



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

RECEIVED
CLERK'S OFFICE
OCT 15 2013
STATE OF ILLINOIS
Pollution Control Board

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

October 10, 2013

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

AC14-20 ORIGINAL

Re: Illinois Environmental Protection Agency v Frank Root
IEPA File No. 231-13-AC; 1178095008—Macoupin County

Dear Mr. Therriault:

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

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

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

Sincerely,

Michelle M. Ryan
Assistant Counsel

Enclosures

bcc: Susan Konzelmann, DLC #21
Mike Davison, Division of Land Pollution Control #24
Division of Land Pollution Control File Room #24 (Compliance File)
Gillespie/Root, Frank
1178095008—Macoupin County
David Jansen, Springfield Regional Office

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

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STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

FRANK ROOT,

Respondent.

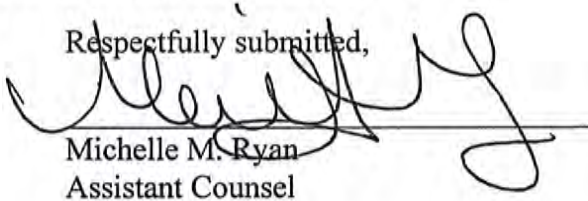
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AC *14-20*
(IEPA No. 231-13-AC)

NOTICE OF FILING

To: Frank Root
13354 Route 16
Gillespie, Illinois 62033

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: October 10, 2013

VIOLATIONS

Based upon direct observations made by David C. Jansen during the course of his August, 21, 2013 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 water to accumulate in used/waste tires, a violation of Section 55(k)(1) of the Act, 415 ILCS 55(k)(1) (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 One Thousand Five Hundred Dollars (\$1,500.00). 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 November 1, 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 elect not to petition the Illinois Pollution Control Board for review of this Administrative

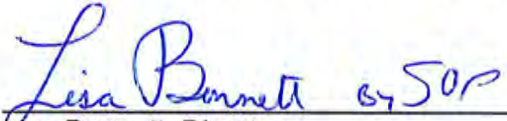
Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and findings of violation as alleged herein, and shall impose the statutory civil penalty specified above.

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.



Lisa Bonnett, Director
Illinois Environmental Protection Agency

Date: 10/10/13

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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OCT 15 2013

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
 Complainant,)
 v.)
 FRANK ROOT,)
 Respondent.)

AC *14-20*
 (IEPA No. 231-13-AC)

FACILITY: Gillespie/Root, Frank
 SITE CODE NO.: 1178095008
 COUNTY: Macoupin
 CIVIL PENALTY: \$1,500.00
 DATE OF INSPECTION: August 21, 2013

DATE REMITTED:
 SS/FEIN NUMBER:
 SIGNATURE:

NOTE

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

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

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OCT 15 2013
STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
)
Illinois Environmental)
Protection Agency,)
Complainant)
)
vs.)
)
Frank Root,)
Respondent)
)

AC14-20

IEPA DOCKET NO.

Affiant, David C. Jansen, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector and regional manager employed by the Division of Land Pollution Control/Field Operations Section of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On August 21, 2013 between 11:15 AM and 11:40 AM, Affiant conducted an inspection of a disposal site operated without an Illinois Environmental Protection Agency permit, located in Macoupin County, Illinois, and known as Gillespie/Root, Frank by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC# 1178095008 by the Illinois Environmental Protection Agency.
3. Affiant inspected said Gillespie/Root, Frank 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, dated September 4, 2013 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 Gillespie/Root, Frank open dump.

David C. Jansen

DAVID C. JANSEN

Subscribed and Sworn To before me
This 6th day of *September*, 2013

Charlene K. Powell

Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Open Dump Inspection Checklist

County: MACOUPIN LPC#: 1178095008 Region: 5 - Springfield
 Location/Site Name: GILLESPIE/ROOT, FRANK
 Date: 08/21/13 Time: From 11:15 AM To 11:40 AM Previous Inspection Date: 07/24/13
 Inspector(s): D.C. JANSEN Weather: 80 F, SUNNY, DRY
 No. of Photos Taken: # 17 Est. Amt. of Waste: 15 yds³ Samples Taken: Yes # No
 Interviewed: NO ONE Complaint #:
 Latitude: 39.13182 Longitude: -89.896091 Collection Point Description: Dump Location -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: Photo Interpolation

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

FRANK ROOT
 13354 ROUTE 16
 GILLESPIE, IL 62033
 618-362-6495 (disconnected)

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OCT 15 2013
 STATE OF ILLINOIS
 Pollution Control Board

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input 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"/>

LPC # 1178095008

Inspection Date: 08/21/13

	(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 type="checkbox"/>
9.	55(a)	NO PERSON SHALL:	
	(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.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input checked="" type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
11.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
12.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
13.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
14.	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			
15.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
16.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

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 and subsection (k) of Section 55 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.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Bureau of Land/Field Operations Section
Springfield Region Memorandum

DATE: September 4, 2013
TO: DLPC/Division File
FROM: David C. Jansen, BOL/FOS Springfield Region
SUBJECT: **LPC #1178095008 - Macoupin County**
Gillespie/Root, Frank
FOS File

This site located west of Gillespie, IL (see attached aerial photos for location) was originally inspected by Jan Mier, BOL/FOS Springfield Region, on November 27, 2012, at which time a pile of used tires containing water was noted by Ms. Mier north of the Frank Root residence. As a result of her inspection, an Administrative Citation Warning Notice (ACWN) dated December 14, 2012 was sent to Frank Root by the Illinois EPA. There was no written response from Mr. Root to the ACWN, so I re-inspected this site on July 24, 2013. I arrived at about 10:43 a.m. It was about 75°F, sunny, and wet.

