



ERIC D. MORROW
STATE'S ATTORNEY OF OGLE COUNTY
106 S. 5th St., Suite 110
OREGON, ILLINOIS 61061

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December 22, 2015

Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph, Suite 11-500
Chicago, Illinois 60601

Re: Administrative Citation –Wilson, Larry
AC 15-
IEPA-LPC Site: #1418155009
Inspection Date: October 28, 2015

Dear Clerk:

Enclosed for filing with the Board is the Administrative Citation packet issued against Larry K. Wilson. This is the first of three separate Administrative Citations which will be filed against Mr. Wilson.

The respondent's mailing address is 2116 Everett Street, Mt. Morris, IL 61054. Upon receipt of proof of service herein, I will forward same to you. The site is known as Wilson, Larry.

Please acknowledge receipt and filing of the enclosed materials. Thank you.

Sincerely,

Eric Morrow,
Ogle County State's Attorney

Enclosures

C: IEPA Rockford
IEPA Springfield
OCSWMD

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF OGLE)	
)	
Complainant,)	
)	
v.)	AC 15-
)	
LARRY K. WILSON,)	
)	
Respondent)	

NOTICE OF FILING

TO: Larry K. Wilson, 2116 Everett Street, Mt. Morris, IL 61054.

PLEASE TAKE NOTICE that I have filed with the Office of the Clerk of the Illinois Pollution Control Board the Complaint for Administrative Citation, a copy of which is herewith served upon you.



 Eric Morrow,
 Ogle County State's Attorney

12/22/15

 Date

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF OGLE,)	
)	
Complainant,)	
)	
v.)	AC 15-
)	
LARRY K. WILSON,)	
)	
Respondent.)	

APPEARANCE

I hereby file my appearance in this proceeding, on behalf of the County of Ogle.



Eric Morrow,
Ogle County State's Attorney

Ogle County State's Attorney
106 S. 5th Street, Suite 110
Oregon, IL 61061
815-732-1170
Fax: 815-732-3551

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

COUNTY OF OGLE)
)
 Complainant,)
)
 v.) AC 15-
)
 LARRY K. WILSON,)
)
 Respondent)

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/1 *et. seq.* (2014), specifically 415 ILCS 5/31.1.

FACTS

1. The Respondent, Larry K. Wilson, is the present owner of a facility located in the County of Ogle, State of Illinois.
2. The facility, located at 4225 W. IL Rte. 64, Mt. Morris, IL, is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with the Site Code #1418155009. The facility is known to the Agency as Wilson, Larry.
3. That Respondent, Larry K. Wilson, has controlled and/or operated the facility at all relevant times hereto.
4. That on October 27, 2015, the Ogle County Solid Waste Management Department received a phone message from Mt. Morris Fire Chief, Robert Hough IV, that on October 26, 2015, they responded to a called that a barn had

been demolished and burned on the aforementioned property owned by Respondent.

5. That on October 28, 2015, Paul Cooney, Solid Waste Management Specialist and Stephen J. Rypkema, Director, Ogle County Solid Waste Management Department attempted to investigate the facility, but were told to leave the property by Respondent. One photograph was taken while on the site, documenting the demolition, open dumping, and open burning which had occurred.

VIOLATIONS

On the basis of direct observation by Paul Cooney and Stephen Rypkema, and the reports submitted by the Mt. Morris Fire Department, it was determined that the Respondent has caused or allowed open dumping and open burning at the above described facility in a manner that has violated the Illinois Environmental Protection Act (hereinafter, the "ACT") as follows:

1. The Respondent has caused or allowed littering in violation of 415 ILCS 5/21(p)(1) on or about October 26, 2015,
2. The Respondent has caused or allowed open burning in violation of 415 ILCS 5/21(p)(3) on or about October 26, 2015,
3. The Respondent has caused or allowed the deposition of general construction or demolition debris or clean construction or demolition debris in violation of 415 ILCS 5/21(p)(7) on or about October 26, 2015.

