



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

RECEIVED  
CLERK'S OFFICE

JUL 15 2008

STATE OF ILLINOIS  
Pollution Control Board

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

July 9, 2008

ORIGINAL

AC09-3

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. Frank H. & Mary Lou Record and Frank Record  
d/b/a Quality Disposal  
IEPA File No. 86-08-AC: 0578100005—Fulton 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 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-5120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
CLERK'S OFFICE

ADMINISTRATIVE CITATION

JUL 15 2008

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

ORIGINAL

Complainant,

AC 09-3

v.

(IEPA No. 86-08-AC)

FRANK H. & MARY LOU RECORD and FRANK  
RECORD d/b/a QUALITY DISPOSAL,

Respondents.

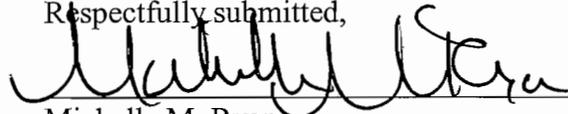
NOTICE OF FILING

To: Frank and Mary Lou Record  
31011 N. County Hwy 2  
Ellisville, Illinois 61431

Frank H. Record  
d/b/a Quality Disposal  
334 E. Fort Street  
Farmington, Illinois 61531

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: July 9, 2008



## VIOLATIONS

Based upon direct observations made by Robert Wagner during the course of his June 3, 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

On August 18, 2005, the Board found Mary Lou and Frank Record in violation of Sections 21(p)(1) and (3) of the Act in AC 04-6.

Because this Administrative Citation addresses a second or subsequent violation of Section 21(p)(1) of the Act, 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 Three Thousand Dollars (\$3,000.00). Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(2006), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500) for the violation of Section 21(p)(7), 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 August 15, 2008, 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, Respondents check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondents from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (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: 7/9/08

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





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

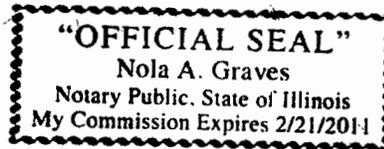
A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is highly cursive and difficult to decipher.

Subscribed and Sworn to before

me this 18<sup>th</sup> day of June, 2008

*Nola A Graves*

Notary Public



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Open Dump Inspection Checklist

County: Fulton LPC#: 0578100005 Region: 3 - Peoria  
 Location/Site Name: Farmington / Record Property  
 Date: 06/03/2008 Time: From 8:30 AM To 9 AM Previous Inspection Date: 05/10/1994  
 Inspector(s): Robert J. Wagner Weather: 75 F , Cloudy, Rain  
 No. of Photos Taken: # 27 Est. Amt. of Waste: 107 yds<sup>3</sup> Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: No One Onsite Complaint #: C-2008-065-P  
 Latitude: N40.68687 Longitude: W090.02328 Collection Point Description: Center of Site -  
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS -

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

Frank H. Record  
 d/b/a Quality Disposal  
 334 E. Fort Street  
 Farmington, Illinois 61531  
 (309) 245-0703

ORIGINAL

Frank and Mary Lou Record  
 31011 N. County Hwy 2  
 Ellisville, Illinois, 60120  
 (309) 293-5205

**RECEIVED**  
 CLERK'S OFFICE  
 JUL 15 2008  
 STATE OF ILLINOIS  
 Pollution Control Board

	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 # 0578100005

Inspection Date: 06/03/2008

	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<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)	<b>FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL</b>	<input checked="" type="checkbox"/>
11.	722.111	<b>HAZARDOUS WASTE DETERMINATION</b>	<input type="checkbox"/>
12.	808.121	<b>SPECIAL WASTE DETERMINATION</b>	<input type="checkbox"/>
13.	809.302(a)	<b>ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST</b>	<input type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
14.		<b>APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:</b>	<input type="checkbox"/>
15.	<b>OTHER:</b>		<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.

### Narrative

On June 3, 2008, this author (Robert J. Wagner) conducted an Open Dump inspection at property owned by Frank and Mary Lou Record. The property is located approximately 1 miles south west of Farmington, Illinois on County 24 Highway (see attached map). The inspection was a result of a citizen's complaint (C-2008-065-P). Frank Record owns and operates a garbage disposal business called Quality Disposal Company. The complainant stated that Quality Disposal is dumping the remains of a demolished house on Frank Records property.

