



# 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 LISA BONNETT, DIRECTOR

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

RECEIVED  
CLERK'S OFFICE

JUL 08 2013

STATE OF ILLINOIS  
Pollution Control Board

July 5, 2013



ORIGINAL

AC144

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. Mark & Cheryl Rogers  
IEPA File No. 170-13-AC: 0578175005—Fulton County

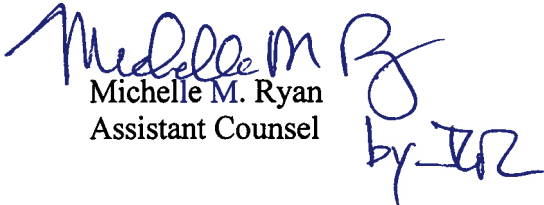
Dear Mr. Therriault:

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

JUL 08 2013

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

MARK and CHERYL ROGERS

Respondents.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

AC 14-4

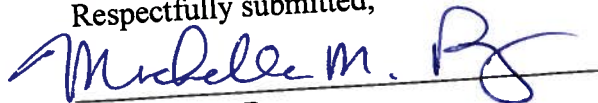
(IEPA No. 170-13-AC)

**NOTICE OF FILING**

To: Mark and Cheryl Rogers  
17310 N. State Hwy 78  
Canton, IL 61520

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

by JR

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

Dated: July 5, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

RECEIVED  
CLERK'S OFFICE  
JUL 08 2013  
STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Complainant, )  
)  
v. )  
)  
MARK and CHERYL ROGERS, )  
)  
)  
)  
)  
)  
Respondents. )

AC 14-4  
(IEPA No. 170-13-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 Mark and Cheryl Rogers are the current owner and operator ("Respondent's") of a facility located at 17310 N. State Highway 78, Canton, Fulton County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Rogers, Mark & Cheryl.
2. That said facility is designated with Site Code No. 0578175005.
3. That Respondent's have owned and operated said facility at all times pertinent hereto.
4. That on June 7, 2013, Robert J. Wagner 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 7-5-13, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 2998 6086.

VIOLATIONS

Based upon direct observations made by Robert J. Wagner during the course of his June 7, 2013 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent's have violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent's 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's 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's 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 Four Thousand Five Hundred Dollars (\$4,500.00). If

Respondent's elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than August 15, 2013, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent's 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 (2010), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent's 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's fail 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's 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's 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's in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondent's 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 (2010). If Respondent's elect to contest this Administrative Citation, then Respondent's 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.

*Lisa Bonnett* *as SOP*

Date:

*7/5/13*

Lisa Bonnett, 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

JUL 08 2013

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Complainant, )  
)  
v. )  
)  
MARK and CHERYL ROGERS, )  
)  
)  
)  
)  
)  
Respondents. )

AC 14-4  
(IEPA No. 170-13-AC)

FACILITY: Rogers, Mark & Cheryl  
SITE CODE NO.: 0578175005  
COUNTY: Fulton  
CIVIL PENALTY: \$4,500.00  
DATE OF INSPECTION: June 7, 2013

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

## Open Dump Inspection Checklist

County: Fulton LPC#: 0578175005 Region: 3 - Peoria  
 Location/Site Name: Liverpool / Rogers, Mark & Cheryl  
 Date: 06/07/2013 Time: From 10:45 AM To 11:00 AM Previous Inspection Date: 01/07/2013  
 Inspector(s): Robert J. Wagner Weather: 28 F, Sunny, Dry, Snow Melting  
 No. of Photos Taken: # 5 Est. Amt. of Waste: 1 yds<sup>3</sup> Samples Taken: Yes #      No   
 Interviewed: Mark Rogers Complaint #: C-2013-001-P  
 Latitude: 40.441319° Longitude: -90.031210° Collection Point Description: Main Gate -  
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: -

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

Mark & Cheryl Rogers  
17310 N. State Hwy 78  
Canton, Illinois 61520

**RECEIVED**  
CLERK'S OFFICE  
  
**JUL 08 2013**  
  
STATE OF ILLINOIS  
Pollution Control Board

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 type="checkbox"/>
	(2) In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
7.	21 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)	<input checked="" type="checkbox"/>
	(2)	<input checked="" type="checkbox"/>
	(3) Ling	<input type="checkbox"/>
	(4) L	<input checked="" type="checkbox"/>
	(5) Pro	<input type="checkbox"/>
	(6) Standi	<input type="checkbox"/>
	(7) Discharge from the Dump Site	<input type="checkbox"/>
	uction or Demolition Debris as defined in Section 3.160(a); or (ii) Debris as defined in Section 3.160(b)	<input checked="" type="checkbox"/>

