



# 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

December 15, 2014



ORIGINAL

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CLERK'S OFFICE

DEC 18 2014

STATE OF ILLINOIS  
Pollution Control Board

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

AC15-24

Re: Illinois Environmental Protection Agency v Sean's Tap Inc.  
IEPA File No. 407-14-AC; 0570255225

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

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DEC 18 2014

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Complainant,

v.

SEAN'S TAP, INC.,

Respondent.

AC

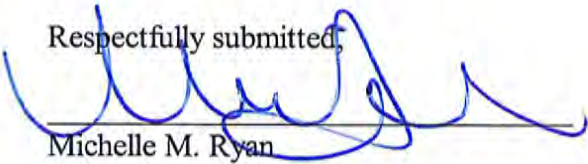
(IEPA No. 407-14-AC)

**NOTICE OF FILING**

To: Sean's Tap, Inc.  
c/o John J. McCarthy, Registered Agent  
45 East Side Square, Suite 301  
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

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

Dated: December 15, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

RECEIVED  
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DEC 18 2014  
STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, )  
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Complainant, )  
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v. )  
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SEAN'S TAP, INC., )  
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)  
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)  
Respondent. )

AC 15-24  
(IEPA No. 407-14-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 (2014).

FACTS

1. That Sean's Tap Inc. is the current owner ("Respondent") of a facility located at 1030 East Linn Street, Canton, Fulton County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Josie's Tap.
2. That said facility is designated with Site Code No. 0570255225..
3. That Respondent has owned said facility at all times pertinent hereto.
4. That on November 5, 2014 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 12-15-14, Illinois EPA sent this Administrative Citation via Certified Mail No. 7012 0470 0001 3000 5493.

## VIOLATIONS

Based upon direct observations made by Robert J. Wagner during the course of his November 5, 2014 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) (2014).
  
- (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) (2014).
  
- (3) That Respondent caused or allowed the open dumping of waste in a manner resulting in deposition of standing or flowing waters open burning, a violation of Section 21(p)(4) of the Act, 415 ILCS 5/21(p)(4) (2014).
  
- (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) (2014).

## CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2014), 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 Six Thousand Dollars (\$6,000.00). 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 January 15, 2015, 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 (2014), 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) (2014), 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 (2014). 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.

*Lisa Bonnett* <sup>WRE</sup>

Date:

12-12-14

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

REMITTANCE FORM

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DEC 18 2014

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )

Complainant, )

v. )

SEAN'S TAP, INC., )

Respondent. )

AC

15-24

(IEPA No. 407-14-AC)

FACILITY: Josie's Tap  
SITE CODE NO.: 0570255225  
COUNTY: Fulton  
CIVIL PENALTY: \$6,000.00  
DATE OF INSPECTION: November 5, 2014

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

RECEIVED  
CLERK'S OFFICE  
DEC 18 2014

AFFIDAVIT

AC15-24

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF )

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IEPA DOCKET NO.

RESPONDENT )

Affiant, Robert J. Wagner, 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.

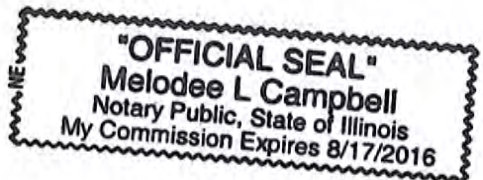
2. On November 5, 2014, between 11:15 AM and 11:35 AM, Affiant conducted an inspection of the open dump in Tazewell County, Illinois, known as Josie's Tap, Illinois Environmental Protection Agency Site No. 0570255225.