CIVIL PENALTY

In accordance with 415 ILCS 5/42 (b)(4), the Respondent is subject to a civil penalty of \$1,500.00 for each violation specified above. This is a total of \$4,500 for this Administrative Citation. Additionally, should the Respondent elect to petition the Illinois Pollution Control Board under the review process described below, after an adjudicatory hearing, the Respondent shall be assessed the hearing costs incurred by the Pollution Control Board and Ogle County. The hearing cost would be in addition to the fine.

If you acknowledge the violations cited herein above, the civil penalty shall be due and payable no later than 35 days from the date of service hereof. If you do not petition the Pollution Control Board for review of the Administrative Citation within 35 days of service of the Administrative Citation, or contest the Citation, any judgment that may be rendered against you shall specify the due date of the civil fine and any additional costs assessed against you.

When payment is made, checks shall be made payable in equal amounts (\$2,250, or 50% of the total penalty each) to:

- (1) Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276.
- (2) Ogle County Solid Waste Fund, Ogle County Treasurer, P.O. Box 40, Oregon, Illinois 61061.

If any civil penalty is not paid within the prescribed time, the law allows for the accumulation and payment of interest on the remaining unpaid balance. If any civil penalty is not paid when due, the Office of the State's Attorney shall be requested to initiate proceedings in

Circuit Court to collect the penalty. In addition to the civil penalty, hearing costs, and interest, if any, the Ogle County State's Attorney may seek to recover their costs of litigation.

PROCEDURE FOR CONTESTING ADMINISTRATIVE CITATION

You have the right to contest this Citation, pursuant to 415 ILCS 5/31.1. If you elect to contest this Citation, you must file a Petition For Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition For Review shall be filed with the Ogle County State's Attorney. **Your Petition For Review must be filed within 35 days of the date of service of the present citation on you. If you fail to file your Petition, a Default Order against you will entered by the Pollution Control Board.**

Your original Petition must be filed with the Clerk of the Board at:

Clerk
Pollution Control Board
100 West Randolph, Suite 11-500
Chicago, Illinois 60601

A copy must also be sent to:

Office of the State's Attorney
Ogle County Judicial Center
106 S. 5th Street, Suite 110
Oregon, IL 61061

Ogle County Solid Waste Management Department
909 W. Pines Road
Oregon, IL 61061

DATED: 12/22/15,


Eric Morrow,
Ogle County State's Attorney

C: IEPA Rockford
IEPA Springfield
OCSWMD File
Ogle County State's Attorney File

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 W. Randolph Street, Suite 11-500
Chicago, IL 60601

The two county entities are: Ogle County State's Attorney Office
Attention: Eric Morrow, State's Attorney
106 S. 5th Street, Suite 110
Oregon, IL 61061

Ogle County Solid Waste Management Department
Stephen J. Rypkema, Director
909 W. Pines Road
Oregon, IL 61061

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 at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Ogle County State's Attorney's Office, at the address given above. Also, a copy of the Petition for Review should be either hand-delivered or mailed to the Ogle County Solid Waste Management Department at the address given above.

REMITTANCE FORM #1

COUNTY OF OGLE)	
)	
Complainant,)	
)	
v.)	AC 15-
)	
LARRY K. WILSON,)	
)	
Respondent)	

FACILITY: Wilson, Larry

COUNTY: Ogle

DATE OF INSPECTION: 10/28/2015

SITE CODE: 1418155009

CIVIL PENALTY: \$2,250 (50% of \$4,500.00 penalty to Ogle County)

Date Remitted _____

SS/FEIN # _____

Signature _____

NOTE

Please include the information on the blank lines. Mail this form with your check to:

Ogle County Solid Waste Fund
Ogle County Treasurer
P.O. Box 40
Oregon, IL 61061

REMITTANCE FORM #2

COUNTY OF OGLE)	
)	
Complainant,)	
)	
v.)	AC 15-
)	
LARRY K. WILSON,)	
)	
Respondent)	

FACILITY: Wilson, Larry

COUNTY: Ogle

DATE OF INSPECTION: 10/28/2015

SITE CODE: 1418155009

CIVIL PENALTY: \$2,250 (50% of \$4,500.00 penalty to IEPA)

Date Remitted _____

SS/FEIN # _____

Signature _____

NOTE

Please include the information on the blank lines. Mail this form with your check to:

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

State of Illinois, Ogle County

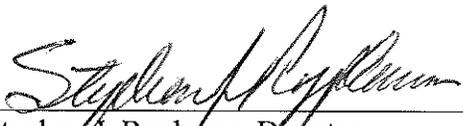
Affidavit

COUNTY OF OGLE)	
)	
Complainant,)	
)	AC No.: 15-
v.)	
)	
LARRY K. WILSON)	
)	
Respondent.)	