After talking briefly with Mr. Root inside his residence upon arrival, I went by myself to look at the used tires stacked neatly in a pile located at the north edge of a mowed field north of his residence (see attached aerial photos for location and attached photos # 001 thru 004). I estimated there were about 60 off rim used car and truck tires present, most of which contained water. Algae were growing in some of the used tires containing water, indicating that water had been in the tires for some time.

After photographing the used tires, I returned to talk to Mr. Root inside his residence. I advised him there was water in the used tires and that there was a minimum \$1500.00 administrative citation penalty for having used water in used tires, but that if he promptly removed the used tires and properly disposed them, the previously cited apparent violations would be resolved. Mr. Root said he had given up on the idea of using the tires to line a go kart track for his children, and further claimed that until recently the used tires had been covered. He indicated that his wife Melanie Root had recently moved out, as he was going through a divorce, and things were tough for him and his children at the moment, but the used tires would be removed within one week. Under those circumstances I agreed to the one week timetable for removal. When asked where he was taking the used tires, Mr. Root indicated they would be taken back to an unspecified person in Litchfield who generated them and gave him the used tires for his proposed go-kart track. He did not provide me with the name of the person when I asked. I asked him to call me at the phone number on my business card that I gave him when he had the used tires removed, and he agreed to do so. Since he said he did not have internet access anymore, he said he could not e-mail me photos showing that the used tires had been removed within 1 week of July 24th.

I left the property at about 11:00 a.m.

Unable to reach Mr. Root via his last known phone number of 618-362-6495, which had been disconnected, I waited without success for Mr. Root to call and tell me he had removed all the used tires, so I returned to the site on August 21, 2013, arriving at about 11:15 a.m. It was about 85°F, sunny, and dry. No one answered the door of his residence when I knocked and I did not see his vehicle parked nearby, so I proceeded north to where the used tire pile was located on July 24th.

When I got to the approximate location of the pile I saw only 3 off rim used tires (see attached photo # 001). I then looked around and noted off rim used tires with water in them scattered at the edge of the wooded area to the north (see attached photos # 002 and 003). I then noted more used tires with water in them scattered in the wooded area east (see attached photos # 004 and 007) and northeast of the formed used tire pile (see attached photos # 005 and 006); scattered in a wooded area southeast of the former tire pile (see attached photos # 008 and 009); and, after noting some vehicle tracks in the weeds, scattered in a weedy area northwest of the former used tire pile (see attached photos # 012 and 013). The "Super Sports" labeled used tire shown in photo # 012 appears to have the same label and markings as the "Super Sports" labeled used tire shown in photo # 004 taken on July 24, 2013.

There were 8 off rim used tires, some with water in them, next to a fence closer to Mr. Root's residence (see attached photos # 010 and 011), and 12 off rim used tires, some containing water, next to a trailer south of Mr. Root's residence (see attached photos # 015 and 016). Two large off rim tractor tires were also noted at the SW edge of the yard and at the far west end of the east-west gravel access road leading to the Root residence (see attached photo # 015). Not all the used tires with water in them were photographed. Not all the used tires encountered were photographed, but in total I counted about 60 off rim used tires, including the 2 used tractor tires, that were not previously counted on July 24th. I could not be certain that I found all the used tires that were originally seen in the pile on July 24th. There was absolutely no discussion with Mr. Root on July 24, 2013 that would have led Mr. Root to believe that moving used tires from a consolidated pile to scattered locations across his property was either acceptable or in compliance with the State laws that prohibit the open dumping of, and accumulation of water in, used tires.

Not previously examined during the July 24st inspection, and immediately north of Mr. Root's residence, was an approximately 10 foot diameter, circular open burn area (see attached photos # 014 and 017) enclosed by concrete blocks that contained burned and unburned garbage, wire, metal, lumber, landscape waste, plastic, glass light bulbs, clothing, paper and ashes. These wastes appeared to have been of the types and volume to have been generated on site. Two unburned shovels within the circle might have been used for removing or adding wastes. This circular area is even visible in the attached aerial photo.

I left the site at about 11:40 a.m.

LPC #1178095008 - Macoupin County
Gillespie/Root, Frank
FOS File

The apparent violations noted during the August 21st inspection are noted on the attached checklist.

Subsequent to the inspection I contacted Bruce Pitchford of the Macoupin County Assessor's Office via e-mail and asked him to verify ownership of the parcel occupied by Frank Root. He advised me that the parcel where Frank Root resided was being bought contract for deed by Frank and Melanie Root, and the owners of the parcel were listed as "ATG Trust Co trust #L007-080 dated 061907" with a deed reference # of 500644 (see attached e-mails dated August 23, 2013).

I went to the Macoupin County Courthouse on September 4, 2013 to obtain a copy of the deed and verify the ownership of the property occupied by Mr. Root, as stated by Mr. Pitchford. The attached *Corporate Warranty Deed In Trust* shows the property was conveyed to "ATG Trust Company, an Illinois Corporation, as Trustee under Trust Agreement dated June 19, 2007 and known as Trust Number L007-080." This deed further shows that future tax bills should be sent to ATG Trust Company c/o Mike LaRosa, 1717 Williamson Ave., Staunton, IL 62088. Within *Exhibit A* of this deed, the property inhabited by Mike Root is legally further described therein as *Parcel 1*.

