



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

(217) 782-9817
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ORIGINAL

RECEIVED
CLERK'S OFFICE

JUL 21 2008

STATE OF ILLINOIS
Pollution Control Board

July 17, 2008

AC09-5

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. Donald E. and Mary A. Jennings
IEPA File No. 135-08-AC; 0090105031—Brown 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

bcc: Susan Konzelmann, DLC #21
Mike Davison, Division of Land Pollution Control #24
Division of Land Pollution Control File Room #24 (Compliance File)
Mt. Sterling/Jennings, Donald & Mary
0090105031—Brown County
William Zierath, Springfield Regional Office

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
JUL 21 2008
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DONALD E. and MARY A. JENNINGS,)
)
Respondents.)

AC 09-5
(IEPA No. 135-08-AC)

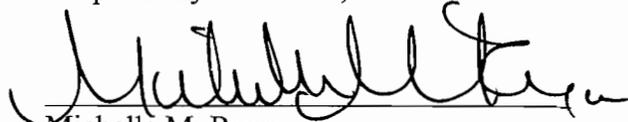
ORIGINAL

NOTICE OF FILING

To: Donald E. and Mary A. Jennings
R.R.4, P.O. Box 31
Mt. Sterling, IL 62353

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: July 18, 2008

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
JUL 21 2008
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

DONALD E. and MARY A. JENNINGS,

Respondents.

ORIGINAL

AC

09-5

(IEPA No. 135-08-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 Donald and Mary Jennings are the present owners and operators of a facility located at the last property with structures on the east side of the road, prior to agricultural fields and a 90 degree curve on South Buckhorn Street, which runs north/south on the west side of the City of Mt. Sterling, Brown County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Mt. Sterling/Jennings, Donald and Mary.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No.0090105031.

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

4. That on May 30, 2008, William Zierath of the Illinois Environmental Protection Agency's Springfield Regional Office inspected the above-described facility. A copy of the

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

VIOLATIONS

Based upon direct observations made by William Zierath during the course of his May 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).

CIVIL PENALTY

On June 2, 2005, the Board found Donald E. and Mary A. Jennings in violation of Section 21(p)(1) of the Act in AC 05-67.

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) for each violation, for a total of Three Thousand Dollars (\$3,000.00). 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 Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.


Douglas P. Scott, Director
Illinois Environmental Protection Agency

Date: 7/17/08

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

RECEIVED
CLERK'S OFFICE
JUL 21 2008
STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Complainant,)
V.)
DONALD E. and MARY A. JENNINGS,)
Respondents.)

AC **095**
(IEPA No. 135-08-AC)

ORIGINAL

FACILITY: Mt. Sterling/Jennings, Donald & Mary SITE CODE NO.: 0090105031
COUNTY: Brown CIVIL PENALTY: \$3,000.00
DATE OF INSPECTION: May 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.

LPC # 0090105031

Inspection Date: 05/30/08

	(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 type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(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"/>
	(3)	Cause or Allow Water to Accumulate in Used Tires	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

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

MEMORANDUM

Date: May 30, 2008

To: BOL File

From: William E. Zierath, BOL/FOS - Springfield Region

Subject: LPC# 0090105031 – Brown County

Mt. Sterling/Donald and Mary Jennings

C-08-110-C

FOS File

A complaint investigation was conducted at this lot in the southwest part of Mt. Sterling on May 30, 2008. No one else was present during this investigation. The weather was cloudy and 75°F.

It was not known until after this complaint investigation that this lot had been the site of a previous complaint investigation. The property was first inspected on July 7, 2004. An Administrative Citation Warning Notice, dated September 8, 2004, was sent to Mr. and Mrs. Jennings. Mr. and Mrs. Jennings did respond to the ACWN. During November 18, 2004 and March 10, 2005 re-inspections, it was determined that clean up had not been completed. An Administrative Citation was issued on April 18, 2005 for a violation of Section 21(p)(1) of the Illinois Environmental Protection Act. No petition for review was received for the Administrative Citation. Without a petition for review, the Illinois Pollution Control Board ordered the respondents to pay the \$1500 fine. During a May 18, 2005 follow up inspection, the site was found to have returned to compliance. This was reflected in a June 22, 2005 RTC letter.

The anonymous complaint was not very specific about the location of the complaint. It said there were two lots “full of garbage, rubbish, old cars, weeds, wood, General rubbish.” This was the only lot in the general location with apparent violations observed from the public road.