3. Affiant inspected said Josie's Tap. 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 Josie's Tap open dump.

Subscribed and Sworn to before me this 20th day of November 2014

Melodee L Campbell  
Notary Public





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

County: Fulton LPC#: 0570255225 Region: 3 - Peoria  
 Location/Site Name: Canton / Josie's Tap  
 Date: 11/05/2014 Time: From 11:15 AM To 11:35 AM Previous Inspection Date: \_\_\_\_\_  
 Inspector(s): Robert J. Wagner Weather: 52 F, Sunny, Dry  
 No. of Photos Taken: # 19 Est. Amt. of Waste: 10 yds<sup>3</sup> Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: Edgar Seward Complaint #: C-2014-096-P  
 Latitude: 40.544453 Longitude: -90.020084 Collection Point Description: Dump Location -  
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: GPS -

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

Sean's Tap, Inc.  
 John J. McCarthy - Registered Agent  
 45 East Side Square  
 Suite 301  
 Canton, Illinois 61520

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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 checked="" type="checkbox"/> |
| 4.  | 12(d) CREATE A WATER POLLUTION HAZARD   | <input checked="" 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 checked="" 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 # 0570255225

Inspection Date: 11/06/2014

|  |               |   |                                     |
|--|---------------|---|-------------------------------------|
| 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>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<br/>SUBTITLE G</b> |               |   |                                     |
| 15.  | 812.101(a)    | <b>FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL</b>  | <input checked="" 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 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).

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

0570255225 -- Fulton County

Josie's Tap

FOS

Inspection Date: November 5, 2014

Prepared By: Robert J. Wagner

Page 1

### Narrative

On November 5, 2014, I (Robert J. Wagner DLPC/FOS-Peoria) inspected property owned by Sean's Tap, Inc. See attached property deed. The property is located at 1030 East Linn Street, Canton, Illinois 61520. See attached location map. The inspection was a result of Citizen Complaint C-2014-096-P.

The complaint alleged that Josie's Tap in Canton, Illinois is being used as a dumpsite for construction debris. According to the complainant, Holed are being dug in the back part of property and being filled with shingles and other non-degradable materials. The shingles and other non-degradable materials are covered with dirt.

Before I entered the back portion of the property, I went inside Josie's Tap to speak to anyone in charge of the property. I spoke to a female bartender and explained to her the purpose of my visit. I presented her with my identification and business card. She told me that Ed Seward owns the property and that he would be back in a few minutes. I asked her questions about the property and she told me that I would have to speak to Mr. Seward. I went outside to wait for Mr. Seward arrival. While I was outside waiting for Mr. Seward, I walked the western portion of the Heritage Grand Inn parking lot. I could see in plain view construction debris dumped on the back portion of the Sean's Tap, Inc. property.

I proceeded to the area of the property where open dumping was occurring. Photographs 1, 2, 3, 4 and 5 show the charred remains of furniture springs, processed wood, a Webber grill, shingles, paper, aluminum cans and metal debris (see attached site sketch). Photographs 6 and 7 show plastic debris protruding from the ground. Photographs 8, 9, and 10 show a manmade hole full of water with construction and demolition debris dumped in it. Specifically: shingles, foam board, paper, processed wood, a plastic garbage can, and cardboard. The depth of the hole could not be determined. Photographs 11, 12, and 13 show plastic debris protruding from the ground near the area where the manmade hole was dug. Photographs 14, 15, and 16 show a piece of translucent plastic protruding from the ground in the area near the manmade hole. Photographs 18 and 19 show mounds of dirt that had vegetation growing on them located in southwestern portion of the property.

As I finished inspecting the property, I met Ed Seward, who identified himself as the owner of the business and property. I identified myself to him. I read the complaint to Mr. Seward. Mr. Seward said that he may have recently burnt two couches but was not aware of any construction debris being buried on the property. Mr. Seward and I visited the areas of the property where open burning and open dumping had occurred.

Mr. Seward told me that he owned the construction company across the street and that he would have some loads of dirt placed on top of the protruding debris. I informed him not to cover anything with dirt and to dig up all buried waste on the property and take it to an IEPA permitted landfill. I told him not to backfill the dug up areas of the property until a re-inspection of the

property was completed. Mr. Seward agreed to clean up the site and cease open dumping and open burning.

Mr. Seward told me that when the business was being purchased he did not want to lose customers so he kept the name Josie's Tap from the previous owner but the business and property is incorporated, as Sean's Tap, Inc. I departed the site at 11:35 AM.