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

1. Affiant is a field inspector employed by the County of Ogle and has been so employed at all times pertinent hereto.
2. On, October 28, 2015, between 1:20 p.m. and 1:35 p.m., Affiant conducted an inspection of an open dump operated without an Agency permit, located in Ogle County, Illinois and known as Wilson, Larry by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1418155009 by the Agency.
3. Affiant inspected said Wilson, Larry open dump site by an on-site inspection with Paul Cooney, Ogle County Solid Waste Management Specialist which included driving and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed

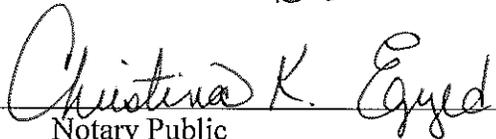
the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said the Wilson, Larry open dump site.



Stephen J. Rypkema, Director
Ogle County Solid Waste Management Department

Subscribed and Sworn to Before me

this 22nd Day of December, 2015



Notary Public



**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
Open Dump Inspection Checklist**

County: Ogle LPC#: 1418155009 Region: 1 - Rockford
 Location/Site Name: Mt. Morris/Wilson, Larry
 Date: 10/28/2015 Time: From 1:20 pm To 1:35 pm Previous Inspection Date: _____
 Inspector(s): Paul Cooney/Steve Rypkema Weather: 45 degrees, cloudy, winds W @ 10 mph
 No. of Photos Taken: # 1 Est. Amt. of Waste: 600 yds³ Samples Taken: Yes # _____ No
 Interviewed: Larry K. Wilson Complaint #: 3132
 Latitude: _____ Longitude: _____ Collection Point Description: -
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: -

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

Larry K. Wilson 2116 Everett Street Mt. Morris, IL 61054	
--	--

	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"/>
	(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"/>

LPC # 1418155009

Inspection Date: 10/28/2015

9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(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.	95(a)	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.	95(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.	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	<input type="checkbox"/>
14.	95(d)	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.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	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"/>
19.	815.201	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.	OTHER:		<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.

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

NARRATIVE INSPECTION REPORT

Date of Inspection: 10/28/2015

Inspector(s): Paul Cooney, Solid Waste
Mgmt. Specialist & Steve Rypkema, Director

Site Code: 1418155009

County: Ogle

Site Name: Wilson, Larry

Time: 1:20 pm – 1:35 pm

General Remarks

The Ogle County Solid Waste Management Department (OCSWMD) received a complaint on October 27, 2015, from Mt. Morris Fire Chief Robert Hough. This complaint is documented in Attachment A with photographs which Chief Hough had taken during his response to the fire. The complaint stated that the Respondent, Mr. Larry K. Wilson had demolished a barn and was dumping and burning the debris from this barn on property located at 4225 W. IL Rt. 64, Mt. Morris, IL. According to the complaint, the fire occurred on October 26, 2015, sometime in the afternoon or early evening.

On October 28, 2015, Steve Rypkema and I went out to Mr. Wilson's property where the demolition and burning of the debris had taken place. We arrived at 1:20 p.m. and could see from the road the burn pile, unburned demolition debris, and smoke rising from the debris pile. This property is rather large and has several entrances off of Illinois Route 64. We entered the driveway on the east side and observed the Wilson property for a short time. We decided to enter Mr. Wilson's property and attempt to make contact with someone who could shed light on the complaint and allow us to inspect the property. There is a maintenance garage on-site which had some vehicles parked outside so we drove in that direction. As we were driving towards the garage, a pickup truck entered the property from an entrance to the west off of Illinois Route 64. The pickup truck also went towards the garage so we slowly followed this vehicle. As we approached the garage, I took a photo of the area which was being used to openly burn demolition debris from the barn. From this position I could observe what appeared to be a ring of unburned demolition debris, with a large, smoldering ash pile in the center. Photo #1.

