



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

(217) 782-9817

TDD: (217) 782-9143

December 14, 2012

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

Chicago, Illinois 60601

Re: Illinois Environmental Protection Agency v. Hustler Hauling, LLC  
IEPA File No.287-12-AC: 0670405029—Hancock County

RECEIVED  
CLERK'S OFFICE

DEC 20 2012

STATE OF ILLINOIS  
Pollution Control Board

AC 13-25

ORIGINAL

RETURN TO CLERK'S OFFICE

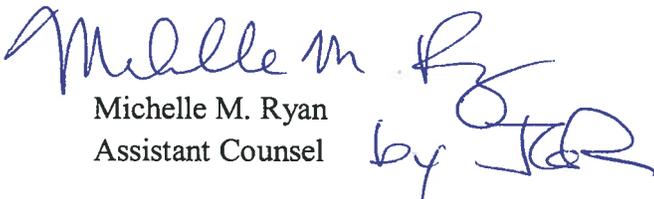
Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

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

Sincerely,

  
Michelle M. Ryan  
Assistant Counsel

Enclosures

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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DEC 20 2012

STATE OF ILLINOIS  
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
 PROTECTION AGENCY, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 HUSTLER HAULING, LLC, )  
 )  
 Respondent. )

AC 13-25  
 (IEPA No. 287-12-AC)

NOTICE OF FILING

To: Beau Whitaker, Registered Agent  
 Hustler Hauling, LLC  
 920 Main Street  
 Keokuk, IA 52632

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,

  
 \_\_\_\_\_  
 Michelle M. Ryan  
 Assistant Counsel 

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

Dated: December 14, 2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED  
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DEC 20 2012

STATE OF ILLINOIS  
Pollution Control Board

ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Complainant, )  
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 v. )  
 )  
 HUSTLER HAULING, LLC, )  
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 )  
 Respondent. )

AC 13-25  
 (IEPA No. 287-12-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2010).

FACTS

1. That Hustler Hauling, LLC is the current operator ("Respondent") of a facility located in Bartlett & Gordon's Addition Lots 1 thru 13, Block 6, Hamilton, Hancock County, Illinois. The property is commonly known to the Illinois Environmental Protection Agency as Farris, Thomas and Heather.
2. That said facility is an open dump operating without an Illinois Environmental Protection Agency Operating Permit and is designated with Site Code No. 0670405029.
3. That Respondent has operated said facility at all times pertinent hereto.
4. That on October 25, 2012, Robert J. Wagner of the Illinois Environmental Protection Agency's ("Illinois EPA") Rockford Regional Office inspected the above-described facility. A copy of

his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

5. That on 12-14-12, Illinois EPA sent this Administrative Citation via Certified Mail No. 7016 2780 0002 1167 5270.

#### VIOLATIONS

Based upon direct observations made by Robert J. Wagner during the course of his October 25, 2012 inspection of the above-named facility, the Illinois Environmental Protection Agency has determined that Respondent has violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed the open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1) (2010).
- (2) That Respondent caused or allowed the open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3) (2010).
- (3) That Respondent caused or allowed the open dumping of waste in a manner resulting in deposition of general construction or demolition debris: or clean construction or demolition debris, a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7) (2010).

### CIVIL PENALTY

Pursuant to Section 42(b)(4-5) of the Act, 415 ILCS 5/42(b)(4-5) (2010), Respondent is subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than January 15, 2013, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2010), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the One Thousand Five Hundred Dollar (\$1,500.00) statutory civil penalty for each violation.

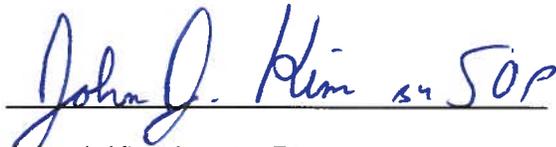
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2010), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondent shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondent from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS  
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2010). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.

 John J. Kim *by SOP*

Date:

12/13/12

John J. Kim, Interim Director  
Illinois Environmental Protection Agency

Prepared by: Susan E. Konzelmann, Legal Assistant  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544

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DEC 20 2012

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL PROTECTION )  
 AGENCY, )  
 )  
 Complainant, )  
 )  
 v. )  
 )  
 HUSTLER HAULING, LLC, )  
 )  
 )  
 )  
 )  
 Respondent. )

AC 13-25  
 (IEPA No. 287-12-AC)

FACILITY: Farris, Thomas and Heather  
 SITE CODE NO.: 0670405029  
 COUNTY: Hancock  
 CIVIL PENALTY: \$4,500.00  
 DATE OF INSPECTION: October 25, 2012

DATE REMITTED:  
 SS/FEIN NUMBER:  
 SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attn.: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## Open Dump Inspection Checklist