dated 3/6/2012

LPC # 0578175005

Inspection Date: 06/07/2013

9.	55(a)	<b>NO PERSON SHALL:</b>	<input type="checkbox"/>
	(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>	<input type="checkbox"/>
	(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>ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS</b>			
11.	95(a)	<b>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</b>	<input type="checkbox"/>
12.	95(b)	<b>NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL</b>	<input type="checkbox"/>
13.	95(c)	<b>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</b>	<input type="checkbox"/>
14.	95(d)	<b>NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE</b>	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
15.	812.101(a)	<b>FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL</b>	<input type="checkbox"/>
16.	722.111	<b>HAZARDOUS WASTE DETERMINATION</b>	<input type="checkbox"/>
17.	808.121	<b>SPECIAL WASTE DETERMINATION</b>	<input type="checkbox"/>
18.	809.302(a)	<b>ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST</b>	<input type="checkbox"/>
19.	815.201	<b>FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY</b>	<input checked="" type="checkbox"/>
<b>OTHER REQUIREMENTS</b>			
20.		<b>APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:</b>	<input type="checkbox"/>
21.	<b>OTHER:</b>		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

**Informational Notes**

- [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
- The provisions of subsection (p) of Section 21, 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.
- 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).
- Items marked with an "NE" were not evaluated at the time of this inspection.

### Narrative

On June 7, 2013, I (Robert J. Wagner) re-inspected property owned by Mark and Cheryl Rogers. The property is located at 17310 N. State Hwy 78, Canton, Illinois.

This site was originally inspected on January 7, 2013 as an open dump because of a citizen complaint. On January 28, 2013, Mark and Cheryl Rogers were sent an Open Dump Administrative Citation Warning Notice (ACWN) for the following violations: Section 9(a), 9(c), 21(a), 21(d)(2), 21(e), 21(p)(1), 21(p)(3), and 21(p)(7) of the Act and Section 815.201 of the Regulations. Mr. and Mrs. Rogers did not respond to the ACWN but on April 1, 2013 sent the Agency landfill tickets and scrap yard tickets.

Upon arrival, I could see the remains of a burn pile from State Hwy 78. I pulled off onto the shoulder of State Hwy 78 in front of the property. Photographs 1, 2, 3, 4, and 5 show the burn pile (see attached site sketch). The burn pile consisted of the charred remains of the following items: plastic containers, furniture, paper, tree branches, processed wood, construction debris and metal debris. It appeared that some of the waste material seen in the previous inspection had been removed. I finished the walk around inspection and departed the site at 11:00 AM.

I spoke to Mark and Cheryl Rogers on several occasions about getting the site completely cleaned up and free of debris. Mr. Rogers told me that because of the weather he has not had a chance to completely clean up the site. I told him that April 1, 2013, was the deadline and that the site had to be completely cleaned up.

The following alleged continuing violations were observed and indicated on the open dump inspection 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: **Mark and Cheryl Rogers allowed the discharge or emission of contaminants into the environment so as to cause or tend to cause 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: **Mark and Cheryl Rogers caused or allowed the open dumping of waste in a manner which resulted in open burning.**

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: **Mark and Cheryl Rogers caused or allowed the open dumping of waste.**

4. 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: **Mark and Cheryl Rogers caused or allowed a waste disposal operation in violation of regulations adopted by the Illinois Pollution Control Board.**

5. 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: **Mark and Cheryl Rogers caused or allowed the disposal of waste at this site which does not meet the requirements of the Act and regulations thereunder.**

6. 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: **Mark and Cheryl Rogers caused or allowed the open dumping of waste in a manner which resulted in litter.**

7. 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: **Mark and Cheryl Rogers caused or allowed the open dumping of waste in a manner which resulted in open burning.**

8. 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: **Mark and Cheryl Rogers caused or allowed the open dumping of waste in a manner which resulted in deposition of general or clean construction or demolition debris.**