We continued to follow the pickup truck around the garage and out back towards Illinois Route 64. Eventually the driver of the pickup truck noticed us and he stopped. Mr. Wilson was in this pickup truck. I was sitting in the passenger seat and introduced myself and Steve Rypkema to Mr. Wilson. I briefly told him about the complaint and that we wanted to inspect the property. I also told Mr. Wilson that he could not continue to burn demolition debris and that I had some

brochures outlining the Illinois Environmental Protection Act regulations about open burning in Illinois. Mr. Wilson was not interested in anything we had to say and did not want any information about open burning regulations. He denied our request to do an inspection and told us to leave his property. We agreed to leave and told him we would get a warrant to complete an inspection. Mr. Wilson said to get the warrant and to show it to him prior to any inspection and told us again to leave the property. I told him that we would return and not to burn any additional waste material and that waste generated by the barn demolition would need to be hauled to a permitted landfill. Mr. Wilson only responded for us to leave the property.

We left at 1:35 p.m.

Mr. Wilson has been the recipient of an Administrative Citation Warning Notice in 1999 from the OCSWMD for the dismantling and burning of a mobile home. This case has an Illinois Environmental Protection Agency (EPA) site number of 1418155002 and is known to the EPA as Wilson, Larry K.

Mr. Wilson was also investigated for open burning of waste in 1997 by Steve Rypkema representing the Ogle County Health Department. This investigation resulted in Mr. Wilson being charged and convicted of assault and disorderly conduct during an altercation with Rypkema, who was responding to a citizen complaint.

Alleged Violations

1. Pursuant to Section 9(a) of the Act, 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) of the [Illinois] Environmental Protection Act (415 ILCS 5/9(a)) is alleged for the following reason: On October 26, 2015, Respondent caused and/or allowed air pollution by the burning of demolition debris which was generated from the demolition of a barn on the property. Evidence of this fire, still smoldering, is shown in photo #0001.

2. Pursuant to Section 9(c) of the Act, in relevant part, 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) of the [Illinois] Environmental Protection Act (415 ILCS 5/9(c)) is alleged for the following reason: On October 26, 2015, Respondent caused and/or allowed the open burning of demolition debris which was generated from the demolition of a barn on the property. Evidence of this fire, still smoldering, is shown in photo #0001.

3. Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(a)) is alleged for the following reason: Respondent has caused and/or allowed the dumping of waste at various locations on this property.

4. Pursuant to Section 21(d)(1) of the Act , in relevant part, 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, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted thereunder.

A violation of Section 21(d)(1) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(d)(1)) is alleged for the following reason: Respondent conducted a waste storage and waste disposal operation on this property without any Agency permit.

5. Pursuant to Section 21(d)(2) of the Act, 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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(d)(2)) is alleged for the following reason: Respondent was conducting a waste storage and waste disposal operation in violation of the regulations and standards adopted by the Board.

6. Pursuant to Section 21(e) of the Act, 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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: Respondent has used the property as an unpermitted waste storage and disposal site, and as such this site does not meet the standards set forth in the Act.

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

- (1) litter;
- (3) open burning;
- (7) deposition of:
 - (i) general construction or demolition debris as defined in Section 3.160(a) of

this Act;

