



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

Sender's E-mail: oglesa@oglecounty.org
www.oglecounty.org

Telephone: (815) 732-1170
Fax: (815) 732-6607

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
Wilson, Larry
Inspection Date: November 12, 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,

A handwritten signature in black ink, appearing to read "Eric Morrow".

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.* (2004), 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 November 10, 2015, the Ogle County Solid Waste Management Department received a phone message and email from Mt. Morris Fire Chief, Robert Hough IV, that a new fire had been started in the foundation of the demolished barn, and that building debris was being burned.

5. That on November 12, 2015, Paul Cooney, Solid Waste Management Specialist, and Stephen J. Rypkema, Director, Ogle Co. Solid Waste Mgmt. Dept. (OCSWMD), inspected the facility after acquiring and executing an Administrative Search Warrant.

VIOLATIONS

On the basis of direct observation by Paul Cooney and Stephen Rypkema, 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 November 10, 2015.
2. The Respondent has caused or allowed open burning in violation of 415 ILCS 5/21(p)(3) on or about November 10, 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 November 10, 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 \$4,500.00 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: 11/12/2015

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: 11/12/2015

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, November 12, 2015, between 2:30 p.m. and 2:57 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 which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the

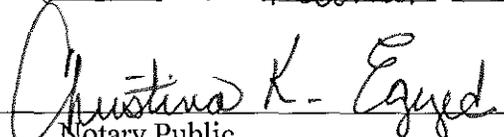
best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said the Wilson, Larry open dump site.



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: 11/12/2015 Time: From 2:30 pm To 2:57 pm Previous Inspection Date: 10/29/2015
 Inspector(s): Paul Cooney/Steve Rypkema Weather: 48 degrees, clear, winds W @ 25 mph
 No. of Photos Taken: # 40 Est. Amt. of Waste: 100 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: 11/12/2015

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: 11/12/2015	Inspector(s): Paul Cooney, Solid Waste Mgmt. Specialist & Steve Rypkema, Director
Site Code: 1418155009	County: Ogle
Site Name: Wilson, Larry	Time: 2:30 pm – 2:57 pm

General Remarks

The Ogle County Solid Waste Management Department (OCSWMD) received an email from Fire Chief Robert Hough of the Mt. Morris Fire Department (MMFD) on November 10, 2015 at 2:52 p.m., indicating that a citizen notified the MMFD that there was building debris being burned inside the foundation of the barn which Mr. Wilson had been demolishing. This email is presented in Attachment A. This email was the most recent in a lengthy correspondence between the OCSWMD and MMFD regarding the on-going dumping and burning of demolition debris on property owned by Mr. Wilson at 4225 W. IL RTE 64 in Mt. Morris.

On November 12, 2015, Paul Cooney asked the Ogle County State's Attorney for a second Administrative Search Warrant to complete an inspection of this property. The warrant was obtained in the afternoon of that day. A search warrant for this inspection was requested because on October 28, 2015, S. Rypkema and P. Cooney were told by Mr. Wilson to leave the property and not to return without a warrant. OCSWMD completed prior inspections on October 28, 2015 and October 29, 2015. Since these inspections, most of the debris from a barn which had been demolished had been burned. The violations occurring on this property are the basis for three Administrative Citations (AC) currently being brought by the OCSWMD against Mr. Wilson.

We returned to the site and arrived at 2:30 p.m. We had requested, and received, a Sheriff's Deputy to accompany us on the inspection. Deputy Pennington from the Ogle County Sheriff's Department met us at the site for the inspection. In addition to Deputy Pennington, Chief White of the Mount Morris Police Department was present and another Sheriff's Deputy also arrived during our inspection.

Deputy Pennington located Mr. Wilson, who was in a large garage upon our arrival. The warrant was presented to Mr. Wilson and Steve asked him about the most recent complaint of burning of debris in the foundation of the demolished barn. Mr. Wilson said that they were burning wood in a burn barrel. Steve asked Mr. Wilson if he would answer any more questions and he said that he would not be answering any more of our questions. Steve told Mr. Wilson that each burning

incident that is documented has the potential for additional fines. Mr. Wilson told us to complete our inspection and did not say anything else.

