



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

RECEIVED
CLERK'S OFFICE
MAY 12 2011
STATE OF ILLINOIS
Pollution Control Board

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

ORIGINAL

AC11-25

May 10, 2011

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. Diane Timpe and Jimmy Timpe
IEPA File No. 112-11-AC: 1178055001—Macoupin County

Dear Mr. Therriault:

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

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

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

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures

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CLERK'S OFFICE

MAY 12 2011

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DIANE TIMPE and JIMMY TIMPE,)
)
Respondents.)

AC 11-25
(IEPA No.112-11-AC)

ORIGINAL

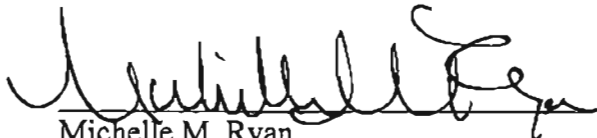
NOTICE OF FILING

To: Diane Timpe
10805 Cordum Road
Gillespie, IL 62033

Jimmy Timpe
10805 Cordum Road
Gillespie, IL 62033

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: May 10, 2011

RECEIVED
CLERK'S OFFICE
MAY 12 2011
STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
DIANE TIMPE and JIMMY TIMPE,)
)
)
)
Respondents.)

AC 11-25
(IEPA No. 112-11-AC)

ORIGINAL

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 (2008).

FACTS

1. That Diane Timpe is the current owner and Jimmy Timpe is the operator ("Respondents") of a facility located at 10805 Cordum Road, Henderson, Macoupin County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Henderson\Timpe.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 1178055001.

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

4. That on March 15, 2011, Charlie King of the Illinois Environmental Protection Agency's ("Illinois EPA") Springfield 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 5-10-11, Illinois EPA sent this Administrative Citation via Certified Mail No. 7007 0220 0000 0162 3465
7004 2510 0001 8619 1432.

VIOLATIONS

Based upon direct observations made by Charlie King during the course of his March 15, 2011 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) (2008).
- (2) That Respondents caused or allowed the open dumping of waste in a manner resulting in used tires, at this site, not altered, covered or otherwise prevented from accumulating water, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (2008).

CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2008), Respondents are subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Three Thousand Dollars (\$3,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than June 15, 2011, 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 (2008), 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) (2008), if Respondents fail to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

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

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2008). 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.

 *BY SOP*

Date: 5/9/11

Lisa Bonnett, Interim, 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
MAY 12 2011
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:)
)
Illinois Environmental)
Protection Agency,)
)
Complainant)
)
vs.)
)
Diane Timpe and Jimmy Timpe,)
)
Respondents)

IEPA DOCKET NO.

A 01-25

ORIGINAL

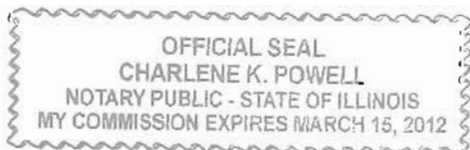
Affiant, Charlie King, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Division of Land Pollution Control/Field Operations Section of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 15, 2011 between 3:10 p.m. and 3:35 p.m., Affiant conducted an inspection of an open dump, located in Macoupin County, Illinois and known as Henderson/Timpe by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC # 1178055001 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said open dump.

Charlie King
Charlie King

Subscribed and Sworn to Before Me
this 26th day of April, 2011

Charlene K. Powell
Notary Public



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

CLERK'S OFFICE
MAY 12 2011
STATE OF ILLINOIS
Pollution Control Board

County: Macoupin LPC# 1178055001 Region: 3
 Location/Site Name Henderson/Timpe
 Date: 03/15/2011 Time: From 1510 To 1535 Previous Inspection Date: 07/07/2009
 Inspector(s) Charlie King Weather: Overcast, 42 deg. F., Winds W @ 5 mph
 No. of Photos Taken: # 4 Est. Amt. of Waste: 67 yds³ Samples Taken: Yes # No
 Interviewed: Jimmy Timpe Complaint #: C-11-079-C
 Latitude: 39.156255 Longitude: -89.79377 Collection Point Description: Center of Site -
 (Elevation: Lat 41.26493 Long -89.38294) Collection Method: Photo Interpolation - Google Map