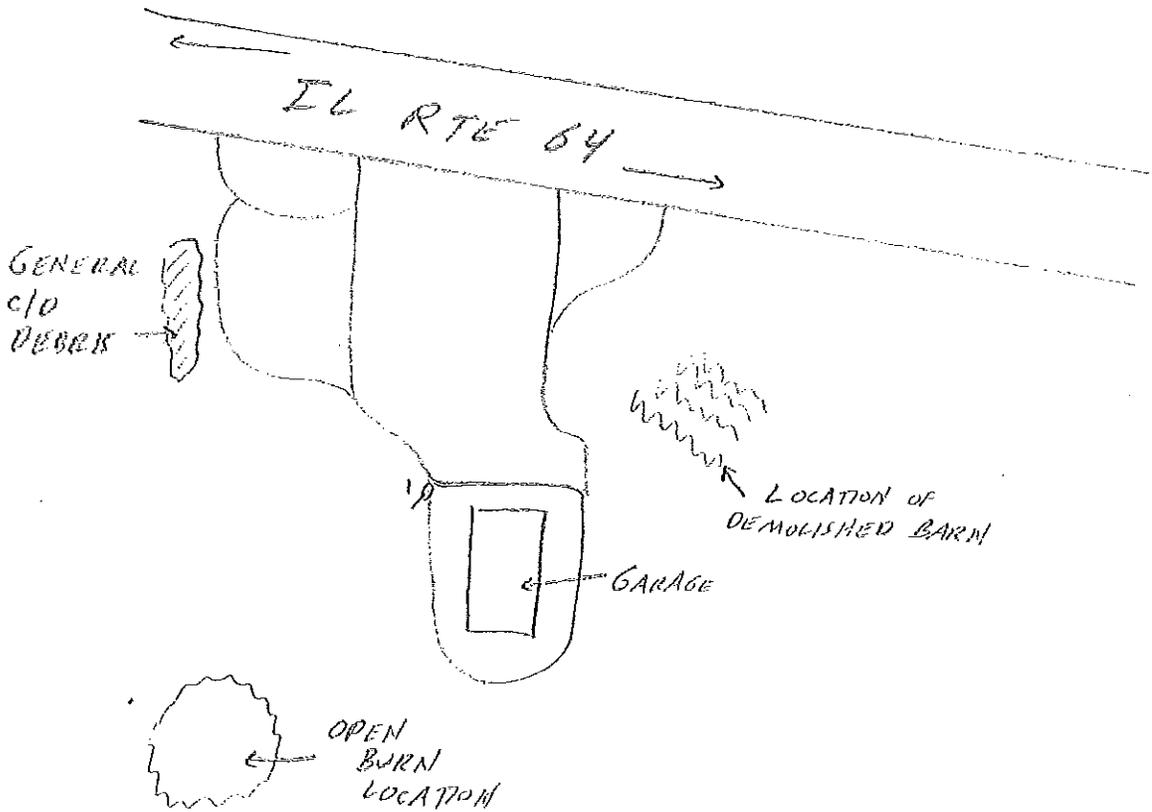
The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards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

A violation of Section 21(p)(1), (3), & (7) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(p))(1), (3), & (7) is alleged for the following reason: Respondent caused and/or allowed a significant amount of litter to be openly dumped on this property, openly burned waste as a method of final disposal, and deposited general construction and demolition debris upon this property in violation of 415 ILCS 5/3.160.

State of Illinois
Environmental Protection Agency

SITE SKETCH FORM

Date of Inspection: 10/28/15 Inspector: PAUL COONEY / STEVE RYPHENA
Site Code: 1418155009 County: Ogle County
Site Name: WILSON, LARRY K Time: 1:20 PM - 1:35 PM



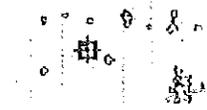
↑
North

Not drawn to scale

Numbers denote photo location & direction



Overview



Legend

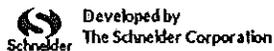
- Municipalities
- Townships
- Major Roads
- Roads
- Tax Parcels

Parcel ID	08-26-454-012	Lot Dimension	APPROX 250X 360	Owner Address	WILSON LARRY K
Township	Mt. Morris	Property Class	0060		2116 EVERETT ST
Property Address	4225 WIL RTE 64	Acreage	2.35		MOUNT MORRIS IL 61054
	MT MORRIS				
Tax Code District	01640				
Brief Tax Description	RNG/BLK: 9 TWP:24 SECT/LOT:26 181 AC TR IN SE4 SEC 26 LYG 5 & ADJ TO IL 64 C/L VIL MT MORRIS				
	(Note: Not to be used on legal documents)				

THIS WEBSITE IS NOT A SUBSTITUTE FOR A SURVEY.

