



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

(217) 782-9817

TDD: (217) 782-9143

September 25, 2012

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. AAD Family Farms, LLC
IEPA File No. 219-12-AC; 2038155011—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.

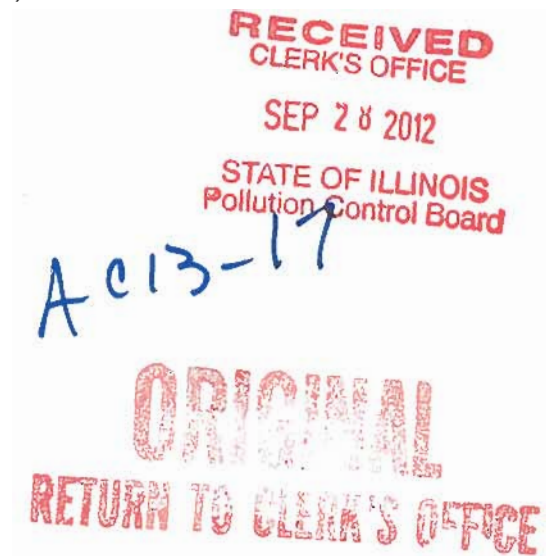
If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Michelle M. Ryan

Assistant Counsel

Enclosures



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
SEP 28 2012
STATE OF ILLINOIS
Pollution Control Board

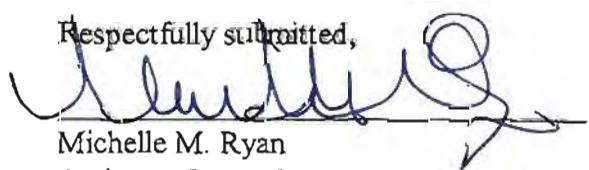
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
AAD FAMILY FARMS, LLC,)
)
Respondent.)

AC 13-17
(IEPA No. 219-12-AC)

NOTICE OF FILING

To: AAD Family Farms, LLC
Registered Agent: Catherine E. Danz
3844 N. Paulina Street
Chicago, IL 60613

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: September 25, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

SEP 28 2012

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
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Complainant,))
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v.))
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AAD FAMILY FARMS, LLC,))
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))
))
Respondent.))

AC 13-17
(IEPA No. 219-12-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 AAD Family Farms, LLC is the current owner ("Respondent") of a facility located at 1246 Upper Spring Bay Road, Spring Bay Township, Woodford County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as AAD Family Farms, LLC.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 2038155011.
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on August 16, 2012, James Jones of the Illinois Environmental Protection Agency's ("Illinois EPA") 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.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 219-12-AC)
)	
AAD FAMILY FARM, LLC,)	
)	
)	
)	
Respondent.)	

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2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 2038155011.
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on August 16, 2012, James Jones of the Illinois Environmental Protection Agency's ("Illinois EPA") 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 9-25-12, Illinois EPA sent this Administrative Citation via Certified Mail No. 7010 2780 0002 1167 4884.

VIOLATIONS

Based upon direct observations made by James Jones during the course of his August 16, 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 October 31, 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.

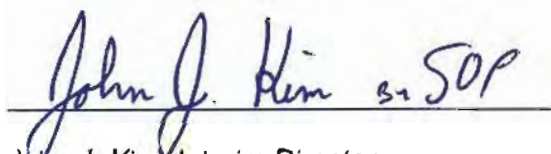
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2010), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board 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.

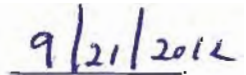
PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

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.

Handwritten signature of John J. Kim in cursive, with "SOP" written in the middle.

John J. Kim, Interim Director
Illinois Environmental Protection Agency

Date:

Handwritten date "9/21/2012" in cursive.

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

SEP 28 2012

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION)
 AGENCY,)
)
 Complainant,)
)
 v.)
)
 AAD FAMILY FARMS, LLC,)
)
)
)
)
 Respondent.)

