



# 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

John J. Kim, Interim Director

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

April 3, 2012

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

RECEIVED  
CLERK'S OFFICE

APR - 5 2012

STATE OF ILLINOIS  
Pollution Control Board

ORIGINAL  
RETURN TO CLERK'S OFFICE

AC12-38

Re: Illinois Environmental Protection Agency v. Funk Builders, Inc.  
IEPA File No. 63-12-AC; 2030300004—Woodford 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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE  
APR - 5 2012  
STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
FUNK BUILDERS, INC., )  
 )  
Respondent. )

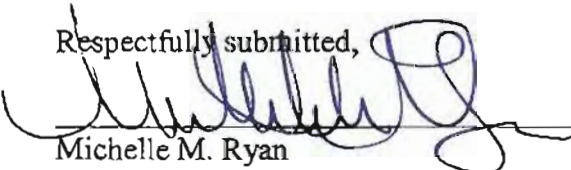
AC 12-38  
(IEPA No. 63-12-AC)

NOTICE OF FILING

To: Funk Builders, Inc.  
Roger A. Funk, President  
1209 County Road, 2525E  
El Paso, IL 61738

Funk Builders, Inc.  
Eric J. Hjerpe, Registered Agent  
2425 E. Lincoln  
Bloomington, IL 61701

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: April 3, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED  
CLERK'S OFFICE

APR - 5 2012

STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 FUNK BUILDERS, INC., )  
 )  
 )  
 )  
 Respondent. )

AC 12-38  
 (IEPA No. 63-12-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 (2010).

FACTS

1. That Funk Builders, Inc. is the present owner and operator ("Respondent") of a facility located at vacant lots between 402 and 500 Jones Street, Kappa, Woodford County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Funk Builders, Inc.

2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 2030300004.

3. That Respondent has owned and operated said facility at all times pertinent hereto.

4. That on February 8, 2012, Jeb McGee of the Illinois Environmental Protection Agency's Peoria 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 4-3-12, Illinois EPA sent this Administrative Citation via Certified Mail No. 7009 2820 0001 7496 0650.

## VIOLATIONS

Based upon direct observations made by Jeb McGee during the course of his February 8, 2012 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent 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) (2010).
  
- (2) That Respondent caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2010).
  
- (3) That Respondent 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) (2010).

## CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), Respondent is 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 Four Thousand Five Hundred Dollars (\$4,500.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than April 30, 2012, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects 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 (2010), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent 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.

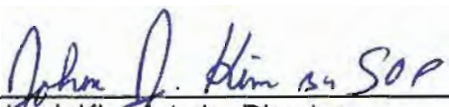
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2010), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board 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, Respondent 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 Respondent 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 Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2010). If Respondent elects to contest this Administrative Citation, then Respondent 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 Respondent's.

  
\_\_\_\_\_  
John J. Kim, Interim Director  
Illinois Environmental Protection Agency

Date: - 4/2/2012

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  
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APR - 5 2012

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, ) )  
) )  
v. ) )  
) )  
FUNK BUILDERS, INC., ) )  
) )  
) )  
) )  
Respondent. ) )

AC 12-38  
(IEPA No. 63-12-AC)

FACILITY: Funk Builders, Inc. SITE CODE NO.: 2030300004  
COUNTY: Woodford CIVIL PENALTY: \$4,500.00  
DATE OF INSPECTION: February 8, 2012

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.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF

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)

IEPA DOCKET NO.

*AC 12-38*

**RECEIVED**  
CLERK'S OFFICE

**APR - 5 2012**

STATE OF ILLINOIS  
Pollution Control Board

RESPONDENT

)

Affiant, Gerald S. McGhee, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On February 8, 2012, between 10:20 a.m. and 10:35 a.m., Affiant conducted an inspection of the open dump in Woodford County, Illinois, known as Funk Builders, Inc., Illinois Environmental Protection Agency Site No. 2030300004.

3. Affiant inspected said Funk Builders, Inc. open dump site by an on-site inspection, which included walking and photographing the site.

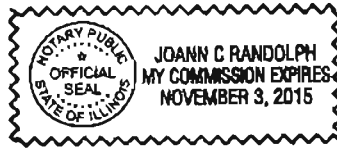
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said Funk Builders, Inc. open dump.