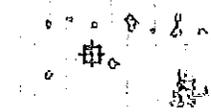
The Geographic Information Systems (GIS) data made available was produced or co-produced by Ogle County. The maps and data are made available to the public solely for informational purposes. There may be errors in the maps or data. The maps or data may be outdated, and/or inaccurate. The maps or data may not be suitable for your particular use. The burden for determining fitness of use rests entirely on the end user. Reproduction, modification, or redistribution of digital datasets or products derived therefrom outside of subscriber's organization or entity is expressly forbidden. By using GIS data, you accept these terms and this limitation on Ogle County's liability.

Date created: 12/4/2015
Last Data Upload: 12/4/2015 8:02:01 AM





Overview



Legend

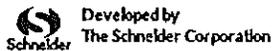
- Municipalities
- Townships
- Major Roads
- Roads
- Tax Parcels

Parcel ID	08-26-454-012	Lot Dimension	APPROX 250 X 360	Owner Address	WILSON LARRY K
Township	Mt. Morris	Property Class	0060		2116 EVERETT ST
Property Address	4225 W IL RTE 64	Acreage	2.35		MOUNT MORRIS IL 61054
	MTMORRIS				
Tax Code District	01640				
Brief Tax Description	RNG/BLK: 9 TWP: 24 SECT: 1 LOT: 26 1.01 AC TR IN SE4 SEC 26 LYG S & ADJ TO IL 64 C/L VIL MT MORRIS				
	(Note: Not to be used on legal documents)				

THIS WEBSITE IS NOT A SUBSTITUTE FOR A SURVEY.

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Date created: 12/4/2015
Last Data Upload: 12/4/2015 8:02:01 AM





Illinois Environmental Protection Agency
Bureau of Land

LPC #141855009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 141855009~10282015



Date: 10/28/2015

Time: 1:24 pm

Direction: SW

Photo by: Paul Cooney

Exposure #: 0001

Comments: Smoldering ash pile and
building debris dumped in southwest
portion of property.

Approximately 18:00 hrs on Monday October 26th Chief Hough was at the Mt. Morris Firehouse and a PR walked in and advised that there was a large fire just east of town on the highway, south side of the road "where that old barn sat". Chief Hough checked to see if there were any reported controlled burns in the area. There were none noted and he advised he would be enroute to check it out. Chief Hough went to the area to check on the fire. As he approached the old Dixon Meyers Transportation property, in the 4,000 block of W. IL Ste Rte 64, he noticed a large fire burning at the south end of the property near the corn field. The fire appeared to be deliberately burning and workers were seen moving about the property. Chief Hough took photos and drove along the gravel driveway to the south of the metal "shop" building on the property and could openly see what appeared to be dimensional sawn lumber involved in the fire. Chief Hough then drove north towards the workers. He stopped and got out of his vehicle while workers were loading debris appearing to be the remains of the large barn that until recently had stood on the property into a dump truck with a loader type tractor. A male individual approached Chief Hough, who was known to be the property owner, Larry Wilson. Mr. Wilson exchanged greetings with Chief Hough and Chief Hough asked him what he was burning, he chuckled and said "just some old wood". Chief Hough said you aren't burning the barn debris, he advised "no just some old wood". As Mr. Wilson made this statement the dump truck drove over to the fire and dumped his load on to the fire. At this time Chief Hough advised him he was in violation of the Village of Mt. Morris burning ordinance, that only recreational fires are allowed in the Village and this fire obviously violates that. Additionally Chief Hough advised that state statute only allows the burning of landscape waste generated from the property, where allowed. Mr. Wilson asked "just what am I suppose to do with it then". Chief Hough replied "get some dumpsters and haul it away like everyone else" Mr. Wilson then laughed. Again at this time Chief Hough advised Mr. Wilson that he was in violation at several levels and could not do what he was doing, additionally there were fines associated with the violations. Mr. Wilson advised "if I get a fine, I'll pay it". At this time Chief Hough took more photos and left the property. Chief Hough contacted Village Police Chief Jason White to consult on a course of action since the property was in the Village, suppression was discussed, potential for the nearby unharvested corn field to catch fire, ordinance violation, etc. Chief Hough and Chief White decided the best course of action would be to send the Village Police Officer Beitel to advised Mr. Wilson to cease putting wood on the fire and allow the fire to burn out.