While there was no one else at this site during this investigation, someone driving a dark green minivan stopped along Buckhorn Road and sat there for several minutes. Due to glare on the windows, I was unable to see who was in the minivan. I started to approach the minivan, but the minivan drove off before I got very near.

From Buckhorn Road, there were several vehicles surrounded by dumpsters, roll-off boxes and junk. The view from Buckhorn Road is shown in photographs 0090105031~05302008-001, 0090105031~05302008-002 and 0090105031~05302008-003.

There was a packer truck parked near the east end of the site. The name on the door of the truck indicated that it belonged to Mark Jennings. Tape on the door obscured the word "Bros." below the name Jennings. It was unclear whether the truck was operable. The packer truck did not contain garbage. This truck is shown in photographs 0090105031~05302008-004, 0090105031~05302008-005, 0090105031~05302008-006 and 0090105031~05302008-010.

There were two dumpsters located behind the packer truck. These dumpsters contained household refuse, a small amount of demolition waste, and other junk. These dumpsters are shown in photographs 0090105031~05302008-007, 0090105031~05302008-008 and 0090105031~05302008-010.

There was another dumpster located south of the packer truck. This dumpster is shown in photograph 0090105031~05302008-009. There was a considerable amount of junk around the dumpster. The junk around this dumpster included a plastic 5-gallon bucket (with about an inch of water in it), an empty 55-gallon drum, plastic items, scrap metal and burned wire. The wastes around this dumpster are shown in photographs 0090105031~05302008-009, 0090105031~05302008-012, 0090105031~05302008-014, 0090105031~05302008-015 and 0090105031~05302008-016.

The waste in the dumpster shown in photograph 0090105031~05302008-009 included electronic equipment, small appliances, paper, cloth, and unidentified plastic and metal objects. This waste is also shown in photographs 0090105031~05302008-009 and 0090105031~05302008-013.

There was one old stove in the east end of the site. The old stove is shown in photograph 0090105031~05302008-011.

There was an abandoned pickup truck with the bed filled with waste along the south edge of this site. Wastes included numerous old glass soda bottles, scrap metal and scrap plastic. The truck did not have any license plates. The right rear tire was either flat or sunk far into the soil and had been that way for long enough that weeds had grown up around the truck during the previous growing season. The waste in the bed is shown in photographs 0090105031~05302008-017 and 0090105031~05302008-019. The rear of the truck (including the place where the rear license plate should have been) is shown in photograph 0090105031~05302008-018. The right, rear tire is shown in photograph 0090105031~05302008-019.

There was an empty 55-gallon drum located northwest of the pickup truck. This 55-gallon drum is shown in photograph 0090105031~05302008-020.

In front of the packer truck was another dumpster. The dumpster had a roll of chain link fence sitting on it. The wastes in the dumpster included plastic, paper, cardboard and metal. This dumpster is shown in photographs 0090105031~05302008-021 and 0090105031~05302008-022.

There was a pile of junk including metal shelves, the remnants of a metal tank, an air conditioner, 2 tires on rims, old toys, and unidentifiable plastic and metal items west of the pickup truck described above. This junk is shown in photographs 0090105031~05302008-024, 0090105031~05302008-025, 0090105031~05302008-026, 0090105031~05302008-027, 0090105031~05302008-030 and 0090105031~05302008-031.

Also along the south edge of the site was an abandoned flatbed truck with scrap metal on the bed. The waste is shown in photograph 0090105031~05302008-028. The license plate without a current sticker is shown in photograph 0090105031~05302008-029.

There was an old metal door and other junk located north of the flatbed truck. This waste is shown in photograph 0090105031~05302008-032.

There was a trailer loaded mostly with scrap metal in the central part of the site. The trailer is shown in photograph 0090105031~05302008-033. The waste in this trailer is also shown in photographs 0090105031~05302008-037 and 0090105031~05302008-038.

There was an abandoned automobile in the central part of the site. This abandoned automobile is shown in photograph 0090105031~05302008-034. The license plate with an expired sticker (from 1988) is shown in photograph 0090105031~05302008-035.

There was a roll-off box with one of the long sides removed on the site. This roll-off was being used to store scrap metal and other junk. This roll-off box is shown in photograph 0090105031~05302008-036.