Also obtained on September 4th at the Courthouse was the attached *Memorandum of Contract* dated April 21, 2010, which is a *Real Estate Escrow Contract* that lists Michael J. LaRosa as Seller, and Frank and Melanie B. Root as buyers of the property at 13354 Rt. 16, Gillespie, IL, which is Mr. Root's address. *Exhibit A* to this contract is the legal description of the property which matches the legal description of the aforementioned *Parcel 1*. This contract states that future tax bills should be sent to *Michael J. LaRosa at 711 Luker St., Staunton, IL 62088*. The contract further states that the full unpaid balance and interest on the purchase was due on May 1, 2013. Neither the Assessor's or Recorder's offices had any deeds on file indicating the Frank and Melanie Root currently owned the property, over 4 months since the last payment was due on May 1, 2013.

cc: DLPC/FOS Springfield Region

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:18 a.m.
Direction: W
Photo by: D. C. Jansen
Exposure #: 001
Comments: 3 off rim used tires where approximately 60 used tires used to be piled in a field north of Frank Root residence.



Date: 08/21/13
Time: 11:21 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 002
Comments: used tires with water in them at edge of wooded area north of former used tire pile.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:21 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 003
Comments: water in one of the used tires shown in photo # 002.



Date: 08/21/13
Time: 11:22 a.m.
Direction: E
Photo by: D. C. Jansen
Exposure #: 004
Comments: 5 used tires with water in them at edge of wooded area east of former used tire pile.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:22 a.m.
Direction: NE
Photo by: D. C. Jansen
Exposure #: 005
Comments: 6 used tires with water in them at edge of wooded area NE of former used tire pile.



Date: 08/21/13
Time: 11:23 a.m.
Direction: NE
Photo by: D. C. Jansen
Exposure #: 006
Comments: water in 3 of the used tires shown in photo # 005.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:23 a.m.
Direction: E
Photo by: D. C. Jansen
Exposure #: 007
Comments: another view of 5 used tires shown in photo # 004.



Date: 08/21/13
Time: 11:24 a.m.
Direction: E
Photo by: D. C. Jansen
Exposure #: 008
Comments: 2 used tires at edge of wooded area SE of former used tire pile.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:25 a.m.
Direction: E
Photo by: D. C. Jansen
Exposure #: 009
Comments: 3 used tires at edge of wooded area SE of former used tire pile.



Date: 08/21/13
Time: 11:25 a.m.
Direction: SW
Photo by: D. C. Jansen
Exposure #: 010
Comments: 8 off rim used car tires, some with water in them, next to fence north of Frank Root residence.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:26 a.m.
Direction: SW
Photo by: D. C. Jansen
Exposure #: 011
Comments: water in 2 of the used tires shown in photo # 010.



Date: 08/21/13
Time: 11:27 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 012
Comments: 6 used tires with water in them at edge of wooded area NW of former used tire pile.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:28 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 013
Comments: 4 used tires with water in them at edge of wooded area NW of former used tire pile.



Date: 08/21/13
Time: 11:29 a.m.
Direction: S
Photo by: D. C. Jansen
Exposure #: 014
Comments: approximately 10 foot diameter circular open burn area just north of Frank Root residence.

Burned and unburned wastes within circle included burnt garbage, wire, metal, lumber, landscape waste, plastic, glass light bulbs, clothing, paper, and ashes.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:34 a.m.
Direction: W
Photo by: D. C. Jansen
Exposure #: 015
Comments: 12 off rim used tires, some containing water, next to trailer south of Frank Root residence.

Large used tractor tire located at each end of gravel driveway, at end of black arrow.



Date: 08/21/13
Time: 11:34 a.m.
Direction: W
Photo by: D. C. Jansen
Exposure #: 016
Comments: water in 3 of the used tires shown in photo # 015.

DIGITAL PHOTOGRAPHS



Date: 08/21/13
Time: 11:35 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 017
Comments: another view of approximately 10 foot diameter open burn area just north of Frank Root residence.

Burned and unburned wastes within circle included burnt garbage (in foreground), wire, metal, lumber, landscape waste, plastic, glass light bulbs, clothing, paper, and ashes.

2 unburned shovels might have been used for removing or adding wastes.

NO PHOTO

1178095008-08212013.doc

DIGITAL PHOTOGRAPHS



Date: 07/24/13
Time: 10:50 a.m.
Direction: SW
Photo by: D. C. Jansen
Exposure #: 001
Comments:
Approximately 60 used off rim truck and car tires in field north of Frank Root residence. Weeds were next to and growing thru centers of some of the used tires.



Date: 07/24/13
Time: 10:51 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 002
Comments: water in off rim used tire

DIGITAL PHOTOGRAPHS



Date: 07/24/13
Time: 10:51 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 003
Comments: water in off rim used tire. Algae were growing in water.



Date: 07/24/13
Time: 10:51 a.m.
Direction: N
Photo by: D. C. Jansen
Exposure #: 004
Comments: water in off rim used tires.

