

STATE OF ILLINOIS

COUNTY OF LASALLE

ADMINISTRATIVE CITATION

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
JAKE COOK)	
SARAH COOK)	AC NO. _____
)	
Respondent(s))	

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/31.1, formerly Ill. Rev. Stat. 1991, Ch. 111 ½, par. 1031.1, and delegated to the County of LaSalle pursuant to 415 ILCS 5/4 (r), formerly Ill. Rev. Stat., Ch. 111 ½, par. 1004 (r).

FACTS

1. That Respondents, Jake Cook and Sarah Cook, are the present owners and/or operator of property located in South Ottawa Township, LaSalle County, Illinois.
2. That said facility is an open burn and open dump site, operating without an Illinois Environmental Protection Agency Permit, and is designated with Site Code No. 0998315004. Said facility is commonly known to the Agency as the Cook Property.
3. That the Respondents have owned and/or operated said facility since January 4, 2018.
4. That on June 4, 2019, Lauren Grumieaux, Environmental Inspector, LaSalle County Department of Environmental Services and Land Use, under the authority of the Illinois Environmental Protection Agency, inspected the above described facility. A copy of the inspection reports setting forth the results of such inspections are attached hereto and made a part hereof.

VIOLATIONS

5. On the basis of direct observations of Lauren Grumieaux of the LaSalle County Department of Environmental Services and Land Use, it has been determined that the Respondents have caused or allowed open dumping at the above described facility in a manner which results in the following occurrences:

That on June 4, 2019, an on-site inspection of said facility disclosed the following:

- XXX Causing or allowing litter -- 415 ILCS 5/21 (p) (1), (formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021 (p) (1) [formerly par. 1021 (q) (1)]).
- Causing or allowing scavenging operations -- 415 ILCS 5/21 (p) (2), (formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 102 (p) (2) [formerly par. 1021 (q) (2)]).
- XXX Causing or allowing open burning -- 415 ILCS 5/21 (p) (3), (formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021(p) (3) [formerly par. 1021 (q) (3)]).
- Causing or allowing the deposition of waste in standing or flowing waters -- 415 ILCS 5/21 (p) (4), (formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021 (p) (4) [formerly par. 1021 (q) (4)]).
- Causing or allowing proliferation of disease vectors -- 415 ILCS 5/21 (p) (5), (formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021(p) (5) [formerly par. 1021 (q) (5)]).
- Causing or allowing the generation of standing or flowing liquid discharge from the open dump site -- 415 ILCS 5/21 (p) (6), (formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1021(p) (6) [formerly par. 1021 (q) (6)]).
- XXX Causing or allowing the deposition of general construction or demolition debris, or clean construction or demolition debris in violation of 415 ILCS 5/21(p)(7).

CIVIL PENALTY

6. Pursuant to 415 ILCS 5/42 (b) (4), formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1042 (b) (4), Respondent herein is subject to a civil penalty of Fifteen Hundred Dollars (\$1500.00) for each violation specified above in Paragraph 5(b) for a total of four Thousand five Hundred Dollars (\$4500.00). Additionally, should Respondents elect to petition the Illinois Pollution Control Board under the review process described herein below, and if there is a finding of the violation alleged herein, after an adjudicatory hearing, Respondents shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board, in addition to the Fifteen Hundred Dollar (\$1500.00) statutory penalty for each finding of violation.
7. If you acknowledge the violations cited herein above, the civil penalty specified above shall be due and payable no later than thirty-five (35) days from the date of service hereof. If you do not petition the Illinois Pollution Control Board of review of this Administrative Citation within thirty-five (35) days of service hereof or if you elect to contest this Administrative Citation, any judgment rendered against you shall specify the due date of the statutory civil penalty and any costs assessed against you.
8. When payment is made, one certified check or money order for (\$2,250.00) shall be made payable to the **LaSalle County Treasurer** and mailed to:

**LaSalle County Department of Environmental Services and Land Use
119 West Madison Street
Room 107a
Ottawa, Illinois 61350**

And one certified check or money order for (\$2,250.00) shall be made payable to the **Illinois Environmental Protection Trust** and mailed to:

Illinois Environmental Protection Agency
Attn.: Fiscal Services Division
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

Also, please complete and return the enclosed Remittance Form, along with your payment, to assure proper documentation of payment.

