

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) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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

June 15, 2009

Ac09-55

ORIGINAL

RECEIVED CLERK'S OFFICE

JUN 1 8 2009

STATE OF ILLINOIS Pollution Control Board

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

Re: <u>Illinois Environmental Protection Agency v. Jason D. & Angela R. Marrs d/b/a Marrs</u> <u>Hauling, landscaping, & More</u> IEPA File No.130-09-AC; 0198010002—Champaign 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

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760 Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131 Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462 Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120 Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000 Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463 Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800 Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200 bcc: Susan Konzelmann, DLC #21
 Mike Davison, Division of Land Pollution Control #24
 Division of Land Pollution Control File Room #24 (Compliance File) Foosland/Marrs, Jason – 30E CR 3050N 0198010002-Champaign County
 Mike Mullins, Champaign Region

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
JASON D. & ANGELA R. MARRS d/b/a)
MARRS HAULING, LANDSCAPING &)
MORE,)
)
Respondents.)

RECEIVED CLERK'S OFFICE JUN 1 8 2009 AC O STATE OF ILLINOIS Pollution Control Board (IEPA No. 130-09-AC)

ORIGINAL

NOTICE OF FILING

To: Jason D. Marrs & Angela R. Marrs 30 C.R. 3050N Foosland, IL 61845 Marrs Hauling, Landscaping & More 30 C.R. 3050N Foosland, IL 61845

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. Rvan

Assistant Counsel

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

Dated: June 15, 2009

RECEIVED BEFORE THE ILLINOIS POLLUTION CONTROL BOARD CLERK'S OFFICE

ADMINISTRATIVE CITATION

JUN 1 8 2009

STATE OF ILLINOIS **Pollution Control Board**

ORIGINAL

AC 09.53

(IEPA No. 130-09-AC)

PROTECTION AGENCY. Complainant,

ILLINOIS ENVIRONMENTAL

v.

JASON D. & ANGELA R. MARRS d/b/a MARRS HAULING, LANDSCAPING & MORE,

Respondents.

JURISDICTION

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

FACTS

1. That Jason D. & Angela R. Marrs are the current owners ("Respondents") of a facility located at 30 C.R. 3050N, Foosland, Champaign County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Foosland/Marrs, Jason-30E CR 3050N.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0198010002.

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

4. That on May 18, 2009, Mike Mullins of the Illinois Environmental Protection Agency's ("Illinois EPA") Champaign Regional Office inspected the above-described facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on <u>June 15, 2009</u>, Illinois EPA sent this Administrative Citation via Certified 7007 3020 0002 3214 3 6 4 0 ~ Mail No. <u>3020 0002 3214 3 6 33</u>.

VIOLATIONS

Based upon direct observations made by Mike Mullins during the course of his May 18, 2009 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 <u>Three Thousand Dollars (\$3,000.00)</u>. 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 <u>August 3, 2009</u>, 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 Attomey General may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

3

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.

tor Date: 6/15/09 Douglas P. Scott. Director

Illinois Environmental Protection Agency

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

JUN 1 8 2009

STATE OF ILLINOIS Pollution Control Board

ORIGINAL

AC 09-55

(IEPA No. 130-09-AC)

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,

Complainant,

v.

JASON D. & ANGELA R. MARRS d/b/a MARRS HAULING, LANDSCAPING & MORE,

Respondents.

FACILITY:	Foosland/Mar	rs, Jason-30E CR 3050N	SITE CODE NO .:	0198010002
COUNTY:	Champaign		CIVIL PENALTY:	\$3,000.00
DATE OF INSPECTION:		May 18, 2009		

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

<u>NOTE</u>

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

CLERK'S OFFICE JUN 1 8 2009 STATE OF ILLINOIS Pollution Control Board

IN THE MATTER OF: ILLINOIS ENVIRONMENTAL **PROTECTION AGENCY**, Complainant, MARRS HAULING LANDSCAPING AND MORE JASON D. MARRS AND ANGELA R. MARRS) Respondent,)

IEPA DOCKET NO.

ORIGINAL

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 May 18, 2009, between 1:00 P.M. and 1:15 P.M., Affiant conducted an inspection of the site in Champaign County, Illinois, known as the Marrs, Jason – 30E CR 3050N, Illinois Environmental Protection Agency Site No. 0198010002.

3. Affiant inspected said Marrs, Jason - 30E CR 3050N site from off-site by walking the perimeter of the site while remaining outside the property's fence.

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 Marrs, Jason - 30E CR 3050N., 30E CR 3050N, Foosland Illinois site.