The area south of the building was being used for storing an assortment of junk, including scrap metal, lawn furniture, tires (off rims), windows, tools, and an old grill, insulated wire and bathroom fixtures. This waste is shown in photographs 0090105031~05302008-039, 0090105031~05302008-040, 0090105031~05302008-041, 0090105031~05302008-042, 0090105031~05302008-043 and 0090105031~05302008-044.

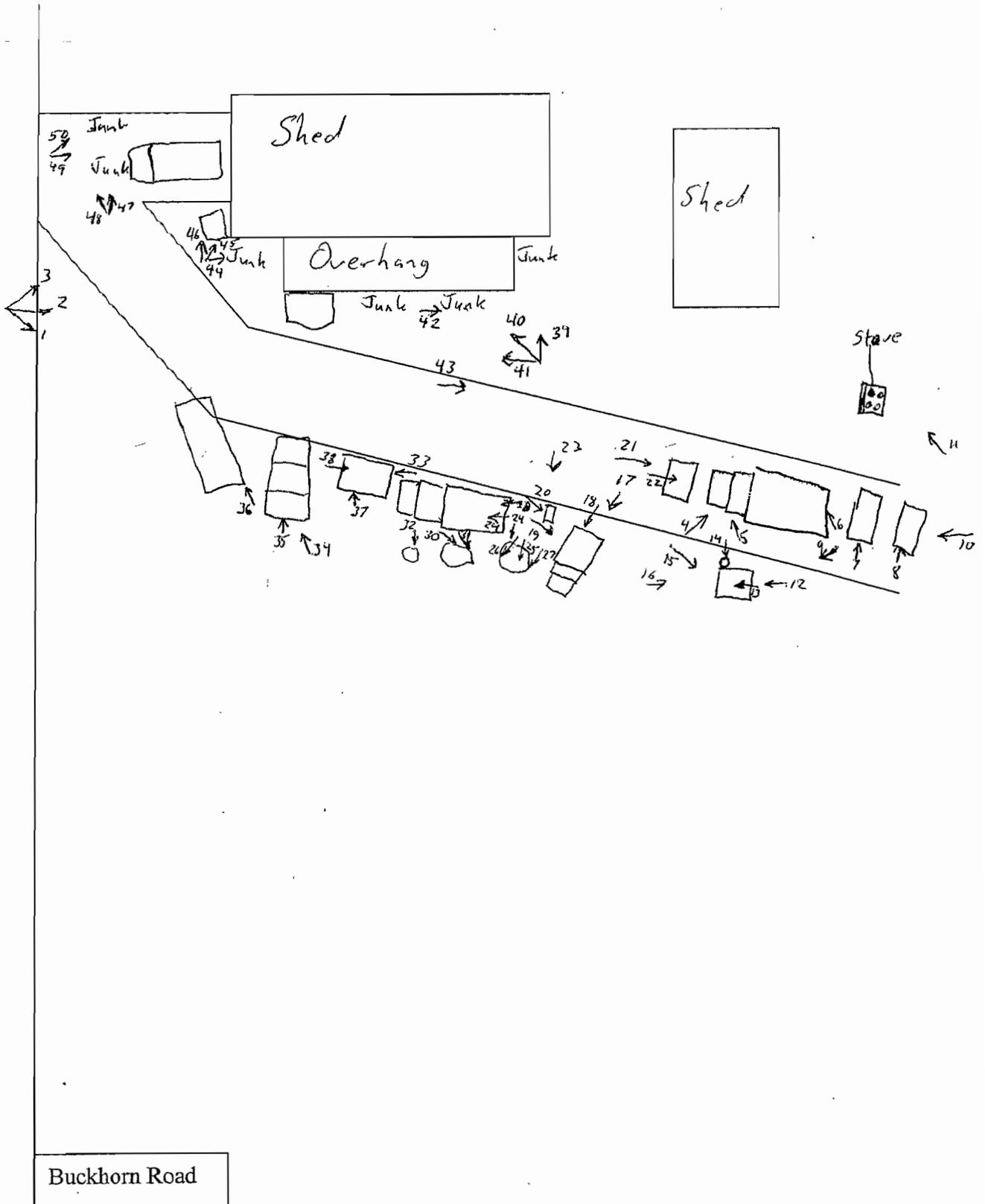
West of the building was an assortment of junk. There was a dilapidated trailer filled with old windows and other junk. This trailer is shown in photograph 0090105031~05302008-045. There was an abandoned automobile. The abandoned automobile is shown in photographs 0090105031~05302008-045, 0090105031~05302008-046 and 0090105031~05302008-047. There were used tires on rims in this area. These used tires are shown in photographs 0090105031~05302008-045 and 0090105031~05302008-046. In addition to these large items, there were numerous scattered small items, including toys, tools, household items, and trash. This waste is shown in photographs 0090105031~05302008-045, 0090105031~05302008-046, 0090105031~05302008-047, 0090105031~05302008-048, 0090105031~05302008-049 and 0090105031~05302008-050.