Google

GILLESPIE, IL

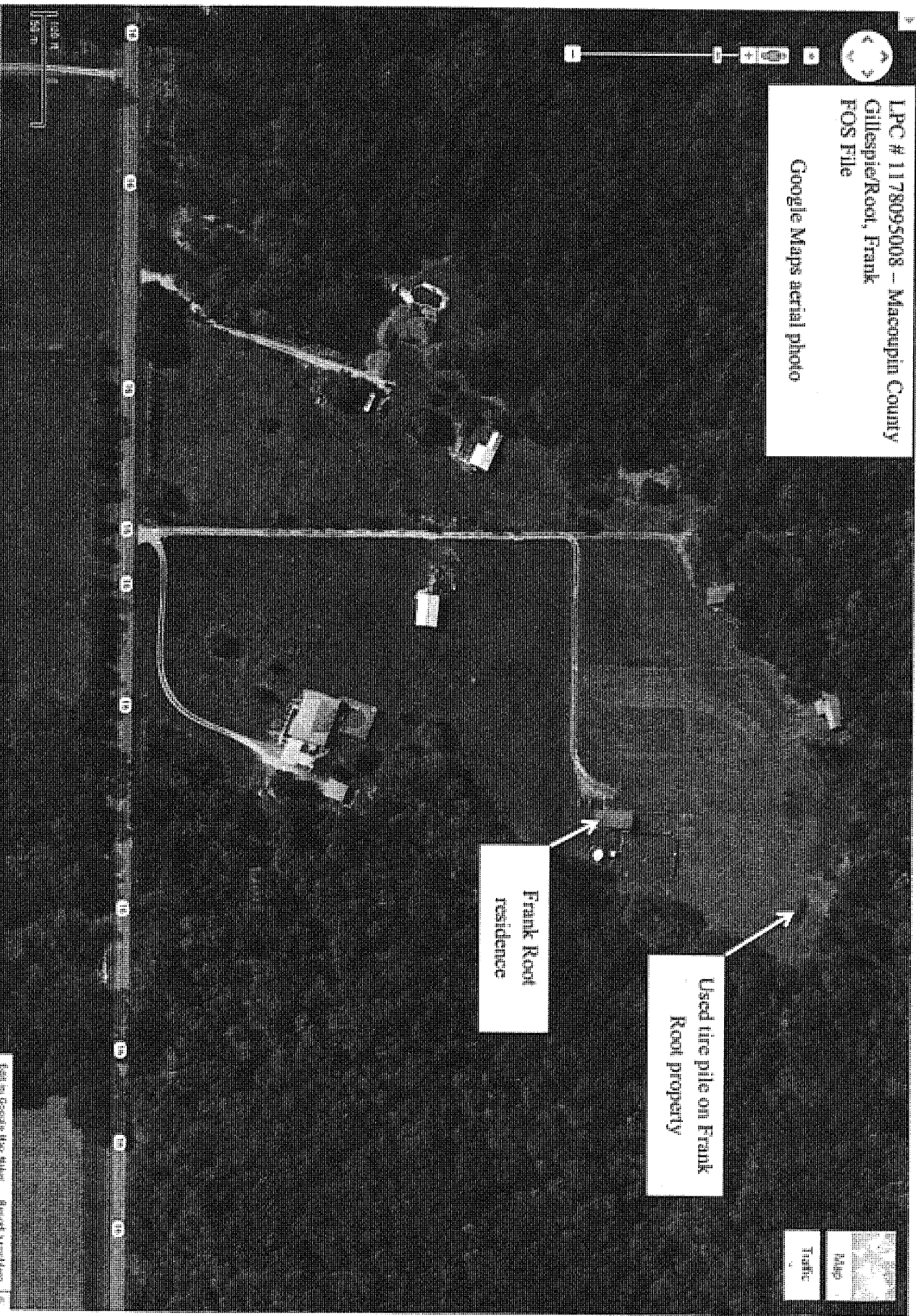


Street View icon



LPC # 1178095008 - Macoupin County
Gillespie/Root, Frank
FOS File

Google Maps aerial photo



Frank Root residence

Used tire pile on Frank Root property





LPC # 1178095008 - Macoupin County
Gillespie/Root, Frank
FOS File

Google Maps aerial photo



Used tire pile on Frank
Root property

Open burn circle

Frank Root
residence



LPC # 1178095008 - Macoupin County
Gillespie/Rood, Frank
FOS File

Aerial photo from <http://macoupin.ilbhmaps.com/>

658.16

25

4.81

-0111

-015

5.19

662.09

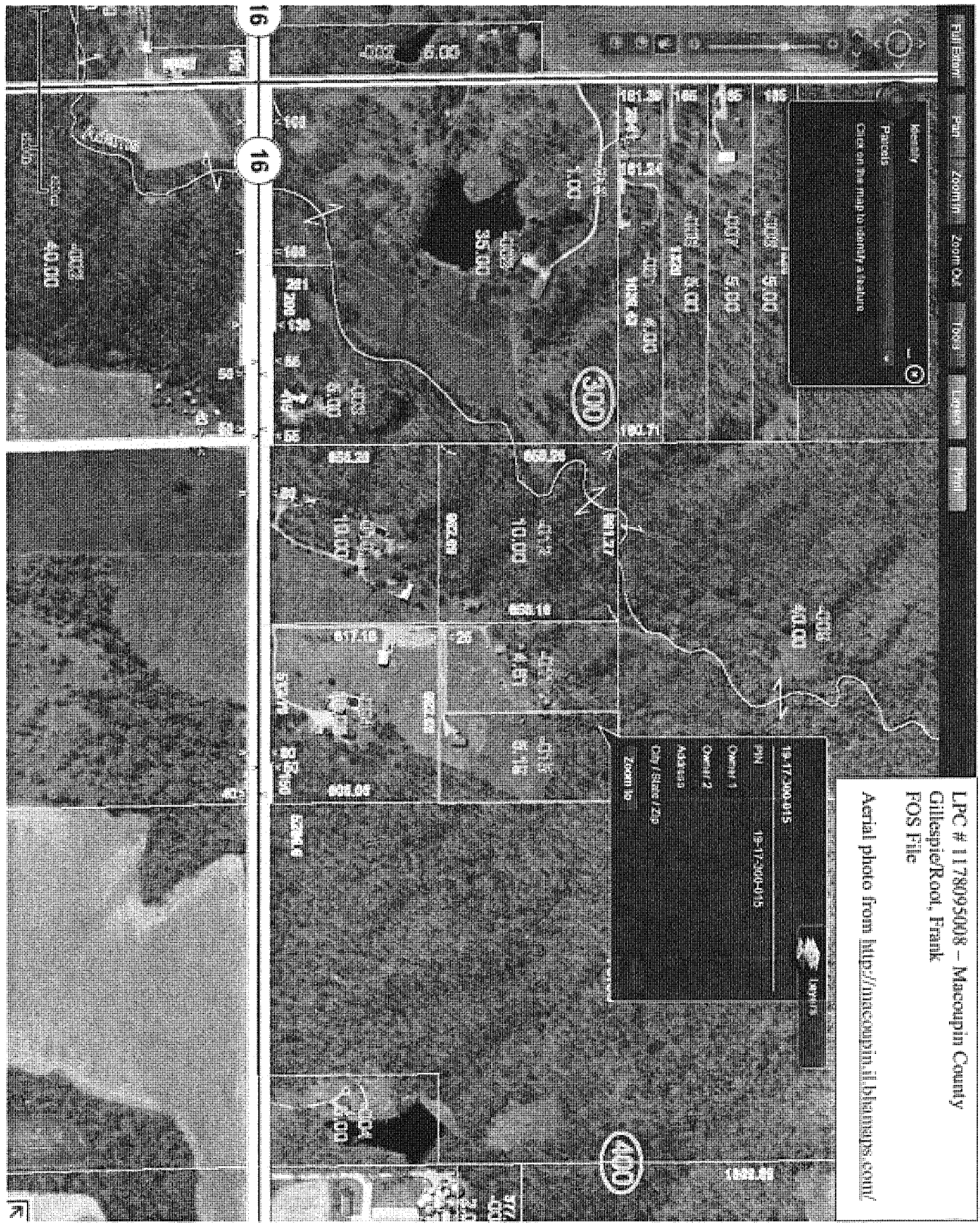
Address

19-17-300-015
Parcel
19-17-300-015
Owner 1
Owner 2
Address
City/State/Zip
Zoom In

Identify
 Parcels
 Click on the map to identify a feature

LPC # 1178095008 - Macoupin County
 Gillespie/Root, Frank
 FOS File
 Aerial photo from <http://macoupin.ilbluemaps.com/>

19-17-300-015
 PIN 19-17-300-015
 Owner 1
 Owner 2
 Address
 City/State/Zip
 Zoom to



Charge
RETURN TO:
COMMUNITY TITLE
110 W. MAIN ST.
STAUNTON, IL 62088
X100236

Charge
L.P.S. (u)

LA# 1178095008
ROOT, FRANK
EBS FILE

Michele A. Zippay
Macoupin Co. Recorder Carlinville, IL
DOC#: 500644
Receipt #: 200868
Pages Recorded: 4
Date Recorded: 4/27/2010 1:22:47 PM
Total Fees: \$55.00
RHSP Included: 4/27/2010: \$10.00

MEMORANDUM OF CONTRACT

KNOW ALL MEN BY THESE PRESENTS.

That as of this 21st day of April, 2010. **FRANK E AND MELANIE B ROOT**, a married couple, of 13354 RT 16, Gillespie, Illinois 62033, as Buyer, entered into a Real Estate Escrow Contract with **Michael J. LaRosa**, of 1717 Williamson Ave, Staunton IL 62088, as Seller, for the sale by Seller and the purchase by Buyer for the following described real estate, to-wit:

13354 Rt 16, Gillespie IL 62033
10-000-281-05

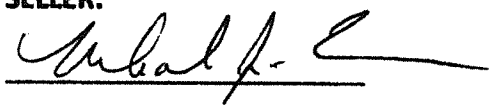
See attached legal description

Which Contract provides for the purchase of said premises by Buyer in installments, with the first payment to be made on June 1, 2010, with the full unpaid balance and interest thereon to be due on May 1, 2013, or as might be extended by the parties.

The said Real Estate Escrow Contract provides that until the full purchase price and interest thereon have been paid, the Buyer shall not do anything which will cause or permit a mortgage, mechanics lien or other encumbrance to attach to said premises, and that all persons dealing with Buyer or with said premises are chargeable with notices of this provision. The Buyer has taken possession of the premises pursuant to the terms of said Contract.

Executed on the 21st day of April, 2010.

SELLER:

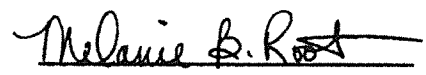


MICHAEL J. LAROSA

BUYERS:



FRANK E ROOT



MELANIE B ROOT

RECEIVED
SPRINGFIELD REGION

SEP 04 2010

Future Tax Bills to Seller at:

Michael J. LaRosa
711 Luker St
Staunton IL 62088

Prepared by:

Michael J. LaRosa
1717 Williamson Ave
Staunton IL 62088

Environmental Protection Agency
STATE OF ILLINOIS

STATE OF ILLINOIS)
) ss.
COUNTY OF MACOUPIN)

I, the undersigned Notary Public, in and for the said County, in the State aforesaid, DO HEREBY CERTIFY **MICHAEL J. LAROSA**, 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 the signed, sealed and delivered the same instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal the 21st day of April, 2010.

