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NOV 05 2012

STATE OF ILLINOIS
Pollution Control Board

PETITION FOR REVIEW

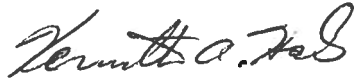
I wish for a review to alleged violations 1,2 & 3. I accept violation #4 and enclose a check in the amount of \$1,500.

Violations contested:

- #1 Litter was a building and 1833 homestead. It will be cleaned up within 1 year.
- #2 Possible flies on a puddle in the farm field after a record drought does not constitute disease vectors.
- #3 Puddles and leachate are not from the dump site but are actually from and upon the road right-of-way.

The whole area will be corrected as per IEPA Bureau of Land Garrison Gross' letter "Corrective Action Required" dated 10/15/12. All conditions outlined are now, or will be, completed.

Thank You,



Kenneth A. Hails

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

KENNETH HAILS,

Respondent.

AC

13-18

(IEPA No. 225-12-AC)

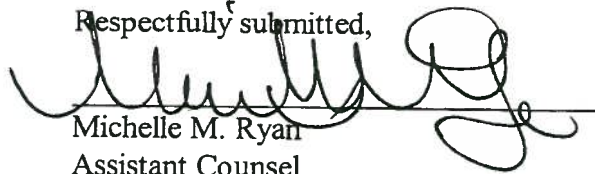
NOTICE OF FILING

ORIGINAL
RETURN TO CLERK'S OFFICE

To: Kenneth Hails
21606 North Hails Lane
Texico, IL 62889

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 27, 2012

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

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NOV 05 2012
STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Complainant,)	AC
)	
v.)	(IEPA No. 225-12-AC)
)	
KENNETH HAILS,)	
)	
)	
)	
Respondent.)	

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 Kenneth Hails is the current owner ("Respondent") of a property located at 14600 East Divide Road, in rural Texico, Jefferson County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Texico/Hails, Kenneth (2).
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0818065009.
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on August 15, 2012, Garrison Gross of the Illinois Environmental Protection Agency's ("Illinois EPA") Marion 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 9-27-12 Illinois EPA sent this Administrative Citation via Certified Mail No. 7004 2510 0001 8588 3710.

VIOLATIONS

Based upon direct observations made by Garrison Gross during the course of his August 15, 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 proliferation of disease vectors, a violation of Section 21(p)(5) of the Act, 415 ILCS 5/21(p)(5) (2010).
- (3) That Respondent caused or allowed standing or flowing liquid discharge from the dump site, a violation of Section 21(p)(6) of the Act, 415 ILCS 21(p)(6) (2010).
- (4) 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).

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
Complainant,)
v.)
KENNETH HAILS,)
Respondent.)

AC
(IEPA No. 225-12-AC)

FACILITY: Texico/Hails, Kenneth (2)
SITE CODE NO.: 0818065009
COUNTY: Jefferson
CIVIL PENALTY: ~~\$0,000.00~~ 1,500.00
DATE OF INSPECTION: August 15, 2012

DATE REMITTED: 11-1-12
SS/FEIN NUMBER: 320-42-2210
SIGNATURE: *Kenneth A. Hails*

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.

KENNETH A HAILS

618-755-4651
21606 N HAILS LN
TEXICO, IL 62889

17743

70-1675/812

DATE 10/29/2012
Filled.

PAY TO THE ORDER OF Illinois Environmental protection trust, \$ 1500⁰⁰

Fifteen Hundred and no/100 DOLLARS

Security Features Details on back.

Community First bank
of the Heartland
www.comfirstbank.net

#4

FOR Violations in full-

Kenneth A. Hails

⑈017743⑈ ⑆081216758⑆ ⑈192 750 9⑈