Apparent violations observed during this investigation are marked on the attached checklist.

cc: BOL/FOS – Springfield Regional File

LPC# 0090105031 - Brown County
Mt. Sterling/Jennings, Donald and Mary
May 30, 2008 Site Plan

Not to Scale
↗ = Direction of Photograph





DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:47 PM
Direction: Southeast
Photo by: W Zierath
Exposure #: 001
Comments: View of
this site from Buckhorn
Road.



Date: May 30, 2008
Time: 12:47 PM
Direction: East
Photo by: W Zierath
Exposure #: 002
Comments: View of
this site from Buckhorn
Road.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:47 PM
Direction: Northeast
Photo by: W Zierath
Exposure #: 003
Comments: View of
this site from Buckhorn
Road.



Date: May 30, 2008
Time: 12:49 PM
Direction: Northeast
Photo by: W Zierath
Exposure #: 004
Comments: A packer
truck parked near the
east end of the site.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:49 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 005
Comments: The door of the packer truck parked at this site showing that the name on the truck was Mark Jennings.



Date: May 30, 2008
Time: 12:49 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 006
Comments: The back area of the packer truck showing that it was essentially empty.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:49 PM
Direction: North
Photo by: W Zierath
Exposure #: 007
Comments: The contents of a dumpster located east of the packer truck. Visible items in the dumpster were furniture parts and household items.



Date: May 30, 2008
Time: 12:50 PM
Direction: North
Photo by: W Zierath
Exposure #: 008
Comments: The contents of a dumpster east of the packer truck. Visible items in the dumpster included paper and plastic trash, demolition waste and unidentified plastic items.

File Names: 0090105031-05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:50 PM
Direction: Southwest
Photo by: W Zierath
Exposure #: 009
Comments: A dumpster and assorted wastes located south of the packer truck. The wastes in and around the dumpster are shown in more detail in photographs 012, 013, 014, 015 and 016. The white and rust drum shown to the right of the dumpster was empty.



Date: May 30, 2008
Time: 12:50 PM
Direction: West
Photo by: W Zierath
Exposure #: 010
Comments: The rear of the packer truck and the dumpsters shown in photographs 007 and 008, along with junk on the ground around the dumpsters.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:50 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 011
Comments: An old stove east of the packer truck.



Date: May 30, 2008
Time: 12:50 PM
Direction: West
Photo by: W Zierath
Exposure #: 012
Comments: Wastes on the ground east of the dumpster shown in photograph 009 showing metal and plastic. The 5-gallon bucket had about an inch of water.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:51 PM
Direction: West
Photo by: W Zierath
Exposure #: 013
Comments: The wastes in the dumpster shown in photograph 009, showing electronic equipment, small appliances, paper, cloth, and unidentified plastic and metal objects.



Date: May 30, 2008
Time: 12:51 PM
Direction: South
Photo by: W Zierath
Exposure #: 014
Comments: Wastes north of the dumpster shown in photograph 009. Wire with the insulation burned off was piled on an empty 55-gallon drum. The paint cans in the background were empty.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:51 PM
Direction: Southeast
Photo by: W Zierath
Exposure #: 015
Comments: Junk located northwest of the dumpster shown in photograph 009. Items include a tire on a rim, and metal plastic pieces. The drum shown is the same drum shown in photograph 014.



Date: May 30, 2008
Time: 12:51 PM
Direction: East
Photo by: W Zierath
Exposure #: 016
Comments: More of the junk northwest of the dumpster shown in photograph 009. Items included metal shelf legs, a vehicle wheel, other metal and plastic parts.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:51 PM
Direction: Southwest
Photo by: W Zierath
Exposure #: 017
Comments: The bed of an abandoned pickup truck containing numerous old glass soda bottles, jumper cables, old vehicle parts, metal and other junk.



