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JUN 13 2003

STATE OF ILLINOIS
Pollution Control Board

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 12, 2003

Via Federal Express

The Honorable Dorothy Gunn
Illinois Pollution Control Board
State of Illinois Center
100 West Randolph
Chicago, Illinois 60601

Re: ***People v. Blue Ridge Construction Corporation, an Illinois corp.***
PCB No. 02-115

Dear Clerk Gunn:

Enclosed for filing please find the original and five copies of a NOTICE OF FILING, MOTION FOR PARTIAL SUMMARY JUDGMENT and MEMORANDUM OF LAW AND ARGUMENT IN SUPPORT OF COMPLAINANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT in regard to the above-captioned matter. Please file the original and return a file-stamped copy of the document to our office in the enclosed self-addressed, stamped envelope.

Thank you for your cooperation and consideration.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Delbert D. Haschemeyer".

Delbert D. Haschemeyer
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706
(217) 782-9031

DDH/pp
Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

JUN 13 2003

STATE OF ILLINOIS
Pollution Control Board

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.)
)
BLUE RIDGE CONSTRUCTION CORPORATION,)
an Illinois corporation,)
)
Respondent.)

PCB NO. 02-115
(Enforcement)

NOTICE OF FILING

To: William R. Kohlhase
Miller, Hall & Triggs
1125 Commerce Bank Building
416 Main Street
Peoria, IL 61602

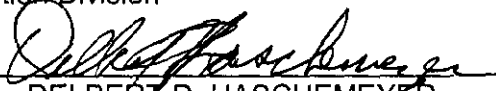
PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois, a MOTION FOR PARTIAL SUMMARY JUDGMENT and MEMORANDUM OF LAW AND ARUGMENT IN SUPPORT OF COMPLAINANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS

LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 
DELBERT D. HASHEMEYER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: June 12, 2003

CERTIFICATE OF SERVICE

I hereby certify that I did on June 12, 2003, send by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument entitled NOTICE OF FILING, MOTION FOR PARTIAL SUMMARY JUDGMENT and MEMORANDUM OF LAW AND ARGUMENT IN SUPPORT OF COMPLAINANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT


To: William R. Kohlhasse
Miller, Hall & Triggs
1125 Commerce Bank Building
416 Main Street
Peoria, IL 61602

and the original and ten copies by Federal Express of the same foregoing instrument(s):

To: Dorothy Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
Suite 11-500
100 West Randolph
Chicago, Illinois 60601

A copy was also sent by First Class Mail with postage thereon fully prepaid

To: Brad Halloran
Hearing Officer
Pollution Control Board
James R. Thompson Center, Ste. 11-500
100 West Randolph
Chicago, IL 60601


Delbert D. Haschemeyer
Assistant Attorney General

This filing is submitted on recycled paper.

RECEIVED
CLERK'S OFFICE

JUN 13 2003

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO. 02-115
)	(Enforcement)
BLUE RIDGE CONSTRUCTION CORPORATION,)	
an Illinois corporation,)	
)	
Respondent.)	

MOTION FOR PARTIAL SUMMARY JUDGMENT

NOW COMES the Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and pursuant to Section 101.516 of the Illinois Pollution Control Board's ("Board") procedural rules, moves for a partial summary judgment as to the alleged violations contained in the Complaint filed herein and respectfully requests the Pollution Control Board enter summary judgment finding Respondent has violated the provisions of the Illinois Environmental Protection Act, the Pollution Control Board's Rules and Regulations and the regulations for National Emission Standards for Hazardous Air Pollutants ("NESHAP"), 40 C.F.R. 61, Subpart M, *et seq.*, as alleged herein. Plaintiff is not seeking summary judgment as to the monetary penalty or other relief sought herein. In support of its Motion for Partial Summary Judgment, Plaintiff states as follows:

FACT STIPULATION

Attached hereto and incorporated herein by reference is a Stipulation of Facts "Stipulation" agreed to by the parties which sets forth the facts and the documentation which form the basis for the instant lawsuit and which provide the basis for this Motion for Partial Summary Judgment. The stipulated facts related to this Motion for Partial Summary Judgment can be summarized as follows:

Respondent, Blue Ridge Construction Company, is an Illinois corporation in good standing. Respondent's officers are David L. Krubac, President; Randall J. Palmer, Vice President; and John

G. Palmer, Sr., Secretary-Treasurer. On April 13, 2000, Mr. Krubac, Mr. Palmer and Mr. Palmer, Sr., acquired the Old Bartonville Mental Health Facility located in Bartonville, Illinois, with the intention of converting the dining hall into a metal fabrication shop. After being advised by Bartonville officials that permits were not necessary, on May 11, 2000, Respondent commenced demolition of the dining hall. Between May 11, 2000, and May 17, 2000, Respondent opened an approximate 40-foot hole in the east wall, removed roofing material which had caved in, removed the rest of the roof that was near collapsing and cut off and removed steel pipe roof support columns from six locations within the dining hall. From May 11, 2000, to May 17, 2000, Respondent deposited demolition debris from its demolition activities in a ravine adjacent to the facility. On May 17, 2000, Dennis Hancock, in response to a complaint, inspected the facility and obtained seven samples of demolition materials, including insulation material from pipes within the facility. The analyses for four of the samples taken showed asbestos Chrysotile concentration ranged from 20% to 40% and asbestos amosite in concentrations ranging from 10% to 30%. Prior to commencing demolition of the dining hall, Respondent did not inspect the facility for the presence of asbestos, or submit a written notification of its intention to demolish the facility.

COUNT I

AIR POLLUTION VIOLATION

1. In Count I, paragraph 8 of the Complaint, Complainant alleges that during the demolition of the dining hall at the Old Bartonville Mental Health Facility, Respondent failed to utilize asbestos emission control methods and properly remove, handle and dispose of all RACM and regulated asbestos-containing waste material during the demolition activities causing, threatening or allowing the emission of asbestos into the environment so as to cause air pollution in violation of 35 Ill. Adm. Code 201.141 and Section 9(a) of the Illinois Environmental Protection Act ("Act").
2. Paragraphs 6, 10, 11 and 13 of the Stipulation establish as fact that Respondent

conducted demolition activities at the site and during the time of demolition from May 11, 2000 to May 17, 2000, Respondent did not utilize asbestos emission control methods or properly remove, handle and dispose of regulated asbestos-containing materials and did not wet or maintain as wet, regulated ACM.

3. Paragraphs 15, 16 and 17, Exhibits A (Dennis Hancock's inspection memo for his May 17, 2000, inspection, Exhibit B (14 photos taken by Dennis Hancock on May 17, 2000) and Exhibit C (analysis of samples taken from the facility for the presence of asbestos) establish the presence of materials containing asbestos in addition to other demolition dust and debris which could become airborne, thereby presenting a threat of air pollution, in violation of Section 9(a) of the Act.

WHEREFORE, for the reason the uncontested material facts as set forth in the Stipulation establish, Respondent from May 11, 2000 to May 17, 2000, conducted demolition activities at the dining hall of the Old Bartonville Mental Health Center in such a manner as to threaten the release of asbestos fibers and other dust in such a manner as to cause air pollution, Complainant respectfully requests that the Board issue a summary judgment finding that Respondent violated Section 9(a) of the Act as alleged in Count I, paragraph 8 of the Complaint filed herein.

NESHAP VIOLATIONS

4. In Count II, paragraphs 9 and 10 of the Complaint, Complainant alleges that Respondent, prior to commencing demolition:

9. . . . failed to thoroughly inspect the facility for the presence of asbestos in violation of 40 C.F.R. 61.145(a) and Section 9.1 of the Act;

10. . . . failed to submit a written notification of intention of demolition of the former dining hall in violation of 40 C.F.R. 61.145(b)(1); and Section 9.1 of the Act;

5. Paragraph 7 of the Stipulation provides:

Prior to commencing demolition of the dining hall at the facility,

Respondent did not inspect the facility for the presence of asbestos, including categories I and II, non-friendly, asbestos-containing material (ACM) as defined by 40 C.F.R., Section 61.141.

6. Paragraph 8 of the Stipulation provides:

Prior to commencing demolition of the dining hall at the facility, Respondent did not submit a written notification to the Illinois Environmental Protection Agency ("Illinois EPA") of its intention to demolish the dining hall at the facility.

WHEREFORE, the uncontested material facts as set forth in the Stipulation establish that Respondent failed to thoroughly inspect the facility for the presence of asbestos and failed to submit a written notification of intention of demolition of the former dining hall. Complainant respectfully requests the Board issue a summary judgment finding the Respondent violated 40 C.F.R. 61.145(a), 40 C.F.R. 61.145(b)(1) and Section 9.1(d) of the Act as alleged in paragraphs 9 and 10 of the Complaint filed herein.

COUNT III

OPEN DUMPING VIOLATIONS

7. In Count III, paragraph 6 of the Complaint, Complainant alleges that Respondent caused or allowed the open dumping of demolition debris generated by the demolition activities within the former dining hall, including but not limited to, wooden desks, pipe, metal and other debris in or near a ravine on property owned by the Respondent in violation of Section 21(a), (e), (p)(1) and (p)(7) of the Act.

8. The Stipulation of Facts in paragraph 13 provides in relevant part:

During the course of the renovation of the Dining Hall, Respondent dumped splintered boards, metal wiring, insulation and other demolition debris from the collapsed roof and brick and mortar from the east wall in or near a ravine on the Property.

9. Paragraph 18 of the Stipulation incorporating Exhibit 9 which contains Mr. Jones' observations of the site on May 17, 2000, paragraph 19 incorporating Exhibit E containing 15

photographs of the site taken on May 17, 2000, paragraph 23 incorporating Exhibit H which contains Mr. Jones' observations on October 19, 2000, and paragraph 24 incorporating Exhibit 1 containing 24 photographs of the site taken on October 19, 2000, all support the allegations in paragraph 6 of Count III.

WHEREFORE, for the reason the uncontested material facts as set forth in the Stipulation establish Respondent from May 11, 2000, through May 17, 2000, during the renovation of the dining hall, dumped splintered boards, metal wiring, insulation, other demolition debris from the collapsed roof, and brick and mortar from the east wall in or near a ravine on the property. Complainant respectfully requests the Board issue a summary judgment finding Respondent violated Sections 21(a), (e), (p)(1) and (p)(7) of the Act as alleged in the Complaint filed herein.

COUNT IV

10. In Count IV of the Complaint, paragraph 6, Complainant alleges that Respondent caused or allowed the open dumping of demolition debris generated by Respondent's demolition activities within and adjacent to a ravine owned by Respondent so as to create a water pollution hazard in violation of Section 12(d) of the Act.

11. As noted earlier, paragraph 13 of the Stipulation of Facts provides in relevant part:

Respondent dumped splintered boards, metal wiring, insulation and other demolition debris . . . in or near a ravine on the property.

12. Paragraph 14 of the Stipulation of Facts provides in relevant part:

Located at the bottom of the aforesaid ravine is an intermittent stream.

13. Paragraph 18 of the Stipulation of Facts provides that on May 17, 2000, IEPA inspector, James Jones, inspected Respondent's facility. Mr. Jones' observations are described in his inspection memo, Exhibit D. Mr. Jones in the narrative portion of his inspection memo states:

The open dumped demolition waste extended down into the ravine where a small stream traversed across the property. This is significant

because it began to rain during the investigation and the potential for water pollution to occur was increased, in that, the rain could have washed asbestos fiber down the ravine into the stream.

14. Paragraph 18 of the Stipulation incorporating Exhibit 9 which contains Mr. Jones' observations of the site on May 17, 2000, paragraph 19 incorporating Exhibit E containing 15 photographs of the site taken on May 17, 2000, paragraph 23 incorporating Exhibit H which contains Mr. Jones observations on October 19, 2000, and paragraph 24 incorporating Exhibit 1 containing 24 photographs of the site taken on October 19, 2000, all support the allegations in paragraph 6 of Count IV.

WHEREFORE, for the reason the uncontested material facts as set forth in the Stipulation filed herein establish that during the demolition of the facility from May 11, 2000, to May 17, 2000, Respondent placed demolition waste in or near a ravine located adjacent to the facility so as to create a water pollution hazard in violation hazard, Complainant respectfully requests the Board issue a summary judgment finding Respondent violated Section 12(d) of the Act as alleged in the Complaint filed herein.

CONCLUSION

For the reasons stated herein, Complainant respectfully requests the Board issue a Summary Judgment finding the Respondent has violated the Act and the regulations as requested by the Complainant and as established by the Stipulation.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY: 

DELBERT D. HASCHEMEYER
Assistant Attorney General
Environmental Bureau

500 South Second Street
Springfield, Illinois 62706
217/782-9031
Dated: June 12, 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)	
)	
Complainant,)	
)	
v.)	PCB NO. 02-115
)	(Enforcement)
BLUE RIDGE CONSTRUCTION CORPORATION,)	
an Illinois corporation,)	
)	
Respondent.)	

STIPULATION OF FACTS

Now comes the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and Respondent, BLUE RIDGE CONSTRUCTION CORPORATION, by William R. Kohlhase, counsel, and stipulates to the following facts:

1. Respondent, Blue Ridge Construction Corporation is an Illinois corporation, registered with the Illinois Secretary of State in good standing. The officers of the corporation are David L. Krubac, President, Randall J. Palmer, Vice President, and John G. Palmer, Sr., Secretary-Treasurer.
2. On or about April 13, 2000, David Krubac, Randall J. Palmer and John G. Palmer, Sr., acquired certain real property known as the old Bartonville Mental Health facility ("facility") located in Bartonville, Illinois including a building known as the Dining Hall ("Dining Hall"). The owners intended to convert the Dining Hall into a metal fabrication shop.
3. Sometime prior to April 13, 2000, part of the roof of the Dining Hall had collapsed leaving the outer walls standing.
4. On or about April 19, 2000, the Owners went to the Village of Bartonville offices and consulted with Village officials concerning the need for permits for the work which they planned to do at the Property. The Owners were advised by the Mayor, the Building Commissioner, and the Village Clerk that no permits were required.

5. On May 11, 2000, Respondent commenced demolition of the Dining Hall for the purpose of converting it to a metal fabrication shop. Respondent planned to open up the east end of the Dining Hall and remove the partially collapsed roof. Respondent planned to put up steel columns and a metal roof within the existing walls of the Dining Hall and install overhead doors on the east end of the building.

6. From May 11, 2000 to May 17, 2000, Respondent's workers opened an approximate 40 foot hole in the east wall, removed the roofing material that had caved in, pulled down and removed the rest of the roof that was near collapsing and cut off and removed steel pipe roof support columns from four to six locations within the dining hall.

7. Prior to commencing demolition of the dining hall at the facility, Respondent did not inspect the facility for the presence of asbestos, including categories I and II, non-friendly, asbestos-containing material (ACM) as defined by 40 C.F.R., Section 61.141.

8. Prior to commencing demolition of the dining hall at the facility, Respondent did not submit a written notification to the Illinois Environmental Protection Agency ("Illinois EPA") of its intention to demolish the dining hall at the facility.

9. Prior to commencing demolition of the dining hall at the facility, Respondent did not remove any regulated ACM.

10. During the demolition of the former dining hall at the facility up to May 17, 2000, the date of an inspection by Dennis Hancock, an IEPA inspector, Respondent did not utilize asbestos emission control methods and properly remove, handle and dispose of regulated asbestos-containing material.

11. During the demolition of the dining hall at the facility up to May 17, 2000, the date of an inspection by Dennis Hancock, an IEPA inspector, Respondent did not wet, or maintain as wet, regulated ACM.

12. During the demolition of the dining hall at the facility up to May 17, 2000, the date of an inspection by Dennis Hancock, an IEPA inspector, Respondent did not have on site any representative trained in the provisions of the National Emission Standards for Hazardous Air Pollutants (NESPAP) for asbestos.

13. During the course of the renovation of the Dining Hall, Respondent dumped splintered boards, metal wiring, insulation and other demolition debris from the collapsed roof and brick and mortar from the east wall in or near a ravine on the property. Prior to Respondent's dumping of those materials and prior to the owners acquiring the property, others had dumped waste in the same area of the property.

14. Located at the bottom of the aforesaid ravine is an intermittent stream (i.e. storm water runoff flows down the gully at the bottom of the ravine, but otherwise is dry).

15. On May 17, 2000, Illinois EPA inspector, Dennis Hancock, conducted an inspection of Respondent's demolition of the dining hall at the facility. Mr. Hancock's observations and a summary of his conversation with those present are all described in his inspection memo attached hereto as Exhibit A.

16. On May 17, 2000, Illinois EPA inspector, Dennis Hancock, during his inspection, took 14 photographs. Those photographs which accurately portray the scene as observed by Mr. Hancock at the time of the taking of the photographs are attached as Group Exhibit B.

17. During the course of his inspection of Respondent's facility on May 17, 2000, Dennis Hancock obtained seven samples for analyses of asbestos content. Exhibit C attached hereto is the report from the laboratory, Envirohealth Technologies, Inc., reporting the results of the analyses for asbestos for the samples obtained by Dennis Hancock on May 17, 2000, from Respondent's facility.

18. On May 17, 2000, Illinois EPA inspector, James Jones, from the Bureau of Land Pollution Control, inspected Respondent's facility. Mr. Jones' activities, observations and a

summary of his conversations with those present are all as described in his inspection memo attached hereto as Exhibit D.

19. On May 17, 2000, Illinois EPA inspector, James Jones, during his inspection, took 15 photographs. Those photographs, which accurately portray the scene as observed by Mr. Jones at the time of the taking of the photographs, are attached as Group Exhibit E.

20. On June 22, 2000, the Illinois EPA sent to Mr. John Palmer a violation notice which identified those violations of the Illinois Environmental Protection Act, the Code of Federal Register, and state regulations which the Agency alleged had been violated by Respondent, Blue Ridge Construction Corporation, attached hereto as Exhibit F.

21. On August 2, 2000, Mr. John Palmer on behalf of Respondent, Blue Ridge Construction Corporation, responded to the Agency's violation notice (Exhibit F) setting forth a history of Respondent's activities both before and after Mr. Hancock's visit of May 17, 2000. A true and correct copy of that letter is attached as Exhibit G.

22. Attached to Mr. Palmer's letter of August 2, 2000, was a copy of a letter from Clark Engineers, dated July 27, 2000, setting forth a brief description of their inspection results and a remediation plan (part of Exhibit G).

23. On October 19, 2000, Illinois EPA inspector, James Jones, inspected Respondent's facility. A summary of Mr. Jones' observations are described in his inspection memo attached as Exhibit H.

24. On October 19, 2000, Illinois EPA inspector, James Jones, took 24 photographs. Those photographs which accurately portray the scene as observed by Mr. Jones at the time of the taking of the photographs are attached as Group Exhibit I.

25. On September 7, October 10, and December 19, 2000, Clark Engineers submitted a revised plan for the asbestos abatement activities at the facility. A true and correct copy of the cover letters for those submittals are attached as Exhibit J.

26. On March 27, 2001, Illinois EPA inspector, James Jones, inspected Respondent's facility. A summary of Mr. Jones' observations are described in his inspection report (Exhibit K).

27. On or about April 16, 2001, Respondent, in compliance with all applicable requirements, commenced asbestos removal and removal of the waste in the ravine. The asbestos and waste removal was accomplished on April 19, 2001.

28. Commencing on May 19, 2000, Dan Borries, an employee of the Respondent, kept a log of activities Respondent engaged in addressing the situation with the asbestos at the facility. A true and correct copy of that log is attached as Exhibit L.

29. Respondent expended a total of \$59,965.67 to remove the asbestos from the facility and the waste in the ravine as follows \$10,265.31 to Clark Engineers, \$14,220.00 to N. E. Finch, \$15,446.36 to Sentry Asbestos, \$1,055.00 to Bodine Environmental, and \$18,979.00 to Tazewell County Landfill, a true and correct copy of the invoices for the aforesaid amounts are attached as Group Exhibit M.

30. The Village of Bartonville reimbursed the Respondent for the expenses associated with the cleanup except for the expenses directly related to the asbestos on the pipes for a total reimbursement of \$56,000.00. A true and correct copy of the minutes of the Village of Bartonville of Trustees' meeting of April 11, 2002 at which the Village approved that reimbursement is attached as Exhibit N.

PEOPLE OF THE STATE OF ILLINOIS,
ex rel. LISA MADIGAN, Attorney General
State of Illinois

BY: 
DELBERT D. HASCHEMEYER
Assistant Attorney General

BLUE RIDGE CONSTRUCTION CORP.

By: 
WILLIAM R. KOHLHASE
Miller, Hall & Triggs
Its Attorneys



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

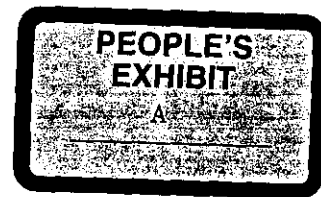
5415 NORTH UNIVERSITY STREET, PEORIA, ILLINOIS 61614

THOMAS V. SKINNER, DIRECTOR

I.D.# 179.ASB
Old Bartonville Mental Health
Complaint Inspection

Asbestos Inspection Memorandum

Date: May 19, 2000 **Date of Inspection:** May 17, 2000
To: Dale Halford **Last Inspection Date:** None
From: Dennis Hancock **Reg/Dist:** II/ASB
Facility: Old Bartonville Mental Health (old dinning hall)
Bartonville, Illinois 61607
Owner: John Palmer
Blue Ridge Construction
4004 Becker Drive
Bartonville, Illinois 61607
Contact: John Palmer
Telephone: 309-633-0051
309-633-9550



Purpose of Inspection:

To follow up on a complaint that was called into the Peoria Regional Office and relayed to me in the LaSalle Office. The complaint stated that there was a company doing demolition at the Old Bartonville Mental Health Facility and causing a lot of dust.

Findings:

On Wednesday, May 17, 2000, I arrived at the Old Bartonville Mental Health Facility in the Industrial Park of the Village of Bartonville. When I arrived, I did not notice any work being done in the immediate area. The work site was on the backside of the complex. I went to a building that looked like the south portion had been demolished. Two men in the north section of the demolished area were cutting up a section of pipe that was lying on the ground with cutting torches and paper respirators. I

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Old Bartonville Mental Health
Complaint Inspection
Page 2

took a picture of this and then went over to the area to talk to these two men. I asked if the owner of the property was there. One gentleman told me no, but he would get him for me. The other gentleman had, by this time, put up the torch and taken off the paper respirator.

The owner of the property arrived, and I introduced myself to him and presented identification. The owner introduced himself as Mr. John Palmer. I asked Mr. Palmer if he had filed a notification in with the State IEPA Office in Springfield for the demolition of the building. He stated no. I then asked Mr. Palmer if he had an asbestos inspection done on this building before the demolition took place. He stated no to this also.

I explained to Mr. Palmer a survey for asbestos needs to be done and a 10 working day notification needs to be sent into the IEPA in Springfield before a demolition or renovation project takes place. I gave Mr. Palmer the notification form with a copy of the rules and regulations so he would be able to see what I was talking about.

I asked Mr. Palmer if he needed a permit from the Village to do this demolition. He stated that he went down to their office, and they told him that he did not need anything. Mr. Palmer stated that he bought this building from the Village of Bartonville.

I asked Mr. Palmer if he would voluntarily stop this project until I could get some samples of suspicious material that I saw and get the results of these. Mr. Palmer stated that he would volunteer to stop this project. I explained to Mr. Palmer that if the results came back for asbestos that he would have to hire a licensed asbestos project designer to conduct an inspection to determine the extent of contamination.

I asked Mr. Palmer where the demolition debris was, and he stated that it was pushed over the ravine in the back area of the property. I explained to Mr. Palmer that I needed to call Springfield and advise them of what I have seen. I contacted Dale Halford and explained the situation to him, and he tried to get a hold of Dennis Brown. I gave Mr. Palmer a telephone number to contact Dale Halford if he had any other questions. I explained to Mr. Palmer that I needed to get samples and photographs for my inspection, and he stated that this was okay and he left the site.

I donned a protective suit and a PAPR and entered the demolition area. The first sample (DH001-BMH) was taken from the pipe that was lying on the ground where the two men were working on. The material on the pipe was powdery and white in color. It appeared to be dry.

The second sample (DH002-BMH) was taken from the pipe that was lying on the north section of the demolition area and to the left of the first pipe section. This material was identical to the material on the first sample.

I.D.# 179.ASB
Old Bartonville Mental Health
Complaint Inspection
Page 3

The third sample (DH003-BMH) was taken from the white colored material lying on the ground in front of the entrance to the second building not demolished yet. This material appeared dry and crumbled into smaller pieces.

The fourth sample (DH004-BMH) was taken from inside of the second building. The material is from a broken pipe extending from a wall. The area that appeared to be a storage room was in the northwest section of the building.

The fifth sample (DH005-BMH) was taken from the middle of the second building that had not been demolished yet. This material was brownish in color and appeared to be a type of mineral wool insulation.

The sixth sample (DH006-BMH) was taken from the center of the demolition area. This material was red in color and appeared to be a terrazzo-type tile and concrete.

The seventh sample (DH007-BMH) was taken from a pipe that appeared to be broken located on the west wall of the demolished building. This material was brown in color and looked like cardboard.

Pictures were taken of all of these areas as well as other items that represented what was still in the building. After taking these samples, I doffed the PAPR and protective suits and secured the sample bags.

Inside of the building that was still standing, there were several areas of the ceiling that had either fallen down or had been pulled down. Pictures of these areas were also taken. Other areas inside of this section of the building contained pipe with insulation hanging down towards the floor areas. In the center of this section, there appeared to be a large amount of insulation material lying on the floor. Sample number DH005-BMH was taken at this location.

In the far north section of this building, there were several areas that contained pipe with white insulation as well as white material on the elbow joints. I was unable to take samples of these areas due to their location. They were approximately 12 to 15 feet high, and I did not have access to a ladder.

The material that was dumped into the ravine area appeared to be the same material that had come from the demolition of the building, and Mr. Palmer stated that this was where he put all the demolition debris. Land Pollution with the IEPA in Peoria was notified, and they arrived at approximately 12 noon..