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

Diane Timpe and Jimmy Timpe
(mother and son), 10805 Cordum Rd.
Gillespie (Henderson) IL, 62033
No listed telephone number



	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
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 AND REGULATIONS	<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 # 1178055001

Inspection Date: 03/15/2011

	(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"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	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			
15.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
16.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- 1 [Illinois] Environmental Protection Act: 415 ILCS 5/4.
- 2 Illinois Pollution Control Board 35 Ill. Adm. Code, Subtitle G
- 3 Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1 and 2 above.
- 4 The provisions of subsection (p) of Section 21 and subsection (k) of Section 55 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

MEMORANDUM

DATE: April 13, 2011
TO: DLPC/Division File
FROM: Charlie King, BOL/DLPC/FOS – Springfield Region
SUBJECT: LPC # 1178055001 - Macoupin County
Henderson/Timpe
C-11-079-C
FOS File

NARRATIVE INSPECTION REPORT DOCUMENT

The purpose of this memorandum is to serve as the Narrative Inspection Report Document of an inspection conducted at the subject site on March 15, 2011 from approximately 3:10 p.m. until 3:35 p.m., by this author. No one accompanied me on the inspection. The inspection was conducted based on a complaint received at the Illinois EPA Springfield Regional Office. According to the complainant, Jimmy Timpe has been junking vehicles three or four times a week; has approximately 50 used tires on and off rims; pop-up trailers with who knows how many people living in them; and kids running all over the place. Per the complainant, Timpe reportedly has eight junk vehicles with gas, anti-freeze and Freon (air conditioning refrigerant) on the ground. Per the complainant, Timpe cuts up the cars because he had no titles. Per the complainant, there was sewer water coming from the trailers. I told the complainant that the Illinois EPA had no jurisdiction over the people in trailers and kids running around, and suggested he contact the Macoupin County Public Health Department regarding the sewage.

The site is located approximately at 10805 Cordum Road, Henderson, IL. The formal address is 10805 Cordum Road, (Henderson) Gillespie, IL 62033. The respondents are the owner, Diane Timpe, and her son, Jimmy Timpe, who allegedly open dumped wastes on-site. Legally and specifically, the property is located on Lots Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) in Block Five (5) of the Original Plat of Henderson, Macoupin County, IL. The Parcel ID No. is 03-003-122-00. This information is from Quit Claim Deed Document # 494608, recorded on August 28, 2009 (see attached). It was obtained for this inspector by request to Craig Busmann, Macoupin County Public Health Department on April 13, 2011.

Upon arrival at the site on the day of the most recent inspection, the weather was overcast with an air temperature of approximately 42° F. Winds were westerly at approximately five (5) mph. Surface soil conditions were saturated and muddy. Ponded water was plentiful.

Upon arrival at the site, I met Jimmy Timpe, who was outside in his drive with some friends and family members. Mr. Timpe and his mother, Diane Timpe, live at the site.

The inspection revealed that open dumping was taking place. No evidence of dumped gasoline, oil or Freon was found. No evidence of raw sewage was observed, either. However, a small amount of apparent green anti-freeze was found on the ground. Approximately 75 used tires were found, and about half of those were off-rims. Standing water was observed in most of those tires off-rims, which is not unexpected, inasmuch as it had rained earlier that day and the day before the inspection. Other wastes observed included a kitchen sink, plastics, metals and general household refuse. Totaled, approximately 67 cubic yards of wastes were observed on-site.

During the inspection, four (4) photographs were taken with a digital camera. They show the conditions at the site on the day of the inspection. From the inspection and the photographs, a partially computer generated and partially hand drawn sketch of the site was developed by this author. It shows the layout of the site, as well as the numbers, approximate locations and directions of the photographs. The digital camera provides a three-digit number to each photograph, i.e., 001, 002, etc. This is how the photographs are referenced in this narrative and on the Digital Photograph pages. Real numbers were used on the Site Sketch, i.e., 1, 2, etc. Copies of the Digital Photographs and the Site Sketch accompany this narrative.