County: Hancock                      LPC#: 0670405029                      Region: 3 - Peoria  
 Location/Site Name: Hamilton / Farris, Thomas & Heather  
 Date: 10/25/2012    Time: From 10:30 AM To 11:30 AM    Previous Inspection Date: \_\_\_\_\_  
 Inspector(s): Robert J. Wagner & Ron Robeen                      Weather: 55 F, Muddy, Overcast  
 No. of Photos Taken: # 39    Est. Amt. of Waste: 200 yds<sup>3</sup>    Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: Beau Whitaker & Thomas Farris                      Complaint #: C-2012-095-P  
 Latitude: 40.393806    Longitude: -91.355212    Collection Point Description: Center of Site -  
 (Example: Lat.: 41.26493                      Long.: -89.38294)                      Collection Method: GPS -

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

Thomas & Heather Farris  
 711 N. 8<sup>th</sup> Street  
 Hamilton, Illinois 62341  
 (309) 221-4922

Registered Agent:  
 Beau Whitaker  
 d/b/a Hustler Hauling, LLC  
 920 Main Street  
 Keokuk, IA. 52632  
 (217) 357-1843

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Pollution Control Board

	SECTION	DESCRIPTION	VIOL
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input checked="" type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	<input checked="" type="checkbox"/>
8.	21(p)	CAUSE OR ALLOW THE OPEN DUMPING OF ANY WASTE IN A MANNER WHICH RESULTS IN ANY OF THE FOLLOWING OCCURRENCES AT THE DUMP SITE:	
	(1)	Litter	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input checked="" type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>

	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input checked="" type="checkbox"/>
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LPC # 0670405029

Inspection Date: 10/25/2012

9.	<b>55(a)</b>	<b>NO PERSON SHALL:</b>	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input checked="" type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	<b>55(k)</b>	<b>NO PERSON SHALL:</b>	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>

**ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS**

11.	<b>95(a)</b>	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	<b>95(b)</b>	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	<b>95(c)</b>	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A CED OR OTHER LISTED DEVICE WITH WASTE THAT IS INTENDED FOR DISPOSAL BY BURNING OR INCINERATION	<input type="checkbox"/>
14.	<b>95(d)</b>	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input type="checkbox"/>

**35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS  
SUBTITLE G**

15.	<b>812.101(a)</b>	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
16.	<b>722.111</b>	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	<b>808.121</b>	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	<b>809.302(a)</b>	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
19.	<b>815.201</b>	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY	<input type="checkbox"/>

**OTHER REQUIREMENTS**

20.		APPARENT VIOLATION OF: ( <input type="checkbox"/> ) PCB; ( <input type="checkbox"/> ) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	<b>OTHER:</b>		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

**Informational Notes**

1. [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (p) of Section 21, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic

Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that Act.

5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

### Narrative

On October 25, 2012, Ron Robeen and I (Robert J. Wagner DLPC/FOS-Peoria) inspected property owned by Thomas and Heather Farris (see attached Farris Property Deed). Ron Robeen is the acting Manager for DAPC/BOA-Asbestos. The property is located in Bartlett & Gordon's Addition Lots 1 thru 13, Block 6 in Hamilton, Illinois (see attached site map). The property is used by Mr. Farris' tree business as an equipment storage area. The inspection was a result of a citizen complaint (C-2012-095-P). The following individuals participated in the inspection: Thomas Farris, property owner, and Beau Whitaker, owner of Hustler Hauling, LLC. See attached Iowa Secretary Of State, Business Entity Summary.

According to the complaint, the City of Hamilton demolished an old vacant building. They hauled it down to the Mississippi River and burnt it on the ground. The complainant stated that the burnt debris has runoff into the Mississippi River.

Apparently, on January 3, 2012 a fire burnt down two conjoining buildings on Broadway Street in Hamilton Illinois. The buildings addresses were 940 Broadway Street and 956 Broadway Street. The two destroyed buildings were deemed a safety hazard and an eyesore by the city council, so the city took legal action against the property owners: Mr. Veldon D. Gray, property owner of 940 Broadway Street, and Steve Froman, property owner of 956 Broadway Street. See attached Gray and Froman Property Deeds. Mr. Gray lives in Oklahoma City, Oklahoma and never responded to any of the city legal inquires. Mr. Froman took immediate action and cleaned up his property. Since Mr. Gray did not make any attempt to clean up his property nor respond to the cities legal inquiries. The city entered into a contract with Beau Whitaker, owner of Hustler Hauling, LLC, to remove the building debris at 940 Broadway Street. According to the unsigned contract submitted to the Agency by Mr. Whitaker, the building debris was to be disposed of in an approved manner. Mr. Whitaker was to be paid \$12,443.00 for the removal of the building debris. See attached contract. According to Hamilton City Police Officer Nick Jamerson, the city paid Mr. Whitaker to remove the building debris and dispose of it legally.