AC 13-17
 (IEPA No. 219-12-AC)

FACILITY: AAD Family Farms, LLC
 SITE CODE NO.: 2038155011
 COUNTY: Woodford
 CIVIL PENALTY: \$4,500.00
 DATE OF INSPECTION: August 16, 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.

STATE OF ILLINOIS)
) SS
COUNTY OF PEORIA)

AFFIDAVIT

I, James Jones, being first duly sworn upon oath, depose and state 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 August 16, 2012, between 1:20 PM and 2:00 PM, Affiant conducted an inspection of the open dump in Woodford County, Illinois, known as AAD Family Farms, Illinois Environmental Protection Agency Site No. 2038155011.

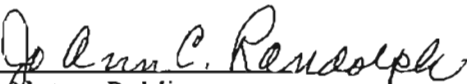
3. Affiant inspected said AAD Family Farms open dump site by an on-site inspection, which included walking and photographing the site.

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 AAD Family Farms open dump.

FURTHER AFFIANT SAYETH NOT.



Subscribed and Sworn to before
me this 31st day of August, 2012



Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: Woodford LPC#: 2038155011 Region: 3 - Peoria
 Location/Site Name: Spring Bay TWP/AAD Family Farms, LLC
 Date: 08/16/2012 Time: From 1:20 PM To 2:00 PM Previous Inspection Date: 03/13/2012
 Inspector(s): James Jones Weather: Sunny, 70°F
 No. of Photos Taken: # 15 Est. Amt. of Waste: 80 yds³ Samples Taken: Yes # No
 Interviewed: No one was available Complaint #: C-2012-024-P
 Latitude: 40.76947 Longitude: -89.51087 Collection Point Description: Center of Site -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS -

Responsible Party Mailing Address(es) and Phone Number(s):	AAD Family Farms, LLC Registered Agent: Catherine E. Danz 3844 N. Paulina Street Chicago, Illinois 61613 309/676-4645	
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	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
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"/>
	(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"/>

LPC # 2038155011

Inspection Date: 08/16/2012

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 type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS			
11.	95(a)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	95(b)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	95(c)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A CED OR OTHER LISTED DEVICE WITH WASTE THAT IS INTENDED FOR DISPOSAL BY BURNING OR INCINERATION	<input type="checkbox"/>
14.	95(d)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	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"/>
19.	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"/>
OTHER REQUIREMENTS			
20.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
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, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that 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); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).

6. Items marked with an "NE" were not evaluated at the time of this inspection.

NARRATIVE

On March 5, 2012, BOL/FOS-Peoria office received a citizen complaint C-2012-024-P alleging widespread open dumping at a property located on Upper Spring Bay Road in Woodford County. After receiving the complaint, I obtained information about the property from the Woodford County Recorder of Deeds office in Eureka. The property records indicated that the property on record is owned by AAD Family Farms, LLC. It is located at 1246 Upper Spring Bay Road in Spring Bay Township in Woodford County.

On March 13, 2012, I conducted an inspection from 1:40 p.m. to 2:25 p.m. at AAD Family Farms, LLC and found apparent violations Sections 9(a), 9(c), 21(a), 21(d)(1), 21(d)(2), 21(e), 21(p)(1), 21(p)(3), 21(p)(7), and 55(a)(1) of the Act and Section 812.101(a) of the Regulations. On March 26, 2012, the ACWN was sent to AAD Family Farms' registered Agent, Catherine Danz.

I received a telephone call from Ms. Danz presumably after she received the ACWN. A telephone message regarding the property was left on my telephone the week of March 25, 2012. I returned her call the week of April 1, 2012. During our conversation, Ms. Danz told me that the property was a family farm, which has been in her family's possession for many years. She expressed her dissatisfaction with whoever was responsible for open dumping the waste on the property. She indicated that it would be a big undertaking to clean up the open dump. Nonetheless, she vowed that the property would be cleaned up. Ms. Danz did not provide a compliance proposal or an agreement to the Agency as required by the ACWN. Furthermore, no documentation that the site was cleaned up and properly disposed was provided to the Agency as required by the "Suggested Resolutions" in the ACWN.