9. If any civil penalty imposed by the Illinois Pollution Control Board is not paid within the time prescribed in the order, interest from such penalty will be assessed for the period from the date payment is due until the date payment is received. If any civil penalty, by reason of acknowledgment, default or finding after the adjudicatory hearing is not paid when due, the LaSalle County State's Attorney may initiate proceedings in Circuit Court to collect said civil penalty. In addition to the previously assessed civil penalty, interest and hearing costs of the Illinois Pollution Control Board, if any, the State's Attorney's Office will seek to recover their costs of litigation.

**PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION**

10. You have the right to contest this Administrative Citation. See: 415 ILCS 5/31.1, formerly Ill. Rev. Stat. 1991, Ch. 111 ½, par. 1031.1. If you elect to contest this Administrative Citation, you must file a Petition for Review with the Clerk of the Illinois Pollution Control Board. Copies of the Petition for Review should also be filed with:

Mark Anderson
LaSalle County Assistant State's Attorney
707 Etna Road
Ottawa, Illinois 61350

LaSalle County Department of Environmental Services and Land Use
119 West Madison Street
Room 107
Ottawa, Illinois 61350

Such Petition for Review must be filed within thirty-five (35) days of the date of service of this Administrative Citation, or a default judgment shall be entered by the Pollution Control Board. Petition for Review may be filed with the:

Clerk of the Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, IL 60601

Dated: _____

6/17/19

Karen Donnelly
LaSalle County State's Attorney

By: _____


Mark Anderson, Assistant State's Attorney

COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 JAKE COOK)
 SARAH COOK)
)
 Respondent(s))

AC NO. _____

REMITTANCE FORM

FACILITY: Jake Cook
Sarah Cook Site Code: 0998315004
0000 E. IL State RTE. 71 County: LaSalle
Ottawa, IL 61350 Township: South Ottawa

CIVIL PENALTY: \$1500.0 for each violation

Number of Violation(s): three (3)

Total Remittance: \$4,500.00

Date of Inspection: June 4, 2019

DATE REMITTED: _____

SS/FEIN NUMBER _____

SIGNATURES _____

NOTE

Please enter the date of your remittance, your social security number(s) (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your certified check or money order is enclosed, and mail, along with Remittance Form to:

**LaSalle County Department of Environmental Services and Land Use
119 West Madison Street, Room 107a
Ottawa, IL 61350**

AND

**Illinois Environmental Protection Agency
Attn.: Fiscal Services Division
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276**

INFORMATIONAL NOTICE !!!

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS

NOTE: This Administrative Citation Refers to One State Agency and Two County Entities

The One State Agency Is:

ILLINOIS POLLUTION CONTROL BOARD
JAMES R. THOMPSON CENTER
100 WEST RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

The Two County Entities Are:

LASALLE COUNTY STATE'S ATTORNEY OFFICE
ATTENTION: MARK ANDERSON
707 ETNA ROAD
OTTAWA, ILLINOIS 61350

LASALLE COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES AND LAND USE
119 WEST MADISON STREET
ROOM 107A
OTTAWA, ILLINOIS 61350

If you elect to contest the enclosed ADMINISTRATIVE CITATION, you must file a PETITION FOR REVIEW within thirty-five (35) days of the date the ADMINISTRATIVE CITATION was served upon you. Any such PETITION FOR REVIEW must be filed with the CLERK OF THE ILLINOIS POLLUTION CONTROL BOARD by either hand-delivering or mailing the PETITION FOR REVIEW to the **CLERK OF THE ILLINOIS POLLUTION CONTROL BOARD** at the address given above. A copy of the PETITION FOR REVIEW should be either hand-delivered or mailed to the LASALLE COUNTY STATE'S ATTORNEY'S OFFICE, ATTENTION: MARK ANDERSON at the address given above. Also, a copy of the PETITION FOR REVIEW should be either hand-delivered or mailed to the LASALLE COUNTY DEPARTMENT OF ENVIRONMENTAL SERVICES AND LAND USE at the address given above.