### Site Inspection

Upon arrival, I could see building debris open dumped on the property. Mr. Farris met Mr. Robeen and me in the middle of the property. Mr. Farris gave us permission to inspect the property. It was at this time during the inspection that Beau Whitaker of Hustler Hauling, LLC joined the inspection. According to Mr. Farris, he agreed to let Mr. Whitaker dump building debris on his property. He did this in hopes of raising the elevation of his property to prevent it from flooding. The property is adjacent to the Mississippi River. According to Mr. Whitaker, the demolition debris came from a burnt building that was located at 940 Broadway Street, Hamilton, Illinois. Mr. Whitaker was going to bury the bricks and concrete block on Mr. Farris's property to raise its elevation. The scrap metal debris was being separated out of the debris and taken to a scrap dealer for money. The wood from the building debris was burnt on Mr. Farris' property. According to Mr. Whitaker, open burning was a method of disposal to get rid of the wood.

Mr. Robeen continued interviewing Mr. Farris and Mr. Whitaker while I performed my walk around inspection. See site sketch and photographs. Photographs 1, 2, and 3 show processed wood, red brick, chunks of concrete, and metal debris partially buried on the property. Photograph 4 shows processed wood, red brick, chunks of concrete, and metal debris partially buried on the property. Also, photographed was a tractor, Mr. Whitaker (in bibs) and Mr. Robeen. Photographs 5, 6, and 7 show a tractor and a trailer. The tractor was being used to bury debris on the property and the trailer was being used to remove scrap metal from the site. Photographs 8, 9, 10, 11, 12, 18, 19, 23, 24, 32, 33, 36, 37, 38, and 39 show processed wood, red brick, chunks of concrete, metal debris, and carpet partially buried on the property. Photographs 13, 14, 15, 16, 17, 20, 21, 25, 26, 27, 28, 29, 30, 31, and 35 show processed wood, red brick, chunks of concrete and metal debris partially buried on the property. Photograph 22 shows trees that had been burnt because the open burning taking place on the property had gotten out of control on a windy day. Photograph 34 shows processed wood, red brick, chunks of concrete, and metal debris partially buried on the property. The photograph also shows a tire.

After inspecting the property, I joined Mr. Robeen, Mr. Farris, and Mr. Whitaker for a closing conference. Mr. Farris and Mr. Whitaker did not realize that they were violating the Illinois Environmental Protection Act. Mr. Farris and Mr. Whitaker agreed to stop open dumping and open burning on the property. Mr. Farris and Mr. Whitaker said they would remove the waste debris to an IEPA permit landfill. They would keep all receipts and turn them into to the IEPA.

The following alleged violations were observed and indicated on the open dump inspection checklist:

1. Pursuant to Section 9(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(a)), no person shall cause or threaten or allow the discharge or emission of any contaminant into the environment in any State so as to cause or tend to cause air pollution in Illinois, either alone or in combination with contaminants from other sources, or so as to violate regulations or standards adopted by the Board under this Act.

A violation of Section 9(a) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed the open dumping of waste in a manner which resulted in open burning.**

2. Pursuant to Section 9(c) of the {Illinois} Environmental Protection Act (415 ILCS 5/9(c)), no person shall cause or allow the open burning of refuse, conduct any salvage operation by open burning, or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and approved by the Agency pursuant to regulations adopted by the Board under this Act.

A violation of Section 9(c) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed the open dumping of waste in a manner which resulted in open burning.**

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

A violation of Section 12(a) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused, threatened, or allowed, the discharge of contaminants so as to cause or tend to cause water pollution in Illinois.**

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

A violation of Section 12(d) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed contaminants to be deposited upon the land in such place and manner so as to create a water pollution hazard.**

5. Pursuant to Section 21(a) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(a)), no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed the open dumping of waste.**

6. Pursuant to Section 21(d)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(1)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit.

A violation of Section 21(d)(1) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused of allowed a waste disposal operation without a permit granted by the Agency.**

7. Pursuant to Section 21(d)(2) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(d)(2)), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

A violation of Section 21(d)(2) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed a**

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

8. Pursuant to Section 21(e) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(e)), no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards thereunder.

A violation of Section 21(e) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed the disposal of waste at this site which does not meet the requirements of the Act and regulations thereunder.**

9. Pursuant to Section 21(p)(1) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(1)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in litter.

*The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards applicable to open dumping.*

A violation of Section 21(p)(1) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed the open dumping of waste in a manner which resulted in litter.**

10. Pursuant to Section 21(p)(3) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(3)), no person shall, in violation of subdivision (a) of this Section, cause or allow the open dumping of any waste in a manner which results in open burning.

A violation of Section 21(p)(3) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed the open dumping of waste in a manner which resulted in open burning.**

11. Pursuant to Section 21(p)(7) of the {Illinois} Environmental Protection Act (415 ILCS 5/21(p)(7)), no person shall cause or allow the open dumping of waste in a manner that results in deposition of (i) general construction or demolition debris as defined in Section 3.160(a) of this Act; or (ii) clean construction or demolition debris as defined in Section 3.160(b) of this Act.