Mr. James Jones, of the Bureau of Land in the Peoria Regional Office, was told that Mr. Palmer stated that the material was dumped over the ravine. Mr. Jones then inspected this area and took pictures. No samples of the debris in the ravine were taken at this time due to the rainy weather and the pile appeared to be very unstable.

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Old Bartonville Mental Health
Complaint Inspection
Page 4

I left the site to return to the LaSalle Regional Office to send the samples off to the lab to be read. A one-day turn around was requested.

On May 19, 2000, the results of the samples were received by this office. The results are stated below, and a copy of the results are attached:

- 1) DH001-BMH---20%-30% asbestos-Chrysotile off white in color
10%-20% asbestos-Amosite
- 2) DH002-BMH---20%-30% asbestos-Chrysotile white in color
20%-30% asbestos-Amosite
- 3) DH003-BMH---30%-40% asbestos-Chrysotile white in color
10%-20% asbestos-Amosite
- 4) DH004-BMH---20%-30% asbestos-Chrysotile white in color
20%-30% asbestos-Amosite
- 5) DH005-BMH---Trace asbestos-Chrysotile brown in color
- 6) DH006-BMH---No asbestos detected red in color
- 7) DH007-BMH---5%-10% asbestos-Chrysotile brown in color

Attachments: Photographs
Sample results
Violations
Recommendations

cc: Dale Halford, Original
Dennis Brown, Copy
Casm, Violations Only

ASBESTOS VIOLATIONS

Section 9(a) of the Act and 35 Ill. Adm. Code 201.141: Blue Ridge Construction caused the release of asbestos into the environment during demolition so as to cause or tend to cause air pollution.

40 CFR 61.145(a): Blue Ridge Construction failed to conduct a thorough inspection of the old Bartonville Mental Health Facility dining hall for the presence and location of asbestos-containing material prior to demolition activities.

40 CFR 61.145(b): Blue Ridge Construction failed to provide the State of Illinois with a properly completed notice of demolition and renovation at least ten (10) working days before commencing any such activities at the Old Bartonville Mental Health Facility dining hall.

40 CFR 61.145(c)(1): Blue Ridge failed to remove all RACM prior to any activity that would break up or dislodge any of the RACM at the Old Bartonville Mental Health Facility dining hall.

40 CFR 61.145(c)(2)(i)(ii): Blue Ridge Construction failed to adequately wet all RACM and prevent damage or disturbance to the RACM exposed during cutting or disjoining operations at the Old Bartonville Mental Health Facility dining hall.

40 CFR 61.145(c)(6): Blue Ridge failed to adequately wet and maintain wet all RACM and regulated asbestos-containing waste material generated until collected and contained in preparation for disposal.

40 CFR 61.150(a)(1)(iii)(iv)(v): Blue Ridge failed to wet, containerize, and label all asbestos-containing waste material.

40 CFR 61.150(b): Blue Ridge failed to deposit, as soon as practicable, all asbestos-containing waste material generated during demolition activities within a site permitted to accept such waste.

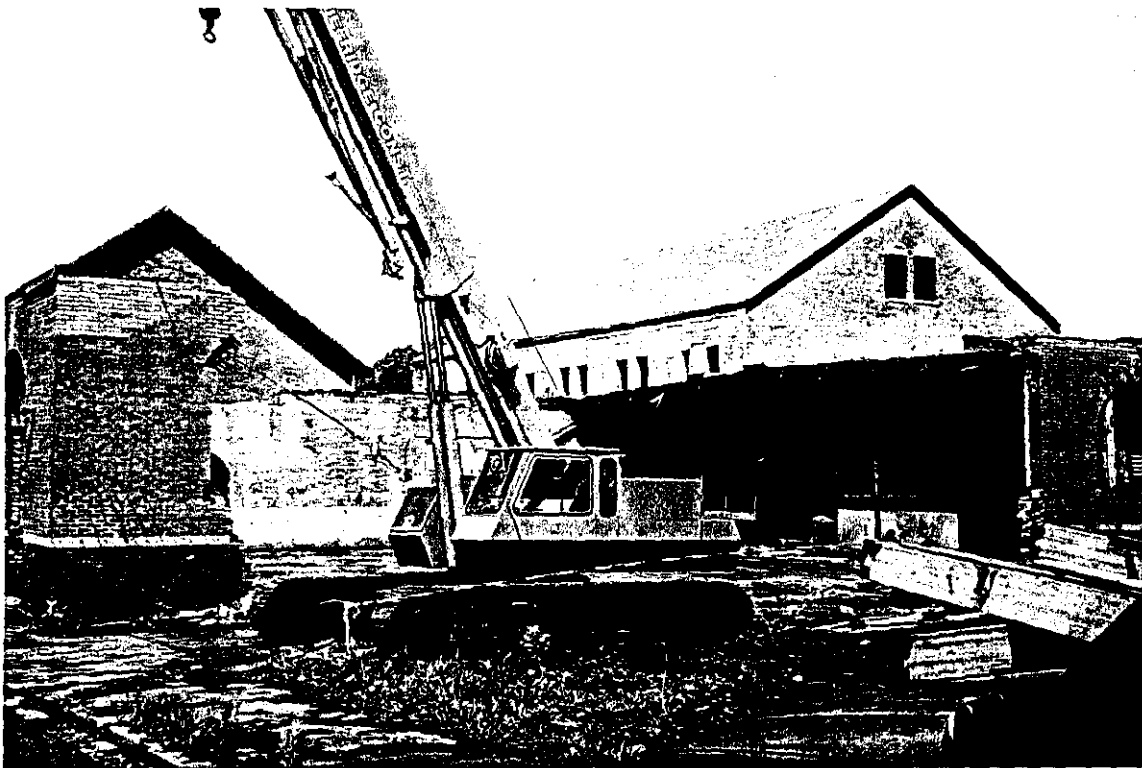
RECOMMENDATIONS

Prior to future demolition and renovation activities:

- Submit to the Illinois EPA a properly completed written notice of demolition and renovation at least ten (10) working days prior to the demolition or renovation of the facility.
- Ensure that each facility is inspected for asbestos-containing material. If the facility is found to have asbestos-containing material, comply with all the requirements of the NESHAP regulations.
- Retain an asbestos abatement project designer, licensed by the Illinois Department of Public Health ("IDPH"), to design and submit to the Illinois EPA for review and acceptance, within 10 working days, a project design specification setting forth the following:
 - 1) Methods and procedures to be utilized to determine the presence of asbestos.
 - 2) Work practices and procedures to be utilized to properly handle, remove, and dispose of all asbestos-containing waste material and asbestos contamination found within the site being demolished, on any equipment which has been used to conduct demolition activities at those sites, and on adjacent properties.

I.D.# 179.ASB
Old Bartonville Mental Health
Complaint Inspection
Page 6

- Within 10 days from the date of acceptance by the Illinois EPA of the project design specification, retain an asbestos abatement contractor licensed by IDPH to remove all asbestos-containing waste material and asbestos contamination in accordance with the project design specification.
- Implement measures to adequately wet and keep wet all asbestos-containing waste material and asbestos contamination, post signs warning of the presence of asbestos, construct barriers to prevent public access to the site mentioned above, and lock and do not use any piece of equipment which has been used to conduct demolition activities at that site, until analytical test data indicates asbestos is not present or acceptable levels of asbestos exist at or on each location or item.
- Within 10 days of receipt of this Violation Notice, provide to the Illinois EPA a written statement containing detailed summary of all the asbestos removal and demolition activities performed at the site including the identity of each worker utilized to conduct such activities, the locations of all the asbestos-containing waste material and asbestos contamination, and the equipment utilized to remove, handle, and dispose of all such material.
- Provide a written statement ensuring all demolition and renovation activities will be performed, in the future, in compliance with the National Emission Standards for Hazardous Air Pollutants, 40 CFR 61, Subpart M – National Emission Standards for Asbestos.



Roll#: 205-053 Frame#: 11

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

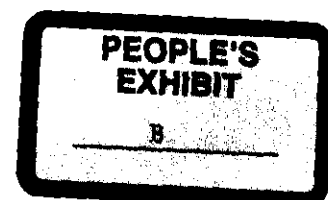
Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Northwest

Subject: View showing workers cutting length of pipe

Camera: Minolta Vectis Weathermatic Zoom





Roll#: 205-053 Frame#: 12

Date: 05/17/00 Time: ~11:30 am

ID#: 179 ash Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Northwest

Subject: View showing suspect pipe that workers were working on

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 13

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dining Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Southeast

Subject: View showing suspect pipe that was broken

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 14

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: North

Subject: View showing suspect pipe that was broken and being worked on by workers

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 15

Date: 05/17/00 Time: 11:30 am

ID#: 179 asb Photo By: D.Hancock

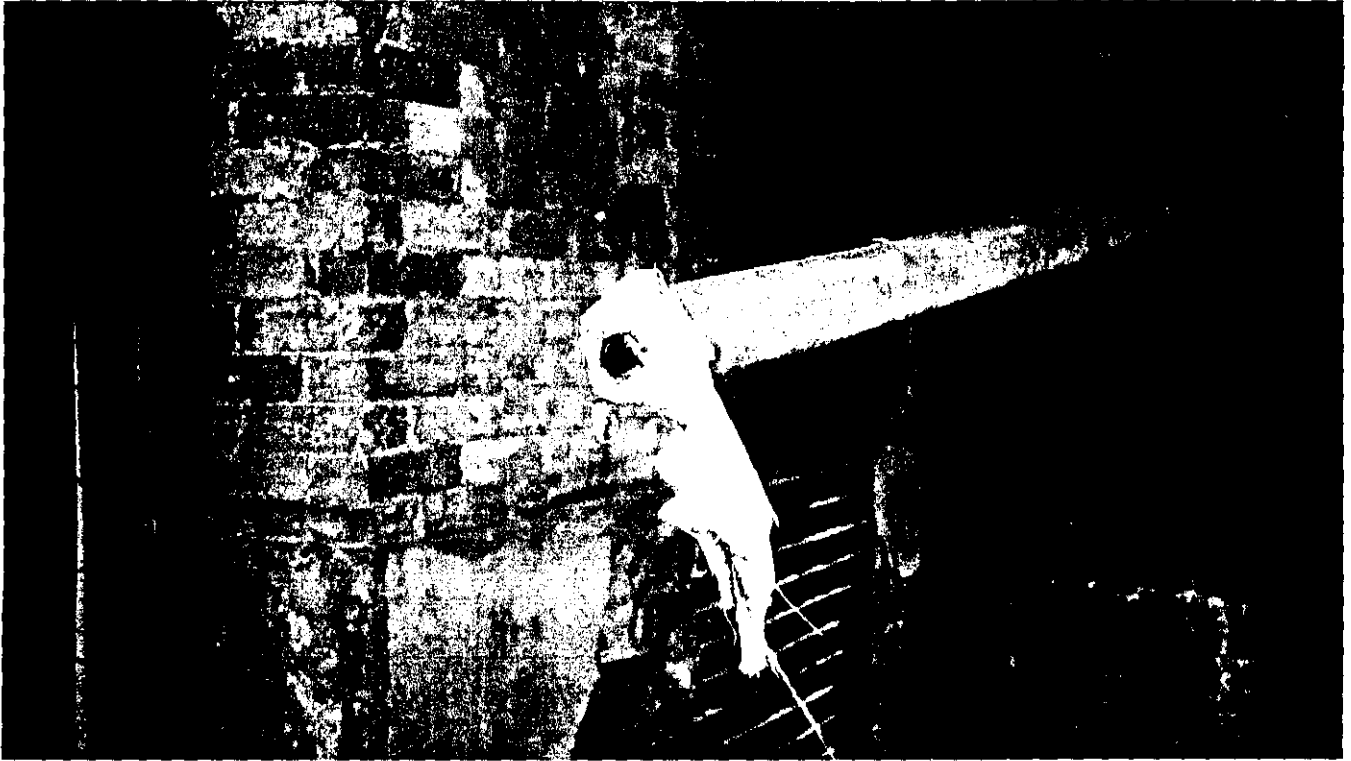
Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: North

Subject: View showing suspect pipe that was broken and being worked on by workers

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 16

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Northeast

Subject: View showing suspect pipe that was broken

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 17

Date: 05/17/00 Time: 11:30 am

ID#: 179 asb Photo By: D.Hancock

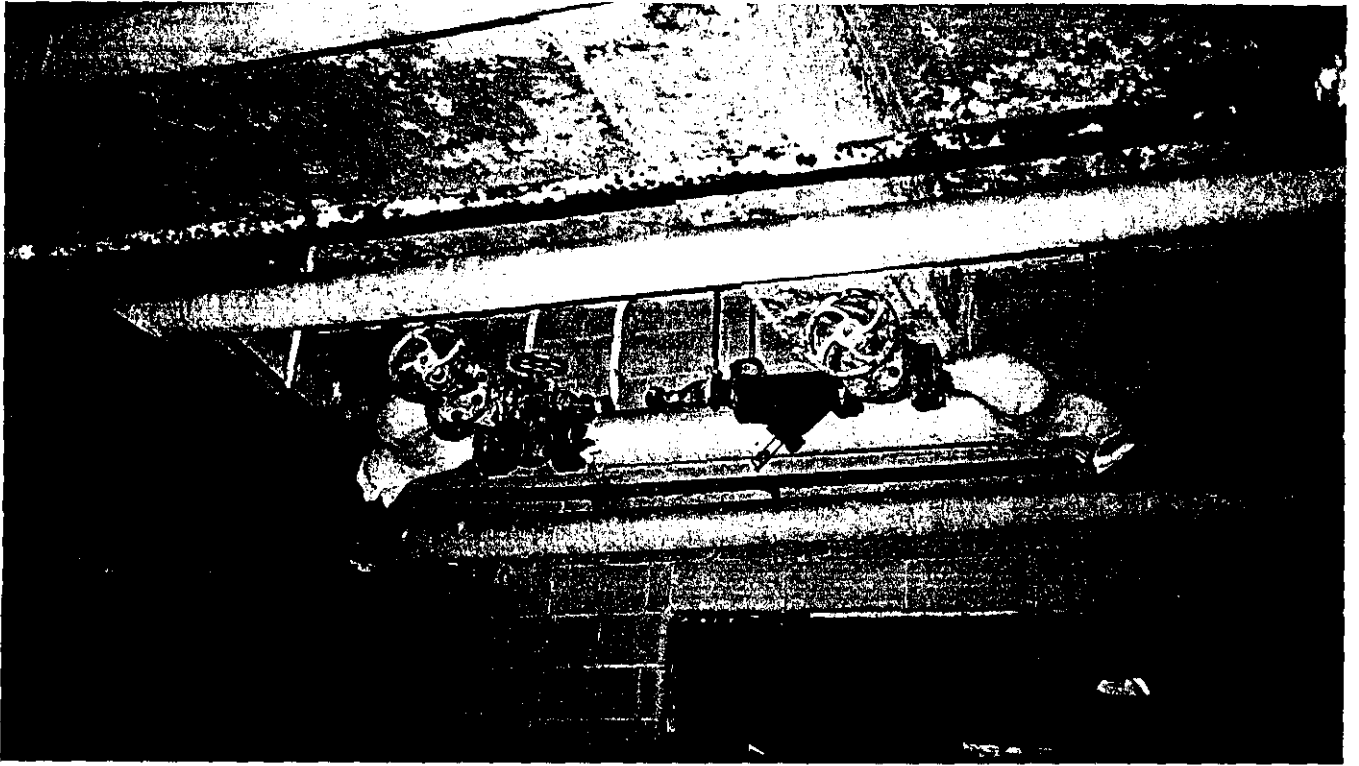
Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: North

Subject: View showing ceiling area that was broken or torn down

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 18

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

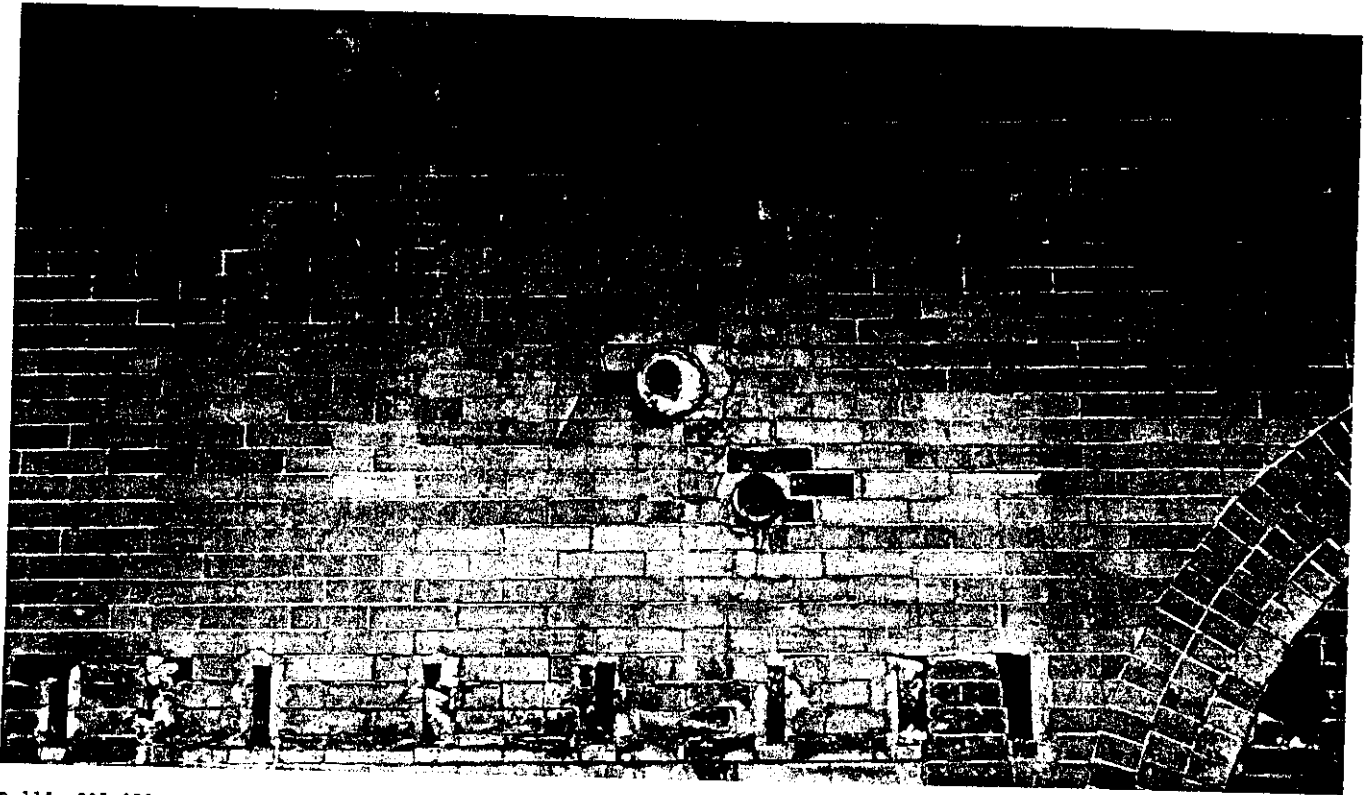
Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Southeast

Subject: View showing piping with suspect insulation on the elbows and straight runs

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 19

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: North

Subject: View showing piping with suspect insulation sticking out of the wall between the buildings

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 20

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

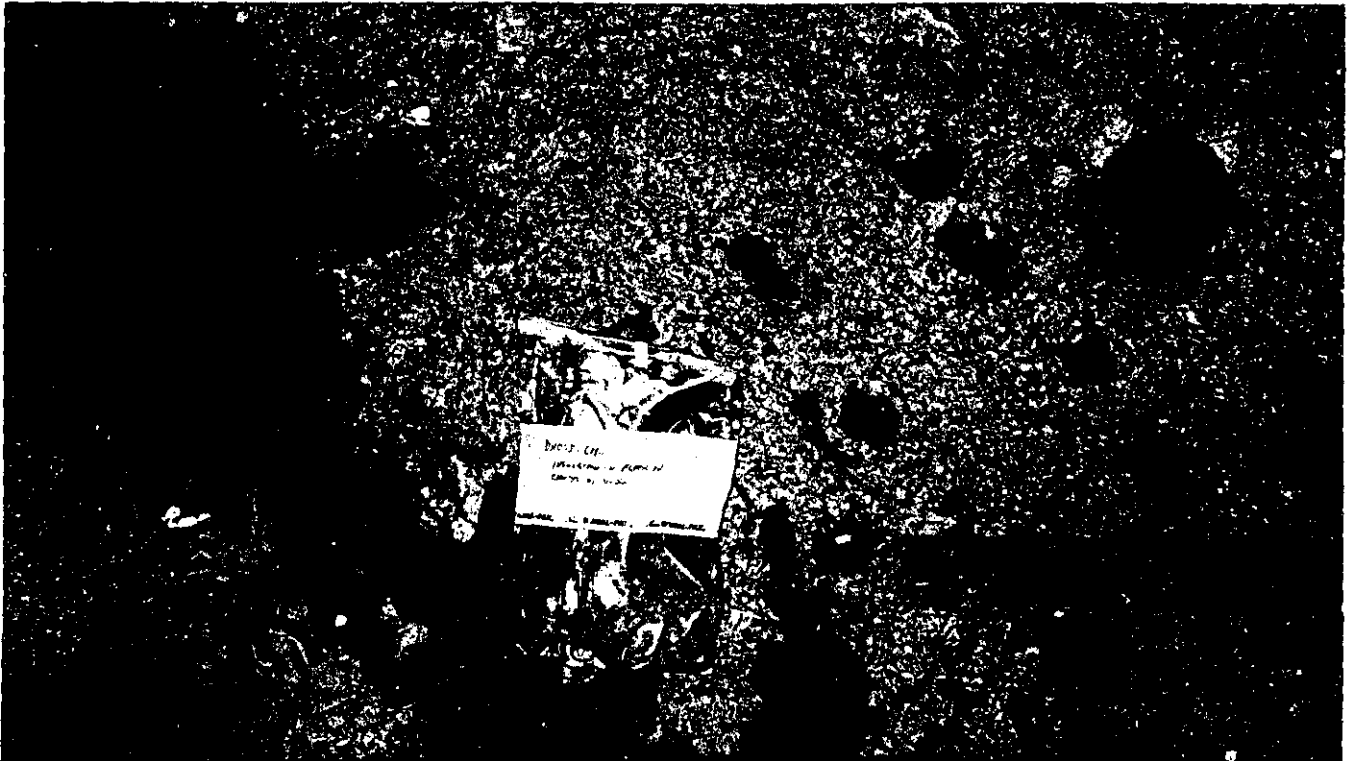
Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Northwest

Subject: View showing piping with suspect insulation laying on the ground

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 21

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Southeast

Subject: View showing suspect insulation debris laying in the middle of the floor area

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 22

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

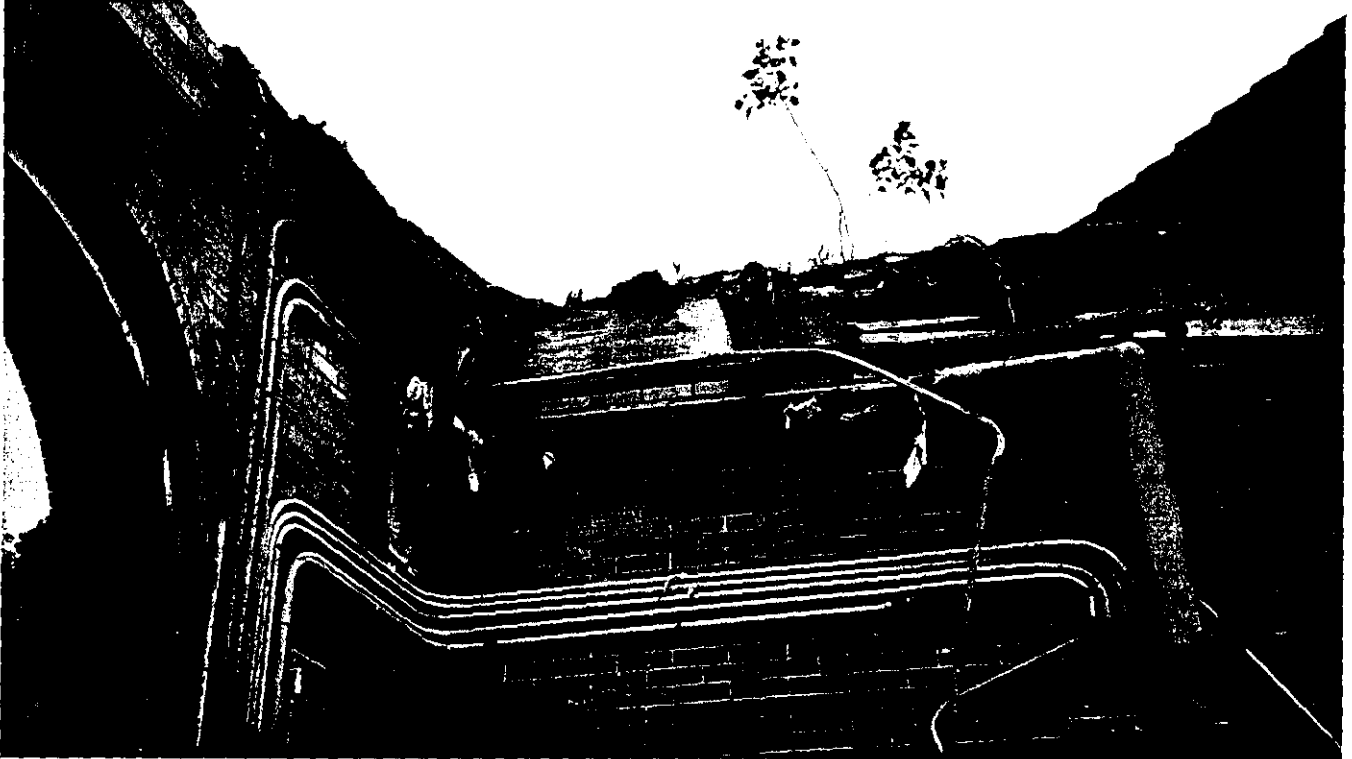
Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Southeast

Subject: View showing red tile crushed inside area where building was demolished

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 23

Date: 05/17/00 Time: 11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: West

Subject: View showing pipe hanging from demolished area of the building

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 24

Date: 05/17/00 Time: ~11:30 am

ID#: 179 ash Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: West

Subject: View showing pipe hanging from demolished area of the building

Camera: Minolta Vectis Weathermatic Zoom



Roll#: 205-053 Frame#: 25

Date: 05/17/00 Time: ~11:30 am

ID#: 179 asb Photo By: D.Hancock

Facility: Old Dinning Hall (Old Bartonville Mental Health)

Address: Bartonville, Illinois 61607

Direction of View: Northwest

Subject: View showing pipe hanging from demolished area of the building

Camera: Minolta Vectis Weathermatic Zoom



EnviroHealth Technologies Inc.