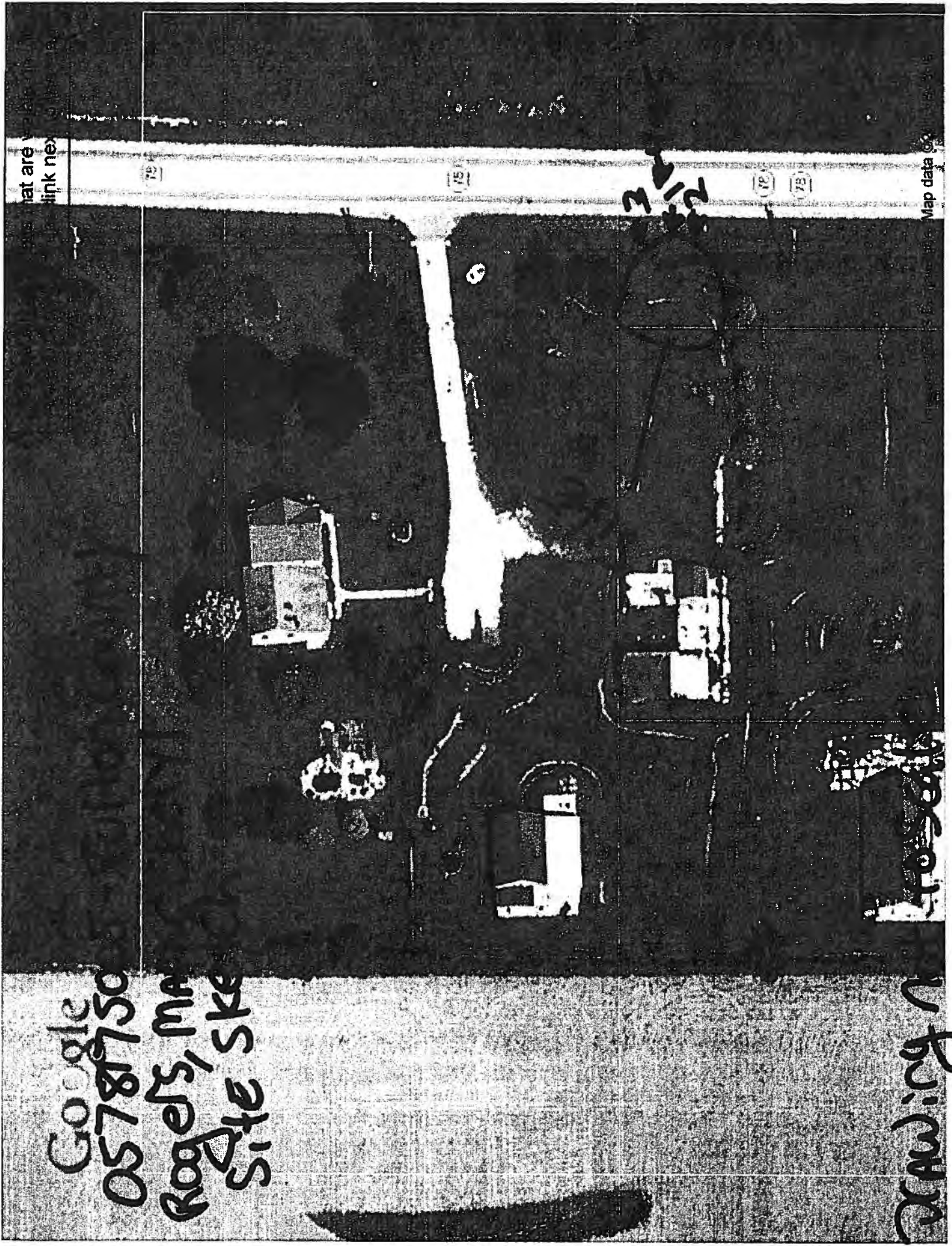
9. Pursuant to Pursuant to 35 Ill. Adm. Code 815.201, all landfills regulated under this Part shall file an initial facility report with the Agency as specified in this Subpart to provide information concerning location and disposal practices of the facility.

A violation of 35 Ill. Adm. Code 815.201 is alleged for the following reason: **Mark and Cheryl Rogers failed to submit an initial facility report with the Agency.**

Google  
05781750  
Rogers, MA  
Site SKE

U R: (M) X

3  
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12



that are v...  
link nex...

Map data ©





**DATE:** June 7, 2013

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**  
0578175005~06072013-001.jpg

**COMMENTS:** The photograph  
shows a burn pile. The burn pile  
consisted of the charred remains of  
the following items: plastic  
containers, furniture, paper, tree  
branches, processed wood, metal  
debris, and plastic bags.



**DATE:** June 7, 2013

**TIME:** 10:51 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**  
0578175005~06072013-002.jpg

**COMMENTS:** The photograph  
shows a burn pile. The burn pile  
consisted of the charred remains of  
the following items: plastic  
containers, furniture, paper, tree  
branches, processed wood, metal  
debris, and plastic bags.