The following alleged violations were observed and checked 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: **Sean's Tap, Inc. caused or allowed the open dumping of waste in a manner which resulted in open burning.**

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: **Sean's Tap, Inc. caused or allowed the open dumping of waste in a manner which resulted in open burning.**

3. Pursuant to Section 12(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/12(a)), no person shall cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with the matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

A violation of Section 12(a) is alleged for the following reason: **Sean's Tap, Inc. caused, threatened, or allowed, the discharge of contaminants so as to cause or tend to cause water pollution in Illinois.**

4. Pursuant to Section 12(d) of the {Illinois} Environmental Protection Act (415 ILCS 5/12(d)), no person shall deposit any contaminants upon the land in such place and manner so as to create a water pollution hazard.

A violation of Section 12(d) is alleged for the following reason: **Sean's Tap, Inc. caused or allowed contaminants to be deposited upon the land in such place and manner so as to create a water pollution hazard.**

5. 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: **Sean's Tap, Inc. caused or allowed the open dumping of waste.**

6. 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: **Sean's Tap, Inc. conducted a waste-treatment, waste-storage, and waste-disposal operation without a permit granted by the Agency.**

7. 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: **Sean's Tap, Inc. conducted a waste-treatment, waste-storage, and waste-disposal operation in violation of regulations adopted by the Illinois Pollution Control Board.**

8. 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: **Sean's Tap, Inc. treated, stored, and disposed of waste at this site which does not meet the requirements of the Act and regulations thereunder.**

9. 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: **Sean's Tap, Inc. caused or allowed the open dumping of waste in a manner which resulted in litter.**

10. 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: **Sean's Tap, Inc. caused or allowed the open dumping of waste in a manner which resulted in open burning.**

11. Pursuant to Section 21(p)(4) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(4)), 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 the deposition of waste in standing or flowing waters.

A violation of Section 21(p)(4) is alleged for the following reason: **Sean's Tap, Inc. caused or allowed in a manner which resulted in the deposition of waste in standing or flowing waters.**

12. 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: **Sean's Tap, Inc. caused or allowed the open dumping of waste in a manner which resulted in deposition of general or clean construction or demolition debris.**

13. 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: **Sean's Tap, Inc. operated a waste disposal site without submitting to the Illinois EPA an application for a permit to develop and operate a landfill.**