The following morning Chief Hough contacted the Ogle County Solid Waste Department to report the incident. He was advised by the female who answered the phone that he needed to talk to Mr. Rypkema in reference to illegal burning of debris from a building. She advised Mr. Rypkema was not in the office but would be returning Wednesday morning. Chief Hough left a message for him to please call him when he returned. Mr. Rypkema called Chief Hough on Wednesday morning and the information of the incident was relayed to him with a copy of this statement and photos emailed following the phone conversation.

Rob G. Hough IV



Fire Chief

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emailed to
MR. Rypstone on
the morning of 10/27/15
GNEP

NOTICE OF CORRECTIVE ACTION REQUIRED FOR OPEN DUMPS

COUNTY OF OGLE,

Complainant

v.

LARRY K. WILSON,

Respondent

Facility # 1418155009 – Ogle County

Facility Name: Wilson, Larry

COMPLIANCE FILE

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 Section 21(p) 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 of waste.
- #2 Immediately cease all open burning of waste.
- #3 Do not bury any waste.
- #4 By January 25, 2016, remove and haul all remaining waste to an Illinois permitted landfill or transfer station. Waste includes any remaining debris from the demolition of the barn, including wood, roofing materials, doors, windows, fasteners, electrical components, ash from the previous open burning of demolition debris, and scrap metal. Scrap metal not disposed of at a permitted landfill can be taken to a scrap metal facility or recycling center.
- #5 By January 25, 2016, all buried waste from this site must be uncovered and taken for disposal to an Illinois permitted landfill or transfer station. Contaminated soil (soil mixed with waste) must also be taken to an Illinois permitted landfill or transfer station for disposal.

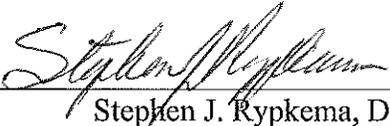
- #6 Areas where buried waste has been removed may not be refilled until inspected by and approval given by the Ogle County Solid Waste Management Department (OCSWMD).
- #7 Clean concrete may be used as fill material provided the material meets the standard for clean construction and demolition debris used as fill material in the Act (Sec 3.160 (b)). Clean construction and demolition debris is defined as uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, or soil generated from construction or demolition activities. Clean construction and demolition debris may be used as fill material provided it is used outside of a setback zone, placed no higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area, and is covered by sufficient uncontaminated soil to support vegetation within 30 days of completion of the filling or if it is covered by a road or structure.
- #8 During the clean-up of this property, document the proper disposal of wastes with receipts from hauling companies and/or landfills. Photographs may also be used to document the proper disposal of waste and use of clean construction and demolition debris.
- #9 Contact the OCSWMD to schedule a re-inspection of the property to verify proper waste disposal and compliance with regulations regarding clean fill operations.
- #10 By February 1, 2016, submit to the OCSWMD copies of receipts that document the proper disposal or recycling of wastes.

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

Ogle County Solid Waste Management Department
909 W. Pines Road
Oregon, IL 61061

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 contact OCSWMD at 815-732-4020.



Stephen J. Rypkema, Director

Date: 12/22/15

STATE OF ILLINOIS)
) SS
COUNTY OF OGLE)

The undersigned being first duly sworn on oath, depose and state that a copy of the foregoing Administrative Citation with attachments was served upon the following:

Larry Wilson
2116 Everett Street
Mt. Morris, IL 61054

by enclosing the same in an envelope addressed to such party at his/her above address by certified mail return receipt requested with the postage fully prepaid, by depositing said envelope in a United States Post Office mailbox in Oregon, Illinois, on the 22nd day of December, 2015 and by sending said Administrative Citation with attachments to the Ogle County Sheriff for personal service on the above named party.

Christena K. Eged

Subscribed and sworn before me
this 22nd day of December, 2015.

[Signature]
Notary Public