The Digital Photographs are described as follows:

Photo # 001 shows the muddied area on the north side of the property, between the graveled drive and the neighbor's horse lot, contained plastics, a kitchen sink metals, vehicle parts, glass, cans, four used tires on rims, wire and wood wastes. This waste area would measure approximately 25' x 10' x 2', if the wastes were placed in a single pile.

Photo # 002 shows the satellite dish, bicycles, space heater, propane tanks, gas cylinder, lawn chairs, dolly, and most of the metals, plastics and wood, are not considered wastes. However, a small area of general household refuse, including some plastics, wood and metals cans in an area measuring approximately 4' x 3' x 1', are considered wastes.

Photo # 003 shows approximately 75 used tires were discovered on the ground between a mobile home, shed and an area also partially hidden by a partial privacy fence and partially by tarps at upper center-right and upper-right in the photograph. Several of the used tires without rims contained standing water. This area measured approximately 20' x 15' x 3'.

Photo # 004 shows the green liquid on the ground that appears to be a small amount of anti-freeze.

During the inspection, apparent violations of the Illinois Environmental Protection Act (Act) and of the regulations, Title 35, Illinois Administrative Code. Subtitle G (35 I.A.C) were observed and are alleged, and are listed in the attached Open Dump Inspection Checklist.

OTHER COMMENTS

1. During the inspection, approximately 67 cubic yards of wastes were observed. This amount was calculated as follows:

<u>DESCRIPTION OF WASTE AREA</u>	<u>SIZE OF WASTE AREA IN CUBIC FEET</u>		
Scattered wastes in north area	25' x 10' x 2'	=	600
Metals and general refuse in middle of site	4' x 3' x 1'	=	12
Used tires, about half off-rims, half on rims	20' x 15' x 3'	=	900
Miscellaneous if collected and placed together	10' x 15' x 2'	=	+ 300
			<u>1,812</u>

$1,812 \div 27 =$ (conversion factor of cubic feet to cubic yards) $= 67.1$ or 67 cubic yards

2. Mr. Timpe walked with me during the inspection and admitted to placing wastes on the ground. He stated that he meant to have it cleaned up by now (time of the inspection), but other work and weather had prevented him from getting it cleaned up.
3. A young lady picked up and held a small dog near the end of the inspection. In front of them both, I told Mr. Timpe that animals are attracted to anti-freeze. I told them if their dog licked it up, it could kill him. The lady appeared surprised. Mr. Timpe did not respond.
4. I told Mr. Timpe that he might receive an Administrative Citation Warning Notice (ACWN), a Violation Notice (VN), or an Administrative Citation, which could carry a \$1,500 penalty for each violation of the Section 21(p) and 55(k) of the Act. Mr. Timpe said he would clean it up.

CK

cc: DLPC/FOS – Springfield Region

11/8055001 - Henderson County
Henderson / Twp
Compliance File

39.156255, -89.79377 - Google Maps - Microsoft Internet Explorer, provided by State of Illinois

Http://www.google.com/maps... Henderson, IL

File Edit View Favorites Tools Help

Google 39.156255, -89.79377 Search More >>

State of Illinois Enterprise ...

39.156255, -89.79377 - Google Maps

Google maps 39.156255, -89.79377 Search Maps

Get Directions Map Links

10801-10957 Córdum Ave
Gillespie, IL 62033
Directions Search nearby more

Print Send Link

Map Traffic

Done Start Document - Microsoft ... 39.156255, -89.79377 ... Internet Google - Terms of Use Record a 4:04 PM