Laboratory & Consulting Services

Report No.: 00-05-01011

May 31, 2000

Illinois Env. Protection Agency
P.O. Box 1515
Lasalle, IL 61301

Attn: Mr. Dennis Hancock

Included in this report are test results obtained on seven (7) bulk samples submitted on May 18, 2000.

The following information was provided by the client:

Project Name: Former Bartonville Mental Health
Project Address: Old Bakery Bldg., Bartonville, IL

The results are presented as follows:

- Exhibit A: Summary of material concentrations reported as a percentage of the entire sample submitted.
- Exhibit B: Layer analysis reported separately with microscopist observations and comments

Exhibits A and B should be evaluated for each sample submitted to obtain a complete understanding of analysis performed.

The United States Environmental Protection Agency defines any sample containing greater than one (1) percent asbestos as an asbestos-containing material (ACM) (40 CFR Part 763). Samples determined to have asbestos concentrations greater than one (1) percent are identified in the test results as asbestos-containing materials.

Material content is determined using polarized light microscopy with dispersion staining in accordance with 40 CFR 763, Appendix A to Subpart F, "Interim Method of the Determination of Asbestos in Bulk Insulation Samples," and all current revisions.





EnviroHealth Technologies Inc.

Laboratory & Consulting Services

Report No.: 00-05-01011

Results reported as trace indicate constituents found at concentrations of less than one (1) percent.

EnviroHealth Technologies, Inc. is accredited in the National Voluntary Laboratory Accreditation Program for Asbestos Fiber Analysis (Laboratory ID Number 200374-0).

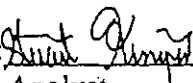
This report may not be used to claim product endorsement by NVLAP or any agency of the U.S. Government.

This report shall not be reproduced except in full, without the written approval of EnviroHealth Technologies, Inc.

This test report relates only to the item tested.

Analysis By:

Stuart Kinkist


Analyst

Analysis Completed: May 18, 2000

Respectfully submitted,



William J. Lowry, CIH
President

Lab No.: 18083 - 18089

WL/SK/pr



Section I of Two Sections
Summary

Analyst's Approval : [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

TEST REPORT

<u>EHT Number</u>	<u>Sample Identification</u>
18083	DH001-BMH, 5/17/00, Insulation From Pipe Laying On The Ground, South End Of Bldg. Asbestos, Chrysotile 20-30% Asbestos, Amosite 10-20% Cellulose 5-10% Unspecified Non-Fibrous Mat'l 40-50%
18084	DH002-BMH, 5/17/00, Pipe Insulation From Pipe On Ground, South End Of Bldg. Asbestos, Chrysotile 20-30% Asbestos, Amosite 20-30% Cellulose 5-10% Unspecified Non-Fibrous Mat'l 40-50%
18085	DH003-BMH, 5/17/00, Debris On Ground Besides Pipes, South End Of Bldg. Asbestos, Chrysotile 30-40% Asbestos, Amosite 10-20% Unspecified Non-Fibrous Mat'l 40-50%
18086	DH004-BMH, 5/17/00, Pipe Hanging From Broken Ends Inside Of Bldg. Asbestos, Chrysotile 20-30% Asbestos, Amosite 20-30% Unspecified Non-Fibrous Mat'l 50-60%
18087	DH005-BMH, 5/17/00, Insulation On Floor In Center Of Bldg. Area Asbestos, Chrysotile Trace Mineral Wool 90-95% Unspecified Non-Fibrous Mat'l 5-10%
18088	DH006-BMH, 5/17/00, Terrazzo Type Material (Red) South End Of Bldg. No asbestos detected (less than 1% if present) Cellulose Trace Unspecified Non-Fibrous Mat'l Greater than 95%



Section I of Two Sections
Summary

Analyst's Approval : [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

TEST REPORT

EHT Number

Sample Identification

18089	DH007-BMH, 5/17/00, Brown Paper Insulation Hanging From Pipe, West Side Of Bldg.
	Asbestos, Chrysotile 5-10%
	Cellulose 80-90%
	Unspecified Non-Fibrous Mat'l 10-20%



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: [sX]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18083
Identification: DH001-BMH, 5/17/00, Insulation From Pipe Laying On
The Ground, South End Of Bldg.
Dominant Color: Off-White
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
 Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile	20-30%
Asbestos, Amosite	10-20%
Cellulose	5-10%
Unspecified Non-Fibrous Material	40-50%

Observations & comments: A portion of the sample was dried for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18084
Identification: DH002-BMH, 5/17/00, Pipe Insulation From Pipe On
Ground, South End Of Bldg.
Dominant Color: White
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile	20-30%
Asbestos, Amosite	20-30%
Cellulose	5-10%
Unspecified Non-Fibrous Material	40-50%

Observations & comments: A portion of the sample was dried for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18085
Identification: DH003-BMH, 5/17/00, Debris On Ground Besides Pipes,
South End Of Bldg.
Dominant Color: White
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile	30-40%
Asbestos, Amosite	10-20%
Unspecified Non-Fibrous Material	40-50%

Observations & comments: A portion of the sample was dried for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: SK 1

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18086
Identification: DH004-BMH, 5/17/00, Pipe Hanging From Broken Ends
Inside Of Bldg.
Dominant Color: White
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
 Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile	20-30%
Asbestos, Amosite	20-30%
Unspecified Non-Fibrous Material	50-60%

Observations & comments: A portion of the sample was dried for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts' Approval: [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18087
Identification: DH005-BMH, 5/17/00, Insulation On Floor In Center Of
Bldg. Area
Dominant Color: Brown
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Fibrous
Percent of Total Sample: 97%

Material Content

No asbestos detected (less than 1% if present)
Mineral Wool Greater than 95%
Unspecified Non-Fibrous Material 3-5%

Layer Number: 2 General Description: Tarlike
Percent of Total Sample: 3%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile 3-5%
Unspecified Non-Fibrous Material Greater than 95%

Observations & comments: The Point-Counting Method of quantification as required by the National Standards for Hazardous Air Pollutants, (NESHAP), will be performed at an additional charge at the request of the client.

A portion of the sample was dried for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18088
Identification: DH006-BMH, 5/17/00, Terrazzo Type Material (Red)
South End Of Bldg.
Dominant Color: Red
Gross Sample Appearance: Homogeneous, Non-Fibrous
Sample Type: Brick

Layer Number: 1 General Description: Cementitious
Percent of Total Sample: 100%

Material Content

No asbestos detected (less than 1% if present)

Cellulose Trace

Unspecified Non-Fibrous Material Greater than 95%

Observations & comments: A portion of the sample was dried and crushed for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: (SK) 1

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18089
Identification: DH007-BMH, 5/17/00, Brown Paper Insulation Hanging
From Pipe, West Side Of Bldg.
Dominant Color: Brown
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile	5-10%
Cellulose	80-90%
Unspecified Non-Fibrous Material	10-20%

Observations & comments: The Point-Counting Method of quantification as required by the National Standards for Hazardous Air Pollutants, (NESHAP), will be performed at an additional charge at the request of the client.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Peoria LPC#: 1430055048 Region: Peoria

Location/Site Name: Bartonville/Palmer, Palmer, & Krulac Property

Date: May 17, 2000 Time: From 12 p.m. To 12:20 p.m. Previous Inspection Date: None

Inspector(s): James Jones Weather: Cloudy & raining, 67-F

No. of Photos Taken: # 15 Est. Amt. of Waste: 40 yds³ Samples Taken: Yes# No x

Interviewed: John Palmer Sr. Complaint #: C-00-067-P

Responsible Party Mailing Address(es) and Phone Number(s):	John G. Palmer Sr. c/o Blue Ridge Construction P.O. Box 4151 Bartonville, Illinois 61607 309/633-0051	Randall J. Palmer c/o Blue Ridge Construction P.O. Box 4151 Bartonville, Illinois 61607 309/633-0051
	David Krulac c/o Blue Ridge Construction P.O. Box 4151 Bartonville, Illinois 61607 309/633-0051	

	SECTION	DESCRIPTION	VIOL.
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	x
4.	12(d)	CREATE A WATER POLLUTION HAZARD	x
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	x
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	
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	x
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	x
	(2)	Scavenging	
	(3)	Open Burning	
	(4)	Deposition of Waste in Standing or Flowing Waters	



(Open Dump - 1)

	(5)	Proliferation of Disease Vectors	
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	
	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	X
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	
11.	722.111	HAZARDOUS WASTE DETERMINATION	
12.	808.121	SPECIAL WASTE DETERMINATION	
13.	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	
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	
15.	OTHER:	Section 815.201	X

James Jones
Signature of Inspector(s)

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).

LPC#: 1430055048

Inspection Date: May 17, 2000

6. Items marked with an "NE" were not evaluated at the time of this inspection.
7. Statutory effective date: through 7/9/99.
8. Regulatory effective date: through 5/20/99.

14302 2000 - Peoria County
Palmer, Palmer, & Krulac Property
May 17, 2000
James Jones
Page 1 of 2

NARRATIVE

On Wednesday, May 17, 2000, James Jones of Peoria-DLPC/FOS investigated citizen complaint #C-00-067-P at the Bartonville Industrial Park in Bartonville, Illinois (formerly Peoria Mental Health Hospital). The property is located on Constitution Avenue in a building formerly called the "Old Bakery" building. The building has no street number. According to the complainant, demolition waste from the demolishing of the "Old Bakery" building was being dumped at the rear, the side, and down into the ravine of the property by contractors.

During the investigation, Jones observed building demolition waste consistent with the make-up of the materials in the building on the property. Bricks mixed with splintered boards, metal wiring insulation, and apparent asbestos piping insulation was observed dumped in several locations on the property (see site sketch). The open dumped building demolition waste extended down into the ravine where a small stream traversed across the property. This is significant because it began to rain during the investigation, and the potential for water pollution to occur was increased, in that, the rain could have washed asbestos fibers down the ravine into the stream.

Following the investigation, Jones talked to John Palmer Sr. about the complaint. According to Mr. Palmer, the building and property is owned by himself, Randall Palmer and David Krulac. Mr. Palmer stated the building and property was sold to them by the City of Bartonville. City of Bartonville officials, according to Mr. Palmer, did not tell them that permits from DAPC were required prior to demolition of the building. In addition, Mr. Palmer claims that they were also told by City of Bartonville officials that it was alright to demolish the building and place the contents on-site.

Based on Jones' findings during the investigation, the following apparent violations were cited on the "Open Dump Inspection Checklist":

Section 12(a) of the Act - Causing, threatening or allowing water pollution.

Palmer, Palmer, & Krulac caused or allowed water pollution by open dumping building demolition waste on their property.

Section 12(d) of the Act - Creating a water pollution hazard.

Palmer, Palmer, & Krulac created a water pollution hazard by open dumping building demolition waste on their property.

Section 21(a) of the Act - Causing or allowing open dumping.

Palmer, Palmer, & Krulac caused or allowed the open dumping of building demolition waste on their property.

1430055048 -- PEORIA COUNTY
Palmer, Palmer, & Krulac Property
May 17, 2000
James Jones
Page 2 of 2

Section 21(e) of the Act - Disposing any waste at a site not meeting the requirements of the Act and Regulations.

Palmer, Palmer, & Krulac caused or allowed the disposal of building demolition waste on their property which does not meet the requirements of the Act and Regulations.

Section 21(p)(1) of the Act - Causing or allowing the open dumping of any waste in a manner which results in litter.

Palmer, Palmer, & Krulac caused or allowed the open dumping of building demolition waste on their property which resulted in litter.

Section 21(p)(7) of the Act - Causing or allowing the deposition of general construction or demolition debris as defined in Section 3.78 of this Act.

Palmer, Palmer, & Krulac caused or allowed the deposition (open dumping) of general construction or demolition debris on their property.

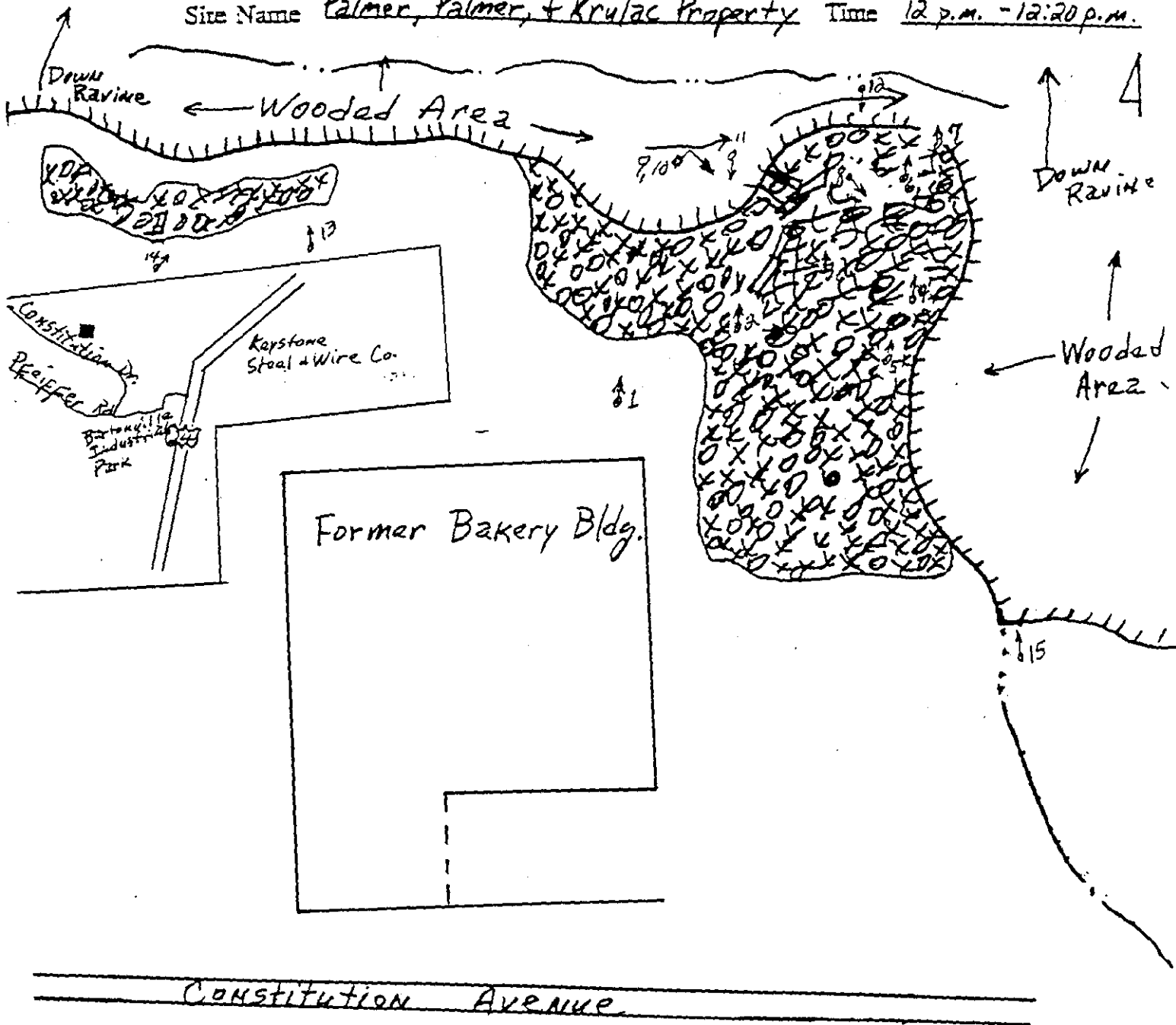
Sections 815.201 of the Illinois Regulations - All landfills regulated under this Part shall file an initial facility report with the Agency to provide information concerning location and disposal practices of the facility.

Palmer, Palmer, & Krulac failed to file the required initial facility report.

JJ/

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
SITE SKETCH

Date Of Inspection 5/17/2000 Inspector James Jone
Site Code 1430055048 County Peoria
Site Name Palmer, Palmer, + Krulac Property Time 12 p.m. - 12:20 p.m.



LEGEND:

- Direction of Photographs
- ~ ~ ~ Stream at bottom of ravine
- INSET: Location of former Bakery Building ■

Attachment A

1. 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: **The discharge of contaminants was caused, threatened, or allowed, so as to cause or tend to cause water pollution in Illinois.**

2. 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: **Contaminants were deposited upon the land in such place and manner so as to create a water pollution hazard.**

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(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.**

5. 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: **The open dumping of waste was caused or allowed in a manner which resulted in litter.**

6. 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 general or clean construction or demolition debris.

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.**

Suggested Resolutions

1. **Immediately cease all open dumping. Do not dispose of any of the waste by open burning.**
2. **By September 1, 2000 remove all waste to a permitted landfill or transfer station. Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center. If any asbestos is in the open dumped waste, the removal and disposal must be conducted in accordance with NESHAP regulations.**
3. **By September 7, 2000 submit to the Illinois EPA copies of receipts that document the proper disposal or recycling of the wastes.**

The written response to this Violation Notice must include information in rebuttal, explanation, or justification of each alleged violation and must be submitted to the Illinois EPA by certified mail, within 45 days of receipt of this Violation Notice. The written response must also include a proposed Compliance Commitment Agreement that commits to specific remedial actions, includes specified times for achieving each commitment, and may include a statement that compliance has been achieved.

DLPC COMPLAINT INVESTIGATION FORM

1430055048 - Peoria County
Bartonville | Palmer Palmer & Krulac Property
DATE RECEIVED 5/17/00 BY J. Tripse (BY PHONE) IN PERSON BY MAIL
COMPLAINANT DLPC - Asbestos RESPONDENT John Palmer Sr.
STREET _____ STREET 40 Blue Ridge Construction
CITY _____ CITY Bartonville, IL 61607
TELEPHONE _____ TELEPHONE 309/633-0051

DIRECTIONS TO SOURCE _____
COMPLAINT Demolition waste from the demolishing of the bakery building on old state property in Bartonville is being dumped at the rear of the property and down into a ravine.

COMPLAINT ASSIGNED TO J. Jones COMPLAINT HAZARDOUS YES NO

INVESTIGATION FINDINGS

DATE May 17, 2000 TIME 12 P.M. - 12:20 P.M. BY J. Jones
INTERVIEWED John Palmer Sr. WEATHER Cldy + raining, 67°F PHOTOS _____

OBSERVATIONS I observed building demolition waste consistent with the make-up of the material ~~the~~ the building on the property in question. Bricks mixed with splintered boards, metal wiring insulation, and apparent asbestos piping insulation.

VIOLATIONS OBSERVED Sections 12(a), 12(d), 21(a), 21(e), and 21(p)(1) of the Act and Section 815.201 of the Regulations.

INSPECTION REPORT NONE (SOLID WASTE) RCRA MEMORANDUM
ENFORCEMENT ACTION NONE VN REFERRED TO EDG (ULR) CONFIDENTIAL

DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 1



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 2



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 3



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 4



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 5



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 6



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 7



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the east southeast

PHOTOGRAPH NUMBER: 8



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 9



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 10



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 11



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 12



DATE: May 17, 2000

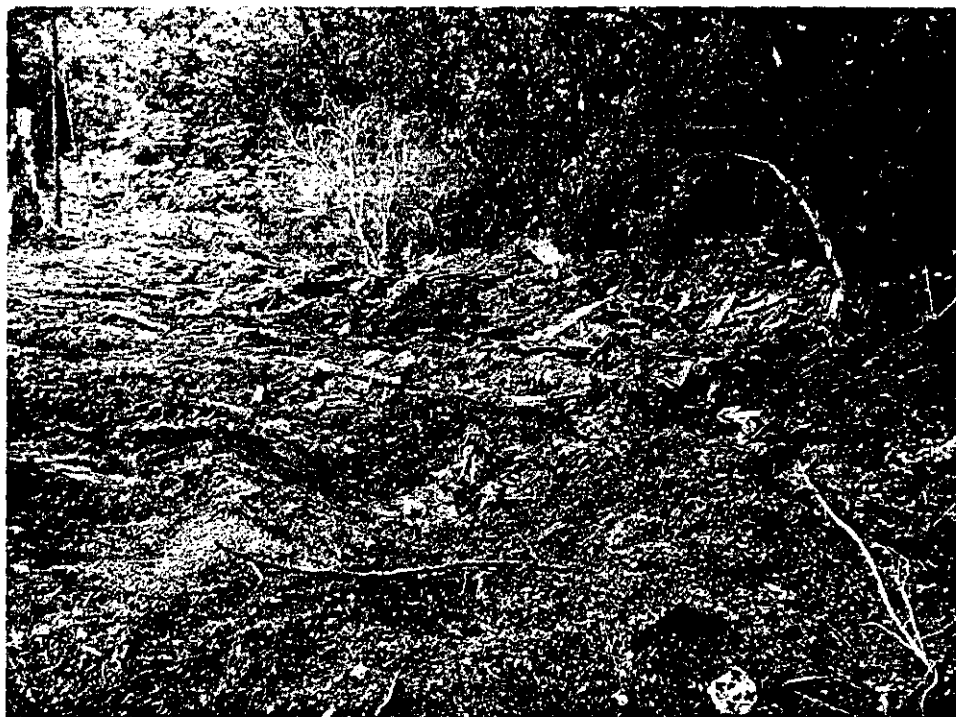
TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 13



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 14



DATE: May 17, 2000

TIME:
12 p.m. - 12:20 p.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer Palmer & Krulac Property
USEPA

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 15





ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

217/782-5811
TDD 217/782-9143

June 22, 2000

John Palmer Sr.
Blue Ridge Construction
4004 Becker Drive, P.O. Box 4151
Bartonville, Illinois 61607

CERTIFIED MAIL # 7099 3400 0001 2105 5361
RETURN RECEIPT REQUESTED

RE: Violation Notice M-2000-03005
I.D. A00000191 (Bureau of Air) and 1430055048-Peoria County (Bureau of Land)
Site: Former Peoria State Mental Health Building, Bartonville

Dear Mr. Palmer:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of violations of environmental statutes, regulations or permits as set forth in Attachments A and B to this letter. Attachments A and B include an explanation of the activities that the Illinois EPA believes may resolve the specified violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the violations cited, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. The response must address each violation specified in Attachments A and B and include for each an explanation of the activities that will be implemented and the time schedule for the completion of each activity. The written response will constitute a proposed Compliance Commitment Agreement ("CCA") pursuant to Section 31 of the Act. The Illinois EPA will review the proposed CCA and will accept or reject it within 30 days of receipt.



Page 2

Violation Notice M-2000-03005

Blue Ridge Construction

I.D. A00000191 (Bureau of Air) and 1430055048-Peoria County (Bureau of Land)

Site: Former Peoria State Mental Health Building, Bartonville

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with a referral to the prosecutorial authority.

Written communications should be directed to YASMINE KEPPNER, Illinois EPA, Bureau of Air, Compliance Unit, P.O. Box 19276, Springfield, Illinois 62794-9276. All communications must include reference to this Violation Notice number M-2000-03005 *117-524-0908*

Questions regarding the Bureau of Air violations should be directed to DENNIS HANCOCK at 815/223-1344, and questions regarding the Bureau of Land violations should be directed to JAMES JONES at 309/693-5462.

Sincerely,



David "Buzz" Asselmeier, Acting Manager
Compliance and Systems Management Section
Bureau of Air

DA:YK

Attachments

cc: BOL FOS Peoria Regional Office
BOL Compliance Unit
BOA FOS Peoria Regional Office
BOA FOS LaSalle District Office
BOA Division of Legal Counsel
BOA FOS Asbestos Unit

Violation Notice M-2000-03005

Blue Ridge Construction

I.D. A00000191 (Bureau of Air) and 1430055048-Peoria County (Bureau of Land)

Site: Former Peoria State Mental Health Building, Bartonville

ATTACHMENT A

BUREAU OF AIR

VIOLATIONS:

Per an inspection by Dennis Hancock on May 17, 2000, and other available information:

1. Section 9(a) of the Act and 35 Ill. Adm. Code 201.141: Blue Ridge Construction caused the release of dry friable regulated asbestos-containing material ("RACM") into the environment during demolition so as to cause or tend to cause air pollution.
2. 40 CFR 61.145(a): Blue Ridge Construction failed to conduct a thorough inspection of the former Peoria State Mental Health facility for the presence and location of asbestos-containing material prior to demolition activities.
3. 40 CFR 61.145(b)(3): Blue Ridge Construction failed to provide the Illinois EPA with a properly completed notice of demolition and renovation at least ten working days before commencing any such activities at the former Peoria State Mental Health facility.
4. 40 CFR 61.145(c)(1): Blue Ridge failed to remove all RACM prior to any activity that would break up or dislodge any of the RACM at the former Peoria State Mental Health facility.
5. 40 CFR 61.145(c)(2)(i)(ii): Blue Ridge Construction failed to adequately wet all RACM and prevent damage or disturbance to the RACM exposed during cutting or disjoining operations at the former Peoria State Mental Health facility.
6. 40 CFR 61.145(c)(6): Blue Ridge failed to adequately wet and maintain wet all RACM and regulated asbestos-containing waste material generated until collected and contained in preparation for disposal.
7. 40 CFR 61.150(a)(1)(iii)(iv)(v): Blue Ridge failed to wet, containerize, and label all asbestos-containing waste material.
8. 40 CFR 61.150(b): Blue Ridge failed to deposit, as soon as practicable, all asbestos-containing waste material generated during demolition activities within a site permitted to accept such waste.