### Site History

On March 3, 1994, an inspection was conducted at Frank and Mary Lou Record's property where Quality Disposal stores the company's garbage trucks and roll off boxes. This property had the file heading Record Property, IEPA Site Number 0578100005. Mr. Record received an Administrative Citation for \$500 dollars from the Agency for the following violation of the Act 21(a), 21(d), 21(p)(1) and 807.202 of the Regulations. On May 10, 1994 a re inspection took place at the property. No violations were observed.

### Inspection

For the purpose of this report the property has been divided into three areas. These areas will be used to describe the different waste disposal sites on the property. They are as follows; Area 1, Area 2, and Area 3.

#### Area 1

Upon arrival this author proceeded to walk and photograph the property. Area 1 is located in the driveway of the property (see site sketch). Photographs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 show a pile of general construction debris. The general construction debris consisted of red brick commingled with concrete block, chunks of concrete, splinters of processed wood, a piece of electrical conduit and chunks of concrete with protruding metal bars. The pile of general construction debris was in a circular pattern and was approximately 40 feet long by 5 feet wide by 1 foot high in size (7 yd<sup>3</sup>).

#### Area 2

Area 2 is located in the southern portion of the property (see site sketch). Photographs 16 and 17 show a roll off box that contained chunks of concrete with protruding metal bars. The roll off box was not covered. This author estimates the roll off box to be 20 yd<sup>3</sup>. The roll off box was labeled Quality Disposal Company. Photograph 18 shows another 20 yd<sup>3</sup> roll off box full of scrap metal. Photograph 19 shows a garbage truck. For the purpose of this report the garbage truck will be referred to as Garbage Truck #1 (see site sketch). The photograph shows Garbage Truck #1's rear loader hopper full of waste. This author could not get a clear view inside of the

rear loader box to see if it was full of waste. This author estimates the amount of waste in the rear loader hopper to be approximately 1 yd<sup>3</sup>.

### Area 3

Area 3 is located in the eastern portion of the property (see site sketch). Photograph 20 shows a pile of carpet and two tires. The pile of carpet was approximately 6 feet long by 6 feet wide by 2 foot high in size (2 yd<sup>3</sup>). Photographs 21 and 22 show a rear loader box full of waste paper and plastic. The rear loader hopper was missing exposing its contents to the open air. The waste in the rear loader box had vegetative growth protruding from it. This author estimates the waste material in the rear loader box was approximately 15 feet long by 10 feet wide by 7 foot high in size (38 yd<sup>3</sup>). Photograph 23 shows approximately 12 tires. Photographs 24 and 25 show a garbage truck. For the purpose of this report the garbage truck will be referred to as Garbage Truck #2 (see site sketch). The photograph shows Garbage Truck #2's loader box. The loader box was full of waste. The rear loader hopper on the box was missing exposing its contents to the open air. This author estimates the waste material in the rear loader box was approximately 15 feet long by 10 feet wide by 7 foot high in size (38 yd<sup>3</sup>). The waste in the rear loader box had vegetative growth protruding from it. It appears some waste has fallen out of the box and onto the ground in the area behind Garbage Truck #2. Photographs 26 and 27 show a pile of general construction debris. The pile consisted of shingles, processed wood, plastic containers, paper, and a chair. The pile was approximately 6 feet long by 5 feet wide by 1 foot high in size (1 yd<sup>3</sup>).

Quality Disposal Company's is owned and operated by Frank Record. This author estimates there is 107 yd<sup>3</sup> of waste material deposited or being stored on the property. This author departed the site at 9 AM.

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

1. Pursuant to Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) is alleged for the following reason: **Evidence of open dumping of waste was observed during the inspection.**

2. Pursuant to Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit.

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

3. Pursuant to Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

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

4. Pursuant to Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) is alleged for the following reason: **Waste was disposed at this site which does not meet the requirements of the Act and regulations thereunder.**

5. Pursuant to Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in litter.

*The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.*

A violation of Section 21(p)(1) is alleged for the following reason: **The open dumping of waste was caused or allowed in a manner which resulted in litter.**