0570255225 – Fulton County

Josie's Tap

FOS

Inspection Date: November 5, 2014

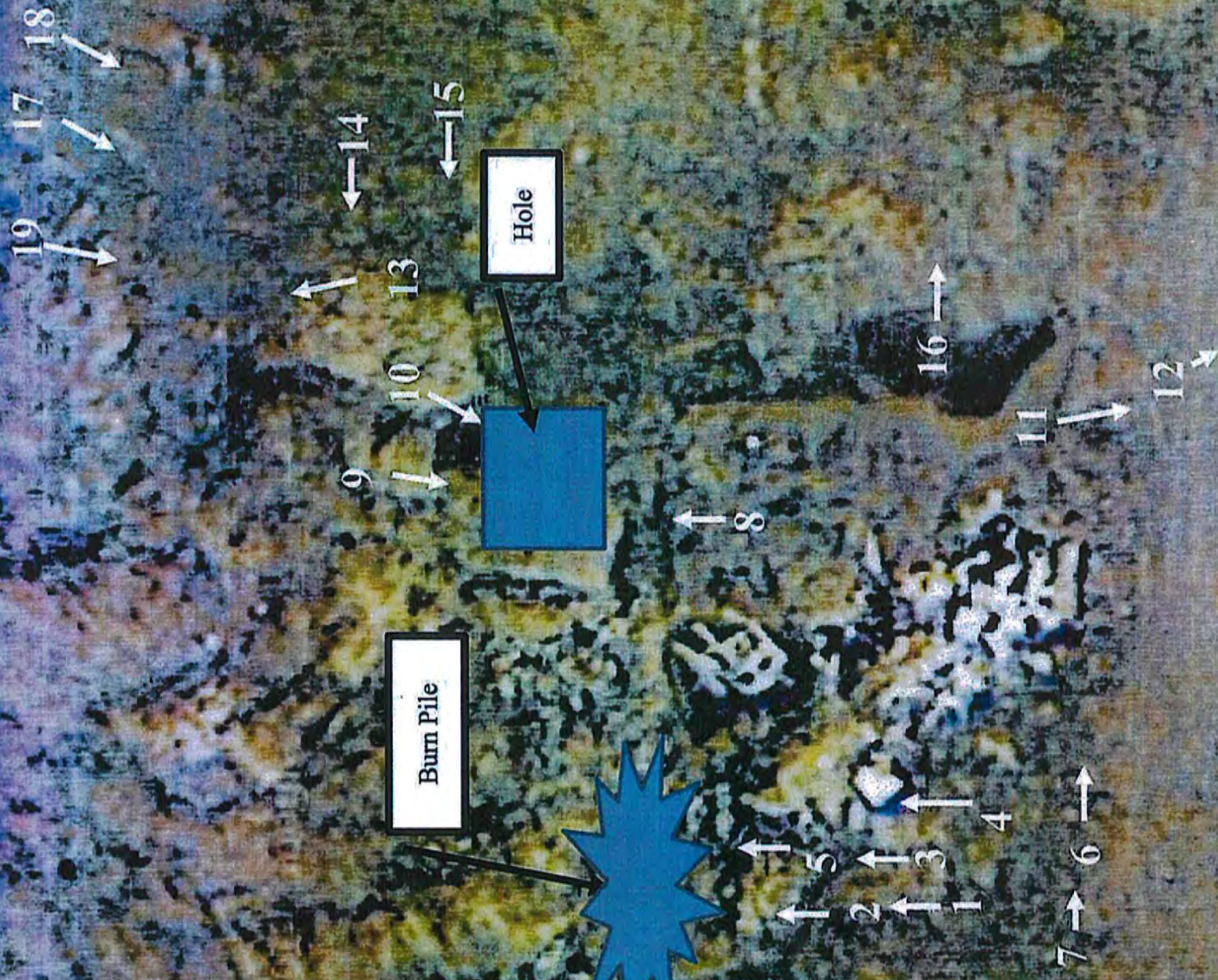
Prepared By: Robert J. Wagner

SITE SKETCH



Burn Pile

Hole





0570255225 - Fulton County

Josie's Tap

FOS

Inspection Date: November 5, 2014

Prepared By: Robert J. Wagner

Map Location

Property

Open Dump

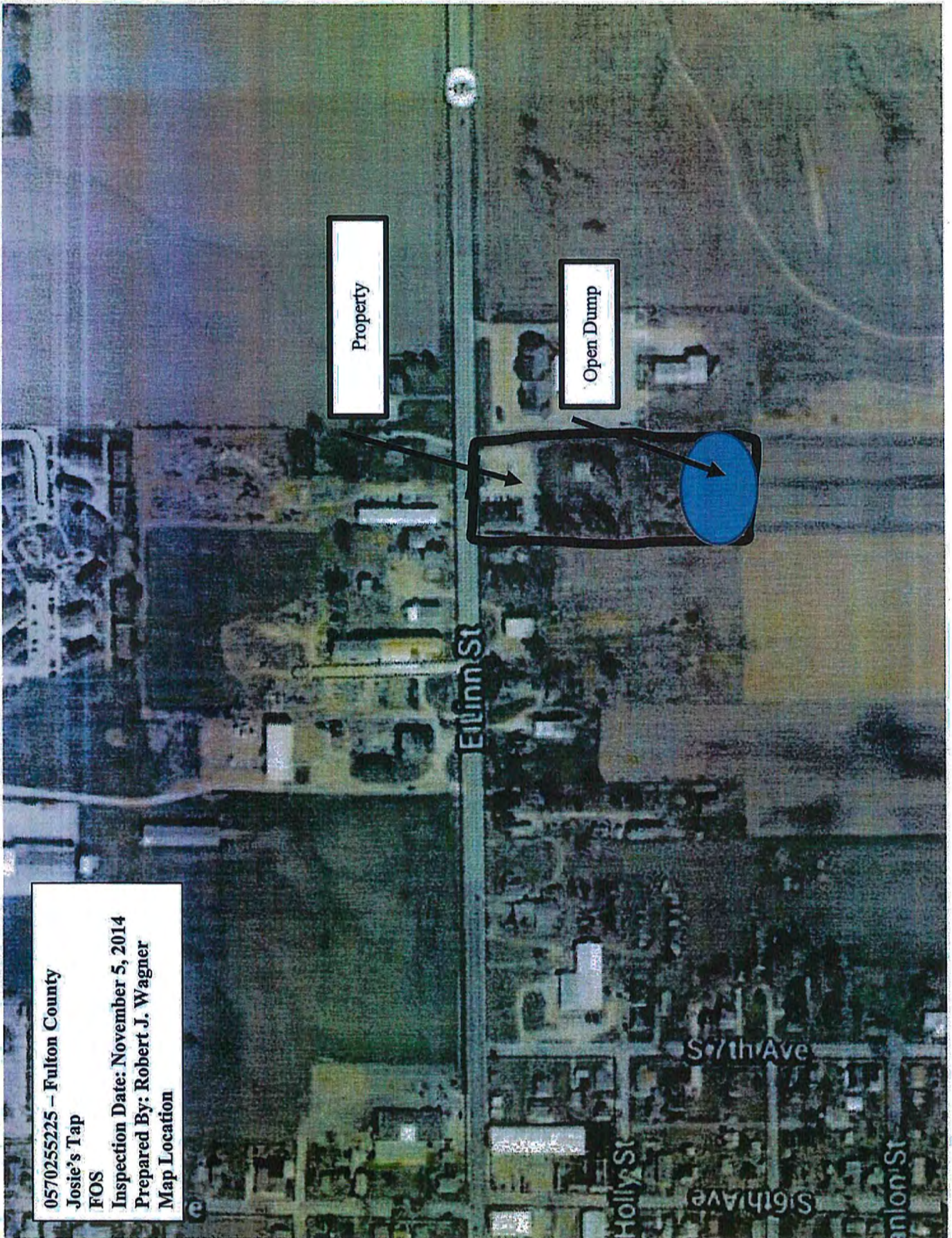
Elm St

S 7th Ave

Holly St

S 6th Ave

Elm St





**DATE:** November 5, 2014

**TIME:** 11:23 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-001.jpg

**COMMENTS:** The photograph  
shows the charred remains of  
furniture springs, processed wood,  
Webber grill, shingles, paper,  
aluminum cans and metal debris.



**DATE:** November 5, 2014

**TIME:** 11:23 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-002.jpg

**COMMENTS:** The photograph  
shows the charred remains of  
furniture springs, processed wood,  
Webber grill, shingles, paper,  
aluminum cans and metal debris.



**DOCUMENT FILE NAME:**  
0570255225~11062014.doc



**DATE:** November 5, 2014

**TIME:** 11:23 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-003.jpg

**COMMENTS:** The photograph  
shows the charred remains of  
shingles, paper, aluminum cans and  
metal debris.





**DATE:** November 5, 2014

**TIME:** 11:24 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-004.jpg

**COMMENTS:** The photograph  
shows the charred remains of  
furniture springs, processed wood,  
Webber grill, shingles, paper,  
cardboard beer boxes, aluminum  
cans and metal debris.



