

VIOLATIONS

5. On the basis of direct observations of Lauren Grumieaux and Brooke Schumacher 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 May 7, 2021, 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)]).
- ____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 One Thousand Five Hundred (\$1500.00) for each violation specified above in Paragraph 5(b) for a total of Three Thousand Dollars (\$3000.00). 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 One Thousand Five Hundred (\$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 (\$1,500.00) 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 (\$1,500.00) 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 Special 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:

5/18/2021

Todd Martin
LaSalle County State's Attorney

By:


Mark Anderson
Assistant State's Attorney

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

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

AC NO. LC2021-04

REMITTANCE FORM

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

CIVIL PENALTY: \$1500.0 for each violation
Number of Violation(s): two (2)
Total Remittance: \$1500.00 (50% of \$3,000 penalty)
Date of Inspection: May 7, 2021

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**

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

AC NO. LC2021-04

REMITTANCE FORM

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

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Number of Violation(s): two (2)
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**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)

Complainant)

v.)

JAKE COOK)

SARAH COOK)

Respondent(s))

AC NO. LC2021-04

AFFIDAVIT

Affiants, Lauren Grumieaux and Brooke Schumacher, being first duly sworn, voluntarily deposes and states as follows:

1. Affiants are employed by the County of LaSalle and have been so employed at all times pertinent hereto.
2. On May 7, 2021 between 10:29a.m. and 10:35a.m., Affiants conducted inspections of an 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 / Cook Property open dump site by an on-site inspection which included conducting a visual inspection and photographing the site.
4. As a result of the material actions referred to in paragraph 3 above, Affiants completed the Inspection Report Forms attached hereto and made a part hereof, which, to the best of Affiants knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to said South Ottawa Township / Cook Property open dump site.


 Lauren Grumieaux, LaSalle County


 Brooke Schumacher, LaSalle County

Subscribed and Sworn to Before Me
this 18 day of May, A.D. 2021.


 Notary Public



NOTICE OF REQUIRED CORRECTIVE ACTION

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

Facility# 0998315004
 Facility Name: Cook Property

WARNING: CORRECTIVE ACTION REQUIRED

To contest the Administrative Citation you have received you must follow the instructions provided in the Administrative Citation. You may be served with additional Administrative Citations if you fail to complete the following corrective actions, and are found to be in violation of the [Illinois] Environmental Protection Act. Additional inspection(s) will be conducted to verify cleanup and compliance.

YOU MUST COMPLETE THE FOLLOWING CORRECTIVE ACTIONS

1. Immediately cease all open dumping and open burning.
2. Within 90 days from the date of this Administrative Citation, remove all debris/garbage to a permitted landfill or transfer station.
3. Within 90 days from the date of this Administrative Citation, submit to the LCESLU copies of receipts that document the proper disposal or recycling of all wastes.
4. Within 90 days from the date of this Administrative Citation, remove all white goods (i.e., large appliances) to a facility that can legitimately accept them for recycling. White goods cannot be taken to a landfill or transfer station for the purpose of disposal.

Any written response submitted in reply to the corrective action requirements of this notice must be sent to:

On any correspondence you send concerning this matter, please reference the IEPA designated facility number and facility name listed on the first page of this notice.

Should you have any questions concerning this notice or need further assistance, please contact the Environmental Services and Land Use office at 815-434-8666.


 Brian Gift, Director

Date: 5/18/2021

Illinois Environmental Protection Agency 2021-007**
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: L. Grumieaux & B. Schumacher Interviewed: _____
 Date: May 7, 2021 Current Est. 60 yds³
 Complaint #: _____ Waste Amt. _____

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

0998315004-LaSalle County
South Ottawa/Cook Property

GENERAL REMARKS

On May 7, 2021 an open dump inspection was conducted at E IL ST RT 71 Ottawa, IL by Lauren Grumieaux and Brooke Schumacher 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 dumping.

Weather conditions on May 7, 2021 were sunny and 59°F. Wind NW at 11mph.

Brooke and I arrived at the site and our inspection began at 10:29 AM.

Heading west, we viewed the site from the road way that runs adjacent to the property. From our location, we could see a large pile at the center of the property. Looking north, Various items of litter including furniture, demolition debris, yard waste, and pallets were viewed at the time of the inspection. (Photo#1) Continuing to the west, demolition debris could also be seen in the pile. (Photo #2). At the entrance of the site, crushed and broken pieces of concrete with rebar were viewed along the road way. (Picture #3). A pile of domicile waste and litter was seen comingled with the concrete. (Photo#4) After documenting our findings, Brooke and I concluded the inspection at 10:35 AM.

Apparent Violations noted:

Illinois Environmental Protection Act:

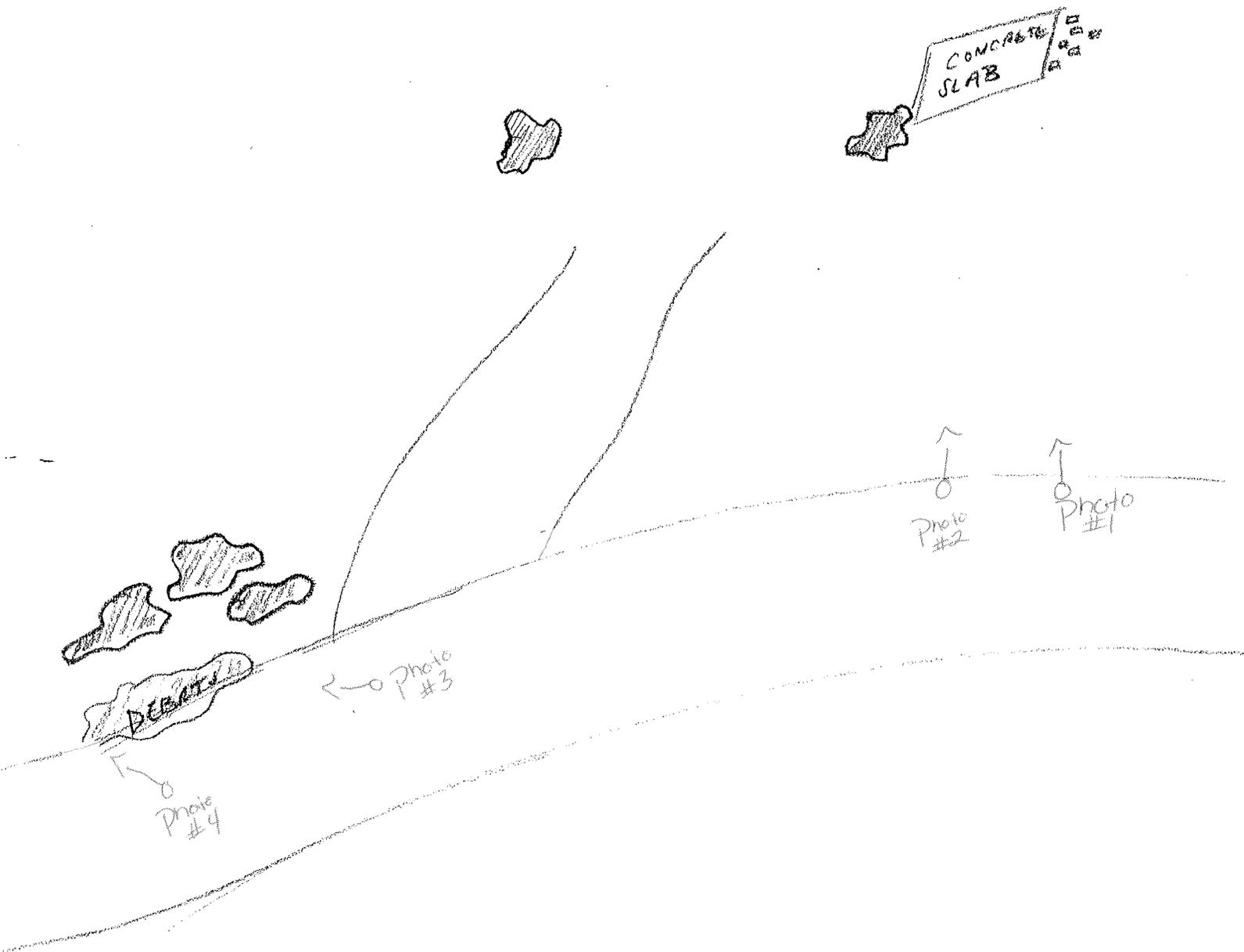
21 (a), 21 (d) 1, 21(e), 21 (p) 1 and 7

END OF NARRATIVE BY LAUREN GRUMIEAUX

SITE SKETCH

Date of Inspection: 5/7/21 Inspector: L. GRUMIEAUX & B. SCHUMACHER
Site Code: 0998315004 County: LA SALLE
Site Name: COOK PROPERTY Time: 10:29 - 10:35

N





DIGITAL PHOTOGRAPHS

Cook Property 0998315004



Date: 05/7/2021
Time: 10:34 AM
Direction: North
Photo by:
B. Schumacher
Exposure #: 1
Comments:
Various items of litter
including furniture,
demolition debris,
yard waste, and
pallets.



Date: 05/7/2021
Time: 10:34 AM
Direction: North
Photo by:
B. Schumacher
Exposure #: 2
Comments:
Various items of litter
including furniture,
demolition debris,
yard waste, and
pallets.



DIGITAL PHOTOGRAPHS

Cook Property 0998315004



Date: 05/7/2021
Time: 10:35 AM
Direction: Northwest
Photo by:
B. Schumacher
Exposure #: 3
Comments:
Crushed concrete
with rebar.



Date: 05/7/2021
Time: 10:35 AM
Direction: Northwest
Photo by:
B. Schumacher
Exposure #: 4
Comments:
Litter and other
accumulated debris
comingled with the
crushed concrete.

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)

Complainant)

v.)

JAKE COOK)
SARAH COOK)

Respondent(s))

AC NO. LC2021-04

PROOF OF SERVICE

The undersigned, after being first duly placed on oath, voluntarily deposes and states that he personally served the attached LaSalle County Administrative Citation, Informational Notice, Remittance Form, together with correct copies of the attached Inspector's Affidavit, the Inspection Report Form with attachments upon the following named person(s):

Jake Cook
Sarah Cook
702 W Joliet St.
Ottawa, IL 61350

or upon an authorized agent of such person(s) for the purpose of service of process upon such person(s), by:

personal service

Certified Mail, postage pre-paid and deposited in the United States Mail, plainly addressed to such person(s) at the above-described location.

on this, the 24th day of MAY, A.D. 2021.



Subscribed and Sworn to Before Me
this 24 day of May, A.D. 2021.

Lori Maskel
Notary Public





May 27, 2021

Dear Lori Maskel:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0090 0027 6265 4295 69.

Item Details

| | |
|----------------------------|--|
| Status: | Delivered, Left with Individual |
| Status Date / Time: | May 27, 2021, 8:53 am |
| Location: | OTTAWA, IL 61350 |
| Postal Product: | First-Class Mail® |
| Extra Services: | Certified Mail™ Return Receipt Electronic |

Recipient Signature

| | |
|-------------------------|----------------------|
| Signature of Recipient: | K. Cook JW C3 C19 |
| Address of Recipient: | 707 Joliet St |

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004