Maude S. Meyer

Subscribed and Sworn to before  
me this 24<sup>th</sup> day of February 2012

Joann Randolph  
Notary Public



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

CLERK'S OFFICE  
 APR - 5 2012  
 STATE OF ILLINOIS  
 Pollution Control Board

County: Woodford LPC#: 2030300004 Region: 3 - Peoria  
 Location/Site Name: Kappa / Funk Builders, Inc.  
 Date: 02/08/2012 Time: From 10:20am To 10:35am Previous Inspection Date: \_\_\_\_\_  
 Inspector(s): Jeb McGhee / Riswan Syed / Star Fowler Weather: Cloudy 30' F  
 No. of Photos Taken: # 7 Est. Amt. of Waste: 4 yds<sup>3</sup> Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: nobody present at the time of inspection Complaint #: C-2012-013-P  
 Latitude: 40.67750 Longitude: -89.01133 Collection Point Description: Site Entrance -  
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: - GPS

Responsible Party Mailing Address(es) and Phone Number(s):	Funk Builders, Inc. c/o Eric J Hjerpe, Registered Agent 2425 E. Lincoln Bloomington, IL 61701	Funk Builders, Inc. Attn: Roger Funk, President 1209 County Rd 2525E El Paso, IL 61738
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	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" 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 checked="" 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 # 2030300004

Inspection Date: 02/08/2012

	(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 type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	<b>NO PERSON SHALL:</b>	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" 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"/>
15.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY.	<input type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
16.		APPARENT VIOLATION OF: ( <input type="checkbox"/> ) PCB; ( <input type="checkbox"/> ) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
17.	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.

### Narrative

On February 8, 2012, I conducted an inspection from 10:20 a.m. until 10:35 a.m. at vacant lots between 402 and 500 Jones Street in Kappa, Illinois. The property is owned by Funk Builders, Inc. (See Warranty Deed). The inspection was conducted in response to a citizen's complaint C-2012-013-P received on January 31, 2012 alleging that the site contained an open dump of construction waste that had been open burned on site. It also alleged that run off had been redirected onto the complainant's property. I was accompanied on the inspection by Rizwan Syed (BOA/FOS Peoria) and Star Fowler (BOW/FOS Peoria).

I observed an open dump consisting of, but not limited to, household waste, plastics, metal debris, and construction/demolition debris as seen in photographs 1, 3, 5, 6, and 7. The open dumped contained remnants of burned materials and metal debris from burned furniture and/or mattresses as seen in photograph 7.

I observed an open dump of drain tile as seen in photograph 4.

The following apparent violations were observed:

1. Pursuant to Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)), no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

A violation of Section 9(a) is alleged for the following reason: **By allowing open burning at the site, Funk Builders, Inc. caused air pollution in Illinois.**

2. Pursuant to Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)), no person shall cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act.

A violation of Section 9(c) is alleged for the following reason: **By allowing open burning at the site, Funk Builders, Inc. caused air pollution in Illinois.**

3. 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: **Funk Builders, Inc. caused or allowed the open dumping of waste at the site.**

4. 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: **Funk Builders, Inc. conducted a waste storage, waste treatment, and waste disposal operation at the site without a permit granted by the Agency.**

5. 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: **Funk Builders, Inc. conducted a waste storage, waste treatment, and waste disposal operation at the site.**

6. 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: **Funk Builders, Inc. conducted a waste storage, waste treatment, and waste disposal operation at a site that does not meet the requirements of the Act and regulations thereunder.**

7. 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: **Funk Builders, Inc. caused or allowed the open dumping of waste in a manner which resulted in litter.**

8. Pursuant to Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)), 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 open burning.

A violation of Section 21(p)(3) is alleged for the following reason: **Funk Builders, Inc. caused or allowed the open dumping of waste in a manner which resulted in open burning.**

9. 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: **Funk Builders, Inc. caused or allowed the open dumping of waste in a manner which resulted in deposition of general or clean construction or demolition debris as defined in Section 3.160(b) of this Act.**

10. 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: **Funk Builders, Inc. developed and operated a landfill at the site without submitting an application for a permit to the Agency.**

State of Illinois Environmental Protection Agency Site Sketch

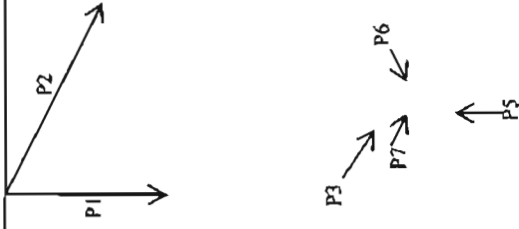
Inspector: Jeb McGhee  
Date of Inspection: February 8, 2012  
Site Name: Funk Builders, Inc.

LPC #: 2030300004  
County: Woodford County  
Time: 10:20 a.m. - 10:35 a.m.