STATE OF ILLINOIS
COUNTY OF LASALLE

COUNTY OF LASALLE)

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v.)

JAKE COOK)
SARAH COOK)

Respondent(s))

AC NO. _____

AFFIDAVIT

Affiant, Lauren Grumieaux, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is employed by the County of LaSalle and has been so employed at all times pertinent hereto.
2. On June 4, 2019 between 11:30 a.m. and 12:03 p.m., Affiant conducted inspections of an open burn and open dump site operating without an Agency permit, located in LaSalle County, Illinois and known as the Cook Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0998315004 by the Agency.
3. Affiant inspected the said South Ottawa Township / Jake Cook Property open dump site by an on-site inspection which included conducting a visual inspection from the road and photographing the site.
4. As a result of the material actions referred to in paragraph 3 above, Affiant completed the Inspection Report Forms 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 South Ottawa Township / Jake Cook Property open burn and open dump site.


Lauren Grumieaux, LaSalle County

Subscribed and Sworn to Before Me

this 17 day of June, A.D. 2019.


Notary Public



NARRATIVE INSPECTION REPORT DOCUMENT

Dates of Review: June 7, 2019

Inspector(s): Lauren Grumieaux

Site Code: 0998315004

Time: 1130 - 1203

GENERAL REMARKS

On June 4, 2019 an open dump/open burn inspection was conducted at E IL ST RT 71 Ottawa, IL by Lauren Grumieaux representing the LaSalle County Environmental Services and Land Use Department, under the delegation authority of the Illinois Environmental Protection Agency. The property is owned by Jake and Sarah Cook.

The inspection was conducted in response to a Complaint alleging open burning/dumping.

Weather conditions on June 4, 2019 were Sunny and ~73 degrees. Wind south at 11mph.

I arrived at the site and began the inspection at 1130. After parking the truck and proceeding up the hill, I was met by the adjacent property owners. After a brief discussion, I captured photos of the pile still burning. (Picture# 2 & 3) The only remains left on site were the charred remains of the wood and construction materials.

While examining the rest of the site, I found more construction debris, scrap metal, wood and brick built up along the entrance of the site. (Picture#4) After documenting the items found, I thanked the adjacent property owners for access to the site and concluded my inspection at 1203.

On June 3rd, 2019, Mr. Gift and I were on the adjacent property located at 1506 E ST RT 71, Ottawa. We were on site conducting an inspection involving a private road way collapsing. While inspecting the road, the large pile of construction material, mattresses, furniture, scrap metal, carpet, and other accumulated debris was seen on Mr. Cook's property. (Photo#1) The pile of debris was new to the site since the last re-inspection, dated February 27th, 2019

Apparent Violations noted:

Illinois Environmental Protection Act:

9 (c), 21 (a), 21 (d) 1 and 2, 21(e), and 21 (p) 1, 3 and 7

END OF NARRATIVE BY LAUREN GRUMIEAUX

Illinois Environmental Protection Agency

Open Dump Inspection Checklist

County: LaSalle BOL #: 0998315004 Region: 1 - Rockford
 Site Name: Cook Property
 Site Address: E IL ST RT 71 City: Ottawa
 Inspector: Lauren Grumieaux, Brian Gift Interviewed: _____
 Date: June 4, 2019 Current Est. 60 yds³
 Complaint #: _____ Waste Amt. _____

Responsible Party Mailing Address(es) and Phone Number(s):	Jake and Sarah Cook	Phone: 815-579-5203
	702 W JOLIET ST Ottawa IL 61350	