Subscribed and Sworn to before me this 3 day of JUNC 2009. Sharon X. Balajer Notary Public

Mule Mullins Mike Mullins



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S OFFICE JUN 1 8 2009

Open Dump Inspection Checklist

County:	Champaign	LPC#: 0198010002 CFILLING	lign			
Location/S	ite Name:	Foosland/Marrs, Jason-30E CR 3050N				
Date:	05/18/2009	Time: From 1:00 P.M To 1:15 P.M Previous Inspection Date: 03/11/2009				
Inspector(s	s): Mike M	Iullins Weather: Clear Sky, 75 degrees, wet soils				
No. of Pho	tos Taken: #	4 Est. Amt. of Waste: 30 yds ³ Samples Taken: Yes # No	\rightarrow			
Interviewee	d: No One					
	N40.31872	Longitude: W88.45438 Collection Point Description: Main Gate - +/- 20'				
(Example: L	at.: 41.26493	Long.: -89.38294) Collection Method: GPS - Garmin				
Responsible Party Mailing Address(es) and Phone Number(s):		Jason Marrs 30E CR 3050N Foosland, IL 61845 217/202-8270				
	SECTION	DESCRIPTION	VIOL			
	ILLI	INOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS	,			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS				
2.	9(c)	CAUSE OR ALLOW OPEN BURNING				
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS				
4.	12(d)	CREATE A WATER POLLUTION HAZARD				
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING				
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:				
	(1)	Without a Permit				
	(2)	In Violation of Any Regulations or Standards Adopted by the Board				
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				
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RE IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	SULTS			
	(1)	Litter	\square			
	(2)	Scavenging				
	(3)	Open Burning				
	(4)	Deposition of Waste in Standing or Flowing Waters				
	(5)	Proliferation of Disease Vectors				
	(6)	Standing or Flowing Liquid Discharge from the Dump Site				

LPC # 0198010002

Inspection Date: 05/18/2009 Deposition of General Construction or Demolition Debris; or Clean Construction or \boxtimes (7)**Demolition Debris NO PERSON SHALL:** 55(a) 9. Cause or Allow Open Dumping of Any Used or Waste Tire (1)(2) Cause or Allow Open Burning of Any Used or Waste Tire **35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS** SUBTITLE G FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND \boxtimes 10. 812.101(a) **OPERATE A LANDFILL** 11. 722.111 HAZARDOUS WASTE DETERMINATION 12. 808.121 SPECIAL WASTE DETERMINATION ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST 13. 809.302(a) OTHER REQUIREMENTS APPARENT VIOLATION OF: (
) PCB; (
) CIRCUIT COURT CASE NUMBER: **ORDER ENTERED ON:** 14. 15. OTHER:

Informational Notes

- 1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- 2. 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.
- 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

0198010002--Champaign County Foosland/Marrs, Jason-30E CR 3050N Inspection Date: May 18, 2009 Inspector: Mike Mullins FOS File

General Comments:

Ownership: Confirmed. The Champaign County Planning & Zoning confirmed the ownership to be Jason D. Marrs and Angela R. Marrs by deed 2008R08837.

History:

The Champaign Regional Office received prior citizen's complaints of open dumping and open burning of debris to include furniture and dimensional lumber. Complaint number C08-176-CH was investigated on June 20, 2008. A subsequent telephone conversation between Mr. Marrs and Rich Gerard, Manager, Bureau of Land Champaign discovered that Mr. Marrs is in the business of hauling and disposing of waste for hire and that Mr. Marrs also operates a landscaping business. Mr. Marrs stated that he did not haul any waste to his residence for disposal by burning; he stated that he takes landscape waste to the compost facility in Urbana and takes other waste to either the transfer station in Urbana or to a dumpster at his business. The findings and result of this complaint investigation was that burning had occurred west of the house in the yard at this residence and a letter was sent to Mr. Marrs outlining what could and could not be done at his residence in reference to burning of wastes.

Apparently burning continued after the letter because the Champaign County Zoning Office notified the Champaign Regional Office that several complaints had been received by their office in July 2008.

On July 28th, 2008 the Champaign Regional Office received an additional complaint of open burning of refuse hauled to the property. The refuse allegedly contained furniture, plastic, black garbage bags, a mattress and landscape waste. Complaint #C09-011-CH was assigned this complaint.

An October 20, 2008 re-inspection found that the alleged dumping and burning had ceased and the property was found to be in compliance with regulations and the Illinois Environmental Protection Act.

Information received from Champaign County Zoning Department on or about January 20, 2009 was that the house on this property had burned on or about December 23, 2008.

A March 11, 2009 complaint investigation for open dumping of approximately 30 cubic yards of cardboard, paper, plastic, metal, garbage bags with possible garbage, dimensional lumber

and landscape waste on the property in the northwest corner of the yard. Observed during the investigation were vehicle tracks in the muddy yard where the vehicle entered the south gate and traveled to the northwest corner of the yard near the debris pile. An Administrative Citation Warning Notice was sent on April 8, 2009 indicting alleged violations of open dumping with litter and a suspense date of May 15th, 2009 to resolve the violations.

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).

May 18, 2009 Observations:

A re-inspection of this property was conducted on May 18th, 2009 to confirm that violations had been resolved. Upon arrival at the property, I observed debris in the northwest corner of the fenced property located at 30 CR 3050N. The waste appeared to be the same waste observed during the March 11, 2009 investigation.