Tamara L. Bone

STATE OF ILLINOIS)
) SS.
COUNTY OF MACOUPIN)

NOTARY PUBLIC



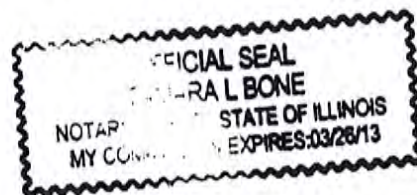
I, the undersigned Notary Public, in and for the said County, in the State aforesaid, DO HEREBY CERTIFY **FRANK E AND MELANIE B ROOT**, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that the signed, sealed and delivered the same instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal the 21st day of April, 2010.

Tamara L. Bone

STATE OF ILLINOIS)
) SS.
COUNTY OF MADISON)

NOTARY PUBLIC

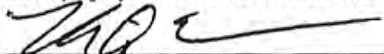


**THIS IS A LEGAL DOCUMENT - CONSULT YOUR PRIVATE ATTORNEY
AFFIDAVIT TO COMPLY WITH PLAT ACT AND TRACT
SURVEY REQUIREMENTS**

Affiant is (agent for) (an officer of) (one of) the grantor(s) in a (deed) (lease) (contract) transferring interest in the real estate described in the accompanying document. Affiant further states this transfer is exempt from the Illinois Plat Act because it is:

- A. NOT A DIVISION OF LAND (parcel already has an existing county real estate tax identification number);
- B. A DIVISION OR SUBDIVISION OF LAND INTO TRACTS OF 5 ACRES OR MORE NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- C. A DIVISION OR LOTS OR BLOCKS OF LESS THAN 1 ACRE IN A RECORDED SUBDIVISION NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- D. A SALE OR EXCHANGE OF LAND BETWEEN OWNERS OF ADJOINING AND CONTIGUOUS LAND;
- E. A CONVEYANCE OF LAND FOR USE AS A RIGHT OF WAY FOR PUBLIC UTILITIES AND OTHER PIPELINES NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- F. A CONVEYANCE OF LAND OWNED BY A PUBLIC UTILITY NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- G. A CONVEYANCE OF LAND FOR HIGHWAY OR OTHER PUBLIC PURPOSE OR RELATING TO A DEDICATION OF LAND FOR OR VACATION OF LAND SUBJECT TO A PUBLIC USE;
- H. A CONVEYANCE TO CORRECT DESCRIPTION IN PRIOR CONVEYANCE;
- I. THE SALE OR EXCHANGE OF PARCELS OF LAND FOLLOWING THE DIVISION INTO NO MORE THAN 2 PARTS OF A PARCEL EXISTING ON 7/17/59 AND INVOLVING NO NEW STREETS OR EASEMENTS OF ACCESS;
- J. THE SALE OF A SINGLE LOT LESS THAN 5 ACRES FROM A LARGER TRACT. (EXCEPTION ONLY APPLIES TO THE 1ST LOT CONVEYED UNDER 5 ACRES FROM A LARGER TRACT AS IT EXISTED ON 10/1/73). (THE SINGLE LOT OF LESS THAN 5 ACRES MUST HAVE BEEN SURVEYED BY AN ILLINOIS RES. LAND SURVEYOR WHOSE SURVEY MUST HAVE BEEN RECORDED OR ACCOMPANY THE DEED.)
- K. IF D, I, OR J, ARE MARKED, COMPLETE EITHER #1 OR #2 BELOW:
- 1) PLAT OFFICER APPROVAL IS ATTACHED.
- or-
- 2) PLAT OFFICER APPROVAL NOT REQUIRED AS PARCEL IS LOCATED WHOLLY WITHIN THE MUNICIPAL LIMITS OR JURISDICTION OF _____ WHICH DOES NOT REQUIRE SUCH APPROVAL.

Under penalties of perjury I swear that the statements contained here are true and correct.

Signature: 

Date: 4-21-10

Subscribed and sworn to before me: _____

Tamara L Bone
Notary Public



Exhibit A

Part of the Southeast Quarter of the Southwest Quarter of Section 17 Township 8 North Range 7 West of the Third Principal Meridian, Macoupin County, Illinois being more particularly described as follows:

Beginning at the Northeast corner of the Southeast Quarter of said Southwest Quarter, thence South 00 degrees 14 minutes 44 seconds West along the East line of the Southeast Quarter of said Southwest Quarter a distance of 657.86 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter thence North 89 degrees 41 minutes 27 seconds West along the South line of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter, a distance of 662.58 feet to the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter; thence North 00 degrees 12 minutes 58 seconds West along the West line of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter, a distance of 25.00 feet; thence South 89 degrees 41 minutes 27 seconds East parallel with the South line of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter, a distance of 331.28 feet; thence North 00 degrees 13 minutes 51 seconds West, a distance of 633.22 feet to the North line of the Southeast Quarter of said Southwest Quarter thence South 89 degrees 37 minutes 38 seconds East along said North line a distance of 331.12 feet to the point of beginning, containing 5.193 acres, more or less, ALSO the benefit of a 20 foot wide ingress/egress and utility easement previously granted to Charles D. Bonnell from Charles L. and Sheila J. Jeris dated July 5, 2002. Situated in the County of Macoupin, State of Illinois.