On August 16, 2012, I conducted a follow-up inspection from 1:20 p.m. to 2:00 p.m. at AAD Family Farms, LLC and found apparent violations in a previous inspection conducted on March 13, 2012. The following photographs were taken to document the condition of the site:

Photograph #1 depicts open dumped furniture on top of landscape waste. At the time of the previous inspection on 03/13/2012 a pile of mattresses, box springs, wood, cardboard boxes, corrugated pipes, dry-wall, and sheet metal were dumped on top of landscape waste. Photograph #2 depicts a large pile of landscape waste near the entrance to the site. Photograph #3 depicts what appear to be kitchen cabinets mixed with landscape waste in the background of the picture. Other discernible household waste, such as, couch pillows, shelving, and an empty cardboard are shown in the foreground of the picture. Photograph #4 depicts the tall over-grown weeds on the property, which made it virtually impossible to depict what remained on the grounds of the property from the previous inspection. Photograph #5 depicts the entrance to the site in the background of the picture. Photograph #6 depicts the dilapidated truck from the previous 03/13/2012 inspection filled with furniture on the truck bed along with household materials mixed with landscape waste on the ground. Photographs #7 through #10 below depict a panoramic view of most of the waste observed near the entrance to the site. Photograph #11 depicts a dump truck which was observed on the property during the re-inspection. Photograph

#12 depicts the truck's Illinois license plate 332292 D and Orange license sticker labeled 06-13. Photograph #13 depicts the large tractor tire from the aforementioned previous inspection. Photograph #13 depicts the large tractor tire from the aforementioned previous inspection. Photograph #15 depicts the entrance to the site on the east side of upper Spring Bay Road in the background of the picture.

Based on my investigation findings, the following continuing apparent violations were again observed and checked on the Open Dump Checklist:

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: **Evidence of open burning which would cause or tend to cause air pollution in Illinois was observed during the inspection.**

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: **Evidence of open burning was observed during the inspection.**

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: **Evidence of open dumping of waste was observed during the inspection.**

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: **Waste was disposed without a permit granted by the Illinois EPA.**

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: **A waste disposal operation was conducted in violation of regulations adopted by the Illinois Pollution Control Board.**

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: **Waste was disposed at this site which 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.

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

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: **The open dumping of waste was caused or allowed 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: **The open dumping of waste was caused or allowed in a manner which resulted in deposition of general or clean construction or demolition debris.**

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

2038155011 - Woodford County

AAD Family Farms, LLC

FOS

Date of Inspection: August 16, 2012

Prepared By: James Jones

Page 4 of 4

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

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

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

JJ/

Debbie Haras Woodford County Recorder
Woodford County, Illinois
Doc. No. = 1002548
Receipt #: 141898 Total Fees: \$29.00
Pages Recorded: 5 Rental Housing Support: \$18.00
Date Recorded: 5/26/2010 11:33:35 AM

5

Exempt under 35 ILCS 200 §31-45 (e)
(Illinois Real Estate Transfer Tax Act)


Authorized Signatory of Grantor

This instrument was prepared by &
After recording return to:
Catherine E. Danz, Esq.
3844 North Paulina
Chicago, IL 60613

Mail Tax Statement to:
AAD Family Farms LLC
c/o Warren E. Danz, Esq.
710 NE Jefferson
Peoria, IL 61603

WARRANTY DEED

THE GRANTOR, Arnold's Farms, L.L.C., an Illinois limited liability company with an address of 710 NE Jefferson, Peoria, Illinois 61603, for and in consideration of TEN and 00/100 DOLLARS (\$10.00), and other good and valuable consideration to him in hand paid, CONVEYS and WARRANTS to AAD Family Farms LLC, an Illinois limited liability company with an address of 710 NE Jefferson, Peoria, Illinois 61603, the following described real estate situated in the County of Peoria, State of Illinois described on Exhibit A, attached hereto and made apart hereof.