Date: May 30, 2008
Time: 12:52 PM
Direction: West
Photo by: W Zierath
Exposure #: 018
Comments: Junk behind the abandoned pickup shown in photograph 017 showing a small appliance, a vacuum cleaner and other junk. The photograph shows that there was no license plate on the rear of the pickup truck.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:52 PM
Direction: Southeast
Photo by: W Zierath
Exposure #: 019
Comments: The side of the bed of the pickup truck shown in photograph 017, showing the right, rear tire of the truck which was sunk in the ground to the point that the truck couldn't be moved.



Date: May 30, 2008
Time: 12:52 PM
Direction: Southeast
Photo by: W Zierath
Exposure #: 020
Comments: An empty 55-gallon barrel and a trash bag located northwest of the pickup truck shown in photograph 017.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:53 PM
Direction: East
Photo by: W Zierath
Exposure #: 021
Comments: Dumpster
in front of the packer
truck.



Date: May 30, 2008
Time: 12:53 PM
Direction: East
Photo by: W Zierath
Exposure #: 022
Comments: The
contents of the
dumpster in front of
the packer truck
including plastic,
paper, cardboard and
metal.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:53 PM
Direction: South
Photo by: W Zierath
Exposure #: 023
Comments: A pile of junk including metal shelves, the remnants of a metal tank, an air conditioner, 2 tires on rims, old toys, and unidentifiable plastic and metal items. Close ups of the wastes in this pile are shown in photographs 024, 025, 026, 027, 030 and 031.



Date: May 30, 2008
Time: 12:53 PM
Direction: South
Photo by: W Zierath
Exposure #: 024
Comments: Close up of some of the junk shown in photograph 023 including plastic objects, an old air conditioner, and a toy car.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:53 PM
Direction: South
Photo by: W Zierath
Exposure #: 025
Comments: Close up of some of the junk shown in photograph 023 including an old air conditioner, tires on rims, an old lawn chair, an old bicycle tire, an old rake and unidentifiable metal objects.



Date: May 30, 2008
Time: 12:54 PM
Direction: Southwest
Photo by: W Zierath
Exposure #: 026
Comments: Close up of some of the junk shown in photograph 023 including many of the objects described in photograph 025 and a weed trimmer, an old sign, old tools and other junk.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:54 PM
Direction: Southwest
Photo by: W Zierath
Exposure #: 027
Comments: Close up of some of the junk shown in photograph 023 including objects from the previous photographs, wheels and scrap metal.



Date: May 30, 2008
Time: 12:54 PM
Direction: West
Photo by: W Zierath
Exposure #: 028
Comments: An abandoned flatbed truck loaded predominately with scrap metal.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:54 PM
Direction: West
Photo by: W Zierath
Exposure #: 029
Comments: The expired license plate on the truck shown in photograph 028.



Date: May 30, 2008
Time: 12:55 PM
Direction: Southeast
Photo by: W Zierath
Exposure #: 030
Comments: The junk shown in photograph 023.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:55 PM
Direction: Southeast
Photo by: W Zierath
Exposure #: 031
Comments: the remnant of a metal tank shown in photograph 023.



Date: May 30, 2008
Time: 12:55 PM
Direction: South
Photo by: W Zierath
Exposure #: 032
Comments: An old metal door and various metal objects.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:55 PM
Direction: West
Photo by: W Zierath
Exposure #: 033
Comments: A trailer made from an old pickup truck bed filled with junk.



Date: May 30, 2008
Time: 12:56 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 034
Comments: An abandoned car.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:56 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 035
Comments: The license plate on the car shown in photograph 034 with a sticker from 1988.



Date: May 30, 2008
Time: 12:56 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 036
Comments: A roll-off box with one of the long sides removed that was being used to store scrap metal and other junk. To the right of the roll-off box was a used tire on a rim.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:57 PM
Direction: North
Photo by: W Zierath
Exposure #: 037
Comments: A close-up
of some of the waste in
the trailer shown in
photograph 033.



Date: May 30, 2008
Time: 12:57 PM
Direction: East
Photo by: W Zierath
Exposure #: 038
Comments: Another
view of the trailer
shown in photograph
033.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:57 PM
Direction: North
Photo by: W Zierath
Exposure #: 039
Comments: Junk along the south side of the building including scrap metal, lawn furniture and tires (off rims).



Date: May 30, 2008
Time: 12:57 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 040
Comments: Junk along the south side of the building including windows, tools, and an old grill.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:57 PM
Direction: West
Photo by: W Zierath
Exposure #: 041
Comments: Junk along the south side of the building including windows, tools, and an old grill.