Blue Ridge Construction

I.D. A00000191 (Bureau of Air) and 1430055048-Peoria County (Bureau of Land)

Site: Former Peoria State Mental Health Building, Bartonville

ATTACHMENT A (continued)

RECOMMENDATIONS:

The Illinois EPA suggests that Blue Ridge Construction take the following actions in order to address the above violations:

1. Implement measures to adequately wet and keep wet all asbestos-containing waste material and asbestos contamination, post signs warning of the presence of asbestos, construct barriers to prevent public access to the site mentioned above, and lock and do not use any piece of equipment which has been used to conduct demolition activities at that site, until analytical test data indicates asbestos is not present or acceptable levels of asbestos exist at or on each location or item.
2. Retain an asbestos abatement project designer, licensed by the Illinois Department of Public Health ("IDPH"), to design and submit to the Illinois EPA for review and acceptance, within 10 working days, a project design specification setting forth the following:
 - (a) Methods and procedures to be utilized to determine the presence of asbestos.
 - (b) Work practices and procedures to be utilized to properly handle, remove, and dispose of all asbestos-containing waste material and asbestos contamination found within the site being demolished, on any equipment which has been used to conduct demolition activities at those sites, and on adjacent properties.
3. Within 10 days from the date of acceptance by the Illinois EPA of the project design specification, retain an asbestos abatement contractor licensed by IDPH to remove all asbestos-containing waste material and asbestos contamination in accordance with the project design specification.
4. Within 10 days of receipt of this Violation Notice, provide to the Illinois EPA a written statement containing detailed summary of all the asbestos removal and demolition activities performed at the site including the identity of each worker utilized to conduct such activities, the locations of all the asbestos-containing waste material and asbestos contamination, and the equipment utilized to remove, handle, and dispose of all such material.
5. Prior to future demolition and renovation activities:
 - (a) Submit to the Illinois EPA a properly completed written notice of demolition and renovation at least 10 working days prior to the demolition or renovation of the facility.
 - (b) Ensure that each facility is inspected for asbestos-containing material. If the facility is found to have asbestos-containing material, comply with all the requirements of the NESHAP regulations.
6. Provide a written statement ensuring all demolition and renovation activities will be performed, in the future, in compliance with the National Emission Standards for Hazardous Air Pollutants, 40 CFR 61, Subpart M – National Emission Standards for Asbestos.

Violation Notice M-2000-03005

Blue Ridge Construction

I.D. A00000191 (Bureau of Air) and 1430055048-Peoria County (Bureau of Land)

Site: Former Peoria State Mental Health Building, Bartonville

ATTACHMENT B

BUREAU OF LAND:

VIOLATIONS:

1. 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: **The discharge of contaminants was caused, threatened, or allowed, so as to cause or tend to cause water pollution in Illinois.**

2. 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: **Contaminants were deposited upon the land in such place and manner so as to create a water pollution hazard.**

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(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.**

Blue Ridge Construction

I.D. A00000191 (Bureau of Air) and 1430055048-Peoria County (Bureau of Land)

Site: Former Peoria State Mental Health Building, Bartonville

ATTACHMENT B (continued)

VIOLATIONS (continued):

5. 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: **The open dumping of waste was caused or allowed in a manner which resulted in litter.**

6. 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 general or clean construction or demolition debris.

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.**

Suggested Resolutions

1. Immediately cease all open dumping. Do not dispose of any of the waste by open burning.
2. By September 1, 2000 remove all waste to a permitted landfill or transfer station. Scrap metal not disposed at a landfill can be taken to a scrap metal facility or recycling center. If any asbestos is in the open dumped waste, the removal and disposal must be conducted in accordance with NESHAP regulations.
3. By September 7, 2000 submit to the Illinois EPA copies of receipts that document the proper disposal or recycling of the wastes.

The written response to this Violation Notice must include information in rebuttal, explanation, or justification of each alleged violation and must be submitted to the Illinois EPA by certified mail, within 45 days of receipt of this Violation Notice. The written response must also include a proposed Compliance Commitment Agreement that commits to specific remedial actions, includes specified times for achieving each commitment, and may include a statement that compliance has been achieved.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Peoria LPC#: 1430055048 Region: Peoria
 Location/Site Name: Bartonville/Palmer, Palmer, & Krulac Property
 Date: May 17, 2000 Time: From 12 p.m. To 12:20 p.m. Previous Inspection Date: None
 Inspector(s): James Jones Weather: Cloudy & raining, 67-F
 No. of Photos Taken: # 15 Est. Amt. of Waste: 40 yds³ Samples Taken: Yes# No x
 Interviewed: John Palmer Sr. Complaint #: C-00-067-P

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

John G. Palmer Sr.
c/o Blue Ridge Construction
P.O. Box 4151
Bartonville, Illinois 61607
309/633-0051

David Krulac
c/o Blue Ridge Construction
P.O. Box 4151
Bartonville, Illinois 61607
309/633-0051

Randall J. Palmer
c/o Blue Ridge Construction
P.O. Box 4151
Bartonville, Illinois 61607
309/633-0051


RECEIVED
JUN 20 2000
IEPA-DLPC

	SECTION	DESCRIPTION	VIOL.
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	x
4.	12(d)	CREATE A WATER POLLUTION HAZARD	x
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	x
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	
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	x
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	x
	(2)	Scavenging	
	(3)	Open Burning	
	(4)	Deposition of Waste in Standing or Flowing Waters	

LPC#: 1430055048

Inspection Date: May 17, 2000

	(5)	Proliferation of Disease Vectors	
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	
	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	X
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	
11.	722.111	HAZARDOUS WASTE DETERMINATION	
12.	808.121	SPECIAL WASTE DETERMINATION	
13.	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	
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	
15.	OTHER:	Section 815.201	


Signature of Inspector(s)

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).

LPC#: 1430055048

Inspection Date: May 17, 2000

6. Items marked with an "NE" were not evaluated at the time of this inspection.
7. Statutory effective date: through 7/9/99.
8. Regulatory effective date: through 5/20/99.

1430055048 -- Peoria County
Palmer, Palmer, & Krulac Property
May 17, 2000
James Jones
Page 1 of 2

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JUN 20 2000
IEPA-DLPC

NARRATIVE

On Wednesday, May 17, 2000, James Jones of Peoria-DLPC/FOS investigated citizen complaint #C-00-067-P at the Bartonville Industrial Park in Bartonville, Illinois (formerly Peoria Mental Health Hospital). The property is located on Constitution Avenue in a building formerly called the "Old Bakery" building. The building has no street number. According to the complainant, demolition waste from the demolishing of the "Old Bakery" building was being dumped at the rear, the side, and down into the ravine of the property by contractors.

During the investigation, Jones observed building demolition waste consistent with the make-up of the materials in the building on the property. Bricks mixed with splintered boards, metal wiring insulation, and apparent asbestos piping insulation was observed dumped in several locations on the property (see site sketch). The open dumped building demolition waste extended down into the ravine where a small stream traversed across the property. This is significant because it began to rain during the investigation, and the potential for water pollution to occur was increased, in that, the rain could have washed asbestos fibers down the ravine into the stream.

Following the investigation, Jones talked to John Palmer Sr. about the complaint. According to Mr. Palmer, the building and property is owned by himself, Randall Palmer and David Krulac. Mr. Palmer stated the building and property was sold to them by the City of Bartonville. City of Bartonville officials, according to Mr. Palmer, did not tell them that permits from DAPC were required prior to demolition of the building. In addition, Mr. Palmer claims that they were also told by City of Bartonville officials that it was alright to demolish the building and place the contents on-site.

Based on Jones' findings during the investigation, the following apparent violations were cited on the "Open Dump Inspection Checklist":

Section 12(a) of the Act - Causing, threatening or allowing water pollution.

Palmer, Palmer, & Krulac caused or allowed water pollution by open dumping building demolition waste on their property.

Section 12(d) of the Act - Creating a water pollution hazard.

Palmer, Palmer, & Krulac created a water pollution hazard by open dumping building demolition waste on their property.

Section 21(a) of the Act - Causing or allowing open dumping.

Palmer, Palmer, & Krulac caused or allowed the open dumping of building demolition waste on their property.

1430055048 -- Peoria County
Palmer, Palmer, & Krulac Property
May 17, 2000
James Jones
Page 2 of 2

Section 21(e) of the Act - Disposing any waste at a site not meeting the requirements of the Act and Regulations.

Palmer, Palmer, & Krulac caused or allowed the disposal of building demolition waste on their property which does not meet the requirements of the Act and Regulations.

Section 21(p)(1) of the Act - Causing or allowing the open dumping of any waste in a manner which results in litter.

Palmer, Palmer, & Krulac caused or allowed the open dumping of building demolition waste on their property which resulted in litter.

Section 21(p)(7) of the Act - Causing or allowing the deposition of general construction or demolition debris as defined in Section 3.78 of this Act.

Palmer, Palmer, & Krulac caused or allowed the deposition (open dumping) of general construction or demolition debris on their property.

Sections 815.201 of the Illinois Regulations - All landfills regulated under this Part shall file an initial facility report with the Agency to provide information concerning location and disposal practices of the facility.

Palmer, Palmer, & Krulac failed to file the required initial facility report.

JJ/

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
SITE SKETCH

Date Of Inspection 5/17/2000

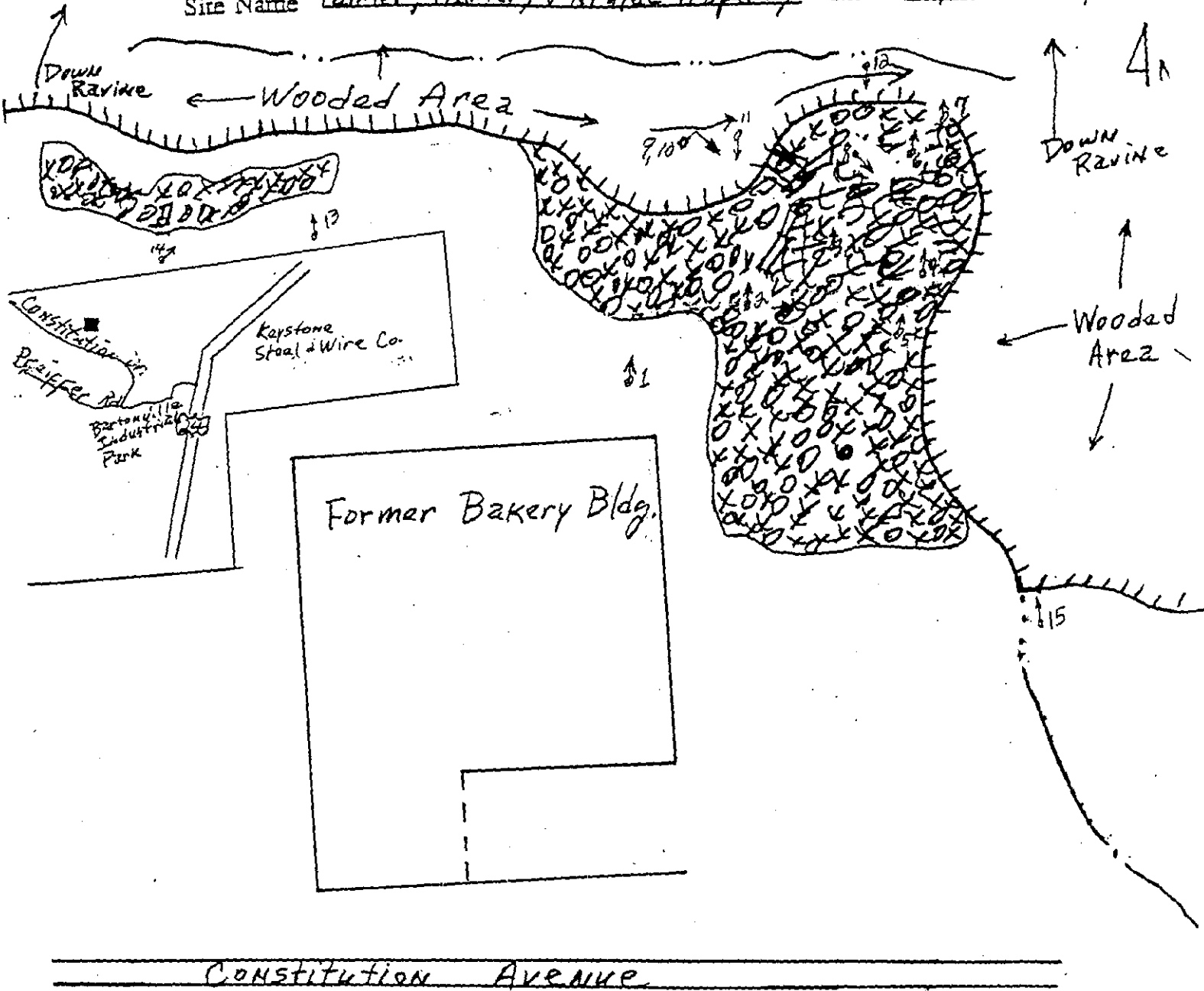
Inspector James Jones

Site Code 1430055048

County Peoria

Site Name Palmer, Palmer, + Krulac Property

Time 12 p.m. - 12:20 p.m.



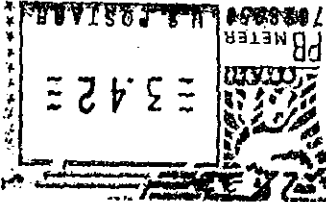
LEGEND:

- Direction of Photographs
- ~ ~ ~ Stream at bottom of ravine
- INSET: Location of former Bakery Building ■

6-24-08

PLACE STICKER AT TOP OF ENVELOPE
TO THE RIGHT OF RETURN ADDRESS.
FOLD AT DOTTED LINE

CERTIFIED MAIL



19E5 5012 1000 004E 66D7

Illinois Environmental Protection Agency
Division of Air Pollution Control
P.O. Box 19506
Springfield, IL 62794-9506



PALMER, PALMER, & KRULAC
4004 N. Bekcer Dr., P. O. Box 4151
Bartonville, Illinois 61607

August 2, 2000

Ms. Yasmine Keppner
Illinois EPA
Bureau of Air Compliance Unit
P. O. Box 19276
Springfield, IL 62794-9276

RECEIVED

AUG 04 2000

Environmental Protection Agency
Bureau of Air
State of Illinois

Re: Violation Notice M-2000-03005
I.D. A00000191 (Bureau of Air) and 143005048-Peoria County (Bureau of Land)
Site: Former Peoria State Mental Health Building, Bartonville, Illinois

Dear Ms. Keppner:

I am writing in response to the above violation notice M-2000-03005, the Illinois Environmental Protection Agency, letter dated June 22, 2000; the Illinois Environmental Protection Agency asbestos inspection memorandum dated May 19, 2000, and the Environmental Health Technologies, Inc., report dated May 31, 2000.

The brief history of this Real Estate parcel and the Owners are recapitulated by the following outline:

(a). March 9, 2000, Owners submitted a sealed bid to the Village of Bartonville in response to a notice of sale in a local publication.

(b). April 13, 2000, the Owners offer is accepted and entered into a Real Estate sale contract.

(c). On or around April 19, 2000, the Owners went to the Village of Bartonville to obtain the necessary building and demolition permits. The Owners were informed by the Village of Bartonville that no permits were required.

(d). April 24, 2000, workers began cleaning brush away from building, boarded up windows and installed silt fencing on the east side of the property along the old fence line for length of the building site.

(e). May 11, 2000, workers began the demolition of the dining hall east wall.



(f). May 17, 2000 Mr. Dennis Hancock arrived on site, identified himself and informed the Owners of the State Requirement of Notification for Demolition and Renovations. The Owners agreed to stop all work and wait for the test results and follow up further with the IEPA for correct procedures of work.

(g). May 19, 2000, the Owners contacted Illinois American Water Company to install a meter on the fire hydrant and provide water so site could be kept wet.

(h). May 23, 2000, Illinois American Water Company installed a meter on the fire hydrant.

In addition, the Owners contracted Bodine Environmental Services for additional sample testing and interview Clark Engineering for their Proposal, as Project Designer.

(i). June 29, 2000, the Owners accepted Clark Engineering's proposal and signed a contract agreement for their services as Project Designer. The recommended plan proposed by Clark Engineering is attached to this correspondence for your review.

As stated in the IEPA letter dated June, 22, 2000, a response to the violation in attachment "A" and attachment "B" are required. The Owners have implemented or are in progress with the items listed:

1.) Section 9 (a) of the act and 35 Ill. Adm. Code 201.141: The Owners have taken steps to adequately wet and keep wet the demolition material, constructed fencing, closed windows, posted signs and obtained additional sample testing from Bodine Environmental Services.

2.) 40 CFR 61.145 (a): The Owners have contracted the services of Clark Engineers as the Project Designer and have attached their remediation plan to this response.

3.) 40 CFR 61.145 (b) (3): Upon approval of the proposed remediation plan, the Owners shall work with Clark Engineers in the selection of a licensed Asbestos Abatement Contractor.

4.) 40 CFR 61.145 (c) (1): The workers involved in the renovation of the project which included the demolition are: John Palmer, Sr., Randall Palmer, Joseph Palmer and Timothy Garren. The equipment used for this work were miscellaneous hand tools (shovels, hammers, etc.), cutting torch and a John Deere Backhoe.

5.) 40 CFR 61.145 (c) (2) (i) (ii): On May 17, 200, when Mr. Dennis Hancock arrived at the project site, the Owners voluntarily stopped all demolition activities. the Owners will further comply with the Remediation Plan presented by Clark Engineers and submit a notification of demolition and renovation form for this work and any future remodeling or demolition.

6.) 40 CFR 61.145 (c) (6): The Owners shall retain a copy of the NESHAP Regulations attached to the notification of demolition and renovation form, provided by Mr. Hancock on the day of his inspection, along with the recommendations from our Project Designer in following the guidelines for any future applicable work.

7.) 40 CFR 61.150 (a) (1) (iii) (iv) (v): The Owners shall comply with the Asbestos handling methods as indicated in the Remediation Plan provided by Clark Engineers.

8.) 40 CFR 61.150 (b): The Owners shall comply with the debris disposal requirements as indicated in the Remediation Plan provided by Clark Engineers.

Bureau of Land Attachment B response:

1.) Section 12 (a); 12 (d); 21 (a); 21 (e); 21 (p) (1); 21 (p) (7): Prior to the start of renovation, the Owners contacted the Local Building/Permitting Office with the Village of Bartonville and asked for permits and procedures for debris removal. The Owners were told no permits were required and it was all right with the Village for the Owners to deposit the demolition debris in the ravine behind the building. Since Mr. Hancock's inspection, all demolition activity has stopped and will be cleaned up in accordance with Clark Engineers Remediation Plan.

Schedule Information:

The Owners are working with Clark Engineers to coordinate the cleanup effort using their knowledge of approved Asbestos Abatement Contractor. The following time frame is being targeted pending final review of Clark Engineers proposed Remediation Plan by the IEPA.

IEPA Review	1 - 2 weeks
Bidding/Award to Licensed Contractor	1 - 2 weeks
Cleanup at site	1 - 2 weeks
Testing	1 - 3 weeks
Confirmation back to IEPA	

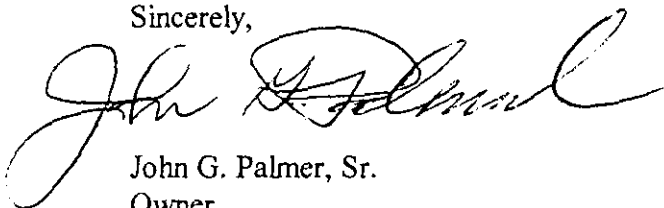
The Owners are currently in progress of contacting licensed abatement contractors to obtain their availability and scheduling. We understand time is of the essence and our efforts are to expedite the cleanup once the Remediation Plan is approved.

I hope this information is satisfactory to your requirements and please understand it is our intention to cooperate with the IEPA, Clark Engineers and the cleanup contractor in order for this cleanup to be completed as soon as possible.

Page Four (4)
August 2, 2000

If you have any questions or require further information please contact me at (309)
633-0051.

Sincerely,

A handwritten signature in cursive script, appearing to read "John G. Palmer, Sr.", written in black ink.

John G. Palmer, Sr.
Owner

JGP:jk



CLARK ENGINEERS, INC.

I.D. #: _____

Name: _____

Prog.: _____ Category: _____

July 27, 2000

Mr. John Palmer
Palmer, Palmer, and Krulac
c/o Blue Ridge Construction
4004 Becker Drive
Bartonville, IL 61607

Re: Remediation Plan
Former Bakery Building
Former State Mental Hospital
Bartonville, Illinois
CE Job No. PAPK0001

RECEIVED

AUG 04 2000

Environmental Protection Agency
Bureau of Air
State of Illinois

Dear Mr. Palmer:

As requested, Clark Engineers, Inc. has conducted the required inspection of the site and developed remediation plans for the site. We understand that this information is to be included as part of your required response to the Illinois Environmental Protection Agency (IEPA). We anticipate that once submitted, IEPA will approve the plans and/or have questions regarding the plans.

Background Information

On or about May 17, 2000, Palmer, Palmer, and Krulac undertook the removal of building debris from the dining area of the bakery building at the former State Mental Hospital in Bartonville, Illinois. In response to a complaint, the Illinois Environmental Protection Agency (IEPA) sent a representative, Mr. Dennis Hancock, to the site to perform an inspection for potential air pollution violations. Mr. Hancock observed suspect asbestos-containing materials in the debris, and collected samples of same. The fallen roof and building material from the dining area had been placed along the slope of a ravine on the north east side of the building. After seeing the site, Mr. Hancock notified the Peoria regional IEPA office and requested that a representative be sent to explore potential land pollution violations. Mr. Hancock and Mr. James Jones, the IEPA Land Pollution representative, both found the site to be in apparent violation of air and land pollution regulations.

Palmer, Palmer, and Krulac were apparently unaware of the requirement to submit a Notification of Demolition and Renovation prior to performing such work. As a result, it has been, and continues to be, their intention of cooperating with the IEPA to remediate the problem, and, of course, submit the required notification if or when such work is undertaken in the future.

In order to address the problem, Palmer, Palmer, and Krulac have undertaken the steps necessary to perform a building inspection to identify potential asbestos-containing materials, and via sampling, identify definite asbestos-containing materials. The results of the inspection were then used to formulate the plan for remediation.

Inspection Results

Numerous materials at the site were identified as suspect asbestos-containing materials. The materials consisted of white cementitious block pipe insulation, brown corrugated paper pipe insulation, wall plaster, ceiling plaster, roofing material, paneled wall insulation, and soil samples near the affected area. These materials were sampled by IEPA representatives, Bodine Environmental Services, and PAT Services as a sub-consultant to Clark Engineers. The sample results are included in Attachment 1. The laboratory results show that the only materials identified as asbestos-containing were the two types of pipe insulation. All other materials sampled were not asbestos-containing.

Remediation Plan

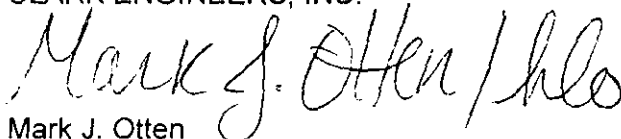
The two types of pipe insulation that were determined to be asbestos-containing were located in several locations around the perimeter of the dining area. This pipe insulation will be abated by wrapping the entire pipe sections and disposing of them as asbestos-containing waste. At locations where pipes penetrate walls that lead into areas not to be addressed by these abatement activities, the pipe insulation will be removed from the pipe at a location near the backside of the wall, the pipe then will be cut, and then pulled and wrapped simultaneously through the wall into the dining area. The remaining hole in the wall will then be cleaned of asbestos materials so that it can be grouted closed after the abatement activities have concluded.

In addition, since the roof had collapsed taking any and all pipe insulation with it, there was also pipe insulation located sporadically in and around the debris placed in the ravine. Rather than attempting to sample portions of the debris and then attempting to segregate non-contaminated materials from those contaminated with asbestos, Palmer, Palmer, and Krulac have elected to remove all of the debris which had been deposited in the ravine from the building and dispose of all of it as asbestos-contaminated waste. The plan sheet included as Attachment 2 identifies the asbestos abatement plans.

We appreciate this opportunity to be of service. If you have any questions, please feel free to call me.

Sincerely,

CLARK ENGINEERS, INC.



Mark J. Otten
Project Manager

MJO:hlo

Attachment 1

FROM : Panasonic FAX SYSTEM
 JUN-12-00 MON 02:51 PM
 JUN. 12, 2000 10:53 AM

PHONE NO. :
 BODINE ENVIRONMENTAL

FAX NO. 217 864 2086
 Jun. 19 2000 02:40PM P12
 P. 12
 10,402 P.3/5

IATL Internacional Asbestos
 Testing Laboratories

16000 Horizon Way Unit 100 Mt. Laurel, NJ 08054
 Telephone: 856-231-9440 Fax: 856-231-0813

PRELIMINARY RESULTS

Client: Bodine Environmental Services
 5350 East Enclave Rd.
 Decatur IL 62521-2379

Date: 06/01/2000
 Project: 107587
 Project No.: Blue Ridge, Pearis, 05-24-00

Analysis Method: Polarized Light Microscopy
 EPA 600/2-93/116

Turn Around Time:
 Analyzed By:
 Results Released By:

BULK SAMPLE ANALYSIS SUMMARY

Lab No.	Client No.	% Asbestos	Type	% Non-Asbestos Fibrous Material	Type	% Non-Fibrous Material
1093069	107587-B-1	None Detected	None Detected	Trace	Cellulose	100
1093070	107587-B-2	None Detected	None Detected	None Detected	None Detected	100
1093071	107587-B-3	None Detected	None Detected	None Detected	None Detected	100
1093072	107587-B-4	None Detected	None Detected	Trace	Cellulose	100
1093073	107587-B-5	None Detected	None Detected	Trace	Cellulose	100

Preliminary results are issued by IATL to expedite procedures to clients based upon the above data. IATL assumes that all of the sampling methods and data upon which these results are based, have been accurately supplied by the client. These results may not have been reviewed by the Laboratory Director. Final Certificates of Analysis will follow these preliminary results. The issued COA is considered the official results. NOTE: PC = POINT COUNT



PAT SERVICES

PROFESSIONAL
ANALYTICAL TESTING

RR 1 BOX 155
GLENARM, IL 62536
(217) 483-3159

POLARIZED LIGHT MICROSCOPY BULK ASBESTOS ANALYSIS

CLIENT: CLARK ENGINEERS MW INC, 111 NE JEFFERSON AVE, PEORIA, IL 61602
ATTN: MARK OTTEN FAX 309-676-5445

PROJECT: BLUE RIDGE OLD STATE HOSPITAL, BARTONVILLE DATE: 7/7/00

<u>SAMPLE#</u>	<u>LOCATION DESCRIPTION</u>	<u>NON-FIBROUS MATERIAL</u>	<u>%</u>	<u>FIBROUS MATERIAL</u>	<u>%</u>	<u>ASBESTOS</u>	<u>%</u>
01	BACK SIDE OF COOLER LAYERS: INSULATION ADHESIVE	CORK MASTICBINDERS	100 95	NONE DETECTED CELLULOSE		5	NONE DETECTED NONE DETECTED
02	BACK SIDE OF COOLER LAYERS: CONCRETE WALL ADHESIVE	GYP/CAL/QTZ MASTICBINDERS	100 95	NONE DETECTED CELLULOSE		5	NONE DETECTED NONE DETECTED
03	CEILING	GYP/CAL/QTZ	90	CELLULOSE		10	NONE DETECTED

ALL SAMPLES ANALYZED BY POLARIZED LIGHT MICROSCOPY WITH DISPERSION STAINING.
PERCENTAGES OF ASBESTOS WHEN PRESENT IN A SAMPLE, ARE VISUAL ESTIMATES BY VOLUME;
QUANTITATION IS ACHIEVED BY UTILIZING A STEREOBINOCULAR MICROSCOPE.