We began our inspection in the area where the barn had been demolished. The area had, for the most part, been leveled off with soil, and several chunks of broken concrete and other debris remain in the area. The western wall of the basement, and what appeared to be a stairwell, was partially visible. In this area there was soot on cinder blocks, burnt wood debris, and ash which was still smoldering. It appears that demolition debris was burned in this area. There also was metal tubing and other waste protruding from the partially buried foundation, indicating that there was most likely waste buried in this area as well. Photos #1-10.

We then drove over to the large ash pile at the southern end of the property where the material from the demolished barn had been burned for the last week or so. The ash pile was still hot and smoldering. There was very little recognizable waste in the ash. Most of the wood that had been dumped in this location, documented in our October 28 & 29, 2015 inspections, had been burned. The ash pile was roughly 30 feet by 15 feet and at some points about 6 feet tall. Waste present in the ash included plastic, mattress springs, nails, electrical conduit and box, hinges, fiberglass, shingles, lumber, paneling, metal brackets, broken concrete, bricks, and other waste. There also was a pallet laying on the ash pile. Photos #11-31.

We then drove over to a pile of broken concrete which appeared to be the remnants of the barn foundation. Material had been added to this pile since our October 29, 2015 inspection. Several pieces of this material had protruding rebar and some had lumber attached as well. There were also two metal tire rims in the pile. This material at the time of inspection, appeared to be general construction and demolition debris, and not clean fill material. To the west of the broken concrete there were several large wooden utility poles. Photos #32-40.

We left the site at 2:57 p.m.

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 November 10, 2015, Respondent caused and/or allowed air pollution by the burning of demolition waste from a barn which was demolished on this property. Evidence of this fire, still smoldering, is shown in the inspection photos.

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 November 10, 2015, Respondent caused or allowed the open burning of refuse and demolition waste from a barn which was demolished on this property. Evidence of this fire, still smoldering, is shown in the inspection photos.

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 open dumping of demolition debris and other 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 is conducting a waste storage and disposal operation at this property without an 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 disposal operation on this property in violation of standards set forth in the Act.

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)(1),(3)&(7) of the [Illinois] Environmental Protection Act (415 ILCS

5/21(p)(1),(3)&(7)), 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; or
 - (ii) clean construction or demolition debris as defined in Section 3.160(b) of this Act.

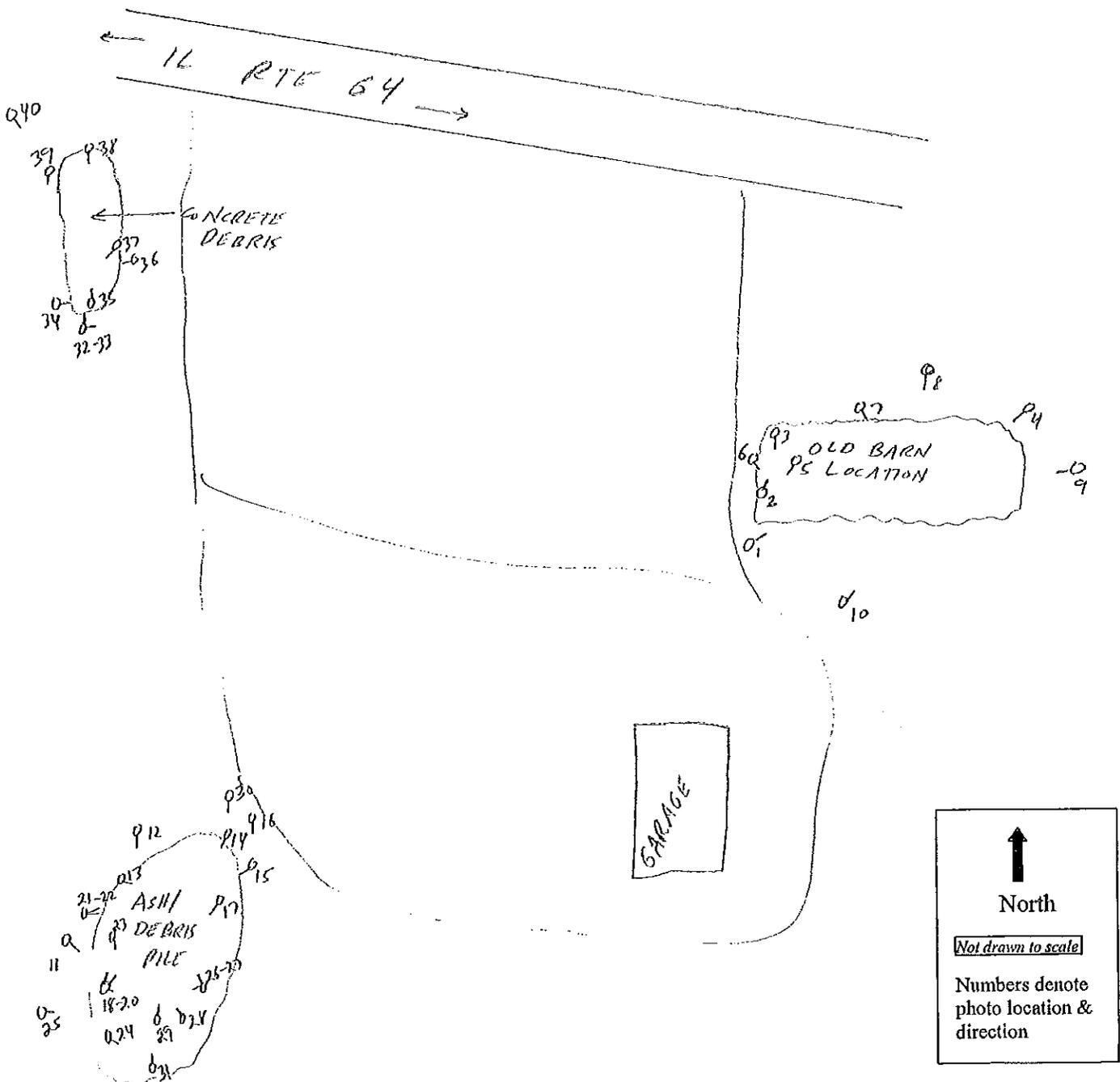
The prohibitions specified in this subsection (p) shall be enforceable by the Agency either by administrative citation under Section 31.1 of this Act or as otherwise provided by this Act. The specific prohibitions in this subsection do not limit the power of the Board to establish regulations or standards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