Section	Description	Status
Illinois Environmental Protection Act Requirements		
9(a)	Cause, threaten, or allow air pollution in Illinois	
9(c)	Cause or allow open burning	V
12(a)	Cause, threaten, or allow water pollution in Illinois	
12(d)	Create a water pollution hazard	
21(a)	Cause or allow open dumping	V
21(d)	Conduct any waste-storage, waste-treatment, or waste- disposal operation:	
(1)	Without a permit	V
(2)	In violation of any regulations or standards adopted by the Board	V
21(e)	Dispose, treat, store, or abandon waste, or transport waste into Illinois for such activities, except at a site meeting Act and regulatory requirements	V
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	V
(2)	Scavenging	
(3)	Open Burning	V
(4)	Deposition of waste in standing or flowing waters	
(5)	Proliferation of disease vectors	
(6)	Standing or flowing liquid discharge from the dump site	
(7)	Deposition of general construction or demolition debris as defined at §3.160(a) or clean construction or demolition debris as defined at §3.160(b)	V
55(a)	No person shall	
(1)	Cause or allow open dumping of any used or waste tire	
(2)	Cause or allow open burning of any used or waste tire	

55(k)	No person shall	
(1)	Cause or allow water to accumulate in used or waste tires	
(4)	Transport used or waste tires in violation of the registration and placarding requirements	
Electronic Products Recycling and Reuse Act (415 ILCS 150) Requirements		
95(c)	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	
95(d)	No person may knowingly cause or allow the burning or incineration of a CED or other listed device	
35 Illinois Administrative Code Subtitle G Requirements		
722.111	Hazardous waste determination	
808.121	Special waste determination	
809.302(a)	Acceptance of special waste from a waste transporter without a waste hauling permit and manifest	
812.101(a)	Application submitted for permit to develop and operate landfill	
Other Requirements		
Apparent violation of: <input type="checkbox"/> PCB order <input type="checkbox"/> Circuit Court order		NA
Case Number ; Order entered on		
Other		