IDEN: 471897

PPN 10-000-281-05

RECEIVED
SPRINGFIELD REGION

SEP 11 4 2003

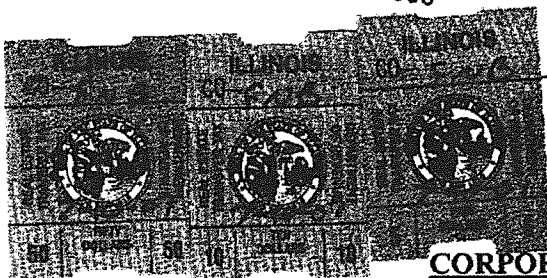
Environmental Protection Agency
STATE OF ILLINOIS

LPC # 1178095008
ROOT, FRANK
FOS FILE

Bob 4

TO:
COMMUNITY TITLE
100 MAIN ST.
STANTON, IL 62088

Johny
\$56.00



ILLINOIS
CO-ENB
REAL ESTATE
TRANSFER TAX
2.10.07
THREE
DOLLARS
3 | 3

CORPORATE WARRANTY DEED IN TRUST

Michele A. Zippay
Macoupin Co. Recorder Carlinville, IL
Doc #: 471897
Receipt #: 180529
Total Fees: \$56.00
Sale Price: \$68,000.00
County Transfer Fee: \$34.00
State Transfer Fee: \$68.00
RHSP Included: 7/10/2007: \$10.00
Pages Recorded: 5
Date Recorded: 7/10/2007 10:20:25 AM
Fee Amount: \$102.00

RECEIVED
SPRINGFIELD REGION

SEP 14 2008

Environmental Protection Agency
STATE OF ILLINOIS

THIS INDENTURE WITNESSETH, That the

Grantor:

First National Bank in Staunton

a corporation duly organized and existing under and by virtue of the laws of the State of Illinois, and duly authorized to transact business in the State where the following described real estate is located, for and in consideration of One Dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, and pursuant to authority given by the Board of Directors of said corporation, CONVEYS and WARRANTS to

ATG Trust Company, an Illinois Corporation, as Trustee under Trust Agreement dated June 19, 2007 and know as Trust Number L007-080

the following described real estate, to-wit:

SEE EXHIBIT "A"

Provided, however, that said trust instrument need not be recorded and no purchaser from my Trustee shall be under any obligation to inquire into the propriety or regularity of any such sale, or to see to the application of the purchase money, but all transfers and conveyances from my Trustee shall give to the purchaser good title without any other act by the purchaser than the payment of the purchase money.

Situated in the County of ^{MACOUPIN}~~WADISON~~ and State of Illinois, hereby releasing and waiving all rights under and by virtue of the Homestead Exemption laws of the State wherein said land is located.

AFFIX CORPORATE SEAL HERE

First National Bank in Staunton

Attested to By: Sara M. Potter

By: Brian Yu

Title: Executive Vice - President

Title: Senior Loan Officer

5

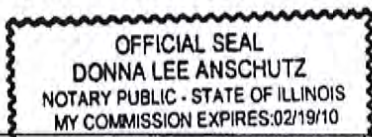
STATE OF Illinois) SS

COUNTY OF Macoupin)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, DO HEREBY CERTIFY THAT Gina M. Lotter personally known to me to be the Executive Vice-President of the Corporation who is the grantor, and Brian Wey personally known to me to be the Senior Loan Officer of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that in their respective positions as Exec. Vice President and Senior Loan Officer they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said Corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 2nd day of July, 2007.

My commission expires:



Donna Lee Anschutz
Notary Public

THIS INSTRUMENT PREPARED BY Mottaz Law Office 2600 D. State Street Alton, IL 62002	FUTURE TAX BILLS should be sent to: ATG TRUST COMPANY % Mike Lerosa 1717 Williamson Ave. Staunton, IL 62088
---	--

PLEASE RETURN THIS DOCUMENT TO:
S070492
Community Title & Escrow, Ltd.
110 W. Main
Staunton, IL 62088

Exhibit A

PARCEL 1

Environment & Planning Agency
STATE OF ILLINOIS

Part of the Southeast Quarter of the Southwest Quarter of Section 17 Township 8 North Range 7 West of the Third Principal Meridian, Macoupin County, Illinois being more particularly described as follows:

Beginning at the Northeast corner of the Southeast Quarter of said Southwest Quarter, thence South 00 degrees 14 minutes 44 seconds West along the East line of the Southeast Quarter of said Southwest Quarter a distance of 657.86 feet to the Southeast corner of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter thence North 89 degrees 41 minutes 27 seconds West along the South line of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter, a distance of 662.58 feet to the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter; thence North 00 degrees 12 minutes 58 seconds West along the West line of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter, a distance of 25.00 feet; thence South 89 degrees 41 minutes 27 seconds East parallel with the South line of the Northeast Quarter of the Southeast Quarter of said Southwest Quarter, a distance of 331.28 feet; thence North 00 degrees 13 minutes 51 seconds West, a distance of 633.22 feet to the North line of the Southeast Quarter of said Southwest Quarter thence South 89 degrees 37 minutes 38 seconds East along said North line a distance of 331.12 feet to the point of beginning, containing 5.193 acres, more or less, ALSO the benefit of a 20 foot wide ingress/egress and utility easement previously granted to Charles D. Bonnell from Charles L. and Sheila J. Jeris dated July 5, 2002. Situated in the County of Macoupin, State of Illinois.

PPN 10-000-281-04 (Larger Parcel)

OK'D BY


PARCEL 2

Lot 2 in Block 24 in the Original Plat of the Village, now City of Benld, in the County of Macoupin and State of Illinois.

PPN 03-001-255-00

OK'D BY


PARCEL 3

Lot 33 in Brushey Grove Subdivision No. 1 a subdivision of the Southwest Quarter of Section 23, Township 5 North, Range 9 West of the Third Principal Meridian, Wood River Township, Madison County, according to the plat thereof recorded in Plat Book 26 Page 27, in Madison County, Illinois.