NVLAP ACCREDITATION APPLIES ONLY TO AHERA ANALYSIS 40 CFR CH 1 PART 763 APPENDIX A SUBPART C, F.

STAFF MICROSCOPIST

FROM : Panasonic FAX SYSTEM
 JUN-12-00 MON 02:50 PM
 JUN 11 2000 10:52:01

PHONE NO. :
 BODINE ENVIRONMENTAL

FAX NO. 217 864 2083

Jun. 19 2000 02:39PM P11
 P. 11
 NO. 422 P. 2/5

IATL International Asbestos
 Testing Laboratories

16000 Horizon Way Unit 100 Mt. Laurel, NJ 08054
 Telephone: 856-231-9449 Fax: 856-231-9218

PRELIMINARY RESULTS

Client: Bodine Environmental Services
 5350 East Firchouse Rd.
 Doanor IL 62521-2379

Date: 06/01/2000
Project: 107587
Project No.: Blue Ridge, Peoria, 05-24-00

Analysis Method: Polarized Light Microscopy
 EPA 600/R-93/116

Turn Around Time: _____
Analyzed By: _____
Results Released By: _____

BULK SAMPLE ANALYSIS SUMMARY

<u>Lab No.</u>	<u>Client No.</u>	<u>% Asbestos</u>	<u>Time</u>	<u>% Non-Asbestos Fibrous Material</u>	<u>Time</u>	<u>% Non-Fibrous Material</u>
1093061	107587-SPA-1	None Detected	None Detected	None Detected	None Detected	100
1093062	107587-SPA-2	None Detected	None Detected	None Detected	None Detected	100
1093063	107587-SPA-3	None Detected	None Detected	None Detected	None Detected	100
1093064	107587-SPA-4	None Detected	None Detected	None Detected	None Detected	100
1093065	107587-SPA-5	None Detected	None Detected	None Detected	None Detected	100
1093066	107587-MMA-1	None Detected	None Detected	20	Cellulose	80
1093067	107587-MMA-2	None Detected	None Detected	20	Cellulose	80
1093068	107587-MMA-3	None Detected	None Detected	15	Cellulose	85

Preliminary results are issued by IATL to expedite procedures to clients based upon the above data. IATL assures that all of the sampling methods and data upon which these results are based, have been accurately supplied by the client. These results may not have been reviewed by the Laboratory Director. Final Certificates of Analysis will follow these preliminary results. The signed COA is considered the official results. NOTE: FC = POINT COUNT

Blue Ridge Construction Co.
 Bulk Sampling Report

Bodine Project No. 107587
 Date of Report: 06/06/2000

1.0 Asbestos Bulk Sampling Results

Facility Name: COLLAPSED STRUCTURE
 Building Address: BLUE RIDGE CONSTRUCTION CO.
 4004 BECKER DRIVE
 GARDONVILLE, ILLINOIS 61607

Building Type: ABANDONED
 Sampling Date: 05/24/2000

SAMPLE #	DATE	SAMPLE DESCRIPTION	ASBESTOS		
			P.C.	YES	NO
107587-SPA-1	5/24/00	Wall Plaster, Smooth White (Building)			X
107587-SPA-2	5/24/00	Wall Plaster, Smooth White (Building)			X
107587-SPA-3	5/24/00	Wall Plaster, Smooth White (Building)			X
107587-SPA-4	5/24/00	Wall Plaster, Smooth White (Building)			X
107587-SPA-5	5/24/00	Wall Plaster, Smooth White (Backfilled Debris)			X
107587-MMA-1	5/24/00	Build-up Roofing, Black (Building)			X
107587-MMA-2	5/24/00	Build-up Roofing, Black (Collapsed Roofing)			X
107587-MMA-3	5/24/00	Build-up Roofing, Black (Backfilled Debris)			X
107587-B1	5/24/00	Soil Boring Sample (Collapsed Roofing)			X
107587-B2	5/24/00	Soil Boring Sample (Collapsed Roofing)			X
107587-B3	5/24/00	Soil Boring Sample (Collapsed Roofing)			X
107587-B4	5/24/00	Soil Boring Sample (Collapsed Roofing)			X
107587-B5	5/24/00	Soil Boring Sample (Backfilled Debris)			X



Section I of Two Sections
Summary

Analyst's Approval : (SK)

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

TEST REPORT

<u>EHT Number</u>	<u>Sample Identification</u>
18083	DH001-BMH, 5/17/00, Insulation From Pipe Laying On The Ground, South End Of Bldg. Asbestos, Chrysotile 20-30% Asbestos, Amosite 10-20% Cellulose 5-10% Unspecified Non-Fibrous Mat'l 40-50%
18084	DH002-BMH, 5/17/00, Pipe Insulation From Pipe On Ground, South End Of Bldg. Asbestos, Chrysotile 20-30% Asbestos, Amosite 20-30% Cellulose 5-10% Unspecified Non-Fibrous Mat'l 40-50%
18085	DH003-BMH, 5/17/00, Debris On Ground Besides Pipes, South End Of Bldg. Asbestos, Chrysotile 30-40% Asbestos, Amosite 10-20% Unspecified Non-Fibrous Mat'l 40-50%
18086	DH004-BMH, 5/17/00, Pipe Hanging From Broken Ends Inside Of Bldg. Asbestos, Chrysotile 20-30% Asbestos, Amosite 20-30% Unspecified Non-Fibrous Mat'l 50-60%
18087	DH005-BMH, 5/17/00, Insulation On Floor In Center Of Bldg. Area Asbestos, Chrysotile Trace Mineral Wool 90-95% Unspecified Non-Fibrous Mat'l 5-10%
18088	DH006-BMH, 5/17/00, Terrazzo Type Material (Red) South End Of Bldg. No asbestos detected (less than 1% if present) Cellulose Trace Unspecified Non-Fibrous Mat'l Greater than 95%



Section I of Two Sections
Summary

Analyst's Approval : [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

TEST REPORT

EHT Number

Sample Identification

18089	DH007-BMH, 5/17/00, Brown Paper Insulation Hanging From Pipe, West Side Of Bldg.
	Asbestos, Chrysotile 5-10%
	Cellulose 80-90%
	Unspecified Non-Fibrous Mat'l 10-20%



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18083
Identification: DH001-BMH, 5/17/00, Insulation From Pipe Laying On
The Ground, South End Of Bldg.
Dominant Color: Off-White
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

Asbestos, Chrysotile	20-30%
Asbestos, Amosite	10-20%
Cellulose	5-10%
Unspecified Non-Fibrous Material	40-50%

Observations & comments: A portion of the sample was dried for analysis.



Section II of Two Sections
Individual Layer Analysis

Analysts's Approval: [SK]

Client: Illinois Env. Protection Agency
Report Number: 00-05-01011

EHT Number: 18086
Identification: DH004-BMH, 5/17/00, Pipe Hanging From Broken Ends
Inside Of Bldg.
Dominant Color: White
Gross Sample Appearance: Heterogeneous, Mixed
Sample Type: Thermal Insulation

Layer Number: 1 General Description: Powder, Fibrous
Percent of Total Sample: 100%

=====> ASBESTOS CONTAINING MATERIAL <=====

Material Content

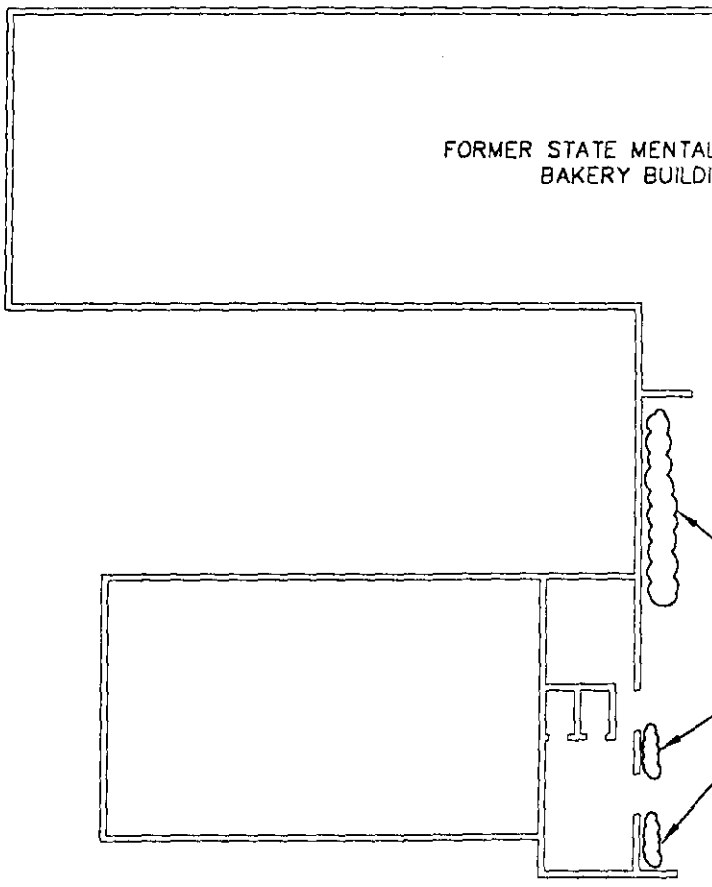
Asbestos, Chrysotile	20-30%
Asbestos, Amosite	20-30%
Unspecified Non-Fibrous Material	50-60%

Observations & comments: A portion of the sample was dried for analysis.

Attachment 2



ASBESTOS CONTAMINATION
CONSTRUCTION DE



FORMER STATE MENTAL
BAKERY BUILDING

MARK J. OTTEN
P.E. NO. : 062-048590 (EXPIRATION 11/30/01)
ASBESTOS PROJECT DESIGNER
I.O.P.H. NO. : 100-6198

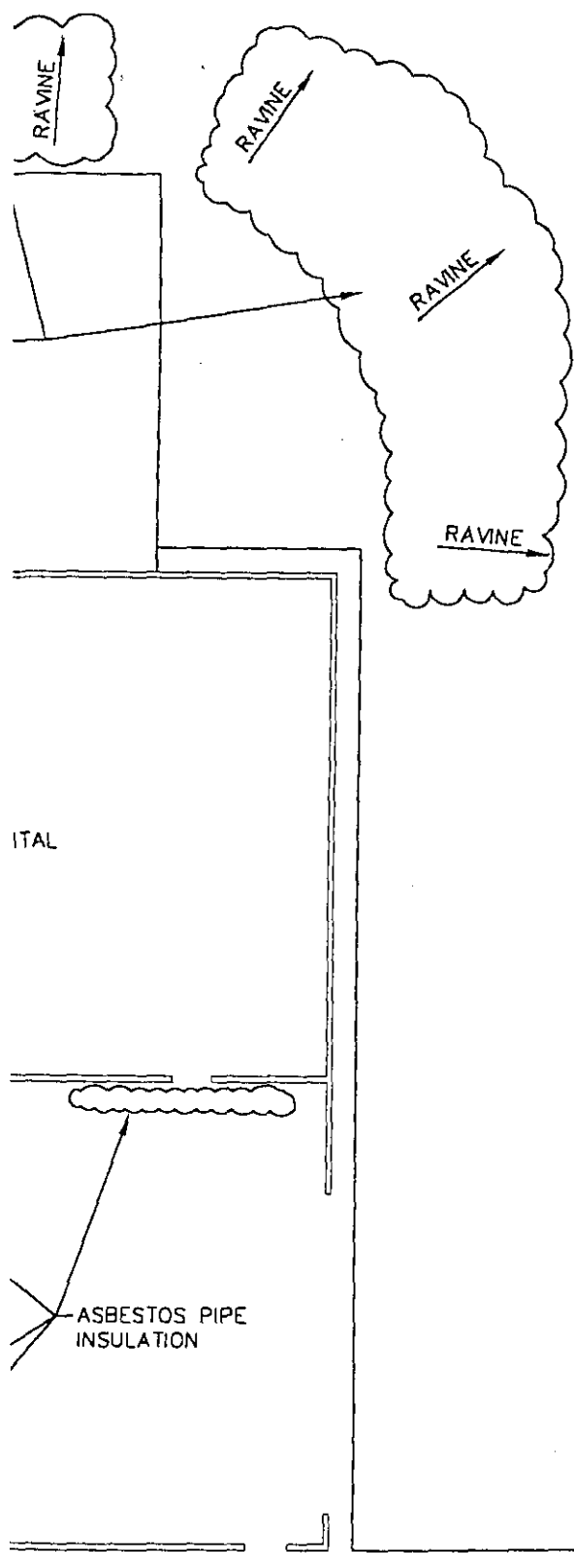
CONSTITUTION D



CLARK ENGINEERS, INC.

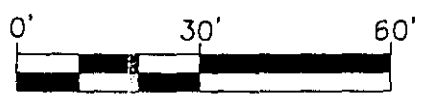
111 NE Jefferson Ave.
Peoria, Illinois 61602
Ph(309)676-8464
FAX(309)676-5445
IL Design Firm Registration
No. 184-00871

PALMER, PALMER, AND K
BARTONVILLE, ILLINOIS



GENERAL ABATEMENT NOTES:

1. FLOOR PLANS ARE DIAGRAMMATIC AND ARE INTENDED TO INDICATE THE GENERAL PROXIMITY AND EXTENT OF THE ACM THROUGHOUT THE WORK AREAS. ASBESTOS CONTRACTOR TO VERIFY LOCATION AND QUANTITY OF INDICATED ACM PRIOR TO REMOVAL.
2. ASBESTOS CONTRACTOR SHALL DEVELOP AND SUBMIT TO OWNER A WRITTEN WORK SCHEDULE TO BE COORDINATED WITH THE OWNER PRIOR TO COMMENCEMENT OF WORK.
3. ASBESTOS CONTRACTOR SHALL COORDINATE WITH OWNER TO VERIFY SHUT DOWN OF ELECTRICAL SYSTEMS WITHIN THE BUILDING.
4. CONTRACTOR SHALL PROVIDE AND MAINTAIN A 3-CHAMBERED REMOTE DECONTAMINATION UNIT IN ACCORDANCE WITH OSHA REQUIREMENTS THROUGHOUT THE DURATION OF PROJECT. LOCATION SHALL BE COORDINATED WITH OWNER.
5. CONTRACTOR SHALL REMOVE ALL PIPE WITH THE PIPE INSULATION FROM THE FLOOR AND WALLS IN THE AREAS SHOWN ON THE PLANS. UPON COMPLETION AND REMOVAL OF PIPE AND INSULATION, CONTRACTOR SHALL WET WIPE THE FLOOR AREAS BENEATH THE PIPE INSULATION. ALL WASTE SHALL BE DISPOSED AS ASBESTOS WASTE.
6. WHERE PIPES PENETRATE WALLS, CONTRACTOR SHALL REMOVE PIPE INSULATION FROM THE PIPE ON THE BACK SIDE OF THE WALLS, CUT THE PIPE, THEN SIMULTANEOUSLY WRAP AND PULL THE PIPE WITH PIPE INSULATION INTO THE DINING AREA, AND THEN CLEAN ANY ASBESTOS FROM THE HOLE TO ALLOW GROUTING TO BE DONE BY OTHERS. ALL WASTE SHALL BE DISPOSED AS ASBESTOS WASTE.
7. CONTRACTOR SHALL ADEQUATELY WET ALL ASBESTOS-CONTAINING CONSTRUCTION DEBRIS NEAR THE NORTHEAST CORNER AND ON THE NORTH SIDE OF THE FORMER BAKERY BUILDING SO THERE ARE NO VISIBLE EMISSIONS DURING REMOVAL.
8. THE ASBESTOS-CONTAINING CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE RAVINE AND PLACED IN TRUCKS THAT HAVE THE BED LINED WITH TWO LAYERS OF 6-MIL PLASTIC. WHEN A TRUCK IS FULL, THE PLASTIC MUST BE WRAPPED UP OVER THE TOP OF THE DEBRIS AND SEALED FOR TRANSPORT TO THE LANDFILL.
9. EQUIPMENT USED TO REMOVE THE MATERIAL MUST BE WET-WIPED UPON COMPLETION OF REMOVAL OF THE DEBRIS. WIPES MUST BE DISPOSED AS ASBESTOS WASTE.
10. ALL ASBESTOS WASTE SHALL BE DISPOSED AT A LANDFILL PERMITTED TO ACCEPT ASBESTOS WASTE.



SHEET
1
 OF
1

.AC	ASBESTOS ABATEMENT DESIGN FORMER BAKERY BUILDING FORMER STATE MENTAL HOSPITAL BARTONVILLE, ILLINOIS	SURVEY	CHECKED	ISSUE DATE
		DESIGN	APPROVED	PRELIM. DATE
		DRAWN		PROJECT NO.
		-	-	07/24/00
		MJO	-	07/24/00
		CJD	-	PAPK0001

L:\PAPK0001\DWG\ASBT.DWG 1-1

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: Peoria LPC#: 1430055048 Region: Peoria
 Location/Site Name: Bartonville/Palmer, Palmer, & Krulac Property
 Date: October 19, 2000 Time: From 11:10 To 11:55 a.m. Previous Inspection Date: May 17, 2000
 Inspector(s): James Jones Weather: Sunny, calm 72° F
 No. of Photos Taken: # 24 Est. Amt. of Waste: 40 yds³ Samples Taken: Yes# No x
 Interviewed: John Palmer Sr. Complaint #: C-00-067-P

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

John G. Palmer Sr.
 c/o Blue Ridge Construction
 P.O. Box 4151
 Bartonville, Illinois 61607
 309/633-0051

Randall J. Palmer
 c/o Blue Ridge Construction
 P.O. Box 4151
 Bartonville, Illinois 61607
 309/633-0051

David Krulac
 c/o Blue Ridge Construction
 P.O. Box 4151
 Bartonville, Illinois 61607
 309/633-0051

	SECTION	DESCRIPTION	VIOL.
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	x
4.	12(d)	CREATE A WATER POLLUTION HAZARD	x
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	x
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	
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	x
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	x
	(2)	Scavenging	
	(3)	Open Burning	



LPC#: 1430055048

Inspection Date: October 19, 2000

	(4)	Deposition of Waste in Standing or Flowing Waters	
	(5)	Proliferation of Disease Vectors	
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	
	(7)	Deposition of General Construction or Demolition Debris; or Clean Construction or Demolition Debris	X
9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	
11.	722.111	HAZARDOUS WASTE DETERMINATION	
12.	808.121	SPECIAL WASTE DETERMINATION	
13.	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	
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	
15.	OTHER:	Section 815.201	X

James Jones
Signature of Inspector(s)

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act:

LPC#: 1430055048

Inspection Date: October 19, 2000

415 ILCS 5/4(c) and (d).

6. Items marked with an "NE" were not evaluated at the time of this inspection.
7. Statutory effective date: through 7/9/99.
8. Regulatory effective date: through 5/20/99.

1430055048 - Peoria County
Palmer, Palmer & Krulac
October 19, 2000
James Jones
Page 1

NARRATIVE

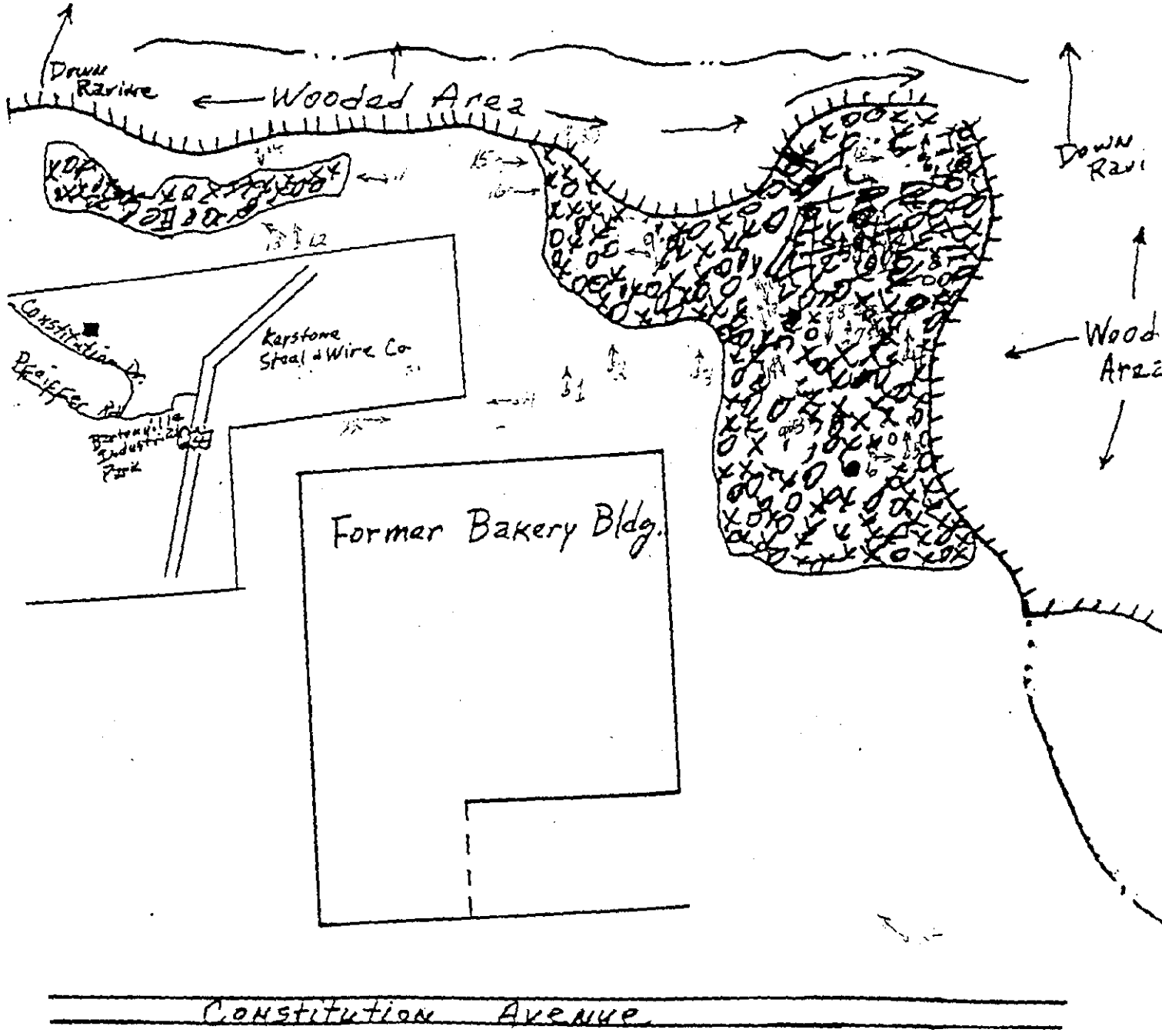
On Thursday, October 19, 2000, James Jones, of DLPC/FOS-Peoria, reinspected the property of Palmer, Palmer & Krulac located in Bartonville Industrial Park in Bartonville. At the time of the inspection, apparent violations found in a previous inspection conducted on May 17, 2000 were again observed. The following apparent violations were recited on the "Open Dump Inspection Checklist:" Sections 12(a), 12(d), 21(a), 21(e), 21(p)(1), 21(p)(7) of the Act, and Section 815.201(a) of the Regulations.

JJ/

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 10/19/00 Inspector: James Jones
Site Code: 1430055048 County: Peoria
Site Name: Palmer, Palmer, & Krulac Property Time: 11:00 a.m. - 11:55 a.m.