**DATE:** November 5, 2014

**TIME:** 11:24 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 5

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-005.jpg

**COMMENTS:** The photograph  
shows the charred remains of  
furniture springs, processed wood,  
Webber grill, shingles, paper,  
aluminum cans and metal debris.



**DOCUMENT FILE NAME:**  
0570255225~11062014.doc



**DATE:** November 5, 2014

**TIME:** 11:24 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 6

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-006.jpg

**COMMENTS:** The photograph  
shows plastic debris protruding  
from the ground.



**DATE:** November 5, 2014

**TIME:** 11:24 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 7

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-007.jpg

**COMMENTS:** The photograph  
shows plastic debris protruding  
from the ground.



**DOCUMENT FILE NAME:**  
0570255225~11062014.doc



**DATE:** November 5, 2014

**TIME:** 11:24 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 8

**PHOTOGRAPH FILE NAME:**

0570255225~11062014-008.jpg

**COMMENTS:** The photograph shows a manmade hole with construction and demolition debris dumped in it.



**DATE:** November 5, 2014

**TIME:** 11:25 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 9

**PHOTOGRAPH FILE NAME:**

0570255225~11062014-009.jpg

**COMMENTS:** The photograph shows a manmade hole with construction and demolition debris dumped in it. Specifically: shingles, foam board, paper, processed wood, plastic garbage can, paper and cardboard.