SITE

SITE SKETCH

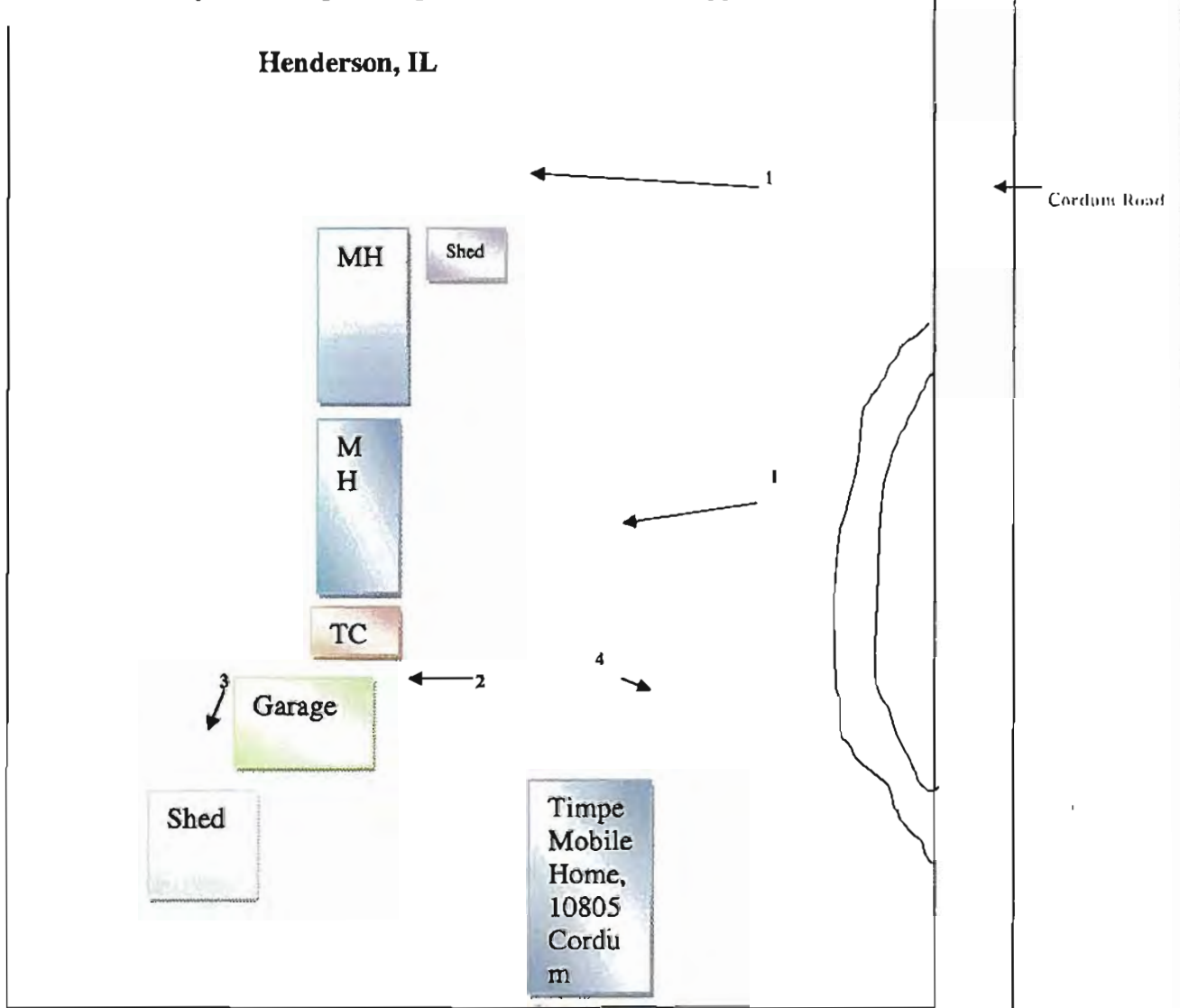
Site name: Henderson/Timpe
LPC #: 1178055001
Inspector: Charlie King

County: Macoupin County
Date: March 15, 2011
Time: 3:10 pm. - 3:35 p.m.

FOS File

A digital camera was used for the Inspection photos. Distances are approximate - Not drawn to scale

Henderson, IL



LEGEND
2 - Photo number and direction



DIGITAL PHOTOGRAPHS



Date: March 15, 2011
Time: 3:12 p.m.
Direction: W/NW
Photo by: Charlie King
Exposure #: 001
Comments: The muddied area on the north side of the property, between the graveled drive and the neighbor's horse lot, contained plastics, a kitchen sink metals, vehicle parts, glass, cans, four used tires on rims, wire and wood wastes. This waste area would measure approximately 25' x 10' x 2', if the wastes were placed in a single pile.



Date: March 15, 2011
Time: 3:20 p.m.
Direction:
Photo by: Charlie King
Exposure #: 002
Comments: The satellite dish, bicycles, space heater, propane tanks, gas cylinder, lawn chairs, dolly, and most of the metals, plastics and wood, are not considered wastes. However, a small area of general household refuse, including some plastics, wood and metals cans in an area measuring approximately 4' x 3' x 1', are considered wastes.