Violations of Section 21(p)(1), (3) & (7) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(p)(1), (3) & (7)) are alleged for the following reasons: Respondent has caused and/or allowed litter, open burning and deposition of general construction and demolition debris upon this property by openly dumping and burning of waste generated as a result of the demolition of a barn on the property.

State of Illinois
Environmental Protection Agency

SITE SKETCH FORM

Date of Inspection: 11/12/15 Inspector: PAUL COONEY / STEVE RYPKEMA
Site Code: 1418155009 County: Ogle County
Site Name: WILSON, LARRY Time: 2:30 PM - 2:57 PM





Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:40 pm
Direction: NE
Photo by: Paul Cooney
Exposure #: 0001
Comments: Soil and broken concrete
spread over foundation of demolished
barn.



Date: 11/12/2015
Time: 2:40 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0002
Comments: Cinder blocks blackened by
fire in basement of demolished barn.

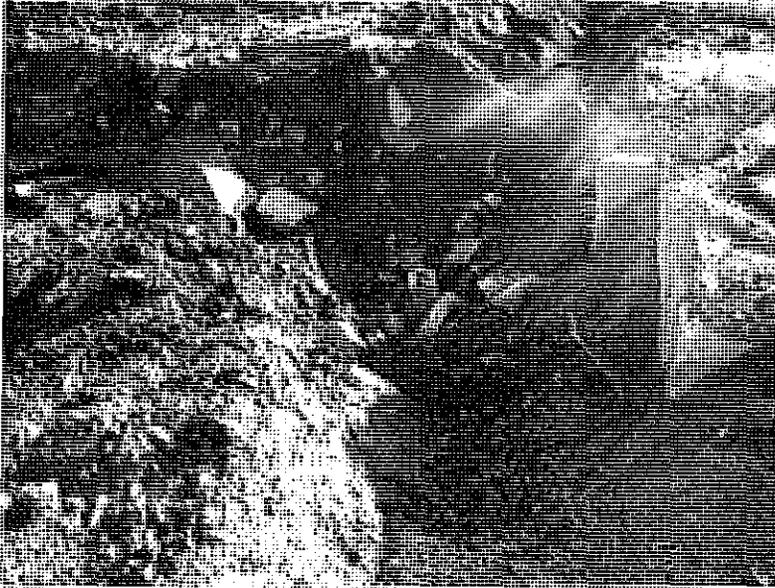


Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:40 pm
Direction: S
Photo by: Paul Cooney
Exposure #: 0003
Comments: Open burn pit in basement
of demolished barn.