A violation of Section 21(p)(7) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed**

**the open dumping of waste in a manner which resulted in deposition of general or clean construction or demolition debris.**

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

A violation of Section 55(a)(1) of the [Illinois] Environmental Protection Act (415 ILCS 5/55(a)(1)) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC caused or allowed open dumping of used or waste tires.**

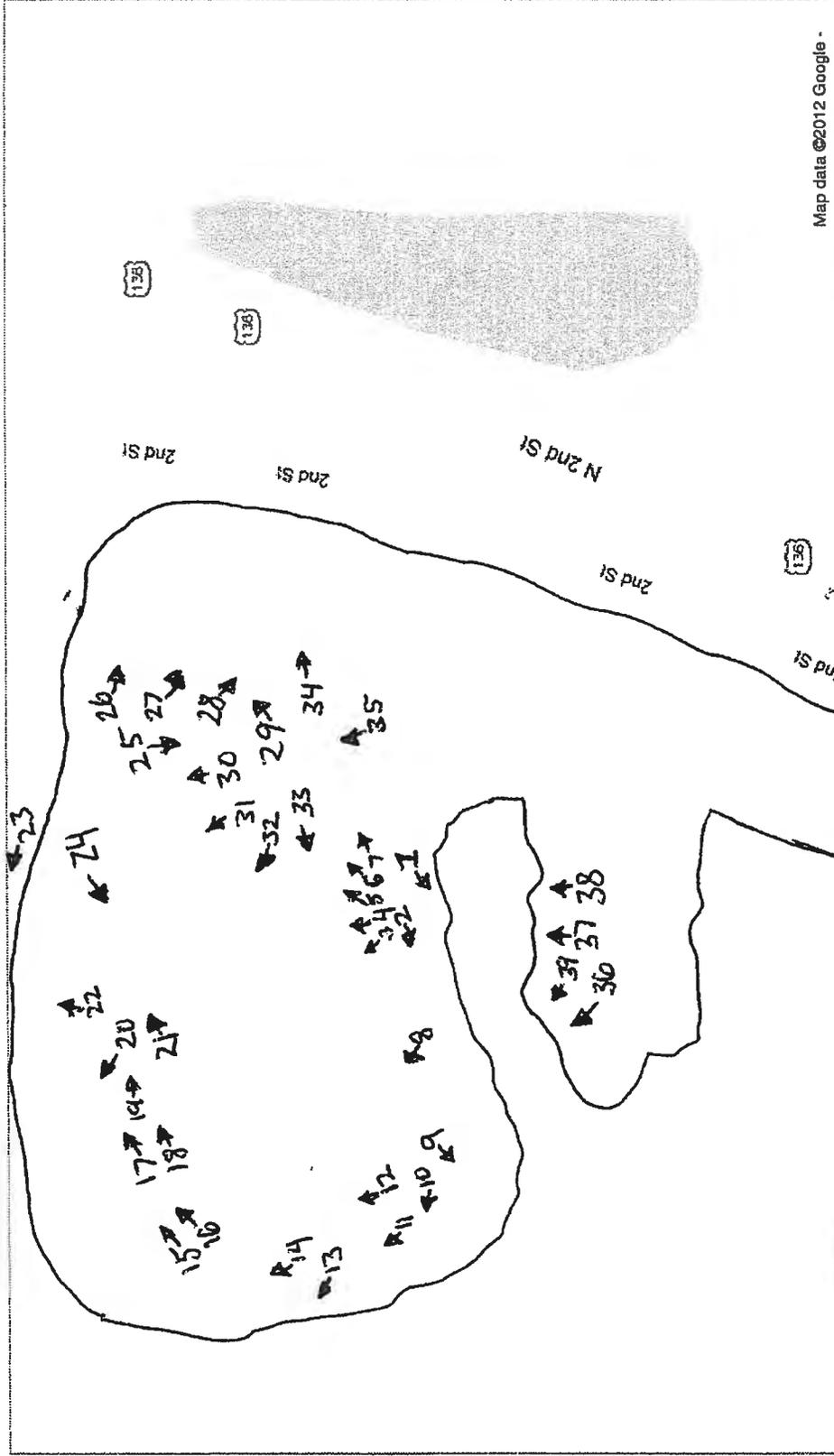
13. Pursuant to 35 Ill. Adm. Code 812.101(a), all persons, except those specifically exempted by Section 21(d) of the {Illinois} Environmental Protection Act, shall submit to the Agency an application for a permit to develop and operate a landfill.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged for the following reason: **Thomas and Heather Farris and Beau Whitaker d/b/a Hustler Hauling, LLC operated a waste disposal site without submitting to the Illinois EPA an application for a permit to develop and operate a landfill.**

0670405029 - Hancock County  
FARRIS, Thomas & Heather

FOS  
Google site sketch

To see all the details that are visible on the screen, use the "Print" link next to the map.