**DOCUMENT FILE NAME:**

0570255225~11062014.doc



**DATE:** November 5, 2014

**TIME:** 11:25 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 10

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-010.jpg

**COMMENTS:** The photograph  
shows a manmade hole with  
construction and demolition debris  
dumped in it. Specifically:  
shingles, foam board, paper,  
processed wood, plastic garbage  
can, paper and cardboard.



**DATE:** November 5, 2014

**TIME:** 11:26 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 11

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-011.jpg

**COMMENTS:** The photograph  
shows plastic debris protruding  
from the ground.



**DOCUMENT FILE NAME:**  
0570255225~11062014.doc



**DATE:** November 5, 2014

**TIME:** 11:26 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 12

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-012.jpg

**COMMENTS:** The photograph  
shows plastic bags of garbage,  
and plastic debris protruding from  
the ground.



**DATE:** November 5, 2014

**TIME:** 11:26 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 13

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-013.jpg

**COMMENTS:** The photograph  
shows plastic bags of garbage,  
and plastic debris protruding from  
the ground.



**DOCUMENT FILE NAME:**  
0570255225~11062014.doc





**DATE:** November 5, 2014

**TIME:** 11:26 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 14

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-014.jpg

**COMMENTS:** The photograph  
shows the area.



**DATE:** November 5, 2014

**TIME:** 11:26 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 15

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-015.jpg

**COMMENTS:** The photograph  
shows the area.





**DATE:** November 5, 2014

**TIME:** 11:27 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 16

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-016.jpg

**COMMENTS:** The photograph  
shows plastic debris protruding  
from the ground.



**DATE:** November 5, 2014

**TIME:** 11:29 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 17

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-017.jpg

**COMMENTS:** The photograph  
shows the area.





**DATE:** November 5, 2014

**TIME:** 11:29 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 18

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-018.jpg

**COMMENTS:** The photograph  
shows the area.



**DATE:** November 5, 2014

**TIME:** 11:29 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 19

**PHOTOGRAPH FILE NAME:**  
0570255225~11062014-019.jpg

**COMMENTS:** The photograph  
shows the area.



**DOCUMENT FILE NAME:**  
0570255225~11062014.doc

0604596

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

RECORDED ON  
05/12/2006 02:00:55PM

REC FEE: 41.00  
REV STMP: 177.00  
RHSP FEE: 10.00  
PAGES: 2

The Above Space for Recorder's Use Only

**WARRANTY DEED**

**THE GRANTORS**, JOSEPHINE M. BEAIRD and BENNIE L. BEAIRD, wife and husband, individually, each in her and his own right and as spouse of the other, of the City of Canton, County of Fulton and State of Illinois, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, convey and warrant to SEAN'S TAP, INC., an Illinois corporation, of the City of Canton, County of Fulton and State of Illinois, the following described real estate:

Seven and One-Half (7 1/2) acres of land off the East side of the East Half of the Northeast Quarter of the Southwest Quarter of Section 35, Township 7 North, Range 4 East of the Fourth Principal Meridian, situated in the County of Fulton, in the State of Illinois, EXCEPTING that portion heretofore conveyed to the People of the State of Illinois for highway purposes which said Dedication Deed was filed for record in the County Recorder's Office of Fulton County, Illinois, in Volume 653, on Page 225, as Instrument No. 349671, of the Land Records of said county, and further EXCEPTING that portion heretofore conveyed to the People of the State of Illinois for highway purposes which said Dedication Deed was filed for record in the County Recorder's Office of Fulton County, Illinois, in Volume 382, on Page 253, as Instrument No. 238336, of the Land Records of said county;