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

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

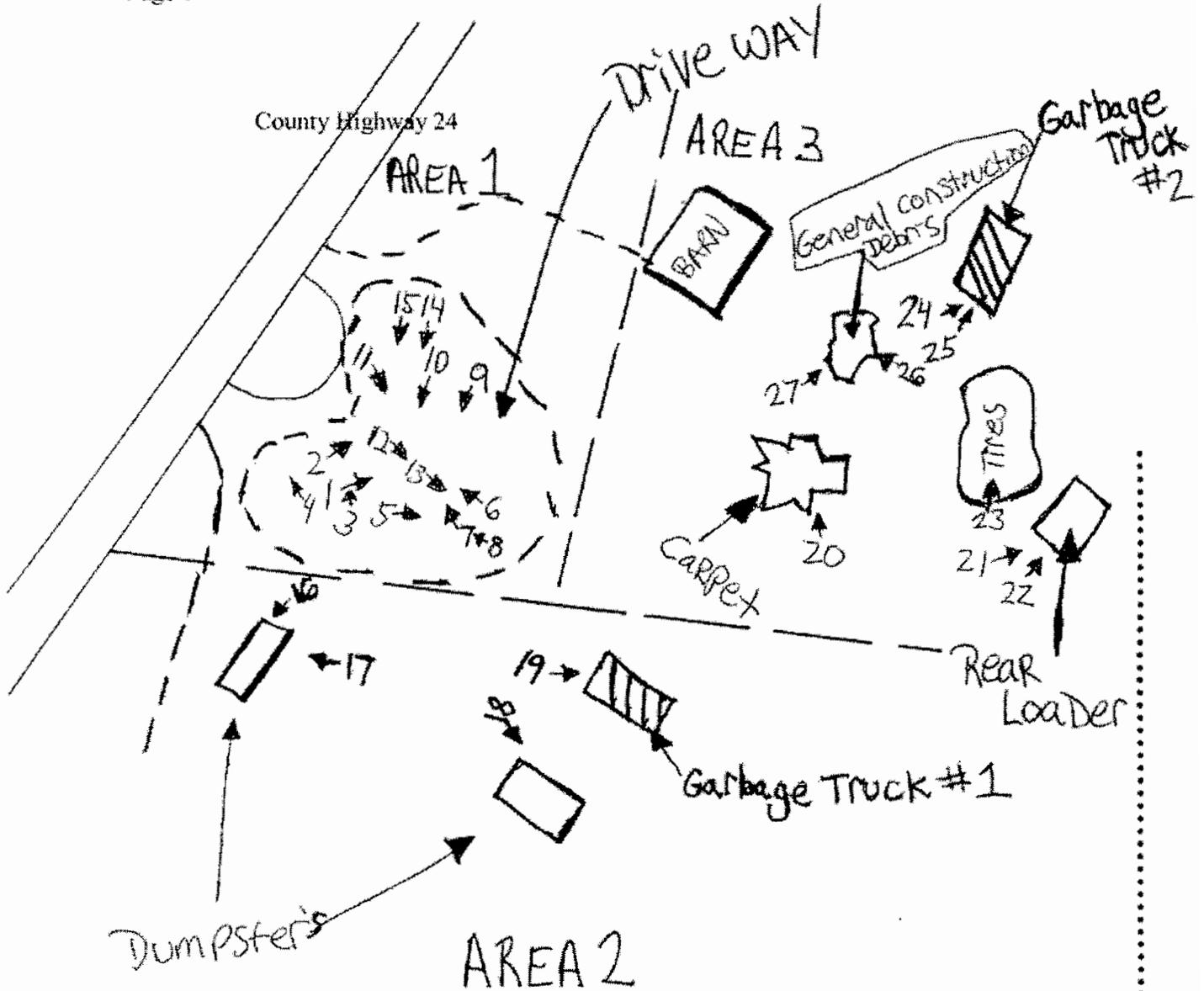
7. Pursuant to Section 55(a)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/55(a)(1)), no person shall cause or allow the open dumping of any used or waste tire.

A violation of Section 55(a)(1) is alleged for the following reason: **Evidence of open dumping of used or waste tires was observed during the inspection.**

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

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





Drawing Not to Scale

Farmington Sewage Lagoons



**DATE:** June 3, 2008

**TIME:** 8:37 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northeast.

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-001.jpg

**COMMENTS:** The photograph  
shows chunks of concrete.



**DATE:** June 3, 2008

**TIME:** 8:37 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-002.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete.





**DATE:** June 3, 2008

**TIME:** 8:37 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northwest.

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-003.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete.