Date: 11/12/2015
Time: 2:41 pm
Direction: SW
Photo by: Paul Cooney
Exposure #: 0004
Comments: Soil and broken concrete
spread over foundation of demolished
barn.

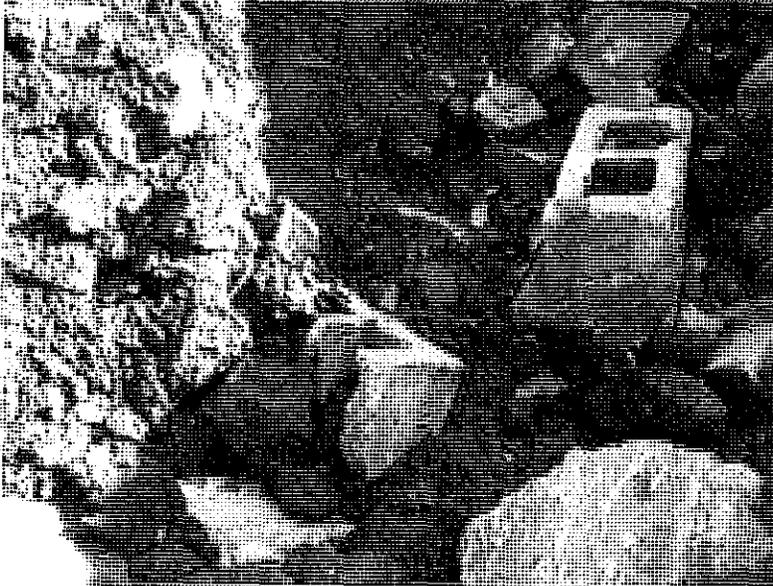


Illinois Environmental Protection Agency
Bureau of Land

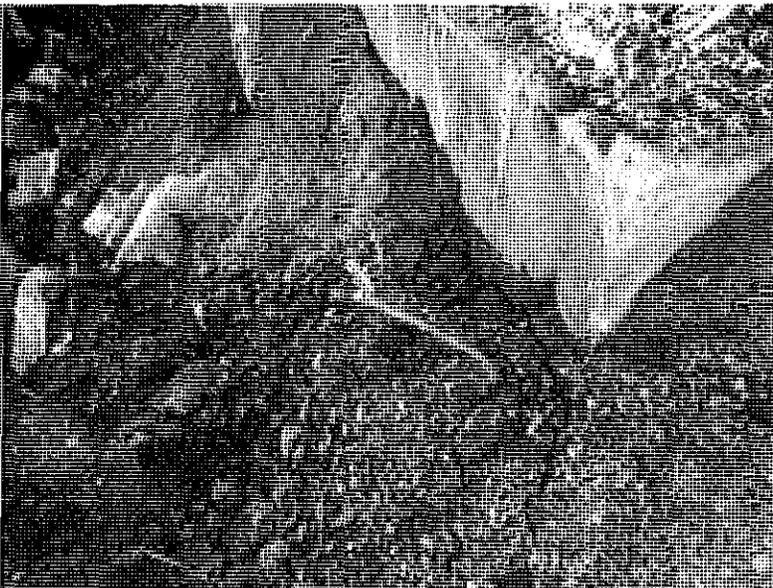
LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:41 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0005
Comments: Smoke and ash in
foundation of demolished barn.



Date: 11/12/2015
Time: 2:41 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0006
Comments: Metal tubing in foundation
of demolished barn.



Illinois Environmental Protection Agency
Bureau of Land

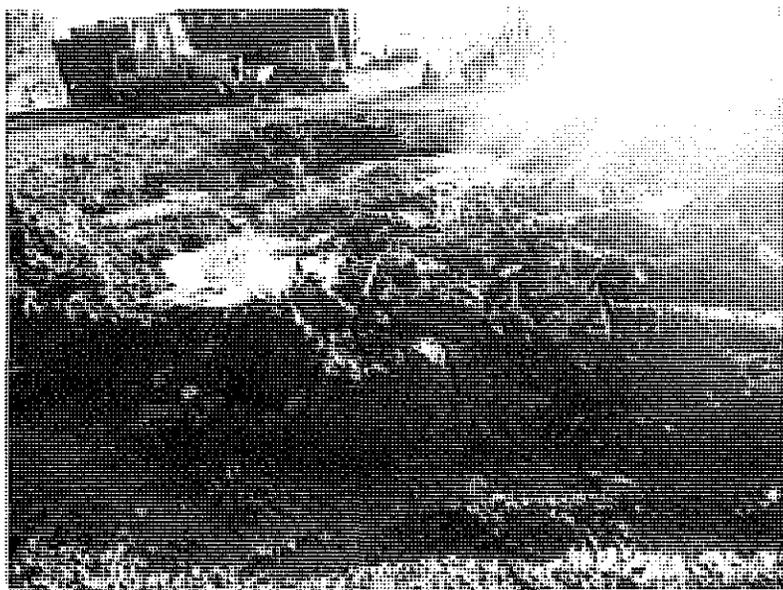
LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:41 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0007
Comments: Waste intermingled with
concrete and soil.