Pearl Street

Jones Street





**DATE:** February 8, 2012

**TIME:** 10:23 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the south

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**

2030300004~02082012-001.jpg

**COMMENTS:** Rizwan Syed and  
Star Fowler observing an open  
dump. The larger pile appears to be  
dirt.



**DATE:** February 8, 2012

**TIME:** 10:23 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the southeast

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**

2030300004~02082012-002.jpg

**COMMENTS:** The house is  
located at 402 Jones Street.



**DOCUMENT FILE NAME:**

2030300004~02082012.doc





**DATE:** February 8, 2012

**TIME:** 10:24 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the southeast

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**

2030300004~02082012-003.jpg

**COMMENTS:** An open dump  
consisting of, but not limited to,  
household waste, plastics, metal  
debris, and construction/demolition  
debris. The waste has been burned.



**DATE:** February 8, 2012

**TIME:** 10:24 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

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

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**

2030300004~02082012-004.jpg

**COMMENTS:** Drain tile opened  
dumped on site.



**DOCUMENT FILE NAME:**

2030300004~02082012.doc



**DATE:** February 8, 2012

**TIME:** 10:25 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the north

**PHOTOGRAPH NUMBER:** 5

**PHOTOGRAPH FILE NAME:**

2030300004~02082012-005.jpg

**COMMENTS:** An open dump  
consisting of, but not limited to,  
household waste, plastics, metal  
debris, and construction/demolition  
debris. The waste has been burned.



**DATE:** February 8, 2012

**TIME:** 10:25 a.m.

**PHOTOGRAPHED BY:**

Jeb McGhee

**DIRECTION:** Photograph taken  
toward the southwest

**PHOTOGRAPH NUMBER:** 6

**PHOTOGRAPH FILE NAME:**

2030300004~02082012-006.jpg

**COMMENTS:** An open dump  
consisting of, but not limited to,  
household waste, plastics, metal  
debris, and construction/demolition  
debris. The waste has been burned.



**DOCUMENT FILE NAME:**

2030300004~02082012.doc



**DATE:** February 8, 2012

**TIME:** 10:26 a.m.

**PHOTOGRAPHED BY:**  
Jeb McGhee

**DIRECTION:** Photograph taken  
toward the southeast

**PHOTOGRAPH NUMBER:** 7

**PHOTOGRAPH FILE NAME:**  
2030300004-02082012-007.jpg

**COMMENTS:** An open dump  
consisting of, but not limited to,  
household waste, plastics, metal  
debris, and construction/demolition  
debris. The waste has been burned.  
Note the charred wood top right  
under white bucket and black  
charred wood lower left just above  
open bucket.



2030300004 - Woodford County

Funk Builders, INC.

FOS

①

Prepared By and Return To:  
Benjamin H. Roth  
Attorney at Law  
P.O. Box 490  
Gridley, IL 61744

703729 05/25/2007 03:51P 1 of 3  
Debbie Harms Woodford County Recorder  
Woodford County, Illinois  
RHSP Surcharge \$10

**FIRST AMERICAN TITLE**

ORDER # 1653677  
1/3

**WARRANTY DEED**

THIS INDENTURE WITNESSETH, That the Grantors, ROGER A. FUNK and BONNIE FUNK, husband and wife, of El Paso, Woodford County, Illinois, for and in consideration of the sum of Ten Dollars and other good and valuable consideration, the receipt of which is hereby acknowledged, CONVEY and WARRANT to FUNK BUILDERS, INC., a Corporation created and existing under and by virtue of the laws of the State of Illinois, the following described real estate, to-wit:

Tract 1: The vacated Block 11, and a part of the vacated Block 10, that part of the vacated Pearl Street adjacent to Blocks 10 and 11, the vacated 20-foot public alley located in Block 10, and the vacated 20-foot public alley located in Block 11, all in Jones Addition to the Town of Kappa according to the Plat dated March 31, 1854, recorded in Book "T" page 112, in the office of the Woodford County Recorder, more particularly described as follows: Beginning at an iron pin at the Northwest corner of said Block 11; thence, South 89°-46'-28" East, along the South right-of-way line of Jones Street, a distance of 346.02 feet to an iron pin; thence, North 89°-50'-41" East, along the South right-of-way line of Jones Street a distance of 357.72 feet to an iron pin at the Northeast corner of said Block 10; thence, South 00°-00'-00" East, along the East line of said Block 10, a distance of 282.88 feet to an iron pin; thence, Southwest along the arc of a curve concave to the Southeast having a radius of 50.00 feet and a chord which extends South 57°-41'-03" West, 35.48 feet from the last described point to an iron pin; thence, North 89°-57'-52" West, along the North right-of-way line of Tremont Street, a distance of 678.74 feet to an iron pin at the Southwest corner of said Block 11; thence, North 00°-56'-53" East, along the West line of said Block 11, a distance of 301.86 feet to the point of beginning.