**DATE:** June 3, 2008

**TIME:** 8:37 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northwest.

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-004.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete.





**DATE:** June 3, 2008

**TIME:** 8:37 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the east.

**PHOTOGRAPH NUMBER:** 5

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-005.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete.





**DATE:** June 3, 2008

**TIME:** 8:38 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the west.

**PHOTOGRAPH NUMBER:** 6

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-006.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, chunks of concrete  
and splinters of processed wood.



**DATE:** June 3, 2008

**TIME:** 8:38 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the west.

**PHOTOGRAPH NUMBER:** 7

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-007.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete.





**DATE:** June 3, 2008

**TIME:** 8:38 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the west.

**PHOTOGRAPH NUMBER:** 8

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-008.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, chunks of concrete  
and splinters of processed wood.



**DATE:** June 3, 2008

**TIME:** 8:39 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the south.

**PHOTOGRAPH NUMBER:** 9

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-009.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, chunks of concrete  
and electrical conduit.



**DOCUMENT FILE NAME:**  
0578100005-06032008.doc



**DATE:** June 3, 2008

**TIME:** 8:39 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the south.

**PHOTOGRAPH NUMBER:** 10

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-010.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete with protruding metal bars.



**DATE:** June 3, 2008

**TIME:** 8:40 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the southeast.

**PHOTOGRAPH NUMBER:** 11

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-011.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete.





**DATE:** June 3, 2008

**TIME:** 8:40 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the southeast.

**PHOTOGRAPH NUMBER:** 12

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-012.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, chunks of concrete  
and splinters of processed wood.



**DATE:** June 3, 2008

**TIME:** 8:41 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the southeast.

**PHOTOGRAPH NUMBER:** 13

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-013.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, chunks of concrete  
and splinters of processed wood.



**DOCUMENT FILE NAME:**  
0578100005-06032008.doc



**DATE:** June 3, 2008

**TIME:** 8:41 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the south.

**PHOTOGRAPH NUMBER:** 14

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-014.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete with protruding metal bars.



**DATE:** June 3, 2008

**TIME:** 8:41 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the south.

**PHOTOGRAPH NUMBER:** 15

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-015.jpg

**COMMENTS:** The photograph  
shows red brick commingled with  
concrete block, and chunks of  
concrete with protruding metal bars.





**DATE:** June 3, 2008

**TIME:** 8:42 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the south.

**PHOTOGRAPH NUMBER:** 16

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-016.jpg

**COMMENTS:** The photograph  
shows a dumpster full of chunks of  
concrete with protruding metal bars.



**DATE:** June 3, 2008

**TIME:** 8:45 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the southwest.

**PHOTOGRAPH NUMBER:** 17

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-017.jpg

**COMMENTS:** The photograph  
shows a dumpster full of chunks of  
concrete with protruding metal bars.





**DATE:** June 3, 2008

**TIME:** 8:46 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northeast.

**PHOTOGRAPH NUMBER:** 18

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-018.jpg

**COMMENTS:** The photograph  
shows a dumpster full of scrap  
metal.



**DATE:** June 3, 2008

**TIME:** 8:46 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the east.

**PHOTOGRAPH NUMBER:** 19

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-019.jpg

**COMMENTS:** The photograph  
shows a garbage truck full of waste.





**DATE:** June 3, 2008

**TIME:** 8:47 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 20

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-020.jpg

**COMMENTS:** The photograph  
shows a pile carpet and tires.



**DATE:** June 3, 2008

**TIME:** 8:48 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northeast.

**PHOTOGRAPH NUMBER:** 21

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-021.jpg

**COMMENTS:** The photograph  
shows the rear loader of a garbage  
truck. The rear loader was full of  
waste with the consistence of paper  
and plastic. The waste had  
vegetative growth protruding from  
it. Also pictured are tires.



**DOCUMENT FILE NAME:**  
0578100005~06032008.doc



**DATE:** June 3, 2008

**TIME:** 8:48 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 22

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-022.jpg

**COMMENTS:** The photograph  
shows the rear loader of a garbage  
truck. The rear loader was full of  
waste with the consistence of paper  
and plastic. The waste had  
vegetative growth protruding from  
it.