DRAWING NOT TO SCALE



**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 1

**PHOTOGRAPH FILE NAME:**

0670405029~10252012-001.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 2

**PHOTOGRAPH FILE NAME:**

0670405029~10252012-002.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DOCUMENT FILE NAME:**

0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 3

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-003.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. Also, photographed was a  
tractor and Bo Whitaker (in bibs)  
and Ron Robeen.



**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 4

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-004.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. Also, photographed was a  
tractor and Bo Whitaker (in bibs)  
and Ron Robeen.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 5

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-005.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 6

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-006.jpg

**COMMENTS:** The photograph  
shows a trailer being used to move  
scrap metal from the site.





**DATE:** October 25, 2012

**TIME:** 10:44 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 7

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-007.jpg

**COMMENTS:** The photograph  
shows a trailer being used to move  
scrap metal from the site.



**DATE:** October 25, 2012

**TIME:** 10:45 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 8

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-008.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete, metal  
debris and carpet.





**DATE:** October 25, 2012

**TIME:** 10:45 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 9

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-009.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:45 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 10

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-010.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:45 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 11

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-011.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:46 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 12

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-012.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:46 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 13

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-013.jpg

**COMMENTS:** The photograph shows dirt, processed wood, red brick, chunks of concrete and metal debris. The photograph also shows charred processed wood and metal debris.



**DATE:** October 25, 2012

**TIME:** 10:47 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 14

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-014.jpg

**COMMENTS:** The photograph shows dirt, processed wood, red brick, chunks of concrete and metal debris. The photograph also shows charred processed wood and metal debris.



**DOCUMENT FILE NAME:**

0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:47 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 15

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-015.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:47 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 16

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-016.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DOCUMENT FILE NAME:**

0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:47 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 17

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-017.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:47 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 18

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-018.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:47 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 19

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-019.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:48 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 20

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-020.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:48 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 21

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-021.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.





**DATE:** October 25, 2012

**TIME:** 10:48 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 22

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-022.jpg

**COMMENTS:** The photograph  
shows trees growing on the  
property that were charred from  
burning taking place on the  
property.





**DATE:** October 25, 2012

**TIME:** 10:48 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 23

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-023.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:49 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 24

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-024.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DOCUMENT FILE NAME:**

0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:49 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 25

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-025.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:49 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 26

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-026.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DOCUMENT FILE NAME:**

0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:49 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 27

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-027.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 28

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-028.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 29

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-029.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 30

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-030.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris. Also, photographed were  
Bo Whitaker (in bibs) and Ron  
Robeen.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 31

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-031.jpg

**COMMENTS:** The photograph shows dirt, processed wood, red brick, chunks of concrete and metal debris. The photograph also shows charred processed wood and metal debris. Also, photographed were Bo Whitaker (in bibs) and Ron Robeen.



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 32

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-032.jpg

**COMMENTS:** The photograph shows dirt, processed wood, red brick, chunks of concrete and metal debris.



**DOCUMENT FILE NAME:**

0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 33

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-033.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**  
Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 34

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-034.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete, metal  
debris and a tire. The photograph  
also shows charred processed wood  
and metal debris.





**DATE:** October 25, 2012

**TIME:** 10:50 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 35

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-035.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris. The photograph also shows  
charred processed wood and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:52 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 36

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-036.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DOCUMENT FILE NAME:**  
0670405029~10252012.doc



**DATE:** October 25, 2012

**TIME:** 10:52 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 37

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-037.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.



**DATE:** October 25, 2012

**TIME:** 10:53 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 38

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-038.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.





**DATE:** October 25, 2012

**TIME:** 10:53 AM

**PHOTOGRAPHED BY:**

Robert J. Wagner

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

**PHOTOGRAPH NUMBER:** 39

**PHOTOGRAPH FILE NAME:**  
0670405029~10252012-039.jpg

**COMMENTS:** The photograph  
shows dirt, processed wood, red  
brick, chunks of concrete and metal  
debris.





# IOWA SECRETARY OF STATE Matt Schultz

- Home • Business Services • Search Databases • Online Filing • Elections • Notaries • Nonprofits

Home - Search Databases - Business Entities - Results - Summary

## Business Entity Summary

print

### Summary

- Address
- Agent
- Filings
- Names
- Officers
- Stock
- Search Again
- Print Certificate of Existence

Searched: Hustler Hauling

Business No.	Legal Name	Status
380140	HUSTLER HAULING, L.L.C.	Inactive
Type	State of Inc.	Modified
Legal	IA	No
Expiration Date	Effective Date	Filing Date
PERPETUAL	5/11/2009	5/11/2009

Chapter  
CODE 489 DOMESTIC LIMITED LIABILITY COMPANY

Names (Viewing 1 of 1)

Type	Status	Modified	Name
Legal	Active	No	HUSTLER HAULING, L.L.C.