PPN: 19-2-08-23-17-302-023

PARCEL 4

Beginning at the Westerly corner of Lot Number 33 on the Southerly side of Washington Street, (formerly Garden Street) in DEBOW'S ADDITION TO UPPER ALTON (now a part of the City of Alton) Illinois; as the same appears from plat thereof in Plat Book 19 Page 27 in the Recorder's Office of Madison County, Illinois; thence from said beginning point North 49

degrees East along the line of said Street and the line of said Lot, a distance of 50 feet to a point; thence South 41 degrees 10 minutes East parallel to and with the Southwesterly line of said Lot Number 33 a distance of 120 feet to a point; thence in a Southwesterly direction parallel to and with the said Southerly line of Washington Street and the Northwesterly line of said Lot Number 33, a distance of 50 feet to the Southwesterly line of said Lot Number 33; thence Northwestwardly along the said Southwesterly line of said Lot Number 33 a distance of 120 feet to the place of beginning. Situated in the City of Alton, County of Madison and State of Illinois.

PPN: 23-2-08-07-17-303-010

PARCEL 5

Lot 2 in Block 5 in Z.B. Job's Addition to Alton Junction (now East Alton), as the same appears from the plat thereof recorded in Plat Book 5 Page 12 of the Recorder's Office of Madison County, Illinois; situated in the Village of East Alton, County of Madison and State of Illinois.

PPN 19-2-08-16-13-304-027

PARCEL 6

Lot 3 in Block 1 in Washington Heights, an addition to East Alton, Illinois according to the Plat thereof recorded in Plat Book 12, Page 25 of the Recorder's Office of Madison Couty, Illinois.

Situated in the County of Madison, State of Illinois.

PPN 19-2-08-21-07-201-003

PARCEL 7

Lot 368 in Block Number 3 in HARNETT TERRACE ANNEX, as the same appears from plat thereof recorded in Plat Book 14 Pages 20 and 21 of the Recorder's Office of Madison County, Illinois. Situated in Madison County, Illinois.

PPN: 19-2-08-21-11-203-004

**THIS IS A LEGAL DOCUMENT - CONSULT YOUR PRIVATE ATTORNEY
AFFIDAVIT TO COMPLY WITH PLAT ACT AND TRACT
SURVEY REQUIREMENTS**

Affiant is (agent for) (an officer of) (one of) the grantor(s) in a (deed) (lease) (contract) transferring interest in the real estate described in the accompanying document. Affiant further states this transfer is exempt from the Illinois Plat Act because it is:

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- B. A DIVISION OR SUBDIVISION OF LAND INTO TRACTS OF 5 ACRES OR MORE NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- C. A DIVISION OR LOTS OR BLOCKS OF LESS THAN 1 ACRE IN A RECORDED SUBDIVISION NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
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- F. A CONVEYANCE OF LAND OWNED BY A PUBLIC UTILITY NOT INVOLVING NEW STREETS OR EASEMENTS OF ACCESS;
- G. A CONVEYANCE OF LAND FOR HIGHWAY OR OTHER PUBLIC PURPOSE OR RELATING TO A DEDICATION OF LAND FOR OR VACATION OF LAND SUBJECT TO A PUBLIC USE;
- H. A CONVEYANCE TO CORRECT DESCRIPTION IN PRIOR CONVEYANCE;
- I. THE SALE OR EXCHANGE OF PARCELS OF LAND FOLLOWING THE DIVISION INTO NO MORE THAN 2 PARTS OF A PARCEL EXISTING ON 7/17/59 AND INVOLVING NO NEW STREETS OR EASEMENTS OF ACCESS;
- J. THE SALE OF A SINGLE LOT LESS THAN 5 ACRES FROM A LARGER TRACT. (EXCEPTION ONLY APPLIES TO THE 1ST LOT CONVEYED UNDER 5 ACRES FROM A LARGER TRACT AS IT EXISTED ON 10/1/73). (THE SINGLE LOT OF LESS THAN 5 ACRES MUST HAVE BEEN SURVEYED BY AN ILLINOIS RES. LAND SURVEYOR WHOSE SURVEY MUST HAVE BEEN RECORDED OR ACCOMPANY THE DEED.)
- K IF D, I, OR J, ARE MARKED, COMPLETE EITHER #1 OR #2 BELOW:
 - 1) PLAT OFFICER APPROVAL IS ATTACHED.
 - or-
 - 2) PLAT OFFICER APPROVAL NOT REQUIRED AS PARCEL IS LOCATED WHOLLY WITHIN THE MUNICIPAL LIMITS OR JURISDICTION OF _____ WHICH DOES NOT REQUIRE SUCH APPROVAL.

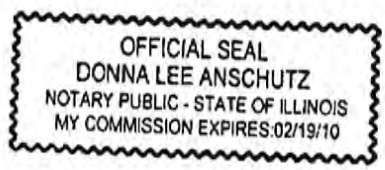
Under penalties of perjury I swear that the statements contained here are true and correct.

Signature: *Brian U*

Date: 7/2/07

Subscribed and sworn to before me: 7/2/07

Donna Lee Anschutz
Notary Public



RECEIVED
CLERK'S OFFICE

OCT 15 2013

STATE OF ILLINOIS
Pollution Control Board

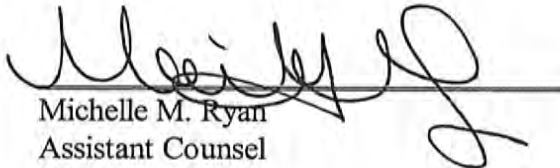
PROOF OF SERVICE

I hereby certify that I did on the 10th day of May 2013, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Frank Root
13354 Route 16
Gillespie, Illinois 62033

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

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


Michelle M. Ryan
Assistant Counsel

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