LEGEND:

→ Direction of Photographs
~ Stream at bottom of ravine

DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 1



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 2



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 3



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 4



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 5



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 6



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 7



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 8



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 9



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 10



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 11



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the north

PHOTOGRAPH NUMBER: 12



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the northwest

PHOTOGRAPH NUMBER: 13



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 14



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 15



DATE: October 19, 2000

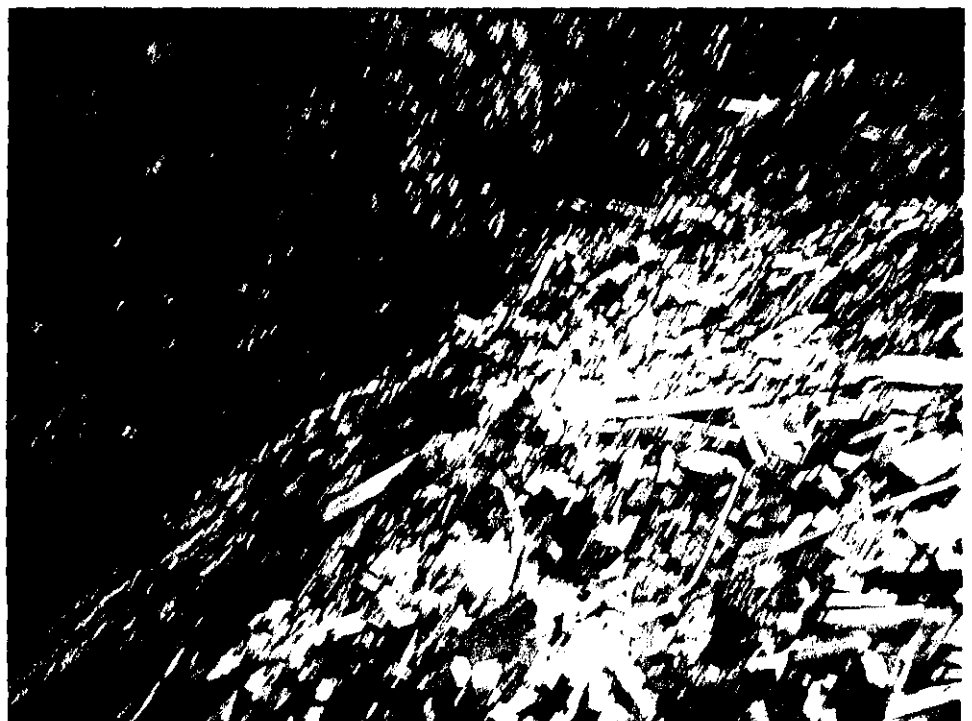
TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 16



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 17



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 18



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the southeast

PHOTOGRAPH NUMBER: 19



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 20



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the west

PHOTOGRAPH NUMBER: 21



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the east

PHOTOGRAPH NUMBER: 22



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the south

PHOTOGRAPH NUMBER: 23



DATE: October 19, 2000

TIME:
11:10 a.m. - 11:55 a.m.

PHOTOGRAPHED BY:
James Jones

LOCATION:
1430055048 - Peoria County
Palmer, Palmer, & Krulac Property

COMMENTS: Photograph taken
toward the northwest

PHOTOGRAPH NUMBER: 24





CLARK ENGINEERS, INC.

September 7, 2000

Mr. Dennis Hancock
Air Pollution Section
Illinois Environmental Protection Agency
12 Gunia Drive, Suite 2
Lasalle, IL 61301

RECEIVED

SEP 08 2000

RE: Palmer, Palmer, & Krulac
Blue Ridge Construction
Peoria, Illinois
CE Job Number: PAPK0001

ILLINOIS VALLEY CENTER
FOR INDEPENDENT LIVING

Dear Mr. Hancock:

Enclosed are the revised plans as we had discussed on the telephone. The items you had requested were the following:

1. The Project Designer Name and License Number were previously located on the plans. They are in the lower left corner of the plan sheet. **-NEEDED SIGNATURE**
2. A note has been added regarding the designer approval of plan changes.
3. A note has been added regarding notification to IEPA prior to clearance sampling.
4. A note has been added regarding compliance with applicable regulations and the terminology contained therein.
5. The notes have been modified specifying glovebag methods for pipe insulation removal.
6. The notes have been modified to include transport of waste in a leak-tight container.
7. The notes have been modified to include the washing of excavation equipment.
8. The notes have been modified to use a mini-containment in the interior portion of the building.
9. A note has been added to require a full-time ASP/APM.
10. A note has been added regarding submittal of closure results to IEPA.
11. A note has been added regarding soil clearance sampling.
12. A note has been added that air and soil sample analysis will be done using TEM methods.
13. The locations of the soil samples previously collected have been shown on the plans.



Phoenix, AZ	Bloomington, IL	Chicago, IL	Peoria, IL	Salem, IL
-------------	-----------------	-------------	------------	-----------

Clark Engineers, Inc.
 111 NE Jefferson Ave.
 Peoria, IL 61602

www.clarkeng.com

phone: 309.676.8464
 fax: 309.676.5445
 clarkeng@clarkeng.com

08/19
 08/21
 08/24
 08/25

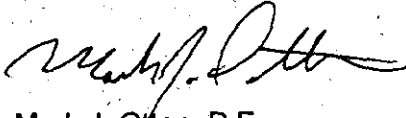
3/5/0
 3/3/0

September 7, 2000
Mr. Dennis Hancock
Page 2

If you have any questions regarding this information, please feel free to call me. As soon as approval is obtained, steps will be taken to start work at the site as soon as possible.

Sincerely,

CLARK ENGINEERS INC.



Mark J. Otten, P.E.
Senior Project Manager

MJO:hlo

File: L:\PAPK0001\WPF\revisionsubmtl.wpd



CLARK ENGINEERS, INC.

October 10, 2000

Mr. Dennis Hancock
Air Pollution Section
Illinois Environmental Protection Agency
12 Gunia Drive, Suite 2
Lasalle, IL 61301

RE: Palmer, Palmer and Krulac
Blue Ridge Construction
Peoria, Illinois
CE Job Number: PAPK0001

Dear Mr. Hancock:

Per our discussion on October 4, 2000, attached is the revised plan for the Asbestos Abatement Design at the Former Bakery Building/Formal State Mental Hospital in Bartonville, Illinois.

We revised the following two items:

- ▶ Revised Clearance Note No. 2 to reflect the correct telephone number and changed "air" clearance sampling to soil clearance sampling.
- ▶ Revised Clearance Note No. 5 to include re-excavation following a positive soil sample.

If you have any questions or concerns, please feel free to call me.

Sincerely,

CLARK ENGINEERS, INC.

Mark J. Otten
Project Manager

MJO:hlo

Attachment

L:\PAPK0001\WPF\00.10.10letter.wpd

Phoenix, AZ

Bloomington, IL

Chicago, IL

Peoria, IL

Salem, IL

Clark Engineers, Inc.
 111 NE Jefferson Ave.
 Peoria, IL 61602

www.clarkeng.com

phone: 309.676.8464
fax: 309.676.5445
clarkeng@clarkeng.com



CLARK ENGINEERS, INC.

December 19, 2000

Mr. Dennis Hancock
Air Pollution Section
Illinois Environmental Protection Agency
12 Gunia Drive, Suite 2
Lasalle, IL 61301

RE: Palmer, Palmer and Krulac
Blue Ridge Construction - Peoria, Illinois
CE Project No.: PAPK0001

Dear Mr. Hancock:

Based on our discussion on December 12, 2000, Clark Engineers, Inc., on behalf of Palmer, Palmer, and Krulac, submit the revised plan for the asbestos abatement activities to occur at the former Bakery Building at the former State Mental Hospital in Bartonville, IL. The revised plan identifies an additional Clearance Note to address potential residual contamination remaining on the floor of the building where the asbestos pipe insulation lays on the floor.

In addition, we understand that the work dates for each phase of the project are to be indicated on a separate sheet that is to accompany the Project Ten-Day Notification. The Notification will have start and finish dates that span the entire project, while the separate attached sheet will identify the approximate start and finish dates for each phase of the project. If changes occur to the intermediate dates, those changes will be announced on a new separate sheet. If changes occur to the total project start and finish dates, those changes will be announced using a revised Notification. We understand that the announcement of a change to a date must occur before the date which is to change arrives.

We will assume the enclosed revised plan is approved by the Agency unless otherwise indicated in writing within ten days of the date of this letter.

If you have any questions or concerns, please feel free to call me.

Sincerely,

CLARK ENGINEERS, INC.

Mark J. Otten
Project Manager

MJO:hlo

Attachment

cc: Dan Borries - Blue Ridge Construction

L:\PAPK0001\WPF\00.12.19letter.wpd

Phoenix, AZ Bloomington, IL Chicago, IL Peoria, IL Salem, IL

Clark Engineers, Inc.
 111 NE Jefferson Ave.
 Peoria, IL 61602

www.clarkeng.com

phone: 309.676.8464
fax: 309.676.5445
clarkeng@clarkeng.com

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist

County: Peoria LPC#: 1430055048 Region: 3 - Peoria
 Location/Site Name: Bartonville/Palmer, Palmer & Krulac Property
 Date: 03/27/2001 Time: From 3:46 p.m. To 4:05 p.m. Previous Inspection Date: October 19, 2000
 Inspector(s): James Jones Weather: Sunny, 52F
 No. of Photos Taken: # 14 Est. Amt. of Waste: 40 yds³ Samples Taken: Yes # No
 Interviewed: No one available Complaint #:

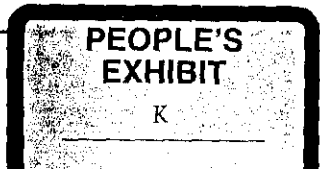
Responsible Party
 Mailing Address(es)
 and Phone Number(s):

John G. Palmer Sr.
 c/o Blue Ridge Construction
 P.O. Box 4151
 Bartonville, Illinois 61607
 309/633-0051

David Krulac
 c/o Blue Ridge Construction
 P.O. Box 4151
 Bartonville, Illinois 61607
 309/633-0051

Randall J. Palmer
 c/o Blue Ridge Construction
 P.O. Box 4151
 Bartonville, Illinois 61607
 309/633-0051

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input 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 type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input 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	<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"/>



LPC #: 1430055048
Inspection Date: 03/27/01

	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input 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 General Construction or Demolition Debris; or Clean Construction or Demolition Debris	<input checked="" type="checkbox"/>

LPC #: 1430055048
 Inspection Date: 03/27/01

9.	55(a)	NO PERSON SHALL:	
	(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"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
10.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
11.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
12.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
13.	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"/>
OTHER REQUIREMENTS			
14.		APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
15.	OTHER:	Section 815.201	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

James Jones

 Signature of Inspector(s)

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

1430055048 - Peoria County
Palmer, Palmer & Krulac
March 27, 2001
James Jones
Page 1

NARRATIVE

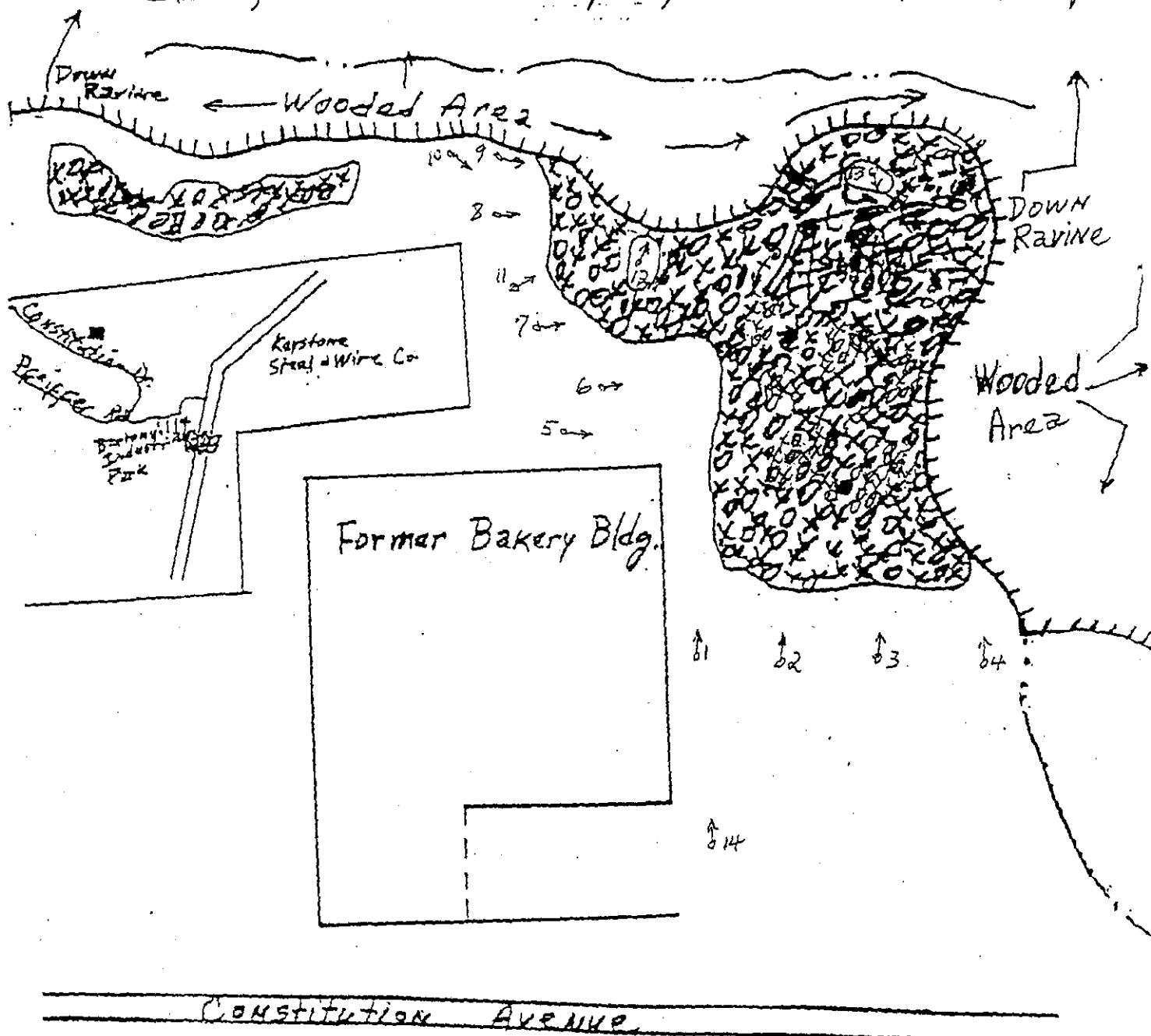
On Tuesday, March 27, 2001, James Jones, of DLPC/FOS-Peoria, reinspected the property of Palmer, Palmer & Krulac located in Bartonville Industrial Park in Bartonville. During the inspection, Jones observed open dumped building demolition waste consistent with the make-up of the materials in the building on the property. Bricks mixed with splintered boards, metal wiring insulation, and apparent asbestos piping insulation was observed dumped in several locations on the property (see site sketch). The open dumped building demolition waste extended down into a ravine where a small stream traverses across the property. The apparent violations mentioned above were found in a previous inspection conducted on October 19, 2000. As such, the following apparent violations were recited on the "Open Dump Inspection Checklist:" Sections 12(a), 12(d), 21(a), 21(e), 21(p)(1), 21(p)(7) of the Act, and Section 815.201(a) of the Regulations.

JJ/

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 03/27/01 Inspector: James Jones
Site Code: 1430055048 County: Peoria
Site Name: Palmer, Palmer & Krulac Property Time: 3:46 p.m. - 4:05 p.m.

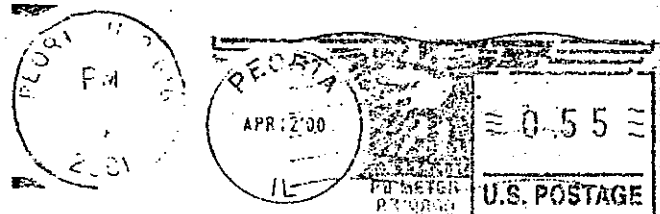


LEGEND:

- Direction of Photographs
- ~ Stream at bottom of ravine
- Inset: Location of Former Bakery Building ■



Illinois Environmental Protection Agency
5415 North University, Peoria, IL 61614



Blue Ridge Construction
ATTN: John G. Palmer, Sr., Randall J. Palmer, and David Krulak
P.O. Box 4151
Bartonville, 61607

61607-0151



5/19/00

Called Marge at the water company to find out about a hydrant meter for water down at the shop. I scheduled Monday to bring her a 300' deposit for the meter.

5/22/00

Took meter deposit to Marge @ All American Water.

5/23/00

All American Water installed water meter.

Met w/ Mark Otter of Clark Engineers for proposal of project design scope. Reviewed site at shop and debris at dump. Site was wet due to rain the night before.



5/24/00

Tele Con w/ Dale Helford

Called Dale to request the information he had for the field report and samples taken by Dennis Hancock. Dale told me I need to send him a "request of information report" which will be a letter asking for all the information. Although, Dale stated that he didn't know if the field investigation report was turned in yet to forward to us.

I also told him that Bodine Environmental was on the site taking samples and getting information to do a design report. (Dale said that Cochy w/ Bodine does a good job.)

Got the fax number to send him the request for info. letter.

7/6/00

Clark Engineering conducted site survey of project in order to prepare drawings.

7/7/00

Stopped by Clark Engineering to drop off EPA Inspection Memorandum etc. received from EPA. Review w/ Mark Otten the site drawings he had roughed out.

7/14/00

Called for Mark Otten to review status of design. He was out and left message.

7/19/00

Called Mark Otten to review project. Set up meeting for Mon. 7/24 3:00 PM to review project.

9/21/00

Tell Con w/ Dennis Hancock

Dennis called me back and updated me on the status of our revised drawings by Clark Engineers. Dennis said that he had a set of ~~his~~ drawings but for some reason Springfield he had no record of the revised drawings. He will send a set to Springfield and follow up with them next week.

I should hear back from Dennis mid to late next week the week of the 25th.

9/29/00

Called Dennis Hancock @ (815) 233-9874 had to leave message on the recorder.

9/29/00

Called Mark Otten to see if he heard from Mr. Hancock. Mark had a message from Mr. Hancock on Tues. called him back on Wed. and left a message. Mark said there was a question from Mr. Hancock re: soil samples. Waiting for return call.

10/12/00

Talked to Mark Ottes

Followed up w/ Mark to see if he had heard back from Dennis Hancock. He has not, still waiting on response.

10/12/00

Called 4m on machine for Dennis Hancock

10/18/00

Called 4m for Dennis Hancock @ 815-223-9874

4m telling Dennis that we are not getting any return phone calls and would like to know the status of what is going on.

10/31/00

Called Clark Eugene and 4m for Mark Ottes to see if he's heard from Dennis Hancock.

Also called Dennis Hancock @ (815) 233-9874 and 4m on machine.

Called 815-223-1344 and 4m for Dennis Hancock.

10/31/00

Got a return call from John Krolac who works for Dennis Hancock, John will leave a message for Dennis to call me and he gave me the correct number to reach Dennis in the future.

10/21/00

Dennis Hancock returned my call and said that he had approved the plan from Clark Eng. and sent it back about 3 weeks ago to Clark.

Mark Otten returned my earlier call and explained to him ~~that~~ what Dennis told me. He was going to follow up with Dennis.

11/2/00

Met w/ Mark Otten and reviewed the final approved drawing. Mark will confirm in writing to Dennis Hancock that we will be proceeding with the clean up based on these drawings.

11/10/00

Received letter from Clark Engineers for confirming with Dennis Hancock to proceed with implementation of the plan.

11/10/00

Received letter from IEPA dated 11/8/00 for notice of intent to pursue legal action.

11/13/00

Contacted M&O and Century for bidding and sent out Clark's plan to each of them.

11/27/00

Met w/ M&O (Vic Tyler) on site and reviewed work for clean up per Clark's req.

12/5/00

Called M&O and Century for follow up of bid packages left messages for both of them.

12/5/00

Called for Dennis Brown 4m for confirmation of a scheduled mtg on Dec 8th need to confirm time. Meeting is to be schedule for the letter from Julie Amittage dated 11/9/00

12/13/00

Called Dennis Brown to confirm his mailing address so I can send him follow up confirmation of the subcontract etc that we discussed in Monday's mtg.

BLUE RIDGE CONSTRUCTION CORP.

015466

TAZEWELL RDF
BILL PAYMENT CENTER
1031 E. FABYAN PKWY.
BATAVIA, IL 60510-1409

Check: 15466
Date: 04/12/2002
Vendor: TAZEWELL

<u>Invoice</u>	<u>P.O. Num.</u>	<u>Invoice Amt</u>	<u>Prior Balance</u>	<u>Retention</u>	<u>Discount</u>	<u>Amt. Paid</u>
17028991	DINE HALL ASBESTOS REMOVAL	16,984.25	16,984.25	0.00	0.00	16,984.25
29628994	DINE HALL ASBESTOS REMOVAL	1,994.75	1,994.75	0.00	0.00	1,994.75
		=====	=====	=====	=====	=====
		18,979.00	18,979.00	0.00	0.00	18,979.00

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

015466

70-2558/711

15466

DATE

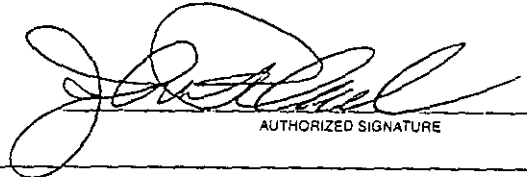
AMOUNT

04/12/2002 ****18,979.00

THE SUM OF EIGHTEEN THOUSAND NINE HUNDRED SEVENTY NINE DOLLARS

BY
THE
ORDER

TAZEWELL RDF
BILL PAYMENT CENTER
1031 E. FABYAN PKWY.
BATAVIA, IL 60510-1409


AUTHORIZED SIGNATURE

⑈015466⑈ ⑆071125587⑆ 114⑈850⑈



Vendor: TAZEWELL
To: TAZEWELL

Sort by: Voucher Number
Include Unpaid Vouchers: No

Paid Voucher Report
BLUE RIDGE CONSTRUCTION CORP.
09/12/2002

Page 1
09/12/02 09:2
Company:

Vendor: TAZEWELL TAZEWELL RDF

<u>Voucher Number</u>	<u>Invoice Number</u>	<u>Invoice Amount</u>	<u>Check Number</u>	<u>Check Date</u>	<u>Paid</u>	<u>Ret.</u>	<u>Discoun</u>
4982	317028991	16,984.25	15466	04/12/2002	16,984.25	0.00	0.00
5021	329628994	1,994.75	15466	04/12/2002	1,994.75	0.00	0.00
		<u>18,979.00</u>			<u>18,979.00</u>	<u>0.00</u>	<u>0.00</u>
		=====			=====	===	===
		18,979.00			18,979.00	0.00	0.00

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

012383

70-2558/711

12383

DATE

AMOUNT

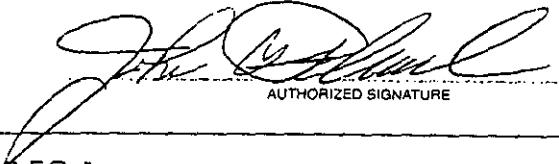
10/20/2000

*****1,055.00

PAY
TO THE
ORDER
OF

THE SUM OF ONE THOUSAND FIFTY FIVE DOLLARS

BODINE ENVIRONMENTAL SVCS., INC
5350 EAST FIREHOUSE ROAD
DECATUR, IL 62521-9601



AUTHORIZED SIGNATURE

⑈012383⑈ ⑆071125587⑆ 114⑈850⑈

⑈0000105500⑈

Vendor: BODINE
To: BODINE

Sort by: Voucher Number
Include Unpaid Vouchers: No

Paid Voucher Report
BLUE RIDGE CONSTRUCTION CORP.
09/12/2002

Page 1
09/12/02 09:16
Company: 1

Vendor: BODINE BODINE ENVIRONMENTAL SVCS.,INC

<u>Voucher Number</u>	<u>Invoice Number</u>	<u>Invoice Amount</u>	<u>Check Number</u>	<u>Check Date</u>	<u>Paid</u>	<u>Ret.</u>	<u>Discount</u>
3674	005910	1,055.00	12383	10/20/2000	1,055.00	0.00	0.00
		1,055.00			1,055.00	0.00	0.00
		=====			=====	===	===
		1,055.00			1,055.00	0.00	0.00

BODINE ENVIRONMENTAL SERVICES, INC.

5350 East Firehouse Road
 Decatur, Illinois 62521-9601
 800/637-2379 Fax 217/864-2086

INVOICE

INVOICE NO. 005910
 INVOICE DATE 08/16/2000
 CUSTOMER NO. 00286
 JOB ASBESTOS NESHAP SURVEY
 DESCRIPTION
 CUSTOMER REP.

SOLD TO:

BLUE RIDGE CONSTRUCTION CO.
 ATTN: JOHN PALMER
 4004 BECKER DRIVE
 BARTONVILLE, IL 61607

CUSTOMER ORDER NO.		TERMS	TIME SHEET DATES		INVOICE DATE
		1% 10 DAYS	08/10/2000	08/10/2000	08/10/2000
QUANTITY	JOB #	DESCRIPTION		UNIT PRICE	AMOUNT
	107587	5/24/00-NESHAP SURVEY			
8.00		PROJECT MANAGER		65.0000	520.00
2.00		PROJECT MANAGER (OT)		80.0000	160.00
13.00		PLM BULK SAMPLES		15.0000	195.00
10.00		SERVICE VEHICLE		5.0000	50.00
		6/5/00-REPORT			
2.00		PROJECT MANAGER		65.0000	130.00
Vendor # <u>BODINE</u> <u>DINE HALL</u> <u>3050</u>					

SALE AMOUNT	1,055.00
SALES TAX	.00
FREIGHT	.00
TOTAL	1,055.00

CUSTOMER COPY

TERMS: NET CASH. ALL ACCOUNTS ARE DUE AND PAYABLE 30 DAYS FROM DATE OF INVOICE. IF NOT PAID IN FULL BY THAT DATE. A FINANCE CHARGE WILL BE ADDED AT A MONTHLY RATE OF 1%, WHICH IS AN ANNUAL RATE OF 18%.

BLUE RIDGE CONSTRUCTION CORP.