**DOCUMENT FILE NAME:**  
0578175005~06072013.doc





**DATE:** June 7, 2013

**TIME:** 10:51 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**  
0578175005~06072013-003.jpg

**COMMENTS:** The photograph shows a burn pile. The burn pile consisted of the charred remains of the following items: plastic containers, furniture, paper, tree branches, processed wood, metal debris, and plastic bags.



**DATE:** June 7, 2013

**TIME:** 10:51 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**  
0578175005~06072013-004.jpg

**COMMENTS:** The photograph shows a burn pile. The burn pile consisted of the charred remains of the following items: plastic containers, furniture, paper, tree branches, processed wood, metal debris, and plastic bags.



**DOCUMENT FILE NAME:**  
0578175005~06072013.doc





**DATE:** June 7, 2013

**TIME:** 10:51 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 5

**PHOTOGRAPH FILE NAME:**  
0578175005~06072013-005.jpg

**COMMENTS:** The photograph  
shows a burn pile. The burn pile  
consisted of the charred remains of  
the following items: plastic  
containers, furniture, paper, tree  
branches, processed wood, metal  
debris, and plastic bags.




FULTON COUNTY REAL ESTATE  
TRANSFER TAX PAID \$ 45.00  
J. NELSON, CLERK RECORDER

1248437

JAMES I. NELSON  
COUNTY CLERK & RECORDER  
FULTON COUNTY, IL

RECORDED ON  
08/02/2012 01:59:03PM

REC FEE: 46.00  
REV STMP: 135.00  
RHSP FEE: 10.00  
PAGES: 2

STATE TAX	STATE OF ILLINOIS	REAL ESTATE TRANSFER TAX
	 AUG.-2.12	0009000
	REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE	# 0000012345 FP326683

**CORPORATION WARRANTY DEED**

**THIS INDENTURE WITNESSETH**, that the Grantor, MIDAMERICA NATIONAL BANK, a national banking association, of 100 West Elm Street, Canton, Illinois, 61520, for and in consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged, **CONVEYS AND WARRANTS** to **MARK E. ROGERS and CHERYL L. ROGERS**, not in tenancy in common or joint tenants but as tenants by the entirety, of 4101 N. Ashton Ave. Peoria, IL 61614, the real estate described as follows:

All that part of the Southeast Quarter of Section 3, Township 5 North, Range 4 East of the Fourth Principal Meridian, Fulton County, Illinois, being more particularly described as follows:

Commencing at the Southeast corner of Section 3 marked as the intersection of the centerline of County Highway 4 and the centerline of State Route 78; thence North 1300 feet to the point of beginning; thence West 358.9 feet to a point marked by an iron pin; thence North 687.0 feet to a point marked by an iron pin; thence East 339.0 feet; thence South 687.0 feet to the point of beginning; which falls within the following described tract of land: The South Half of the Southeast Quarter and the South Half of the Northeast Quarter of the Southeast Quarter of Section 3, Township 5 North, Range 4 East of the Fourth Principal Meridian, Fulton County, Illinois.

P.I.N. 19-20-03-400-001

PROPERTY ADDRESS: 17310 N. State Hwy 78, Canton Illinois 61520

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

MidAmerica National Bank acquiring through a pursuant to a Consent Foreclosure Judgment Vesting Title in MidAmerica National Bank, Case No. 11-CH-76

Dated this 1<sup>st</sup> day of August 2012.

MIDAMERICA NATIONAL BANK, a national banking association

By: Rick R. Klinedinst  
Rick R. Klinedinst President

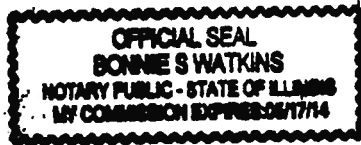
Attest:

Ken Long  
Ken Long Executive Vice-President

STATE OF ILLINOIS     )  
                                  ) SS.  
FULTON COUNTY         )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Rick R. Klinedinst, personally known to me to be the President of MIDAMERICA NATIONAL BANK, a national banking association, who is the grantor, and Ken Long, personally known to me to be the Executive Vice President of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed 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 1<sup>st</sup> day of August, 2012.



Bonnie S. Watkins  
Notary Public

Future Taxes to:  
Grantee's Address

This instrument prepared by and Return:  
FROEHLING, WEBER & SCHELL  
167 W. Elm Street  
Canton, Illinois 61520  
Telephone No. 309/647-6317

RECEIVED  
CLERK'S OFFICE

JUL 08 2013

STATE OF ILLINOIS  
Pollution Control Board


**PROOF OF SERVICE**

I hereby certify that I did on the 5th day of July 2013, 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: Mark and Cheryl Rogers  
17310 N. State Hwy 78  
Canton, IL 61520

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  
by JTR

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