File Names: 1178055001~03152011-[Exp. #].jpg



DIGITAL PHOTOGRAPHS



Date: March 15, 2011
Time: 2:24 p.m.
Direction: SW
Photo by: Charlie King
Exposure #: 003
Comments: Approximately 75 used tires were discovered on the ground between a mobile home, shed and an area also partially hidden by a partial privacy fence and partially by tarps at upper center-right and upper-right in the photograph. Several of the used tires without rims contained standing water. This area measured approximately 20' x 15' x 3'.



Date: March 15, 2011
Time: 3:32 p.m.
Direction: SE
Photo by: Charlie King
Exposure #: 004
Comments: The green liquid on the ground appears to be anti-freeze.

File Names: 1178055001~03152011-[Exp. #].jpg

1178055001 - Macoupin County
Henderson / Times
FOS File

Macoupin County
Public Health Department
Maple Street Clinic
109 East Maple Street
Suite 1- Environmental Programs
Gillespie, Illinois 62033-1447
(217) 839-4101

Date: 4-13-11
Attention: Charlie King
Company: IEPA
Fax Number: 217-557-8728
From: Craig Bussmann
Number of Pages (Including Fax Cover Sheet): 4
Special Instructions: Charlie Here is Temporal

Craig Bussmann
4-13-11 12:06 P.M.

Confidentiality Notice

The document accompanying this fax transmission may contain CONFIDENTIAL information. If the YES box below is checked, the information is intended ONLY for the use of the individual(s) or entity named above. If you are not the intended recipient, you are notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents to this fax information is not permissible. If you have received this fax in error, please IMMEDIATELY notify us by telephone at the number above to arrange for the return of this document.

CONFIDENTIAL
YES NO

RECEIVED
SPRINGFIELD REGION
APR 13 2011
Environmental Protection Agency
STATE OF ILLINOIS
TOTAL P.01

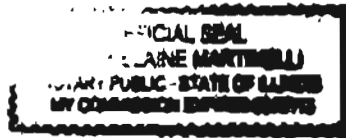
D.F.
1.10

Representative

STATE OF ILLINOIS)
) SS.
COUNTY OF MACOUPIN)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT **KIM D. TIMPE**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, as having executed the same appeared before 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.

Given under my hand and Notarial Seal this 26th day of August 2009.



Elaine Martinielli
Notary Public

Tax Bill to: Diane M. Timpe
10805 Cordum Avenue
Gillespie, IL 62033

Return to: Verticchio & Verticchio
100 East Chestnut Street
P.O. Box 87
Gillespie, IL 62033

*pd
SSW*

Prepared by: Verticchio & Verticchio
100 East Chestnut
P.O. Box 87
Gillespie, IL 62033

Michele A. Zippay
Macoupin Co. Recorder Carlinville, IL
Doc# 434609
Receipt #: 19365 Total Fees: \$35.00
Pages Recorded: 1 MSP Included: 8/28/2009 \$18.00
Date Recorded: 8/28/2009 2:35:16 PM

QUIT CLAIM DEED

THIS INDENTURED WITNESS, that the Grantors, **KIM D. TIMPE**, A Single Person, of the City of Gillespie, County of Macoupin, and State of Illinois, for and in consideration of the sum of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, **CONVEY and QUIT CLAIM** to **DIANE M. TIMPE**, a widow, not since remarried, whose address is 10805 Cordum Avenue, Gillespie, Macoupin County, Illinois, the following described real estate, to-wit:

Lots Six (6), Seven (7), Eight (8), Nine (9), and Ten (10) in Block Five (5) of the Original Plat of Henderson, Macoupin County, Illinois.

PARCEL ID NO. 03-003-122-00

Situated in the County of Macoupin in the State of Illinois releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois wherein said land is located.

DATED this 26th day of August, 2009.