Date: 11/12/2015
Time: 2:42 pm
Direction: S
Photo by: Paul Cooney
Exposure #: 0008
Comments: Waste scattered around the
demolition site.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:42 pm
Direction: W
Photo by: Paul Cooney
Exposure #: 0009
Comments: Location of demolished barn
and foundation remnants.



Date: 11/12/2015
Time: 2:44 pm
Direction: NE
Photo by: Paul Cooney
Exposure #: 0010
Comments: Equipment parked on-site
with demolition area in background.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:47 pm
Direction: SE
Photo by: Paul Cooney
Exposure #: 0011
Comments: Ash pile where demolition debris was burned.



Date: 11/12/2015
Time: 2:47 pm
Direction: S
Photo by: Paul Cooney
Exposure #: 0012
Comments: Ash pile where demolition debris was burned.



Illinois Environmental Protection Agency
Bureau of Land

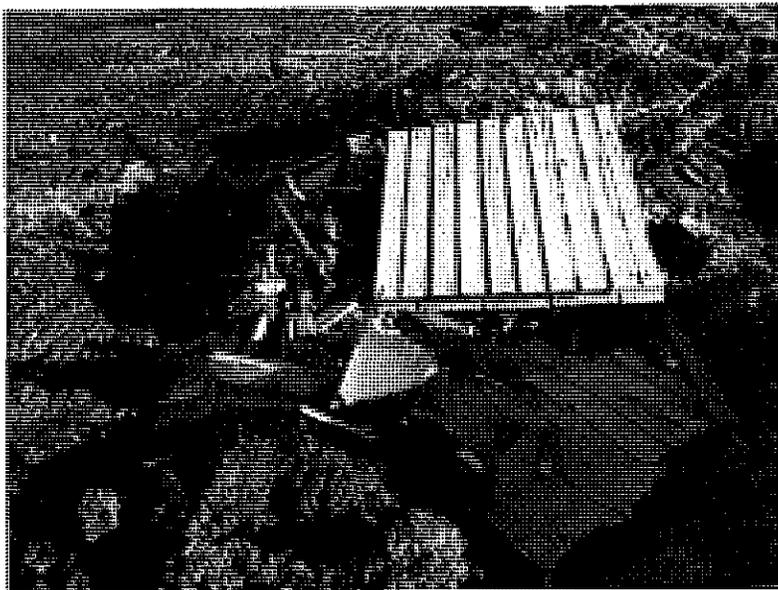
LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:47 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0013
Comments: Metal fasteners and
brackets in ash pile.



Date: 11/12/2015
Time: 2:47 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0014
Comments: Paneling, lumber, a pallet,
and other waste dumped on ash pile.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:47 pm
Direction: SW
Photo by: Paul Cooney
Exposure #: 0015
Comments: Lumber and other partially
burned waste in ash pile.



Date: 11/12/2015
Time: 2:47 pm
Direction: SW
Photo by: Paul Cooney
Exposure #: 0016
Comments: Smoldering ash and partially
burned waste.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:48 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0017
Comments: Burned metal, ash and wood debris.



Date: 11/12/2015
Time: 2:48 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0018
Comments: Door hinge, electrical box, metal siding in ash pile.