SUBJECT TO the following, if any: covenants, conditions, restrictions and easements of record, general real estate taxes for the current year, not yet due and payable as of the date hereof, and subsequent years.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

[Signature Page Follows]

DATED as of this 3rd day of May, 2010.

GRANTOR:
Arnold's Farms, L.L.C.

Warren E. Danz
By: Warren E. Danz
Its: Manager

By: Leah A. Campen
Its: Manager

STATE OF ILLINOIS)
) SS.
COUNTY OF PEORIA)

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Warren E. Danz, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead, in his capacity of Manager of Arnold's Farms, L.L.C.

Given under my hand and official seal, this 10th day of May, 2010.

[SEAL] 

Janelle Leman
NOTARY PUBLIC
Commission expires 7-6-10

STATE OF _____)
) SS.
COUNTY OF _____)

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Leah A. Campen, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead, in her capacity of Manager of Arnold's Farms, L.L.C.


Given under my hand and official seal, this _____ day of May, 2010.

[SEAL] _____
NOTARY PUBLIC
Commission expires _____

DATED as of this 3rd day of May, 2010.

GRANTOR:
Arnold's Farms, L.L.C.

By: Warren F. Danz
Its: Manager


By: Leah A. Campen
Its: Manager

STATE OF ILLINOIS)
) SS.
COUNTY OF PEORIA)

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Warren E. Danz, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead, in his capacity of Manager of Arnold's Farms, L.L.C.

Given under my hand and official seal, this 10th day of May, 2010.

(SEAL)

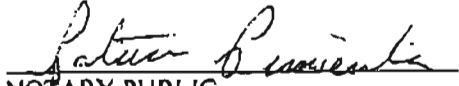
NOTARY PUBLIC
Commission expires 01/01/2012

STATE OF Wisconsin)
) SS.
COUNTY OF milwaukee)

I, the undersigned, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Leah A. Campen, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead, in her capacity of Manager of Arnold's Farms, L.L.C.

Given under my hand and official seal, this 10th day of May, 2010.

(SEAL)