01546

N. E. FINCH CO.
P.O. BOX 5187
PEORIA, IL 61601-5187

Check: 15465
Date: 04/12/2002
Vendor: FINCH

<u>Invoice</u>	<u>P.O. Num.</u>	<u>Invoice Amt</u>	<u>Prior Balance</u>	<u>Retention</u>	<u>Discount</u>	<u>Amt. Paid</u>
7883	DINE HALL	11,315.00	11,315.00	0.00	0.00	11,315.00
	REMOVAL & DISPOSAL ASBESTOS					
9823	DINE HALL	2,905.00	2,905.00	0.00	0.00	2,905.00
	CRAWLER BACKHOE/LOWBOY/PERMITS					
		=====	=====	=====	=====	=====
		14,220.00	14,220.00	0.00	0.00	14,220.00

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

015465

70-2558/711

15465

DATE

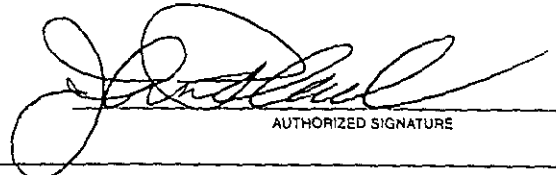
AMOUNT

04/12/2002 ****14,220.00

THE SUM OF FOURTEEN THOUSAND TWO HUNDRED TWENTY DOLLARS

BY
THE
ORDER
OF

N. E. FINCH CO.
P.O. BOX 5187
PEORIA, IL 61601-5187


AUTHORIZED SIGNATURE

⑈015465⑈ ⑆071125587⑆ 114⑈850⑈

Vendor: FINCH
To: FINCH

Sort by: Voucher Number
Include Unpaid Vouchers: No

Paid Voucher Report
BLUE RIDGE CONSTRUCTION CORP.
09/12/2002

Page 1
09/12/02 09:18
Company: 1

Vendor: FINCH N. E. FINCH CO.

<u>Voucher Number</u>	<u>Invoice Number</u>	<u>Invoice Amount</u>	<u>Check Number</u>	<u>Check Date</u>	<u>Paid</u>	<u>Ret.</u>	<u>Discount</u>
2629	50073	864.00	11097	03/14/2000	864.00	0.00	0.00
4442	55884	723.00	12943	02/06/2001	723.00	0.00	0.00
4567	56612	1,183.00	13379	05/07/2001	1,183.00	0.00	0.00
4818	57675	120.00	13379	05/07/2001	120.00	0.00	0.00
4869	57883	11,315.00	15465	04/12/2002	11,315.00	0.00	0.00
5236	58984	130.00	14284	10/08/2001	130.00	0.00	0.00
5439	59419	310.00	14207	09/27/2001	310.00	0.00	0.00
5440	59320	310.00	14207	09/27/2001	310.00	0.00	0.00
5658	59823	2,905.00	15465	04/12/2002	2,905.00	0.00	0.00
6547	58985	245.34	15161	02/18/2002	245.34	0.00	0.00
		<u>18,105.34</u>			<u>18,105.34</u>	<u>0.00</u>	<u>0.00</u>
		=====			=====	===	===
		18,105.34			18,105.34	0.00	0.00

N.E. FINCH CO.

GENERAL TRUCKING
EXCAVATING
TRUCK CRANE RENTAL
EQUIPMENT CONTRACTORS
FAX 309/671-1474

OPERATIONS OFFICE
1120 W. CAMP STREET
EAST PEORIA, IL 61611-2083
309/671-1444

MAILING ADDRESS
P.O. BOX 5187
PEORIA, IL 61601-5187
309/671-1433

BLUE RIDGE CONSTRUCTION CORPORATION DATE: AUGUST 31, 2001
PO BOX 4151 INVOICE NO. 59823
BARTONVILLE, IL 61607-4151

DATE	DESCRIPTION	QUANTITY/UNIT	RATE	AMOUNT
	REQUEST 2			
	REMOVAL & DISPOSAL OF ASBESTOS CONTAMINATED DEBRIS			
	ORIGINAL CONTRACT AMOUNT			14,220.00
	ADDITIONS TO CONTRACT			0.00
	DELETIONS TO CONTRACT			0.00
	TOTAL CONTRACT TO DATE			14,220.00
	COMPLETED TO DATE			14,220.00
	LESS RETAINAGE			0.00
	NET AMOUNT EARNED			14,220.00
	LESS PREVIOUS PAYMENTS			11,315.00
	<u>TOTAL NOW DUE</u>			<u>2,905.00</u>

N.E. FINCH CO.

GENERAL TRUCKING
EXCAVATING
TRUCK CRANE RENTAL
EQUIPMENT CONTRACTORS

FAX 309/671-1474

OPERATIONS OFFICE
1120 W. CAMP STREET
EAST PEORIA, IL 61611-2083
309/671-1444

MAILING ADDRESS
P.O. BOX 5187
PEORIA, IL 61601-5187
309/671-1433

BLUE RIDGE CONSTRUCTION CORPORATION DATE: APRIL 23, 2001
PO BOX 4151 INVOICE NO. 57883
BARTONVILLE, IL 61607-4151

<u>DATE</u>	<u>DESCRIPTION</u>	<u>QUANTITY/UNIT</u>	<u>RATE</u>	<u>AMOUNT</u>
-------------	--------------------	----------------------	-------------	---------------

REQUEST 1

REMOVAL & DISPOSAL OF ASBESTOS CONTAMINATED DEBRIS

COMPLETED TO DATE (PER ATTACHED)	11,315.00
LESS RETAINAGE	0.00
NET AMOUNT EARNED	11,315.00
LESS PREVIOUS PAYMENTS	0.00
<u>TOTAL NOW DUE</u>	<u>11,315.00</u>

23-Apr-01

FORCE ACCOUNT BILLING

JOB: DEBRIS CLEANUP @ OLD STATE
MENTAL HOSPITAL

N.E. FINCH CO.
BOX 5187
PEORIA, IL 61601

OWNER: BLUE RIDGE CONSTRUCTION CORP.
BOX 4151
BARTONVILLE, IL 61607

LOCATION: 4201 CONSTITUTION
BARTONVILLE, IL

DATE	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
04-16-01	CRAWLER BACKHOE	8.00	HR	130.00	1,040.00
	LOWBOY	2.00	HR	80.00	160.00
	PERMIT	1.00	EACH	27.00	27.00
	SPECIAL WASTE DUMP TRAILER (2)	16.50	HR	64.00	1,056.00
	OVERTIME	0.50	HR	18.00	9.00
04-17-01	CRAWLER BACKHOE	8.00	HR	130.00	1,040.00
	SPECIAL WASTE DUMP TRAILER (3)	23.00	HR	64.00	1,472.00
	OVERTIME	1.00	HR	18.00	18.00
04-18-01	CRAWLER BACKHOE	8.00	HR	130.00	1,040.00
	SPECIAL WASTE DUMP TRAILER (3)	24.00	HR	64.00	1,536.00
	OVERTIME	0.50	HR	18.00	9.00
04-19-01	CRAWLER BACKHOE	8.00	HR	130.00	1,040.00
	SPECIAL WASTE DUMP TRAILER (3)	25.00	HR	64.00	1,600.00
	OVERTIME	1.00	HR	18.00	18.00
	LOWBOY	2.00	HR	80.00	160.00
04-20-01	CRAWLER BACKHOE	5.00	HR	130.00	650.00
	SPECIAL WASTE DUMP TRAILER	5.00	HR	64.00	320.00
	LOWBOY	1.50	HR	80.00	120.00
TOTAL COST					11,315.00

BLUE RIDGE CONSTRUCTION CORP.

015467

WILLIAMS POWER CORP.
P. O. BOX 198735
ATLANTA, GA 30384-8735

Check: 15467
Date: 04/12/2002
Vendor: WILLIAMS

<u>Invoice</u>	<u>P.O. Num.</u>	<u>Invoice Amt</u>	<u>Prior Balance</u>	<u>Retention</u>	<u>Discount</u>	<u>Amt. Paid</u>
37908	DINE HALL	3,800.00	3,800.00	0.00	0.00	3,800.00
	REMOVE ASBESTOS DINE HALL					
37967	DINE HALL	11,646.36	11,646.36	0.00	0.00	11,646.36
	ASBESTOS REMOVAL					
		=====	=====	=====	=====	=====
		15,446.36	15,446.36	0.00	0.00	15,446.36

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

015467

70-2558/711

15467

DATE

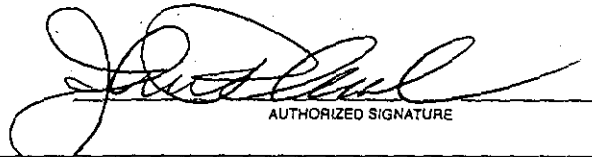
AMOUNT

04/12/2002 ****15,446.36

THE SUM OF FIFTEEN THOUSAND FOUR HUNDRED FORTY SIX DOLLARS AND 36 CENTS

PAY
TO THE
ORDER
OF

WILLIAMS POWER CORP.
P. O. BOX 198735
ATLANTA, GA 30384-8735


AUTHORIZED SIGNATURE

⑈015467⑈ ⑆071125587⑆ 114⑈850⑈

WILLIAMS POWER CORP.



2076 West Park Place Stone Mountain, Georgia 30087 770/879-4000
Remit to : P.O. Box 198735 Atlanta, Georgia 30384-8735

Invoice

SENTRY ASBESTOS

Invoice No.

37967

A DIVISION OF WILLIAMS POWER CORP.

217.784.5271 - Phone - 217.784.8620 - Fax

CHECKS PAYABLE TO: WILLIAMS POWER CORP

Remit to: P.O. Box 198735

Atlanta, GA. 30384-8735

Pay Request # 1

Date: 6/04/01

Billed To: BLUE RIDGE CONSTRUCTION COMPANY

Mailed To: 4004 NORTH BECKER DRIVE

BARTONVILLE, IL 61607

P O # Sub contract dated 12/12/00

Job Name: Old State Mental Hospital - Bartonville, IL

Job: 32501104

Time & Material \$11,646.36

Total \$ 11,646.36

TOTAL DUE \$ 11,646.36 TOTAL (this pay request)

QUESTIONS REGARDING INVOICE CALL LANA LUNDE (217) 784-5271

Vendor # WILLIAMS

Job # DINE HALL

GL # 3050

Job Code _____

TERMS: INTEREST OF 1.5 % PER MONTH WILL BE APPLIED
TO ALL INVOICES OVER 30 DAYS OLD

WILLIAMS POWER CORP.



2076 West Park Place Stone Mountain, Georgia 30087 770/879-4000
Remit to : P.O. Box 198735 Atlanta, Georgia 30384-8735

Invoice

SENTRY ASBESTOS

Invoice No.

37908

A DIVISION OF WILLIAMS POWER CORP.

217.784.5271 - Phone - 217.784.8620 - Fax

CHECKS PAYABLE TO: WILLIAMS POWER CORP

Remit to: P.O. Box 198735
Atlanta, GA. 30384-8735

Pay Request # 1

Date: 2/28/01

Billed To: BLUE RIDGE CONSTRUCTION COMPANY

Mailed To: 4004 NORTH BECKER DRIVE

BARTONVILLE, IL 61607

P O # Sub contract dated 12/12/00

Job Name: Old State Mental Hospital - Bartonville, IL

Job: 32501104

Original Contract Amount \$ 3,800.00

Vendor: SENTRY
Job #: Old Hill
GL: 6010
Date: _____

Total \$ 3,800.00

TOTAL DUE \$ 3,800.00 TOTAL (this pay request)

QUESTIONS REGARDING INVOICE CALL LANA LUNDE (217) 784-5271

TERMS: INTEREST OF 1.5 % PER MONTH WILL BE APPLIED
TO ALL INVOICES OVER 30 DAYS OLD

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

012385

70-2558/711

12385

DATE

AMOUNT

10/20/2000

*****2,137.50

THE SUM OF TWO THOUSAND ONE HUNDRED THIRTY SEVEN DOLLARS AND 50 CENTS

PAY
TO THE
ORDER
OF

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602


AUTHORIZED SIGNATURE

⑈0 12385⑈ ⑆071125587⑆ 114⑈850⑈

⑈0000213750⑈

Vendor: CLARK-1
To: CLARK-1

Sort by: Voucher Number
Include Unpaid Vouchers: No

Paid Voucher Report
BLUE RIDGE CONSTRUCTION CORP.
09/13/2002

Page 1
09/13/02 11:1
Company:

Vendor: CLARK-1 CLARK ENGINEERS, INC.

<u>Voucher Number</u>	<u>Invoice Number</u>	<u>Invoice Amount</u>	<u>Check Number</u>	<u>Check Date</u>	<u>Paid</u>	<u>Ret.</u>	<u>Discount</u>
3605	24485	1,852.50	12385	10/20/2000	1,852.50	0.00	0.00
3775	24860	285.00	12385	10/20/2000	285.00	0.00	0.00
3991	251939	311.40	13062	02/27/2001	311.40	0.00	0.00
4151	25565	142.75	13062	02/27/2001	142.75	0.00	0.00
4391	25966	125.50	13062	02/27/2001	125.50	0.00	0.00
4558	26446	345.00	13062	02/27/2001	345.00	0.00	0.00
4783	27435	460.00	13433	05/15/2001	460.00	0.00	0.00
4796	2651	25.00	2651	03/06/2001	25.00	0.00	0.00
4961	27834	230.00	13654	06/26/2001	230.00	0.00	0.00
5076	28254	230.00	13696	07/03/2001	230.00	0.00	0.00
5230	28583	115.00	13869	08/07/2001	115.00	0.00	0.00
5585	29735	5,819.00	15464	04/12/2002	5,819.00	0.00	0.00
6190	0030541	87.29	15464	04/12/2002	87.29	0.00	0.00
6369	0030727	87.29	15464	04/12/2002	87.29	0.00	0.00
6399	0030886	87.29	15464	04/12/2002	87.29	0.00	0.00
6590	0031101	87.29	15464	04/12/2002	87.29	0.00	0.00
6958	0031505	87.29	15616	05/03/2002	87.29	0.00	0.00
		<u>10,377.60</u>			<u>10,377.60</u>	<u>0.00</u>	<u>0.00</u>
		=====			=====	===	===
		10,377.60			10,377.60	0.00	0.00
					10,265.31		

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602

Invoice number 24860 ✓
September 7, 2000
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services Through August 25, 2000

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	2,850.00
Percent complete	75.00
Total fee billed	2,137.50
Fee previously billed	1,852.50
Current fee billing	285.00

Invoice total 285.00 *

Outstanding Invoices	Number	Date	Amount
----- Invoice	24485	8-10-00	1,852.50
	Total unpaid invoices		1,852.50
		Balance due	2,137.50

Vendor # CLARK
Job # _____
GL # 3050
Job Code _____

A Service Charge of 1.5% / month will be charged on past due balances.

BLUË RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

013654

70-2558/711

13654

DATE

AMOUNT

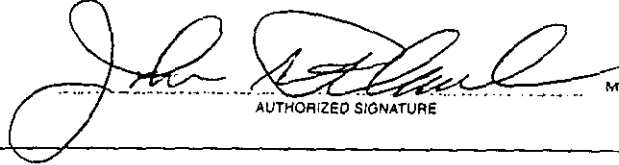
06/26/2001

*****230.00

THE SUM OF TWO HUNDRED THIRTY DOLLARS

PAY
TO THE
ORDER
OF

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602


AUTHORIZED SIGNATURE

⑈013654⑈ ⑆071125587⑆ 114⑈850⑈

⑆0000023000⑆

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602
(309) 676-8464

Invoice number 27834
May 3, 2001
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services Through April 20, 2001

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	.00
Percent complete	.00
Total fee billed	.00
Fee previously billed	.00
Current fee billing	.00

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES	Hours	Rate	Amount
Sr. Project Manager COMMUNICATIONS/ENVIRONMENTAL	2.00	115.00	230.00
Total PROF SERVICES	2.00		230.00

Invoice total 230.00 X

Outstanding Invoices	Number	Date	Amount
Invoice	27435	4-04-01	460.00
Total unpaid invoices			460.00
Balance due			690.00

Vendor # CLARK-1
Job # On Hill
GL # 3050
Job Code _____

A Service Charge of 1.5% / month will be charged on past due balances.

BLUE RIDGE CONSTRUCTION CORP.

01546

LARK ENGINEERS, INC.
11 N. E. JEFFERSON
PEORIA, IL 61602

Check: 15464
Date: 04/12/2002
Vendor: CLARK-1

<u>Invoice</u>	<u>P.O. Num.</u>	<u>Invoice Amt</u>	<u>Prior Balance</u>	<u>Retention</u>	<u>Discount</u>	<u>Amt. Paid</u>
See Transmittal Sheet for check detail.						
		=====	=====	=====	=====	=====
		6,168.16	6,168.16	0.00	0.00	6,168.16

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

015464

70-2558/711

15464

DATE

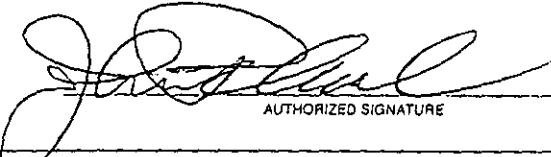
AMOUNT

04/12/2002 *****6,168.16

THE SUM OF SIX THOUSAND ONE HUNDRED SIXTY EIGHT DOLLARS AND 16 CENTS

BY
THE
ORDER

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602


AUTHORIZED SIGNATURE

⑈015464⑈ ⑆071125587⑆ 114850⑈

Transmittal Sheet

CLARK ENGINEERS, INC.
 111 N. E. JEFFERSON
 PEORIA, IL 61602

Check: 15464
 Date: 04/12/2002
 Vendor: CLARK-1

<u>Invoice</u>	<u>P.O. Num.</u>	<u>Invoice Amt</u>	<u>Prior Balance</u>	<u>Retention</u>	<u>Discount</u>	<u>Amt. Paid</u>
09735	DINE HALL	5,819.00	5,819.00	0.00	0.00	5,819.00
	ASBESTOS PROJECT DESIGN FINAL					
030541	DINE HALL	87.29	87.29	0.00	0.00	87.29
	ASBESTOS PROJECT DESIGN					
030727	DINE HALL	87.29	87.29	0.00	0.00	87.29
	DEC INTEREST					
030886		87.29	87.29	0.00	0.00	87.29
	JAN INTEREST					
031101	DINE HALL	87.29	87.29	0.00	0.00	87.29
	FEB FIN CHARGES					
		=====	=====	=====	=====	=====
		6,168.16	6,168.16	0.00	0.00	6,168.16

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602
(309) 676-8464

Invoice number 29735
September 18, 2001
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services through September 7, 2001

Project PPK0001 ASBESTOS PROJECT DESIGN

<u>CONSULTANT EXPENSES</u>	<u>Amount</u>
OUTSIDE SERVICES	5,819.00
Total CONSULTANT EXPENSES	5,819.00
Invoice total	5,819.00 ✓

Vendor # CLARK1
Job # _____
GL # 3050
Job Code _____

Invoice

Clark Engineers Inc.
111 N. E. Jefferson
Peoria, IL 61602
(309) 676-8464

November 26, 2001
Project No: PAPK0001.00
Invoice No: 0030541

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE IL 61607-4151

Project: PAPK0001.00 ASBESTOS PROJECT DESIGN

Professional services through November 2, 2001

Task: 000PE ASBESTOS PROJECT DESIGN

Interest

1.5% of 5,819.00 (balance over 30 days)

Total this task 87.29
\$87.29

Total this invoice \$87.29 ✓

Outstanding Invoices

Number	Date	Balance
0029735	9/18/01	5,819.00
Total		5,819.00

Total now due \$5,906.29

Vendor # CLARK-1
Job # _____
GL # ~~7027~~ 3050
Job Code _____

Invoice

Clark Engineers Inc.
111 N. E. Jefferson
Peoria, IL 61602
(309) 676-8464

December 17, 2001
Project No: PAPK0001.00
Invoice No: 0030727

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE IL 61607-4151

Project: PAPK0001.00 ASBESTOS PROJECT DESIGN

Professional services through November 30, 2001

Task: 000PE ASBESTOS PROJECT DESIGN

Interest

1.5% of 5,819.00 (balance over 30 days)

87.29
Total this task \$87.29

Total this invoice \$87.29

Outstanding Invoices

Number	Date	Balance
0029735	9/18/01	5,819.00
0030541	11/26/01	87.29
Total		5,906.29

Total now due \$5,993.58

Vendor # CLARK-1
Job # _____
GL # ~~100~~ 3050
Job Code _____

Invoice

Clark Engineers Inc.
111 N. E. Jefferson
Peoria, IL 61602
(309) 676-8464

January 15, 2002
Project No: PAPK0001.00
Invoice No: 0030886

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE IL 61607-4151

Project: PAPK0001.00 ASBESTOS PROJECT DESIGN

Professional services through December 28, 2001

Task: 000PE ASBESTOS PROJECT DESIGN

Interest

1.5% of 5,819.00 (balance over 30 days)

87.29

Total this task

\$87.29

Total this invoice

\$87.29 ✓

Outstanding Invoices

Number	Date	Balance
0029735	9/18/01	5,819.00
0030541	11/26/01	87.29
0030727	12/17/01	87.29
Total		5,993.58

Total now due \$6,080.87

Vendor # CLARK-1
Job # _____
GL # 5030
Job Code _____

Invoice

Clark Engineers Inc.
111 N. E. Jefferson
Peoria, IL 61602
(309) 676-8464

February 11, 2002
Project No: PAPK0001.00
Invoice No: 0031101

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE IL 61607-4151

Project: PAPK0001.00 ASBESTOS PROJECT DESIGN

Professional services through January 25, 2002

Task: 000PE ASBESTOS PROJECT DESIGN

Interest

1.5% of 5,819.00 (balance over 30 days)

87.29

Total this task

\$87.29

Total this invoice

\$87.29 ✓

Outstanding Invoices

Number	Date	Balance
0029735	9/18/01	5,819.00
0030541	11/26/01	87.29
0030727	12/17/01	87.29
0030886	1/15/02	87.29
Total		6,080.87

Total now due

\$6,168.16

VENDOR # CLARK-1
JOB # Qin Hall
GL # ~~7027~~ 3050
JOB CODE _____

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

013869

70-2558/711

13869

DATE

AMOUNT

08/07/2001 *****115.00

THE SUM OF ONE HUNDRED FIFTEEN DOLLARS

PAY
TO THE
ORDER
OF

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602



AUTHORIZED SIGNATURE

⑈013869⑈ ⑈071125587⑈ ⑈11400850⑈ ⑈0000011500⑈

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602
(309) 676-8464

Invoice number 28583
July 2, 2001
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services through June 15, 2001

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES

	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Sr. Project Manager COMMUNICATIONS/ENVIRONMENTAL	1.00	115.00	115.00
	-----		-----
Total PROF SERVICES	1.00		115.00

Invoice total 115.00 X

Outstanding Invoices

	<u>Number</u>	<u>Date</u>	<u>Amount</u>
Invoice	28254	6-05-01	230.00

Total unpaid invoices 230.00

Balance due 345.00

Vendor # CLARK
Job # D. W. Holt
GL # 3050
Job Code _____

A Service Charge of 1.5% / month will be charged on past due balances.

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-833-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

013062

70-2558/711

13062

DATE

AMOUNT

02/27/2001 *****924.65

THE SUM OF NINE HUNDRED TWENTY FOUR DOLLARS AND 65 CENTS

PAY
TO THE
ORDER
OF

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602



AUTHORIZED SIGNATURE

⑈013062⑈ ⑆071125587⑆ 114⑈850⑈

⑆0000092465⑆

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602

Invoice number 25193
October 5, 2000
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services Through September 22, 2000

Project PAPK0001 ASBESTOS PROJECT DESIGN

Project PAPK0001 001 DESIGN

Total fee	2,850.00	
Percent complete	85.93	
Total fee billed	2,448.90	
Fee previously billed	2,137.50	
Current fee billing		311.40

Invoice total 311.40

Outstanding Invoices	Number	Date	Amount
Invoice	24485	8-10-00	1,852.50
Invoice	24860	9-07-00	285.00
Total unpaid invoices			2,137.50
Balance due			2,448.90 ✓

Vendor # CLARK-1
Job # Hall
GL # 3050
Job Code _____

A Service Charge of 1.5% / month will be charged on past due balances.

CLARK ENGINEERS, INC.
 111 N.E. JEFFERSON
 PEORIA, IL 61602

Invoice number 25565
 November 2, 2000
 Page number 1

PALMER, PALMER & KRULAC
 4004 N. BECKER DR.
 BARTONVILLE, IL 61607-4151

Vendor # CLARK-1
 Job # Div. Hall
 GL # 3050
 Job Code _____

Professional Services Through October 20, 2000

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	2,850.00	
Percent complete	86.16	
Total fee billed	2,455.65	
Fee previously billed	2,448.90	
Current fee billing		6.75

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES	Hours	Rate	Amount
Sr. Project Manager			
COMMUNICATIONS/ENVIRONMENTAL	1.00	110.00	110.00
Total PROF SERVICES	1.00		110.00

REIMBURSABLE EXPENSES	Amount
TRANSPORTATION	26.00
Total REIMBURSABLES	26.00
Charges sub-total	136.00

Invoice total 142.75 ✓

Outstanding Invoices	Number	Date	Amount
Invoice	25193	10-05-00	311.40
Total unpaid invoices			311.40

454.15

A Service Charge of 1.5% / month will be charged on past due balances.

CLARK ENGINEERS, INC.
 111 N.E. JEFFERSON
 PEORIA, IL 61602

Invoice number 25966
 December 14, 2000
 Page number 1

PALMER, PALMER & KRULAC
 4004 N. BECKER DR.
 BARTONVILLE, IL 61607-4151

Professional Services Through December 1, 2000

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	2,850.00	
Percent complete	86.71	
Total fee billed	2,471.15	
Fee previously billed	2,455.65	
Current fee billing		15.50

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES	Hours	Rate	Amount
Sr. Project Manager MEETINGS/ENVIRONMENTAL	1.00	110.00	110.00
Total PROF SERVICES	1.00		110.00

Invoice total 125.50 ✓

Outstanding Invoices	Number	Date	Amount
Invoice	25193	10-05-00	311.40
Invoice	25565	11-02-00	142.75
Total unpaid invoices			454.15

Vendor # CLARK Balance due 579.65
 Job # Div. Hall
 GL # 3050
 Job Code _____

A Service Charge of 1.5% / month will be charged on past due balances.