P.I.N.: 16-32-202-003 and 16-32-203-001 (part)

Tract 2: The vacated lots 1 through 3 and the vacated Lots 10 through 12 in Block 14, a part of the vacated Lots 1 through 3 and the vacated Lots 10 through 12 in Block 15, that part of the vacated Pearl Street adjacent to Lots 1 through 3 in Block 14 and Lots 10 through 12 in Block 15, the vacated 20-foot public alley adjacent to Lots 1 through 3 and Lots 10 through 12 in Block 14, and the vacated 20-foot public alley adjacent to Lots 1 through 3 and Lots 10 through 12 in Block 15, all in Jones Addition to the Town of

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Funk Builders, Inc.  
FOS

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Kappa according to the Plat dated March 31, 1854, recorded in Book "I" Page 112, in the office of the Woodford County Recorder, more particularly described as follows:

Beginning at an iron pin at the Northwest corner of said Block 14, thence, South 89°-57'-52" East, along the South right-of-way line of Tremont Street, a distance of 679.70 feet to an iron pin; thence, Southeast along the arc of a curve concave to the Northeast having a radius of 50.00 feet and a chord which extends South 57°-38'-55" East, 35.53 feet from the last described point to an iron pin; thence, South 00°-00'-00" East, along the East line of said Block 15, a distance of 131.93 feet to an iron pin at the Southeast corner of Lot 3 in said Block 15; thence, North 89°-57'-46" West, a distance of 712.22 feet to an iron pin at the Southwest corner of Lot 10 in said Block 14; thence, North 0°-56'-53" East, along the West line of said Block 14, a distance of 150.93 feet to the Point of Beginning.

P.I.N.: 16-32-202-006 (part) and 16-32-203-006 (part)

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

Grantor hereby certifies that the property is not now and never has been Homestead Property.

Dated this 25<sup>th</sup> day of May, 2007.

  
\_\_\_\_\_  
ROGER A. FUNK

  
\_\_\_\_\_  
BONNIE J. FUNK

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FOS

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STATE OF ILLINOIS        )  
MCLEAN COUNTY        )SS

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY that ROGER A. FUNK and BONNIE J. FUNK, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, as having executed the same, 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.

Given under my hand and Notarial Seal this 25<sup>th</sup> day of May, 2007.



[Signature]  
Notary Public

EXEMPT UNDER PROVISIONS OF PARAGRAPH e SECTION 4, REAL ESTATE TRANSFER TAX ACT.

5-25-07  
Date [Signature]  
Buyer, Seller or Representative

Taxes To:  
Funk Builders Inc.  
1220 County Road 2525 East  
El Paso, IL 61738

WWW.CYBERORIVEILLINOIS.COM

JESSE WHITE  
SECRETARY OF STATE



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## CORPORATION FILE DETAIL REPORT

Entity Name	FUNK BUILDERS INC.	File Number	61922849
Status	ACTIVE		
Entity Type	CORPORATION	Type of Corp	DOMESTIC BCA
Incorporation Date (Domestic)	11/28/2001	State	ILLINOIS
Agent Name	ERIC J HJERPE	Agent Change Date	06/11/2004
Agent Street Address	2425 E LINCOLN	President Name & Address	ROGER FUNK 1209 COUNTY ROAD 2525E EL PASO, IL 61738
Agent City	BLOOMINGTON	Secretary Name & Address	BONNIE FUNK SAME
Agent Zip	61701	Duration Date	PERPETUAL
Annual Report Filing Date	09/27/2011	For Year	2011

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STATE OF ILLINOIS  
Pollution Control Board

**PROOF OF SERVICE**

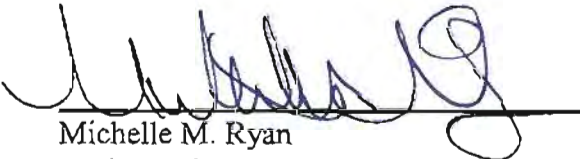
I hereby certify that I did on the 3rd day of April 2012, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Funk Builders, Inc.  
Roger A. Funk, President  
1209 County Road, 2525E  
El Paso, IL 61738

Funk Builders, Inc.  
Eric J. Hjerpe, Registered Agent  
2425 E. Lincoln  
Bloomington, IL 61701

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

THIS FILING SUBMITTED ON RECYCLED PAPER