NOTARY PUBLIC
Commission expires 01/01/2012

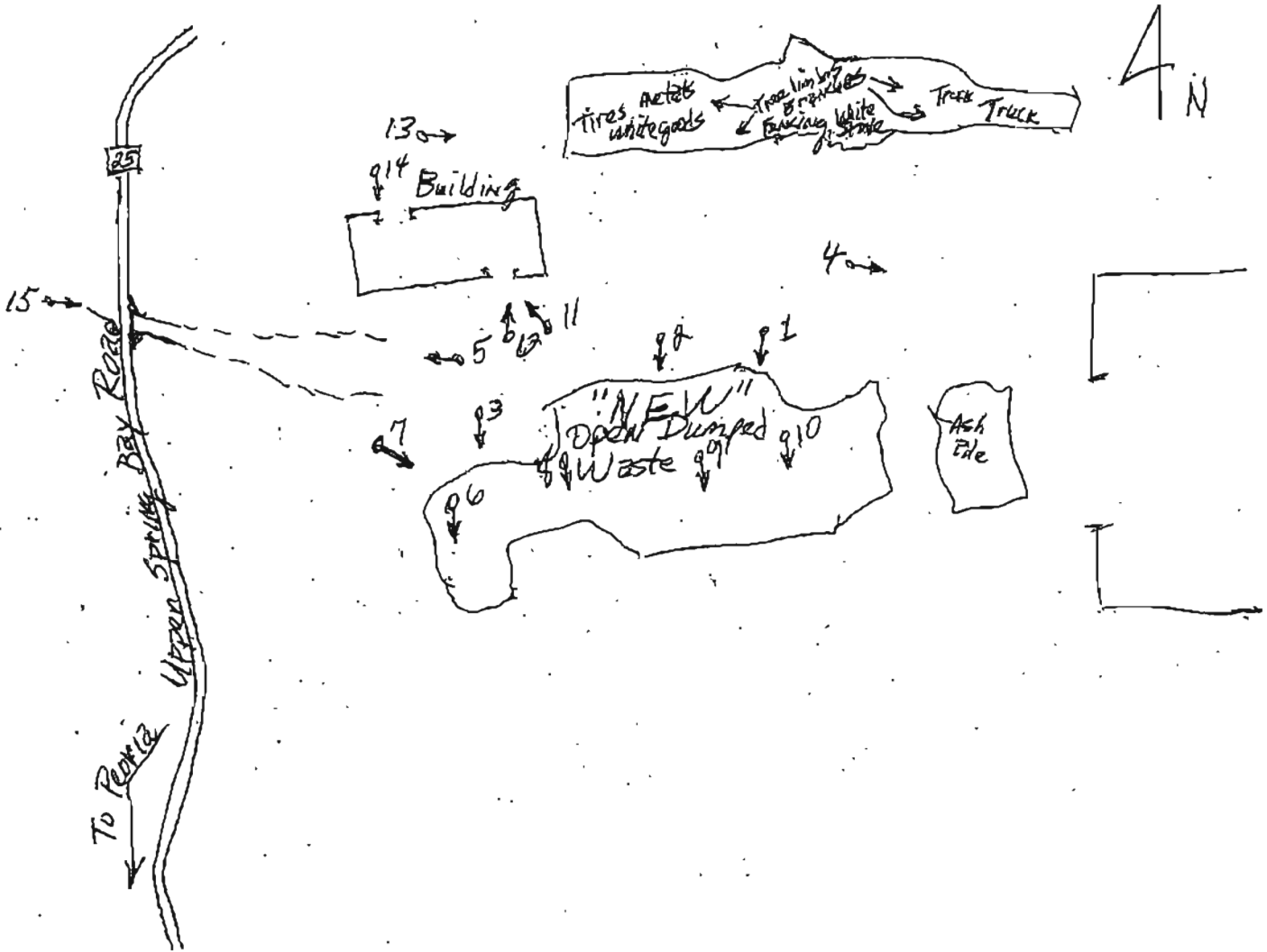
STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 08/16/2012 Inspector: James Jones

Site Code: 2038155011 County: Woodford

Site Name: AAD Family Farms, LLC Time: 1:20PM - 2:00PM



LEGEND:
→ Direction of Photographs
* Site sketch has no scale



DATE: August 16, 2012

TIME: 1:29 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 1

PHOTOGRAPH FILE NAME:
2038155011~08162012-001.jpg

COMMENTS: Photograph #1 depicts open dumped furniture on top of landscape waste. At the time of the previous inspection on 03/13/12 a pile of mattresses, box springs, wood, cardboard boxes, corrugated pipes, dry-wall, and sheet metal were dumped on top of landscape waste.



DATE: August 16, 2012

TIME: 1:29 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 2

PHOTOGRAPH FILE NAME:
2038155011~08162012-002.jpg

COMMENTS: Photograph #2 depicts a large pile of landscape waste near the entrance to the site.



DOCUMENT FILE NAME:
2038155011~08162012.doc



DATE: August 16, 2012

TIME: 1:30 p.m.

PHOTOGRAPHED BY:

James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 3

PHOTOGRAPH FILE NAME:
2038155011~08162012-003.jpg

COMMENTS: Photograph #3 depicts what appears to be kitchen cabinets mixed with landscape waste in the background of the picture. Other discernible household waste, such as, couch pillows, shelving, and an empty cardboard in the foreground of the picture.



DATE: August 16, 2012

TIME: 1:32 p.m.

PHOTOGRAPHED BY:

James Jones

DIRECTION: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 4

PHOTOGRAPH FILE NAME:
2038155011~08162012-004.jpg

COMMENTS: Photograph #4 depicts the tall over-grown weeds on the property, which made it virtually impossible to depict what remained on the grounds of the property from the previous inspection.