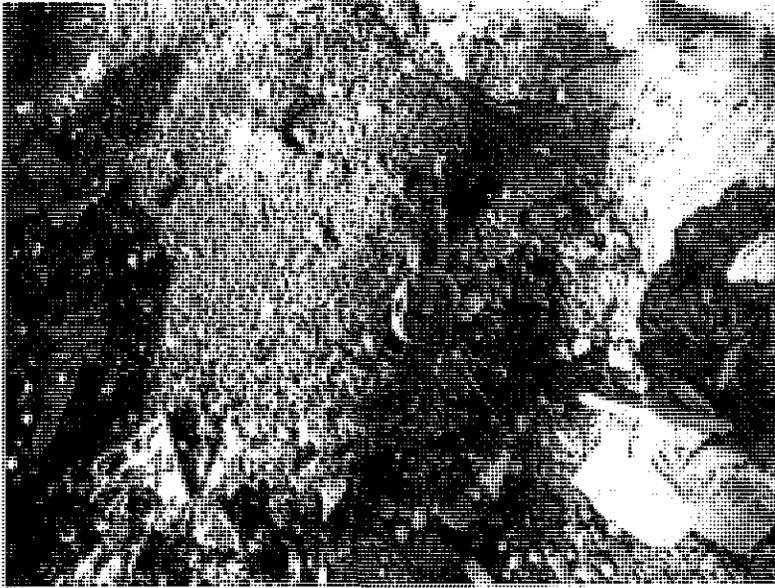


Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:48 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0019
Comments: Door hinge, nails, electrical
box in ash pile.



Date: 11/12/2015
Time: 2:48 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0020
Comments: Door hinge, nails, in ash pile.

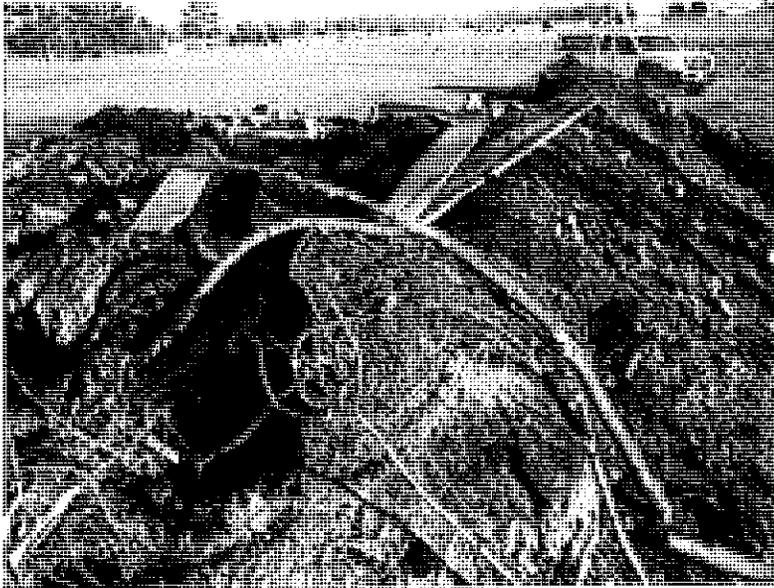


Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:49 pm
Direction: E
Photo by: Paul Cooney
Exposure #: 0021
Comments: Metal coils from mattress
and other waste in ash pile.



Date: 11/12/2015
Time: 2:49 pm
Direction: E
Photo by: Paul Cooney
Exposure #: 0022
Comments: Metal and other debris in
smoldering ash pile.



Illinois Environmental Protection Agency
Bureau of Land

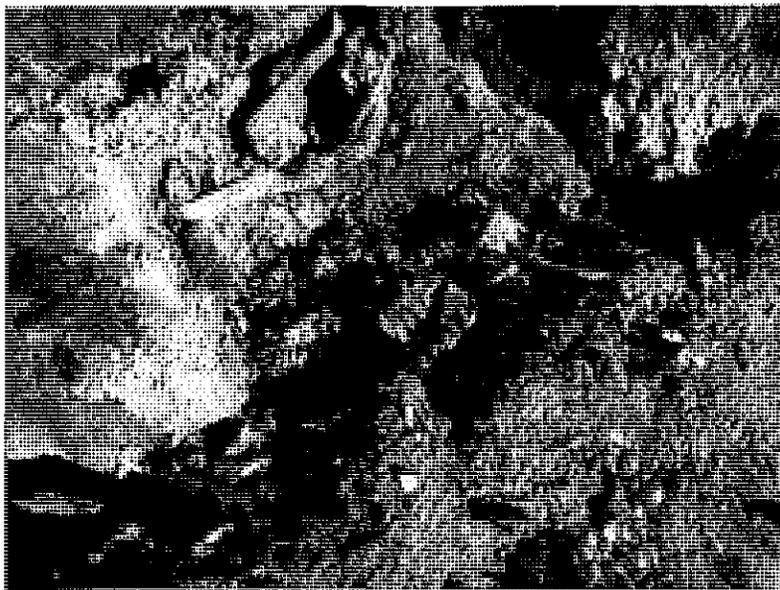
LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:49 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0023
Comments: Metal coils and fasteners in ash pile.