Registered Agent or Reserving Party

Full Name  
BEAU WHITAKER

Address Address 2  
920 MAIN ST

City, State, Zip  
KEOKUK, IA, 52632

Home Office

Full Name

Address Address 2  
920 MAIN ST

City, State, Zip  
KEOKUK, IA, 52632

† Back to Top

### STAY CONNECTED



VOTER FRAUD HOTLINE  
1-888-SOS-VOTE



Instrument No. 2000-2499

# FARRIS

**WARRANTY DEED  
JOINT TENANCY**

**RECORDED**  
County of Hancock  
State of Illinois

MAIL TO:  
Stephen B. Morris Law Office, P.C.  
1040 Broadway  
Hamilton, Illinois 62341

Date: July 28, 2000  
Time: 1:13 P.M.  
Document No. 2000-2499  
Kerry Osbridge  
Recorder

NAME & ADDRESS OF TAXPAYER:  
THOMAS L. FARRIS, JR.  
R.R. 2, Box 252B-1  
Rushville, Illinois 62681

GRANTOR(S), LAUREN E. STROHN, a/k/a Lauren E. Strahn as reflected by Deed recorded in Book 284 of Deeds, page 537, a widower, and surviving joint tenant of Lauren J. Strahn, of Phoenix, in the County of Maricopa, in the State of Arizona, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, CONVEY(S) and WARRANT(S) to the GRANTEE(S), THOMAS L. FARRIS, JR. and HEATHER A. FARRIS, husband and wife, of R.R. 2, Box 252B-1, Rushville, in the County of Schuyler, in the State of Illinois, not as TENANTS IN COMMON but as JOINT TENANTS, the following described real estate:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12) and Thirteen (13) in Block Six (6) of Bartlett & Gordon's Addition to the City of Hamilton, also all the margin lying between the slough and said above mentioned Block Six (6), all in the City of Hamilton, County of Hancock, and State of Illinois.

Permanent Index No:  
11-29-043-000

Property Address:  
Hamilton, Illinois 62341

SUBJECT TO: (1) General real estate taxes for the year 1998 and subsequent years. (2) Covenants, conditions and restrictions of record. →

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. TO HAVE AND TO HOLD said premises not as TENANTS IN COMMON but as JOINT TENANTS forever.

DATED July 28, 2000 13<sup>th</sup> day of July, 2000.

X  
LAUREN E. STROHN

STATE OF ARIZONA                    )  
  )   SS  
COUNTY OF MARICOPA            )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that LAUREN E. STROHN, a/k/a Lauren E. Strahn as reflected by Deed recorded in Book 284 of Deeds, page 537, a widower, and surviving joint tenant of Lauren J. Strahn, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notary seal, this 13 day of July, 2000.

[Signature] Notary Public



My commission expires Oct. 20, 2002

COUNTY - ILLINOIS TRANSFER STAMPS  
Exempt Under Provision of  
Paragraph \_\_\_\_\_ Section 4,  
Real Estate Transfer Act  
Date: \_\_\_\_\_

Prepared By:  
ret Stephen B. Morris Law Office, P.C.  
1040 Broadway  
Hamilton, Illinois 62341  
15.00 pd

Signature: \_\_\_\_\_

GRAY

Instrument No. 98-2981

RECORDED  
County of Hancock  
State of Illinois

Date: July 31, 1998

Time: 8:57 A.M.

Document No. 98-2981

Kerry Osbidge  
Recorder

QUITCLAIM DEED

The Grantors, BETTY E. GRAY and VERNON DEAN GRAY, also known as Vernon D. Gray, Mother and Son, of 940 Broadway, Hamilton, Illinois, for and in consideration of One (\$1.00) Dollar and other good and valuable consideration in hand paid, CONVEY AND QUITCLAIM to: VELDON D. GRAY, of 940 Broadway, Hamilton, Illinois, all interest in the following described real estate situated in the County of Hancock, in the State of Illinois, to-wit:

Twenty-one feet, six inches off the West side of Lot One (1) in Block Seventeen (17) in Bartlett & Gordon's Addition to the City of Hamilton, EXCEPTING THEREFROM, a strip four inches wide off the extreme West side thereof, and also,

Lot Three (3) in Block Seventeen (17) of Bartlett & Gordon's Addition to the Town, now City of Hamilton,

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

Permanent Index Number: 11-29-116-002 &

Property Address: 936 & 940 Broadway, Hamilton, IL 62341

DATED this 22nd day of July, 1998.

Exempt under provisions of Paragraph e  
Section 4, Real Estate Transfer Tax Act.

7/31/98 LeRoy Lykes (as)  
Date Buyer, Seller or Representative

Betty E Gray (SEAL)  
BETTY E. GRAY

Vernon D Gray (SEAL)  
VERNON DEAN GRAY

15<sup>00</sup> pd  
Ret Lykes

STATE OF ILLINOIS }  
COUNTY OF HANCOCK } SS

I, Luella A. Spees, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that BETTY E. GRAY and VERNON DEAN GRAY, also known as Vernon D. Gray, Mother and Son, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 22nd day of July, 1998.