**DATE:** June 3, 2008

**TIME:** 8:48 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 23

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-023.jpg

**COMMENTS:** The photograph  
shows a pile of tires.





**DATE:** June 3, 2008

**TIME:** 8:48 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the northeast.

**PHOTOGRAPH NUMBER:** 24

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-024.jpg

**COMMENTS:** The photograph  
shows a garbage truck. The  
garbage truck's rear loader. It was  
full of waste with the consistence of  
paper and plastic. The waste had  
vegetative growth protruding from  
it.





**DATE:** June 3, 2008

**TIME:** 8:48 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 25

**PHOTOGRAPH FILE NAME:**  
0578100005~06032008-025.jpg

**COMMENTS:** The photograph  
shows a garbage truck. The  
garbage truck's rear loader. It was  
full of waste with the consistence of  
paper and plastic. The waste had  
spilled out on to the ground in the  
area. The waste had vegetative  
growth protruding from it.





**DATE:** June 3, 2008

**TIME:** 8:49 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 26

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-026.jpg

**COMMENTS:** The photograph  
shows shingles, processed wood,  
plastic containers, paper, and a  
chair.



**DATE:** June 3, 2008

**TIME:** 8:49 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

**DIRECTION:** Photograph taken  
toward the north.

**PHOTOGRAPH NUMBER:** 27

**PHOTOGRAPH FILE NAME:**  
0578100005-06032008-027.jpg

**COMMENTS:** The photograph  
shows shingles, processed wood,  
plastic containers, paper, and a  
chair.



**DOCUMENT FILE NAME:**  
0578100005-06032008.doc

The Grantors, JOHN C. RECORD and IDA M. RECORD, husband and wife, individually, each in his and her own right and as spouse of the other,

of the City of Farmington in the County of Fulton and State of Illinois for the consideration of

ONE (\$1.00) Dollars and other good and valuable consideration Convey and Warrant to FRANKLIN RECORD and MARY LOU RECORD, husband and wife, in joint tenancy and not in tenancy in common,

of the Village of Ellisville County of Fulton and State of Illinois the following described Real Estate, to-wit: TRACT 1:

THE SOUTHWEST QUARTER OF SECTION NUMBER NINE (9), EXCEPT A TRACT KNOWN AS PLEASANT HILL CEMETERY; ALSO THE SOUTH SIXTY (60) ACRES OF THE NORTHWEST QUARTER OF SECTION NINE (9), EXCEPT A TRACT DESCRIBED AS FOLLOWS: Beginning at the center of Section Nine (9), running thence North 1° 07' East along the North and South Center line of said Section Nine (9) a distance of 990 feet, thence North 88° 58' West a distance of 849.04 feet, thence South 29° 19' East a distance of 761.96 feet, thence South 53° 15' East a distance of 569.51 feet to the Point of Beginning; ALL OF SAID LANDS BEING IN TOWNSHIP EIGHT (8) NORTH, RANGE FOUR (4) EAST OF THE FOURTH PRINCIPAL MERIDIAN SITUATED IN THE COUNTY OF FULTON AND STATE OF ILLINOIS; EXCEPTING COAL AND COAL RIGHTS AS PREVIOUSLY CONVEYED, RESERVED OR EXCEPTED AND ALL RIGHTS AND EASEMENTS IN FAVOR OF SAID MINERAL ESTATE.

TRACT 11:

ALL THAT PART OF LOT A IN THE WEST HALF OF SECTION ELEVEN (11) WHICH LIES SOUTH OF A LINE 1900 FEET SOUTH OF THE NORTH LINE OF SAID SECTION ELEVEN AND RUNNING PARALLEL WITH SAID NORTH LINE EXCEPTING THE FORMER RIGHT-OF-WAY OF THE ILLINOIS CENTRAL ELECTRIC RAILWAY COMPANY. ALSO A PART OF THE SOUTHWEST QUARTER OF SECTION ELEVEN IN TOWNSHIP EIGHT (8) NORTH, RANGE FOUR (4) EAST OF THE FOURTH PRINCIPAL MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: Commencing at the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section Eleven (11) running thence Southerly on the Section line 372.65 feet to an iron pin, thence North 85° 19' 22" East 778.12 feet to an iron pin thence North 3° 58' 51" West 385.73 feet to an iron pin on the North line of the South 1/4 of said Section Eleven (11), thence Westerly 778.52 feet to the point of beginning, exclusive of that portion being used for roadway purposes, the right-of-way of the C.B. & Q. Railroad, and the former right of way of the Illinois Central Railway Company; ALL IN TOWNSHIP EIGHT (8) NORTH, RANGE FOUR (4) EAST OF THE FOURTH PRINCIPAL MERIDIAN, SITUATED IN THE COUNTY OF FULTON AND STATE OF ILLINOIS, EXCEPTING THE COAL AND COAL RIGHTS AS PREVIOUSLY CONVEYED, RESERVED OR EXCEPTED AND ALL RIGHTS AND EASEMENTS IN FAVOR OF SAID MINERAL ESTATE.

situated in the County of Fulton and State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of this State.