Date: May 30, 2008
Time: 12:58 PM
Direction: East
Photo by: W Zierath
Exposure #: 042
Comments: Junk along the south side of the building including windows, tools, and an old grill.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:58 PM
Direction: East
Photo by: W Zierath
Exposure #: 043
Comments: Junk west of the building including insulated wire, windows, lawn mowers and scrap metal.



Date: May 30, 2008
Time: 12:58 PM
Direction: East
Photo by: W Zierath
Exposure #: 044
Comments: Junk west of the building including insulated wire, bathroom fixtures, lawn mowers and scrap metal.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:58 PM
Direction: Northeast
Photo by: W Zierath
Exposure #: 045
Comments: Junk west of the building including an abandoned car, used tires, windows and scrap metal.



Date: May 30, 2008
Time: 12:58 PM
Direction: Northeast
Photo by: W Zierath
Exposure #: 0046
Comments: Junk west of the building including an abandoned car, used tires, toys and scrap metal.

File Names: 0090105031~05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:59 PM
Direction: North
Photo by: W Zierath
Exposure #: 047
Comments: Junk west of the building including an abandoned car, toys and scrap metal.



Date: May 30, 2008
Time: 12:59 PM
Direction: Northwest
Photo by: W Zierath
Exposure #: 048
Comments: Junk west of the building including toys and scrap metal.

File Names: 0090105031-05302008-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: May 30, 2008
Time: 12:59 PM
Direction: East
Photo by: W Zierath
Exposure #: 049
Comments: Junk west
of the building
including an
abandoned car, toys
and assorted litter.

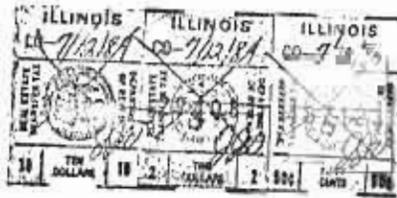


Date: May 30, 2008
Time: 12:59 PM
Direction: East
Photo by: W Zierath
Exposure #: 050
Comments: Junk west
of the building
including toys and
assorted litter.

File Names: 0090105031~05302008-[Exp. #].jpg

South line of said Railroad Right-of-way, and thence East along the said South line of said Railroad Right-of-way for a distance of three hundred and Thirty-five (335) feet, to the place of beginning;

ALSO EXCEPT that part thereof: Commencing at a point on the Southerly line of the right-of-way of the Norfolk and Western Railway Company, Seventy-five (75) feet from the center of the Main Track at the intersection thereof with the West line of the East half of the Northwest Quarter of said Section Seventeen (17), thence South 57° 26' East along the Southerly right-of-way line of said Norfolk and Western Railway Company Seven Hundred Sixty-one and fifty-nine hundredths (761.59) feet, thence South 32° 30' 40" West One Hundred Eighty-five and Twenty-eight hundredths (185.28) feet, thence North 65° 04' 02" West Five Hundred Ninety-seven and sixty-five hundredths (597.65) feet to a point on the West line of the East half of said Northwest Quarter, thence North 00° 03' 18" West along the West line of the East half of said Northwest Quarter Three Hundred Fourteen and twenty-eight hundredths (314.28) feet to the point of beginning, all in Township One (1) South, Range Three (3) West of the Fourth Principal Meridian, situated in the County of Brown, in the State of Illinois.



Brown County
Real Estate Transfer Tax
In the amount of \$12.50
July 12, 1989
Date

WARRANTY DEED

STATUTORY FORM

FROM

TO

P. O. Address:

Name

Town

STATE OF ILLINOIS }
BROWN COUNTY, } Recorder's Office
No. 89-554

Agreed & Proven

Recorder within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument of writing was filed for record on the 12th day of July, 1989.

A.D. 19 89 at 11:05 o'clock P. M. and duly recorded in Volume 38 of Deeds, on Page 272.

IN TESTIMONY WHEREOF, I have hereunto set my hand the day and date aforesaid.

Agreed & Proven

By Deputy.

This Deed Should Be Promptly Recorded

ORIGINAL

RECEIVED
CLERK'S OFFICE

JUL-21 2008

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 17th 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: Donald E. and Mary A. Jennings
R.R.4, P.O. Box 31
Mt. Sterling, IL 62353

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