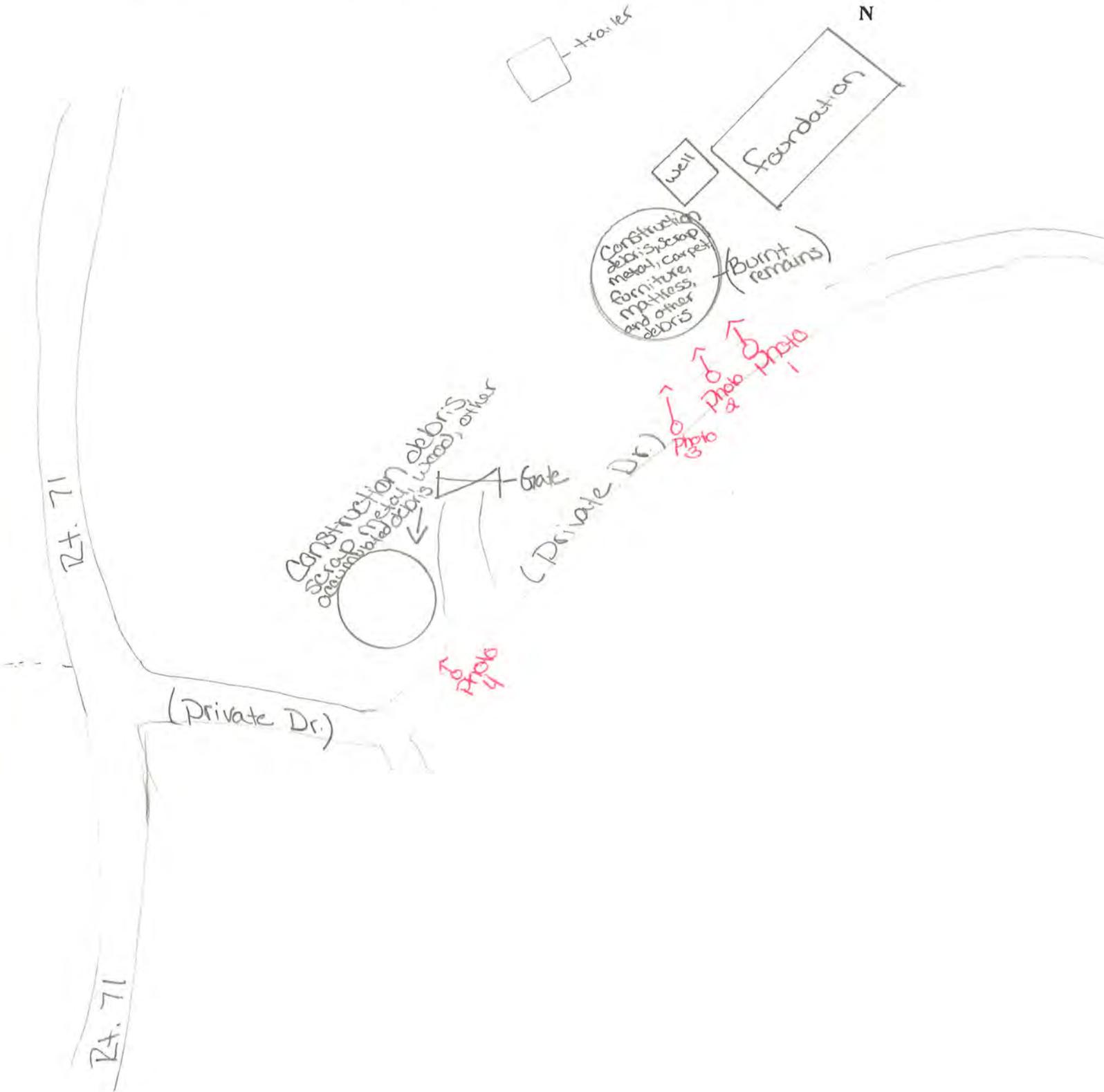
Notes

1. Key to Status: V=Violated; C=Continuing violation from previous evaluation; V/C=Newly violated and continuing from previous evaluation; V/R=Violated and resolved during same inspection; R=Resolved violation; NA=Not applicable at the time of the inspection; NE=Not evaluated at the time of the inspection
2. The provisions of §§21(o)-(p) and §55(k) of the Environmental Protection Act are enforceable either by administrative citation under §31.1 or by complaint under §31. Violations of the Electronic Products Recycling and Reuse Act are enforceable by administrative citation under §20(k) or referral to the Attorney General pursuant to §20(a).
3. This inspection was conducted in accordance with §§4(c)-(d) of the Environmental Protection Act (415 ILCS 5/4(c) and (d)) and §20(a) of the Electronic Products Recycling and Reuse Act (415 ILCS 150/20(a)).

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: June 4, 2019 Inspector: Lauren Grommeaux
Site Code: 0998315004 County: LaSalle
Site Name: Cook Property Time: 11:30 to 12:03





DIGITAL PHOTOGRAPHS

Cook Property 0998315004



Date: 06/3/19
Time: 0846
Direction: Northwest
Photo by:
Brian Gift
Exposure #: 1
Comments:
Construction debris,
scrap metal, Carpet,
furniture, Mattress,
other accumulated
debris.



Date: 06/4/19
Time: 1133
Direction: Northwest
Photo by:
Lauren Grumieaux
Exposure #:2
Comments: Burnt
remains.



Illinois Environmental Protection Agency
Bureau of Land
Division of Land Pollution Control

0998315004
FOS File

DIGITAL PHOTOGRAPHS

Cook Property 0998315004



Date: 06/4/19
Time: 1133
Direction: Northwest
Photo by:
Lauren Grumieaux
Exposure #:3
Comments: Burnt
remains.



Date: 06/4/19
Time: 1137
Direction: Northwest
Photo by:
Lauren Grumieaux
Exposure #:4
Comments:
Construction debris,
scrap metal, wood,
and other
accumulated debris.