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602

Invoice number 26446
January 12, 2001
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services Through December 29, 2000

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	.00	
Percent complete	.00	
Total fee billed	.00	
Fee previously billed	.00	
Current fee billing		.00

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES	Hours	Rate	Amount
Sr. Project Manager			
COMMUNICATIONS/ENVIRONMENTAL	3.00	115.00	345.00
	-----		-----
Total PROF SERVICES	3.00		345.00

		Invoice total	345.00 ✓

Outstanding Invoices	Number	Date	Amount
Invoice	25193	10-05-00	311.40
Invoice	25565	11-02-00	142.75
Invoice	25966	12-14-00	125.50
		Total unpaid invoices	579.65

Vendor # CLARK
Job # DWE HALL
GL # 3050 6010
Job Code _____

Balance due 924.65

A Service Charge of 1.5% / month will be charged on past due balances.

BLUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

013654

70-2558/711

13654

DATE

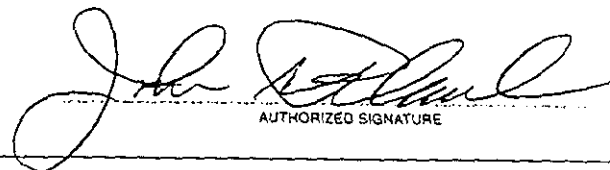
AMOUNT

06/26/2001 *****230.00

THE SUM OF TWO HUNDRED THIRTY DOLLARS

PAY
TO THE
ORDER
OF

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602


AUTHORIZED SIGNATURE

⑈013654⑈ ⑈071125587⑈ ⑈114⑈850⑈

⑈0000023000⑈

CLARK ENGINEERS, INC.
 111 N.E. JEFFERSON
 PEORIA, IL 61602
 (309) 676-8464

Invoice number 27834
 May 3, 2001
 Page number 1

PALMER, PALMER & KRULAC
 4004 N. BECKER DR.
 BARTONVILLE, IL 61607-4151

Professional Services Through April 20, 2001

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	.00	
Percent complete	.00	
Total fee billed	.00	
Fee previously billed	.00	
Current fee billing		.00

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES

Hours Rate Amount

Sr. Project Manager			
COMMUNICATIONS/ENVIRONMENTAL	2.00	115.00	230.00
	-----		-----
Total PROF SERVICES	2.00		230.00

Invoice total 230.00 X

Outstanding Invoices	Number	Date	Amount
-----	-----	-----	-----
Invoice	27435	4-04-01	460.00

Total unpaid invoices 460.00

Balance due 690.00

Vendor # CLARK-1

Job # On Hill

GL # 3050

Job Code

A Service Charge of 1.5% / month will be charged on past due balances.

BLAUE RIDGE CONSTRUCTION CORP.
4004 N. BECKER DR.
P.O. BOX 4151 PH. 309-633-0051
BARTONVILLE, IL 61607-4151

FIRST CAPITAL BANK
MT. HAWLEY COURT
7815 N. KNOXVILLE AVENUE
PEORIA, IL 61614

013433

70-2558/711

13433

DATE

AMOUNT

05/15/2001 *****460.00

THE SUM OF FOUR HUNDRED SIXTY DOLLARS

PAY
TO THE
ORDER
OF

CLARK ENGINEERS, INC.
111 N. E. JEFFERSON
PEORIA, IL 61602


AUTHORIZED SIGNATURE

⑈013433⑈ ⑆071125587⑆ 114⑈850⑈

⑈0000046000⑈

CLARK ENGINEERS, INC.
111 N.E. JEFFERSON
PEORIA, IL 61602
(309) 676-8464

Invoice number 27435 ✓
April 4, 2001
Page number 1

PALMER, PALMER & KRULAC
4004 N. BECKER DR.
BARTONVILLE, IL 61607-4151

Professional Services Through March 23, 2001

Project PPK0001 ASBESTOS PROJECT DESIGN

Project PPK0001 001 DESIGN

Total fee	.00	
Percent complete	.00	
Total fee billed	.00	
Fee previously billed	.00	
Current fee billing		.00

Project PPK0001 002 OBSERVATION/CLOSURE

PROFESSIONAL SERVICES	Hours	Rate	Amount
Sr. Project Manager COMMUNICATIONS/ENVIRONMENTAL	4.00	115.00	460.00
	-----		-----
Total PROF SERVICES	4.00		460.00

	Invoice total		460.00 ✓

Vendor # CLARK-1
Job # DINE HALL
GL # 7015
Job Code _____

A Service Charge of 1.5% / month will be charged on past due balances.

Village of Bartonville Council Meeting
April 11, 2002

The regular meeting of the Board of Trustees was called to order at 7 p.m. by Mayor Markwalder with Roll Call.

Present: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.

Absent: None. Quorum present.

MINUTES

The minutes of the March 28, 2002, meeting were approved in printed form.

EXPENDITURES

The Board noted the excess dollar amounts being spent by departments this close to the end of the fiscal year. Mayor and the Board stated it needs to stop.

It was moved by Trustees Ricca and Betson to approve the Expenditures and Supplementals for payment.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.

Nays: None. Motion carried.

COMMUNICATIONS

IML Legislative Bulletin 2002-09; Street Maintenance Seminar registration; Kirby letter regarding Conley's; Peoria Frisbee Club; Prairie Air Show; After Hours Chamber; Splash t shirt orders; Peoria Blind Center; Sen. Shaddid in support grant for Welding School; Airport Board report; Proctor Preferred Plan; Insight Cablevision; Attorney Seghetti 4/3/02 on White letter of credit; Engineer Meyer on building inspections matters.

It was moved by Trustees Ricca and Wolfe to accept and file the Communications.

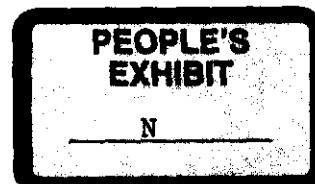
Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.

Nays: None. Motion carried.

A discussion was held on the letter from Roxanna Kirby regarding the condition of Conley's Auto World on Route 24. Chief Fengel commented on several tickets being issued already, and he will address the parking space problem. Mayor Markwalder commented on the letter from Peoria Blind Center about support for purchase of a van.

VISITORS

Ty Livingston and Kevin Mishlear of City Link presented a program on results and research of a survey sent to residents. They stated mailer were sent to all 61607 addresses, and they also talked to area employers. Results were 58% would consider using bus service, and 57% would somewhat support a tax for new service. David Braun will provide a proposal of costs to supply service to the Bartonville area.



April 11, 2002

Page 2

John Palmer of Blue Ridge Construction Company in the Industrial Park presented the Board with background and bills for clean up costs for demolition of the old dining hall that he purchased from the Village two years ago. This matter involved the IEPA, asbestos removal, and asbestos in the gully. Mr. Palmer feels he had to pay for clean up due to problems caused by State of Illinois and others dumping before he ever purchased this property. A discussion was held regarding this matter. Village Attorney representative Troy Pudik stated that interest or fines cannot be paid from TIF, and the original bills become the property of the Village if reimbursing.

It was moved by Trustees Allinder and Flier to reimburse John Palmer and Blue Ridge Construction for clean up of the property formerly known as the old dining hall in the Industrial Park, from TIF funds, total amount of bills presented were \$59,965.67.

Ayes: Trustees Allinder, Betson, Wolfe, Flier.
Nays: Trustees Vlachos, Ricca. Motion carried.

Trustee Ricca inquired of Mr. Palmer if there were any bills for clean up prior to the demolition process, and Mr. Palmer stated he paid a lot before demolition, over and above the amount he is requesting for reimbursement. Mr. Palmer stated he would get copies to Mr. Ricca.

ZONING BOARD

The Zoning Board approved the rezoning request from C-3 to R-2 for a section of the Frietsch Subdivision along Sheffield Road behind the food store.

It was moved by Trustees Ricca and Betson to approve the rezoning from C-3 to R-2 for a section of the Frietsch Subdivision along Sheffield Road behind the food store owned by Carol and Ron Schenck.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

POLICE DEPT.

Police Chief Fengel reviewed several matters in his monthly report. He thanked the Auxillary Police for all the hours they are working, and there will be many more house upcoming. Chief commented on two notice to appears issued to the house on 301 Franklin. Chief advised residents to mow weeds and eliminate the junk cars in order to eliminate a visit from Ordinance Officer Roth, who will be taking care of these matters. Weeds and grass should not be higher than 12" tall.

Trustee Betson inquired of Chief Fengel how the owner of Stone Country came to receive a copy of police reports without filing a Freedom of Information Act. Chief Fengel has no idea who gave out these reports with an FOA request.

Summer of Safety is Sunday, May 12th at Alpha Park, and child safety seats will be checked.

April 11, 2002

Page 3

FIRE DEPT.

Fire Chief Mike Helms reviewed the monthly report. This is the start of the tornado season. Everyone needs to have emergency supplies including batteries for flashlights and radios. He commented on a new State law that requires older bbq grills to have new fittings and valves. Contact any LP supplier and they will update. Homeowners who are using portable generators when there is a power outage need to have a certified electrician do the work for safety reasons, and safety of the power control workers.

MAYOR

Mayor Markwalder presented a liquor bond for new owners of the former Ron's Tap at 118 Argentina being purchased by Kathryn Zepp.

It was moved by Trustees Ricca and Vlachos to approve the liquor bond of Puppy Dog's, Inc. for 118 Argentina.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

Splash T-shirts are now available for order and can contact Mayor. Jim Thome Day is July 6, and Chamber Commerce is sponsoring ball game at \$55 per person.

VILLAGE CLERK

Clerk Cindi Stafford commented on Carl Cronk, 5322 Pfeiffer Road, requesting annexation into the Village of Bartonville. He was one of the six residents under the fire protection contract.

It was moved by Trustees Betson and Allinder to approve the paper work to begin annexation proceedings for Carl Cronk's property at 5322 Pfeiffer Road.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

The remaining five residents along Taylor Lane under contracts for fire protection service have not yet advised the Village what they will do at the expiration of their contracts on Saturday, April 27, 2002. This is the end of the ten-year fire protection provided by the Village for residents of the former Oak Grove Fire Protection District.

Clerk Stafford inquired of Trustee Betson about the endloader repair bill from Altorfer and if it could be issued with a May 1st date. He will check with Altorfer.

TRUSTEES AND COMMITTEES

Trustee Betson commented on the recommendation of the Police Committee for the Village to seek bids on towing of Village vehicles only.

April 11, 2002

Page 4

It was moved by Trustees Betson and Ricca to approve notice of bids for towing of Village vehicles only to be published in LIN and PJS.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

Committee meetings were scheduled as follows:

Police Committee	April 15, 4:30 p.m.
Ordinance Committee	April 16, 5:00 p.m.
Finance Committee	April 15, 4:30 p.m., April 18, 5:00 p.m., April 22, 4:30 p.m. April 23, 4:30 p.m., April 24, 4:30 p.m., April 30, 4:30 p.m.

Trustee Wolfe commented on the new fees for building permits and addition of a fee in the amount of \$100 for plumbing.

It was moved by Trustees Wolfe and Betson to approve the new schedule of building permit fees and plumbing fee.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

Trustee Ricca commented on the two quotes received for the new fence around the three ball diamonds at Alpha Park. The material cost will be paid first, and then as each diamond is completed, those costs will be paid.

It was moved by Trustees Ricca and Betson to approve the installation of new fence around the three ball diamonds by Peoria Fence Company, materials \$11,232.51; Field 1 \$1,569.41; Field 2 \$1,302.24; Field 3 \$2,300, and these costs will be paid with the Sports Complex savings account funds.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

Trustee Ricca commented on the request from the Mullen family for property off of Route 24 (Mullen Lane) to be divided into two parcels.

It was moved by Trustees Ricca and Wolfe to approve the concept of the division of the Mullen property on Mullen Road to be divided into two parcels, and any further development has to come before the Board thru the Subdivision process.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

April 11, 2002

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A discussion was held on the landscaping which still has not been done on the property of Mr. Williams at 7612 S. Jefferson at the sanitary pump station.

It was moved by Trustees Ricca and Betson to have the Village purchase and install the landscaping materials at 7612 S. Jefferson at the lift station.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

A discussion was held on hiring of an outside contractor to haul salt who is not part of the salt bid process. The Board felt that either the Village or the company who bid for providing the salt should be the only ones hauling the salt.

It was moved by Trustees Ricca and Betson to approve Resolution No. 422 for the MFT Funds spent in the amount of \$1,237.50 in February for hauling of salt, and no further outside hauling will be approved if not part of the salt bid process.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

Bob Fleming thanked the Board for the new fence for the three ball diamonds. He stated the Complex is #1 in tournaments in the area with 96 teams. Trustee Ricca asked Bob to work closely with Peoria Fence during the installation of the new fence.

Clerk Stafford commented on the previous motion for increase of building permit fees needs an ordinance number as it will be repealing Ord #1040.

It was moved by Trustees Wolfe and Betson to revisit their previous motion for new building permit repealing Ord. #1040 with approval of new Ord. #1310.

Ayes: Trustees Allinder, Vlachos, Betson, Wolfe, Ricca, Flier.
Nays: None. Motion carried.

ADJOURNMENT

The Council meeting was adjourned at 8:55 p.m.

Cindi Stafford, Village Clerk

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JUN 13 2003
STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PEOPLE OF THE STATE OF ILLINOIS,)
)
 Complainant,)
)
 v.)
)
 BLUE RIDGE CONSTRUCTION CORPORATION,)
 an Illinois corporation,)
)
 Respondent.)

PCB NO. 02-115
(Enforcement)

MEMORANDUM OF LAW AND ARGUMENT
IN SUPPORT OF COMPLAINANT'S
MOTION FOR PARTIAL SUMMARY JUDGMENT

NOW COMES the Complainant, PEOPLE OF THE STATE OF ILLINOIS, by LISA MADIGAN, Attorney General of the State of Illinois, and in support of Complainant's Motion for Partial Summary Judgment, states:

SUMMARY JUDGMENT STANDARD OF REVIEW

Illinois Pollution Control Board Procedure Rule 101.516(b) provides:

If the record, including pleadings, depositions and admissions on file, together with any affidavits, shows that there is no genuine issue of material fact, and that the moving party is entitled to judgment as a matter of law, the Board will enter summary judgment:

The Standard of Review set forth in the Board Procedural Rule 101.516(b) reflects the Board's description of the Standard of Review in *Clayton Chemical Acquisition Limited Liability Company, d/b/a Resource Recovery Group L.L.C. v. Illinois Environmental Protection Agency*, PCB No. 99-158 (Opinion and Order March 1, 2001) in which the Board states:

Summary Judgment is appropriate when there is no genuine issue of material fact and the record before the Board, including the pleadings, exhibits, discovery document and affidavits, demonstrates a clear right to judgment as a matter of law. (*Outboard Marine Corporation v. Liberty Mutual Insurance Co.*, (1992) 154 Ill. 2d 90, 180 Ill. Dec. 691, 607 N.E.2d 1204).

Summary judgment may be granted on the issue of liability alone, *Harold Butler Enters #662*

Inc. v. Underwriters at Lloyds, 100 Ill. App. 3d 681, 56 Ill. Dec. 232, 427 N.E.2d 312 (1st Dist. 1981).

As noted by the Illinois Supreme Court in *Gilbert v. Sycamore Municipal Hospital*, 190 Ill. Dec. 758, 156 Ill. 2d 511, 622 N.E.2d 788 (1993), although summary judgment “should be allowed only when the right of the moving party is clear and free from doubt.” The “use of the summary judgment procedure is encouraged as an aid in the expeditious disposition of a lawsuit.”

The Motion for Partial Summary Judgment submitted herein by the Complainant is based on a Stipulation of Facts (“Stipulation”), which stipulates to a comprehensive compilation of facts describing the activities of the Complainant and the Respondent from the date the property was purchased, to the time the Respondent was reimbursed for part of its expenses. While there are undoubtedly facts associated with the activities described in the stipulation which are not material to the Complainant’s Motion for Partial Summary Judgment, i.e., the purchase of the property and reimbursement of part of the expenses. All facts material to the issue of whether Respondent violated the Act and Regulations for which the Complainant seeks summary judgment have been stipulated to and are not at issue. Thus, there is no genuine issue of any fact material to the issue to whether Respondent committed the violations of the Act and the Board’s regulations for which Complainant seeks summary judgment.

Consequently, it is the Complainant’s position that the Stipulation, as more fully explained herein, clearly establish there is no genuine issue of material fact related to the Complainant’s Motion for Partial Summary Judgment and that the Complainant is entitled to Summary Judgment, as requested, as a matter of law.

DEFINITIONS

The Complaint herein and the Stipulation uses the term “demolition” to describe Respondent’s activities. 40 C.F.R. 141 defines “demolition” as:

Demolition means the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.

The demolition activities by the Respondent are described in paragraph 6 of the Stipulation. The activities described include opening an approximate 40-foot hole in the east wall, removing roofing material that had caved in and pulling down, and removing the rest of the roof and cutting and removing steel roof support columns. The description of these activities are further verified and supported by Mr. Hancock's observations noted in paragraph 16 and Exhibit A, paragraph 17, and the photographs contained in Exhibit B of the Stipulation. Clearly, Respondent's activities constituted demolition as that term is defined in 40 C.F.R. 141.

The Complaint and Stipulation use the terms "asbestos," "friable asbestos," and "RACM" (regulated asbestos-containing material). 40 C.F.R. 61.141 defines "asbestos" as:

Asbestos means the asbestiform varieties of serpentinite (chrysolite), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite and actinolite-tremolite.

Paragraphs 15 and 16 of the Stipulation stipulated that Mr. Dennis Hancock's observations as described in Exhibit A and his photographs in Exhibit B accurately portray the scene as observed by Mr. Hancock on May 17, 2000. Paragraph 17 and Exhibit C of the Stipulation set forth the analysis for asbestos for samples obtained from the demolition site. The analyses for 4 of the 7 samples reveal asbestos chrysolite concentrations ranging from 20% to 40% and asbestos amosite in concentrations ranging from 10% to 30%. Paragraphs 15, 16 and 17 of the Stipulation, and Exhibits A, B and C establish that the pipe insulation contain asbestos as that term is defined in 40 C.F.R. 61.141.

40 C.F.R. 61.141 defines "Friable Asbestos" as:

Friable asbestos material means any material containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, Section 1, Polarized Light Microscopy, that, when dry, can be crumbled, pulverized, or reduced to powder by hand

pressure. If the asbestos content is less than 10 percent as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

Paragraph 15 and Exhibit A of the Stipulation set forth Mr. Dennis Hancock's observations at the facility on May 17, 2000. With respect to the first sample (DM001-BMH) of material taken by Mr. Hancock on May 17, 2000, Mr. Hancock described the material as "powdery and white in color." The second material for sample (DH002-BMH) is described as "identical to the material in the first sample." The material for the third sample (DH003-BMH) is described as having "appeared dry and crumbled into smaller pieces. The analyses for the first three samples were as follows:

Sample DH001-BMH -	20% - 30% asbestos chrysolite 10% - 20% asbestos amosite
Sample DH002-BMH -	20% - 30% asbestos chrysolite 20% - 30% asbestos amosite
Sample DH003-BMH -	20% - 40% asbestos chrysolite 10% - 20% asbestos amosite

The facts stipulated to in paragraphs 15, 16 and 17 of the Stipulation, and Exhibits A, B and C, clearly establish the presence of friable asbestos at the facility.

Regulated asbestos-containing material (RACM) is defined in 40 C.F.R. 61.141 as:

Regulated asbestos-containing material (RACM) means (a) Friable asbestos material, (b) Category 1 nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subjected to sanding, grinding, cutting or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

Since it has clearly been established that there was friable asbestos material present at the site and friable asbestos material is an RACM, there was RACM present at the site.

The stipulated facts establish there is no genuine issue of any fact material to the determination of the Respondent's violations for which Complainant seeks Summary Judgment..

COUNT I

Count I of the Complainant alleges violation of Section 9(a) of the Act and Section 201.141 of the Board's Air Pollution Regulations in that Respondent failed to utilize asbestos emission control methods, failed to properly remove, handle and dispose of RACM and other regulated asbestos-containing material during demolition activities causing, threatening or allowing the emission of asbestos into the environment.

Paragraphs 5, 6, 8, 9, 10, 11 and 13 of the Stipulation establish that Respondent from May 11, 2000 to May 17, 2000, demolished the dining hall and that while demolishing the dining hall, Respondent failed to utilize asbestos control methods, and failed to properly remove, handle and dispose of RACM and other asbestos containing material. Paragraphs 16, 17, 18 and 19, Exhibits A, B, C, D and E all establish the demolition and the presence of asbestos in a powder form susceptible to becoming air borne, so as to present a threat of air pollution. Thus, it is clear the stipulated facts establish a violation of Section 9(a) of the Act and Rule 201.141 of the Board's Air Pollution Regulations.

COUNT II

NESHAP VIOLATIONS

40 C.F.R. 61.145(A)

Count II, paragraph 9, alleges that prior to the demolition of the dining hall, Respondent failed to thoroughly inspect the facility for the presence of asbestos, including Categories I and II non-friendly (error should be friable) ACM in violation of 40 C.F.R. 61.145(a) and 9.1(d).

40 C.F.R. 61.145(a) generally requires the owner or operator of a demolition activity to thoroughly inspect the facility prior to commencement of demolition to determine if asbestos is

present.

Paragraph 5 of the Stipulation establishes that on May 11, 2000, Respondent (Blue Ridge Construction Company) as owner or operator, as that term is defined in 40 C.F.R. 61.141, commenced demolition of the dining hall. Paragraph 7 of the Stipulation establishes that Respondent did not conduct an inspection for the presence of asbestos. Complainant also notes, that Respondent in its answer to Count II, paragraph 9 of the Complaint admits that there was not a thorough inspection which is consistent with the Stipulation.

Thus, it is clear that the stipulated facts establish a violation of 61.145(a) as alleged.

40 C.F.R. 61.145(b)(1)

Count II, paragraph 10, alleges Respondent failed to submit a written notification of intention of demolition of the Dining Hall in violation of 40 C.F.R.(b)(1) and Section 9.1(d) of the Act.

40 C.F.R. 61.145 (a)(1) and (2) generally provide that for a facility being demolished the owner or operator shall provide notification as provided for in subsection (b).

40 C.F.R. 61.145(b)(1) generally provides that the owner or operator of a demolition activity is to provide the administrator with written notice of intention to demolish or renovate.

Paragraph 8 of the Stipulation provides that prior to commencing demolition, Respondent did not submit a written notification to the Illinois Environmental Protection Agency of its intention to demolish the Dining Hall. Complainant also notes, Respondent in its Answer to Count II, paragraph 10 of the Complaint, admits that it failed to provide a written notice which is consistent with the Stipulation. Thus, it is clear the stipulated facts establish a violation of 40 C.F.R. 61.145(b)(1).

COUNT III

Count III, paragraph 6, alleges that on or before May 17, 2001, Respondent caused or allowed the open dumping of demolition debris generated by the demolition activities within the

former dining hall, including but not limited to wooden desks, pipe metal and other debris in or near a ravine on property owned by Respondent in violation of Section 21(a), (e), (p)(1) and (p)(2) of the Act.

Section 21(a),(e), (p)(1) and (p)(2) generally prohibit the open dumping of waste, at a site which does not meet the requirements of the Act, which results in litter or disposition of construction debris.

Paragraph 13 of the Stipulation provides in relevant part:

During the course of the renovation of the dining hall, Respondent dumped splintered boards, metal wiring, insulation and other demolition debris from the collapsed roof and bricks and mortar from the east wall in or near a ravine on the property.

Paragraph 18 of the Stipulation incorporates IEPA Inspector James Jones' observations (set forth in Exhibit D) of the site on May 17, 2000. Paragraph 19 of the Stipulation incorporates the photographs (Exhibit E) of the site taken by Mr. Jones on May 17, 2000. Also, Complainant notes Respondent in its answer to Count III, paragraph 6 of the Complaint, "admits the wooden desks, pipe and metal were deposited on its property as a result of its activities within the dining hall."

Thus, it is clear that the Stipulation and Answer establish the violations of Section 21(a), (e), (p)(1) and (p)(2) of the Act as alleged.

COUNT IV

Count IV, paragraph 6, alleges that on or about May 17, 2000, Respondent caused or allowed the open dumping of demolition debris generated by Respondent's demolition activities within and adjacent to a ravine owned by Respondent so as to create a water pollution hazard in violation of Section 12(d) of the Act.

Section 12(d) of the Act provides that:

No person shall:

- (d) deposit any contaminants upon the land in such a place and manner so as to create a water pollution hazard.

Paragraph 13 of the Stipulation describes the location of the dumping as “in or near a ravine on the property.” Paragraph 14 of the Stipulation states that at the bottom of the ravine is an intermittent stream. Paragraph 18 of the Stipulation incorporates Mr. Jones’ observations during his inspection of May 17, 2000, including his observation as follows:

During the investigation, Jones observed building demolition waste consistent with the make-up of the materials in the building on the property. Bricks mixed with splintered boards, metal wiring insulation, and apparent asbestos piping insulation was observed dumped in several locations on the property (see site sketch). The open dumped building demolition waste extended down into the ravine where a small stream traversed across the property. This is significant because it began to rain during the investigation, and the potential for water pollution to occur was increased, in that, the rain could have washed asbestos fibers down the ravine into the stream.

Paragraph 18, along with Exhibit D (Mr. Jones’ inspection memo of his May 17, 2000 inspection), paragraph 19 of the Stipulation along with Exhibit E (the photos taken by Mr. Jones on May 17, 2000), paragraph 23, along with Exhibit H (Mr. Jones’ inspection memo of his October 19, 2000 inspection) and paragraph 24, along with Exhibit 1 (the photographs taken by Mr. Jones on October 19, 2000) establish the violation of Section 12(d) of the Act as alleged in Count IV of the Complaint.

For the reason that the Stipulation incorporated by reference in the Motion for Partial Summary Judgment and the reason the stipulated facts establish that partial summary judgment

as requested is appropriate and should be granted as a matter of law, Complainant respectfully requests the Illinois Pollution Control Board grant Complainant's Motion for Partial Summary Judgment in its entirety.

Respectfully submitted,

PEOPLE OF THE STATE OF ILLINOIS
LISA MADIGAN
Attorney General of the
State of Illinois

MATTHEW J. DUNN, Chief
Environmental Enforcement/Asbestos
Litigation Division

BY:



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Dated: June 12, 2003