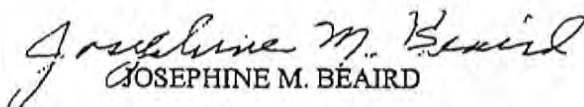
Subject to conditions, covenants, easements and restrictions of record;

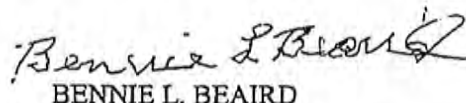
COMMON ADDRESS: 1030 East Linn Street, Canton, Illinois 61520

PIN: 09-08-35-317-015 and 09-08-35-317-016

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

Dated this 12<sup>th</sup> day of May, 2006.

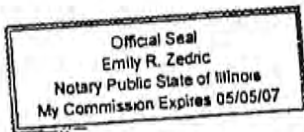
  
JOSEPHINE M. BEAIRD

  
BENNIE L. BEAIRD

STATE OF ILLINOIS     )  
                                  )  
COUNTY OF FULTON    )     SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that JOSEPHINE M. BEAIRD and BENNIE L. BEAIRD, wife and husband, individually, each in her and his own right and as spouse of the other, personally known to me to be the same persons whose names are subscribed to the foregoing Warranty Deed, 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 12<sup>th</sup> day of May, 2006.

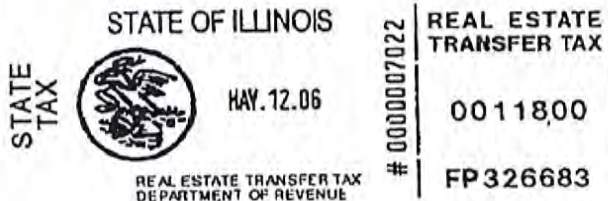


*Emily R. Zedric*  
Notary Public

Send tax notice to:

Sean's Tap, Inc.  
1030 East Linn Street  
Canton, Illinois 61520

FULTON COUNTY REAL ESTATE  
TRANSFER TAX PAID \$ 59.00  
J. NELSON, CLERK RECORDER



This instrument prepared by and return to:

JOHN J. McCARTHY  
Attorney at Law  
45 East Side Square  
Suite 301  
Canton, Illinois 61520  
Telephone: (309) 647-7477  
Facsimile: (309) 647-7482



**CORPORATION FILE DETAIL REPORT**

|                                      |                                  |                                     |   |
|--------------------------------------|----------------------------------|-------------------------------------|---|
| <b>Entity Name</b>                   | SEAN'S TAP, INC.                 | <b>File Number</b>                  | 64896725  |
| <b>Status</b>                        | ACTIVE                           |                                     |   |
| <b>Entity Type</b>                   | CORPORATION                      | <b>Type of Corp</b>                 | DOMESTIC BCA  |
| <b>Incorporation Date (Domestic)</b> | 04/25/2006                       | <b>State</b>                        | ILLINOIS  |
| <b>Agent Name</b>                    | JOHN J MCCARTHY                  | <b>Agent Change Date</b>            | 04/25/2006  |
| <b>Agent Street Address</b>          | 45 EAST SIDE SQUARE<br>SUITE 301 | <b>President Name &amp; Address</b> | EDGAR E SEWARD 20206<br>NORTH GALE ROAD CUBA<br>61427 |
| <b>Agent City</b>                    | CANTON                           | <b>Secretary Name &amp; Address</b> | EDGAR E SEWARD 20206<br>NORTH GALE ROAD CUBA<br>61427 |
| <b>Agent Zip</b>                     | 61520                            | <b>Duration Date</b>                | PERPETUAL   |
| <b>Annual Report Filing Date</b>     | 03/18/2014                       | <b>For Year</b>                     | 2014  |

[Return to the Search Screen](#)

Purchase Certificate of Good Standing  
(One Certificate per Transaction)

**PROOF OF SERVICE**


I hereby certify that I did on the 15th day of December 2014, 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: Sean's Tap, Inc.  
c/o John J. McCarthy, Registered Agent  
45 East Side Square, Suite 301  
Canton, IL 61520

RECEIVED  
CLERK'S OFFICE  
DEC 18 2014  
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