I observed a posted No Trespassing and fenced yard with the residue of a white two story house at the corner of 3050 North and a private lane on the east side of the property. Observed about 75 feet northwest of the house debris and in the yard was a large area that had sparse vegetation. Piled in this area was approximately 30 cubic yards of cardboard, paper, plastic, metal, garbage bags with possible garbage, dimensional lumber and landscape waste (2,3,4).

I left the area at 1:15 p.m.

Apparent 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 cardboard, paper, plastic, metal, garbage bags with possible garbage, landscape waste and dimensional 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 was 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 was 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 of 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.

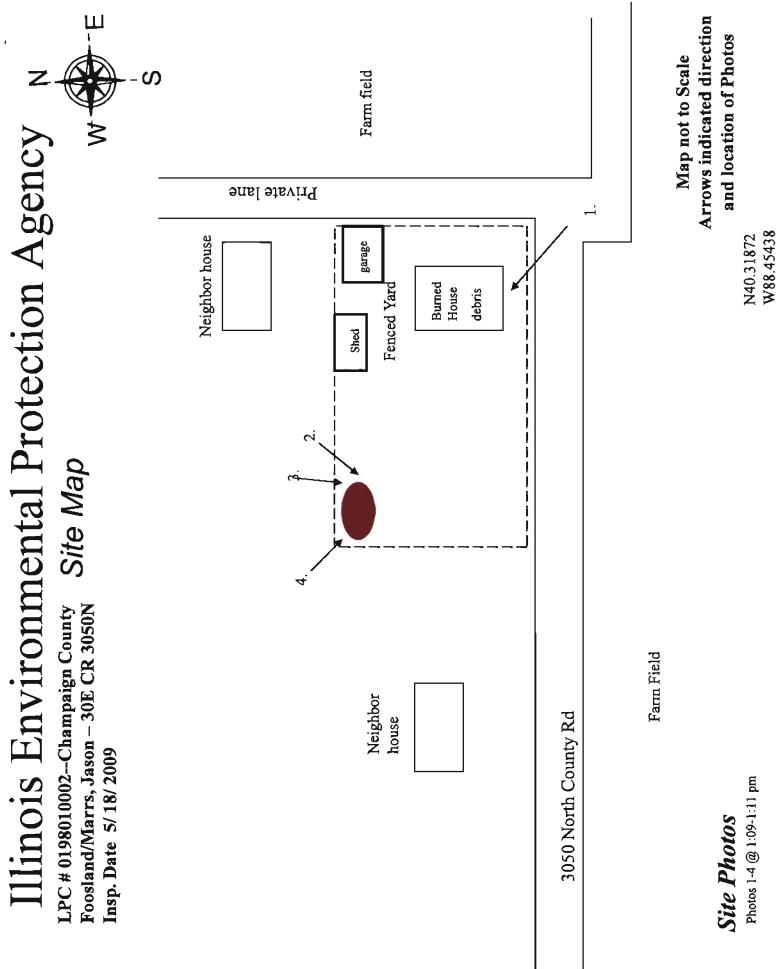
#6 Pursuant to Section 21(p)(7) of the Act. No person shall cause or allow the open dumping of any waste in a manner which results in the deposition of general construction or demolition debris; or clean construction or demolition debris.

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: Waste Disposal, Chapter I: Pollution Control Board) [Regulations]

#7 Pursuant to 35 Ill. Adm Code 812.101(a), All persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021(d)) [415 ILCS 5/21(d)], shall submit to the Agency an application for a permit to develop and operate a landfill. The application must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 Ill. Adm. Code 817.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: This waste management site has not submitted an application to the Agency for a permit to develop and operate a landfill.



ľ

DIGITAL PHOTOGRAPHS File Names: 0198010002~05182009-[Exp. #].jpg



Date: May 18, 2009 Time: 1:09 p.m. Direction: Northwest Photo by: Mike Mullins Exposure #: 001 Comments:

Date: May 18, 2009 Time: 1:10 p.m. Direction: West Photo by: Mike Mullins Exposure #: 002 Comments:

DIGITAL PHOTOGRAPHS File Names: 0198010002~05182009-[Exp. #].jpg



Date: May 18, 2009 Time: 1:10 p.m. **Direction: Southwest** Photo by: Mike Mullins Exposure #: 003 **Comments:**



Date: May 18, 2009 Time: 1:11 p.m. **Direction: Southeast** Photo by: Mike Mullins Exposure #: 004 Comments:

PROOF OF SERVICE

STATE OF ILLINOIS I hereby certify that I did on the 15th day of June, 2009, send by Certified Mail, Return Reaction

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: Jason D. Marrs & Angela R. Marrs 30 C.R. 3050N Foosland, IL 61845

Marrs Hauling, Landscaping & More 30 C.R. 3050N Foosland, IL 61845

CLERK'S OFFICE

JUN 1 8 2009

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

ORIGINAL

Michell Rvan Assistant Counsel

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