Dated this 20th day of June, A. D. 1990

Signatures of John C. Record and Ida M. Record with (SEAL) markers.

THIS INSTRUMENT PREPARED BY: JOHN J. MCCARTHY Attorney at Law 2 North Main Street Canton, Illinois 61520 (217) 647-7477

NOTARY PUBLIC

JOHN C. RECORD and IDA M. RECORD

TO FRANKLIN RECORD and MARY LOU RECORD

BOOK 1140 PAGE 95

STATE OF ILLINOIS, ) I, the undersigned, a Notary Public  
COUNTY OF FULTON ) ss. in and for said County, in the State aforesaid, do hereby certify  
that JOHN C. RECORD and IDA M. RECORD, husband and wife, individually, each in his and her  
own right and as spouse of the other,

personally known to me to be the same persons whose names are sub-  
scribed to the foregoing instrument, appeared before me this day in person and  
acknowledged that they signed, sealed and delivered the said instrument as  
their free and voluntary act for the uses and purposes therein set forth,  
including the release and waiver of the right of homestead.

(SEAL) Given under my hand and seal this 20th day of June, A.D. 1990.

OFFICIAL SEAL  
GISELA SCHMIDT  
Notary Public, State of Illinois  
My Commission Expires 12/31/91

STATE OF ILLINOIS, ) I, a Notary Public  
COUNTY OF ) ss. in and for said County, in the State aforesaid, do hereby certify  
that

personally known to me to be the same whose name sub-  
scribed to the foregoing instrument, appeared before me this day in person and  
acknowledged that signed, sealed and delivered the said instrument as  
free and voluntary act for the uses and purposes therein set forth,  
including the release and waiver of the right of homestead.

(SEAL) Given under my hand and seal this day of A.D. 19

My Commission expires

STATE OF ILLINOIS, ) I, a Notary Public  
COUNTY OF ) ss. in and for said County, in the State aforesaid, do hereby certify  
that

personally known to me to be the same person whose name sub-  
scribed to the foregoing instrument, appeared before me this day in person and  
acknowledged that signed, sealed and delivered the said instrument as  
free and voluntary act for the uses and purposes therein set forth,  
including the release and waiver of the right of homestead.

(SEAL) Given under my hand and seal this day of A.D. 19

My Commission expires

This transaction exempt under  
Section 4(e) of the Real Estate  
Transfer Tax Act.

THIS SPACE

FOR  
REVENUE  
STAMPS

STATE OF ILLINOIS )  
COUNTY OF FULTON ) ss. NO. 91-40867  
This instrument filed for record on the 1st  
day of April A.D. 1991 at 10:55  
o'clock A.M. and recorded in Volume 1140  
of Land Records at page 94  
Randal R. ...  
County Clerk and Recorder  
By TS  
Deputy

Send Tax Statement To: Franklin Record, R. R. #1, Ellisville, Illinois 62431

Return to John J. McCarthy, 2 North Main Street, Canton, Illinois 61520

PD 7/15/91

**PROOF OF SERVICE**

**RECEIVED  
CLERK'S OFFICE**

**JUL 15 2008**

**STATE OF ILLINOIS  
Pollution Control Board**

I hereby certify that I did on the 9th day of July 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

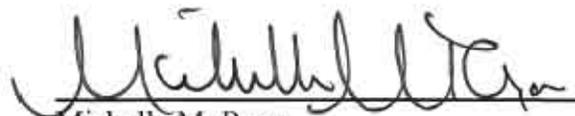
To: Frank and Mary Lou Record  
31011 N. County Hwy 2  
Ellisville, Illinois 61431

Frank H. Record  
d/b/a Quality Disposal  
334 E. Fort Street  
Farmington, Illinois 61531

ORIGINAL

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  
Special Assistant Attorney General

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