EXEMPT FROM REVENUE STAMPS
BASED UPON CONSIDERATION
OF LESS THAN \$100.00 pursuant
34 ILCS 305/4(e) of the
Real Estate Transfer Tax
Law 35 ILCS 305/4(e)

K. D. Timpe
KIM D. TIMPE

8/26/09 Rach Vandenberg
Buyer, Seller, or Representative

**AFFIDAVIT IN COMPLIANCE WITH PLAT ACT
AND TRACT SURVEY REQUIREMENTS**

The undersigned is the Grantor or duly appointed agent for the Grantor in the foregoing Warranty Deed transferring interest in the real estate described in said Warranty Deed. The undersigned states this transfer is exempt from the Illinois Plat Act because it is:

- (X) A. NOT A DIVISION OF LAND (parcel already has an existing county real estate tax identification number);
- () B. A DIVISION OR SUBDIVISION OF LAND INTO TRACTS OF 5 ACRES OR MORE NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- () C. A DIVISION OF LOTS OR BLOCKS OR LESS THAN 1 ACRE IN A RECORDED SUBDIVISION NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- () D. ** A SALE OR EXCHANGE OF LAND BETWEEN OWNERS OF ADJOINING AND CONTIGUOUS LAND;
- () E. A CONVEYANCE OF LAND FOR USE AS A RIGHT OF WAY FOR PUBLIC UTILITIES AND OTHER PIPELINES NOT INVOLVING NEW STREET OR EASEMENTS OF ACCESS;
- () F. A CONVEYANCE OF LAND OWNED BY A PUBLIC UTILITY NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- () G. A CONVEYANCE OF LAND FOR HIGHWAY OR OTHER PUBLIC PURPOSE OR RELATING TO A DEDICATION OF LAND FOR OR VACATION OF LAND SUBJECT TO A PUBLIC USE;
- () H. A CONVEYANCE TO CORRECT DESCRIPTION IN PRIOR CONVEYANCE;
- () I. ** THE SALE OR EXCHANGE OF PARCELS OF LAND FOLLOWING THE DIVISION INTO NO MORE THAN 2 PARTS OF A PARCEL EXISTING ON 7/17/89 AND INVOLVING NO NEW STREETS OR EASEMENTS OF ACCESS;
- () J. ** THE SALE OF A SINGLE LOT LESS THAN 5 ACRES FROM A LARGER TRACT. (EXCEPTION ONLY APPLIES TO THE 1ST LOT CONVEYED UNDER 5 ACRES FROM A LARGER TRACT AS IT EXISTED ON 10/01/73.) (THE SINGLE LOT OF LESS THAN 5 ACRES MUST HAVE BEEN SURVEYED BY AN ILLINOIS REG. LAND SURVEYOR WHOSE SURVEY MUST HAVE BEEN RECORDED OR ACCOMPANY THE DEED.)

** IF D, I, OR J ARE MARKED, COMPLETE EITHER #1 OR #2 BELOW:

1) PLAT OFFICER APPROVAL IS ATTACHED.

--OR--

2) PLAT OFFICER APPROVAL NOT REQUIRED AS PARCEL IS LOCATED WHOLLY WITHIN THE MUNICIPAL LIMITS OR JURISDICTION OF _____ WHICH DOES NOT REQUIRE SUCH APPROVAL.

Under the penalties of perjury I swear that the statements contained here are true and correct.

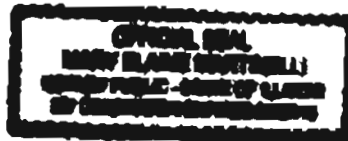
Signature: Paul Verbeke

Date: August 26, 2009

Subscribed and sworn to before me this

26 day of August, 2009.

Mary Elaine Martindale
Notary Public



RECEIVED
CLERK'S OFFICE

MAY 12 2011

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I hereby certify that I did on the 10th day of May 2011, 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

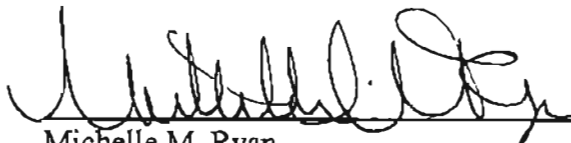
To: Diane Timpe
10805 Cordum Road
Gillespie, IL 62033

Jimmy Timpe
10805 Cordum Road
Gillespie, IL 62033

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
Assistant Counsel

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