Date: 11/12/2015
Time: 2:50 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0024
Comments: Metal fasteners in ash pile.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:50 pm
Direction: E
Photo by: Paul Cooney
Exposure #: 0025
Comments: Metal and other waste in ash pile.



Date: 11/12/2015
Time: 2:50 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0026
Comments: Metal and other waste in ash pile.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:50 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0027
Comments: Demolition debris in ash pile



Date: 11/12/2015
Time: 2:51 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0028
Comments: Metal and glass in ash pile.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:51 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0029
Comments: Paneling and metal fasters
in ash pile.



Date: 11/12/2015
Time: 2:51 pm
Direction: S
Photo by: Paul Cooney
Exposure #: 0030
Comments: Overview of smoldering ash
pile.



Illinois Environmental Protection Agency
Bureau of Land

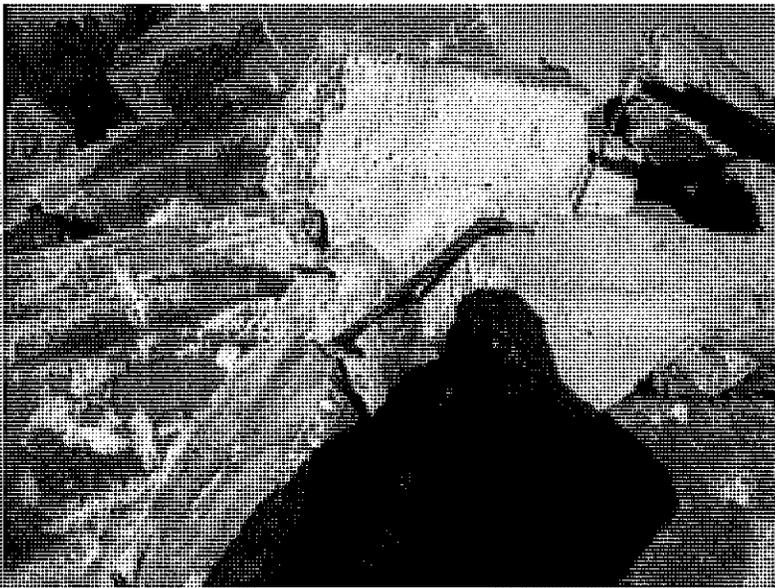
LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:52 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0031
Comments: Plastic and other waste in
ash pile.



Date: 11/12/2015
Time: 2:55 pm
Direction: E
Photo by: Paul Cooney
Exposure #: 0032
Comments: Rebar protruding from
broken concrete.

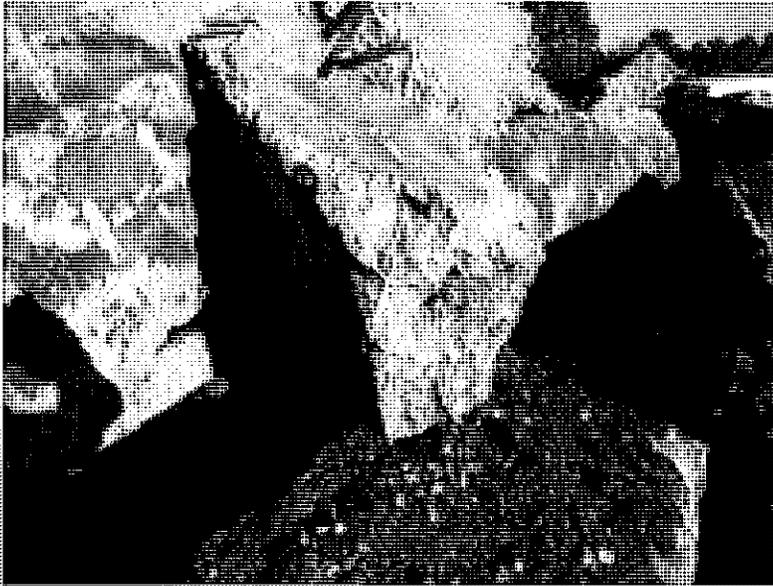


Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:55 pm
Direction: E
Photo by: Paul Cooney
Exposure #: 0033
Comments: Rebar protruding from broken concrete.