*Luella A. Spees*  
NOTARY PUBLIC

Mail Tax Statements to:

Veldon D. Gray  
940 Broadway  
Hamilton, IL 62341

This Instrument Prepared by:

LeRoy A. Ufkes  
Attorney at Law  
546 Main Street  
P.O. Box 459  
Carthage, IL 62321

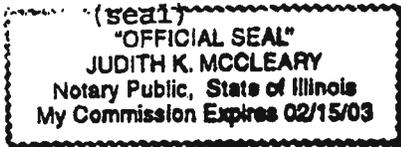


their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notary seal, this 12<sup>th</sup> day of

April, 2001.

Judith K. McCleary Notary Public



My commission expires 2/15/03

---

COUNTY - ILLINOIS TRANSFER STAMPS

Exempt Under Provision of  
Paragraph \_\_\_\_\_ Section 4,  
Real Estate Transfer Act  
Date: \_\_\_\_\_

Prepared By:  
Stephen B. Morris Law Office, P.C.  
1040 Broadway  
Hamilton, Illinois 62341

Signature: \_\_\_\_\_

# Whitaker Contract

## AGREEMENT

THIS AGREEMENT is by and between City of Hamilton (herein called OWNER) and Beau Whitaker, Hunter-Haug (herein called CONTRACTOR). OWNER and CONTRACTOR, in consideration of the mutual covenants herein set forth, agree as follows:

### Article 1. WORK.

1.01 CONTRACTOR shall complete all Work as specified in this Contract. The Work is described as follows:

See attached invitation for bids, which is incorporated herein.  
Removal and clean-up of the Gray structure and fire debris, at 940 Broadway, in the City of Hamilton, Hancock County, Illinois.  
Work includes, but is not limited to, the following:  
**Removal** Remove and dispose of all structural components, waste materials, debris, rubbish, trash, ashes, bricks, masonry, stone, concrete, foundations, and other materials of every kind and character, leaving the premises free of same, including removal of the brick wall, immediately adjacent to the neighboring building on the west, down to the stone foundation. Disconnect and cap the sewer. Identify and mark utility lines for gas, water supply and sewer. Not interfere with adjacent structures. Provide temporary barriers and security devices. Prevent movement or settlement of adjacent structures. Proceed in an orderly and careful manner observing dust control measures. Cease operations and notify City Officer when adjacent structures appear to be endangered. Dispose of all material in an approved manner. If suspect asbestos is encountered, immediately stop work and notify City Officer. Do not burn or bury materials on site. Remove foundation walls to four feet below surface. **That portion of the stone foundation on the west side of the premises adjacent to the existing building shall be preserved.** Footings and basement slabs may remain if they are a minimum 4 feet below existing grades. All basement slabs must be fractured into 2' x 2' (max.) pieces in order to allow for water not to pond in the former basement. Keep work sprinkled to minimize dust. Provide hoses and water main or hydrant connections for this purpose.

### Article 2. CONTRACT TIMES.

2.01 Time of the Essence. All time limits for Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

2.02 . The work shall be completed within 30 days after award and subject to a penalty of \$200.00 per day thereafter.

### Article 3. PAYMENT PROCEDURES.

#### 3.01 Submittal and Processing of Payments.

A. CONTRACTOR shall submit his application for Payment which shall be paid upon completion of the work. *TOTAL PRICE \$12,443.<sup>00</sup>*

### Article 4. CONTRACTOR'S REPRESENTATIONS.

In order to induce OWNER to enter into this Agreement CONTRACTOR makes the following representations:

A. CONTRACTOR has examined the Contract.

B. CONTRACTOR has visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance or furnishing of the Work.

C. CONTRACTOR is familiar with and is satisfied as to all federal, state and local Laws and Regulations that may affect cost, progress, performance and furnishing of the Work and that not less than the prevailing rate of wages will be paid to all workmen, laborers, and mechanics performing work under this project, and that the contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin. Contractor shall meet the requirements of the Illinois Department of Labor Prevailing Wage Act. The contractor is required to comply with all laws of the State of Illinois, the U.S., and all ordinances of the City of Hamilton.

### Article 5. INSURANCE.

Upon execution of this agreement and prior to starting any of the work, Contractor shall provide satisfactory evidence of Insurance: Before any Work at the Site is started, CONTRACTOR shall deliver to the OWNER, with copies to each additional insured identified in the Supplementary Conditions, certificates of insurance (and other evidence of insurance which OWNER, or any additional insured may reasonably request) which CONTRACTOR is required to purchase and maintain in during all work.

Coverage for not less than the following amounts or greater where required by law:

Worker's Compensation, and

Bodily Injury to Accident, Bodily Injury by Disease, Bodily Injury by Disease and Comprehensive General Liability: General Aggregate = \$1,000,000. Bodily Injury & Property Damage = \$1,000,000 Per Occurrence.