DATE: August 16, 2012

TIME: 1:33 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 5

PHOTOGRAPH FILE NAME:
2038155011~08162012-005.jpg

COMMENTS: Photograph #5
depicts the entrance to the site in
the background of the picture.



DATE: August 16, 2012

TIME: 1:36 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 6

PHOTOGRAPH FILE NAME:
2038155011~08162012-006.jpg

COMMENTS: Photograph #6
depicts the dilapidated truck from
the previous 03/13/12 inspection
filled with furniture on the truck
bed along with household materials
mixed with landscape waste on the
ground.



DOCUMENT FILE NAME:
2038155011~08162012.doc



DATE: August 16, 2012

TIME: 1:41 p.m.

PHOTOGRAPHED BY:

James Jones

DIRECTION: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 7

PHOTOGRAPH FILE NAME:
2038155011~08162012-007.jpg

COMMENTS: Photographs #7
through #10 below depict a
panoramic view of most of the
waste observed near the entrance to
the site.



DATE: August 16, 2012

TIME: 1:43 p.m.

PHOTOGRAPHED BY:

James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 8

PHOTOGRAPH FILE NAME:
2038155011~08162012-008.jpg

COMMENTS:





DATE: August 16, 2012

TIME: 1:44 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 9

PHOTOGRAPH FILE NAME:
2038155011~08162012-009.jpg

COMMENTS:



DATE: August 16, 2012

TIME: 1:44 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 10

PHOTOGRAPH FILE NAME:
2038155011~08162012-010.jpg

COMMENTS:





DATE: August 16, 2012

TIME: 1:45 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the northwest

PHOTOGRAPH NUMBER: 11

PHOTOGRAPH FILE NAME:
2038155011~08162012-011.jpg

COMMENTS: Photograph #11
depicts a dump truck which was
observed on the property during the
re-inspection.



DATE: August 16, 2012

TIME: 1:45 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 12

PHOTOGRAPH FILE NAME:
2038155011~08162012-012.jpg

COMMENTS: Photograph #12
depicts the truck's Illinois license
plate 332292 D, and Orange license
sticker labeled 06-13.





DATE: August 16, 2012

TIME: 1:49 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 13

PHOTOGRAPH FILE NAME:
2038155011~08162012-013.jpg

COMMENTS: Photograph #13
depicts the large tractor tire from
the aforementioned previous
inspection.



DATE: August 16, 2012

TIME: 1:49 p.m.

PHOTOGRAPHED BY:
James Jones

DIRECTION: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 14

PHOTOGRAPH FILE NAME:
2038155011~08162012-014.jpg

COMMENTS: Photograph #14
depicts the truck observed inside
the building near the entrance to
the site from the previous inspection.





DATE: August 16, 2012

TIME: 1:58 p.m.

PHOTOGRAPHED BY:

James Jones

DIRECTION: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 15

PHOTOGRAPH FILE NAME:
2038155011~08162012-015.jpg

COMMENTS: Photograph #15
depicts the entrance to the site on
the east side of upper Spring Bay
Road in the background of the
picture.



PROOF OF SERVICE

I hereby certify that I did on the 25th day of September 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: AAD Family Farms, LLC
Registered Agent: Catherine E. Danz
3844 N. Paulina Street
Chicago, IL 61613

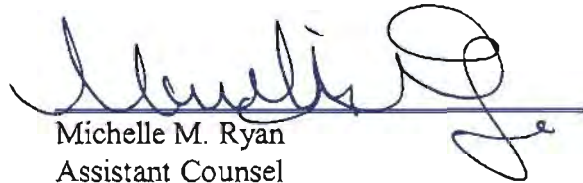
RECEIVED
CLERK'S OFFICE

SEP 28 2012

STATE OF ILLINOIS
Pollution Control Board

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