit this proposal and look forward to assisting you with this project.

Respectfully,

TESTING SERVICE CORPORATION

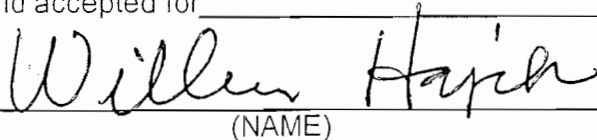


Stephen Heuer  
Section Manager

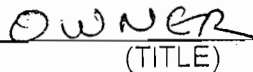
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Enc. Attachment A  
Attachment B  
General Conditions  
Project Data Sheet

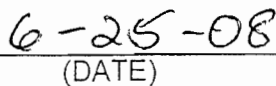
Approved and accepted for \_\_\_\_\_ by:

  
\_\_\_\_\_

(NAME)

  
\_\_\_\_\_

(TITLE)

  
\_\_\_\_\_

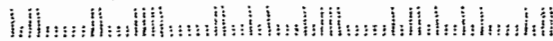
(DATE)

11683 MEALISTER ROAD  
WATERMAN IL 60556



ATTN: SHAWN NEWELL  
E.C. ENVIRONMENTAL PROTECTION AGENCY  
4302 N. MAIN STREET  
ROCKFORD IL  
61103

61103+8202 R012







**AUTO RECYCLERS**  
**630-231-6888**

651 W. WASHINGTON • WEST CHICAGO, IL 60185  
FAX 630-231-8859  
www.theautocrusher.com

*Small  
Ford 4200*

STOCK #		PHONE		DATE <i>8-26-08</i>		
NAME <i>Bill Hayek</i>						
ADDRESS <i>Waterman</i>						
SOLD BY	CASH <i>P</i>	C.O.D.	ON ACCT.	PICK-UP	DELIVERED <i>P</i>	
					RATE PER NET TON	
QTY.	DESCRIPTION				PRICE	AMOUNT
GVW	<del>4200</del>					
EW						
NET	<i>140 #'s</i>					
RECEIVED BY <i>Bill Hayek</i>					TAX	
					TOTAL	<i>11 --</i>

40756

All claims and returned goods  
MUST be accompanied by this bill.

*Thank You*

8-27-08

ILL. E.P.A

ATTN: SHAWN NEWELL,

AS PER OUR PHONE CONVERSATION

I AM MAKING RECEIPT FOR

STOVE APPLIANCE DISPOSAL,

Bill Hajil

11683 McAUSTER RD

WATERMAN ILL 60556-7084

RECEIVED  
AUG 28 2008  
ROCKFORD REGION  
ENVIRONMENTAL PROTECTION  
AGENCY STATE OF ILLINOIS

11683 McAruster Road

WATERMAN ILL 60596-7084

27 AUG 2008 PM 5 T



ILL ENVIRONMENTAL PROTECTION

4302 N. MAIN ST.

ROCKFORD ILL

61103

61103-5444 ATTN: SHAWN Necker

Print this page in a more readable format: Click Print next to the upper-right corner of the map.

Location result for  
**11683 Mcallister Rd, Waterman, IL 60556-7084**



STATE OF ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 10-30-08

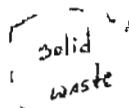
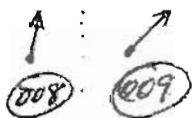
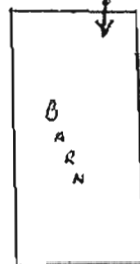
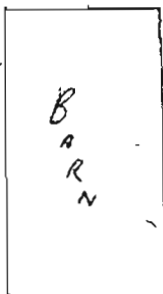
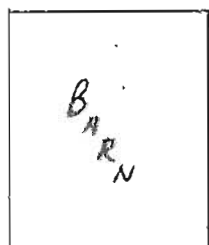
Inspector: NEWELL

Site Code: 0370608008

County: DeKalb

Site Name: Hajek Property

Time: 12:00P-12:15P



Garage

Residential  
house



4 N

Mc Allister Rd. →

Photographs 0370608008  
/ 03008-001 thru 009

Not to Scale

LPC # 0370608008-DeKalb County  
Waterman/Hajek Property  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** October 30, 2008  
**TIME:** 12:00 P.M.  
**DIRECTION:** North  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-001  
**COMMENTS:** Facing N  
showing the solid waste on  
site.



**DATE:** October 30, 2008  
**TIME:** 12:03 P.M.  
**DIRECTION:** North  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-002  
**COMMENTS:** Facing N  
showing the waste tires on  
site.



LPC # 0370608008-DeKalb County  
Waterman/Hajek Property  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** October 30, 2008  
**TIME:** 12:05 P.M.  
**DIRECTION:** East  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-003  
**COMMENTS:** Facing E  
showing the waste tires on  
site.



**DATE:** October 30, 2008  
**TIME:** 12:07 P.M.  
**DIRECTION:** North  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-004  
**COMMENTS:** Facing N  
showing the demo waste on  
site.



LPC # 0370608008-DeKalb County  
Waterman/Hajek Property  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** October 30, 2008  
**TIME:.** 12:09 P.M.  
**DIRECTION:** South  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-005  
**COMMENTS:** Facing S  
showing the used/waste tires  
inside the barn.



**DATE:** October 30, 2008  
**TIME:.** 12:10 P.M.  
**DIRECTION:** East  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-006  
**COMMENTS:** Facing E  
showing the waste tires along  
the north side of the barn.





LPC # 0370608008-DeKalb County  
Waterman/Hajek Property  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** October 30, 2008  
**TIME:** 12:12 P.M.  
**DIRECTION:** South  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-007  
**COMMENTS:** Facing S  
showing the solid waste on  
site.



**DATE:** October 30, 2008  
**TIME:** 12:13 P.M.  
**DIRECTION:** North  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-008  
**COMMENTS:** Facing N  
showing the solid waste on  
site.



LPC # 0370608008-DeKalb County  
Waterman/Hajek Property  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** October 30, 2008  
**TIME:** 12:14 P.M.  
**DIRECTION:** Northeast  
**PHOTO by:** S. Newell  
**PHOTO FILE NAME:**  
0370608008~103008-009  
**COMMENTS:** Facing NE  
showing the solid waste on  
site.



ORIGINAL

RECEIVED  
CLERK'S OFFICE

DEC 22 2008

STATE OF ILLINOIS  
Pollution Control Board

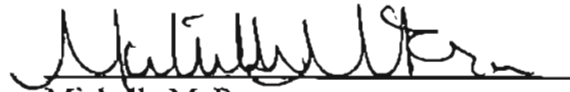
**PROOF OF SERVICE**

I hereby certify that I did on the 18th day of December 2008, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: William & Patricia Hajek  
11683 McAllister Road  
Waterman, IL 60556-7084

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

To: John Therriault, Clerk  
Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street, Suite 11-500  
Chicago, Illinois 60601



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