Date: 11/12/2015
Time: 2:55 pm
Direction: E
Photo by: Paul Cooney
Exposure #: 0034
Comments: Wood and metal in broken concrete.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:56 pm
Direction: N
Photo by: Paul Cooney
Exposure #: 0035
Comments: Wood mixed in with broken concrete.



Date: 11/12/2015
Time: 2:56 pm
Direction: W
Photo by: Paul Cooney
Exposure #: 0036
Comments: Rebar protruding from broken concrete.



Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:56 pm
Direction: Down
Photo by: Paul Cooney
Exposure #: 0037
Comments: Rebar protruding from broken concrete.



Date: 11/12/2015
Time: 2:57 pm
Direction: S
Photo by: Paul Cooney
Exposure #: 0038
Comments: Metal rims and rebar in broken concrete.

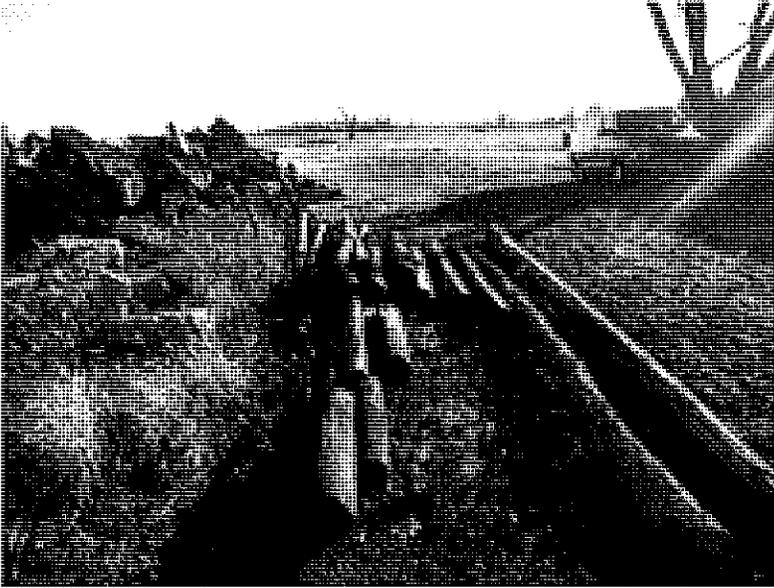


Illinois Environmental Protection Agency
Bureau of Land

LPC #1418155009 — Ogle County
Site: Wilson, Larry

DIGITAL PHOTOGRAPHS

File Names: 1418155009~11122015



Date: 11/12/2015
Time: 2:57 pm
Direction: S
Photo by: Paul Cooney
Exposure #: 0039
Comments: Wooden posts stacked next to broken concrete.



Date: 11/12/2015
Time: 2:57 pm
Direction: SE
Photo by: Paul Cooney
Exposure #: 0040
Comments: Overview of concrete debris pile.

Wilson, Larry
LPC# 1418155009
Attachment A
11/12/2015

From: Rob Hough [<mailto:rrough@mountmorrisfire.com>]
Sent: Tuesday, November 10, 2015 2:52 PM
To: Steve Rypkema <SRypkema@Oglecounty.org>
Subject: RE: Wilson fires

Afternoon Steve,

I just called your office and they said you were headed to your committee meetings. Thought I would let you know I just had a passerby stop I and advise me Mr. Wilson has started a new fire in the basement of the barn and is burning building debris.

In case you want to get some photos, cite him, etc.

Thanks, Rob



Rob G. Hough IV
Fire Chief
Mt. Morris Fire Prot. Dist.
15 E. Center St.
Mt. Morris, IL 61054
815-734-4322 Voice
815-734-7837 Fax
www.mountmorrisfire.com

"We live in the land of the free, only because of the brave!" God Bless Our Troops.

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.

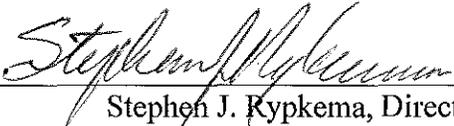
- #6 Areas where buried waste has been removed may not be refilled until inspected by and approval given by the Ogle County Solid Waste Management Department (OCSWMD).
- #7 Clean concrete may be used as fill material provided the material meets the standard for clean construction and demolition debris 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.

Christina K. Eged

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

[Signature]
Notary Public