## Article 6. MISCELLANEOUS.

### 6.01 Assignment of Contract.

A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

### 6.02 Successors and Assigns.

A. OWNER and CONTRACTOR each binds itself, its partners, successors, assigns and legal representatives to the other party hereto, its partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

### 6.03 Severability

A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon OWNER and CONTRACTOR, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

### 6.04 Compliance with Illinois Law.

A. Contractor shall comply with the Employment of Illinois Workers on Public Works Act (30 ILCS 570/01 *et. seq.* ).

B. Contractor shall comply with 820 ILCS 265/1 *et. seq.* (Substance Abuse Prevention on Public Works Projects Act), which requires that before a Contractor, or Subcontractor, commences work on any public works project that requires prevailing wages, they must have a written program which meets or exceeds the program requirements of the Act, and they must have a written copy of the program on file with the Owner, or have a collective bargaining agreement in effect dealing with the subject matter.

C. Contractor shall comply with the Illinois prevailing wage law and not less than the prevailing rate of wages will be paid to all workmen, laborers, and mechanics performing work under this project, and that the contractor must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex or national origin.

D. Contractor shall provide a contractor's statement regarding taxes in the form attached.

E. Contractor shall comply with all other laws, rules and regulations of the State of Illinois and of the United States with respect to the work.

7.04. Law and forum

The law of the State of Illinois shall apply to this contract, and the Circuit Court of the Ninth Judicial Circuit of Illinois shall have exclusive jurisdiction of any disputes arising from this contract.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement in duplicate. One counterpart each has been delivered to OWNER and CONTRACTOR.

This Agreement will be effective on \_\_\_\_\_, 2012. (which is the Effective Date of the Agreement).

OWNER

CONTRACTOR

City of Hamilton, Illinois

By: \_\_\_\_\_  
Mayor

\_\_\_\_\_

By: \_\_\_\_\_  
Its \_\_\_\_\_

Attest \_\_\_\_\_  
City Clerk  
[CORPORATE SEAL]

Attest: \_\_\_\_\_  
Its \_\_\_\_\_  
[CORPORATE SEAL]

Address for giving notices

Address for giving notices

Mayor  
City of Hamilton  
1010 Broadway,  
Hamilton, IL 62341

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BIDDING CONTRACTOR'S STATEMENT**

The undersigned hereby certifies the undersigned, a contractor on a public improvement project of the City of Hamilton is not delinquent in the payment of any taxes administered by the Department of Revenue, State of Illinois, pursuant to Section 11-42.11 of Chapter 65 of the Illinois Revised Statutes, as amended.

Dated this \_\_\_\_ day of October, 2012

\_\_\_\_\_  
Contractor

By \_\_\_\_\_  
Its \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of October, 2012.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF PEORIA )

RECEIVED  
CLERK'S OFFICE  
DEC 20 2012  
STATE OF ILLINOIS  
Pollution Control Board

AC13-05

AFFIDAVIT

I, Robert J. Wagner, being first duly sworn upon oath, depose and state as follows:

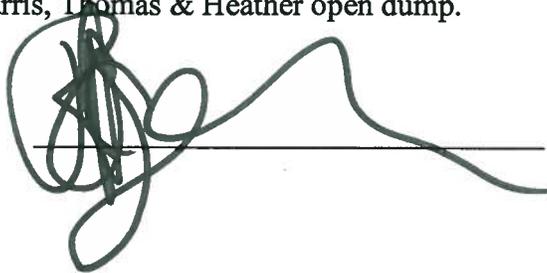
1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On October 25, 2012, between 10:30 AM and 11:30 AM, Affiant conducted an inspection of the open dump in Hancock County, Illinois, known as Farris, Thomas & Heather, Illinois Environmental Protection Agency Site No. 0670405029.

3. Affiant inspected said Farris, Thomas & Heather open dump site by an on-site inspection, which included walking and photographing the site.

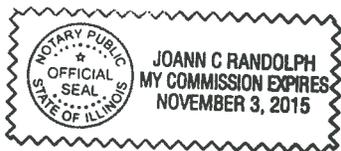
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said Farris, Thomas & Heather open dump.

FURTHER AFFIANT SAYETH NOT.



Subscribed and Sworn to before  
me this 9<sup>th</sup> day of November, 2012

Joann C. Randolph  
Notary Public



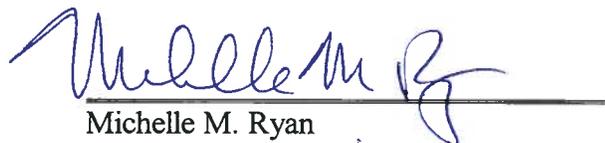
**PROOF OF SERVICE**

I hereby certify that I did on the 14th day of December 2012, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Beau Whitaker, Registered Agent  
Hustler Hauling, LLC  
920 Main Street  
Keokuk, IA 52632

and the original and nine (9) true and correct copies of the same foregoing instruments on the same date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

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

  
Michelle M. Ryan  
Assistant Counsel  
by JCR

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