

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

County of Ogle)	
)	
Complainant,)	
)	
v.)	AC# 16-14
)	
)	
Wayne L. Fisher)	
& Christina C. Fisher,)	
)	
Respondents)	

NOTICE OF FILING

To: Wayne L. And Christina C. Fisher
P.O. Box 52
Holcomb, IL 61043
candwfisher@xta.com

PLEASE TAKE NOTICE that on July 3, 2017, I have caused to be filed a Stipulation of Settlement and Dismissal of Respondent's Petition for Administrative Review Illinois Pollution Control Board, a copy of which is attached.

County of Ogle, Complainant



Eric D. Morrow
Ogle County State's Attorney's Office

Eric D. Morrow
Ogle County State's Attorney
106 S. First Street
Suite 110
Oregon, IL 61061
815-732-1170

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STIPULATION OF SETTLEMENT AND DISMISSAL OF RESPONDENT'S PETITION

FOR ADMINISTRATIVE REVIEW

NOW COMES the Complainant, County of Ogle ("County"), by and through its attorney, Eric D. Morrow, Ogle County State's Attorney and the Respondents Wayne L. Fisher and Christina C. Fisher, Pro Se, and pursuant to the Illinois Environmental Protection Act, 415 ILCS 5/31.1 and 42(b)(4-5), and the Illinois Pollution Control Board's Rules and Regulations the parties hereby enter into this Stipulation of Settlement and in support thereof state as follows:

FACTS

1. The Respondents, Wayne L. and Christina C. Fisher, are the present owners of a facility located in the County of Ogle, State of Illinois.
2. The facility, located at 102 Oak Street, Holcomb, IL 61043, is an open dump, operating without an Illinois Environmental Protection Agency Operating Permit, and designated with the Site Code #1418215008. The facility is known to the Agency as Fisher, Wayne L. & Christina C.
3. That Respondents, Fisher, Wayne L. & Christina C., have controlled and/or operated the facility at all relevant times hereto.

4. That on March 9, 2016, Ogle County Solid Waste Management Department was notified of a complaint against this property from the Ogle County Planning and Zoning Department. The complaint stated that the above mentioned property was being used to store waste, trailers, vehicles, and other rubbish.
5. That on March 11, 2016, Paul Cooney, Solid Waste Management Specialist and Michael Reibel, Planning and Zoning Administrator attempted to inspect the site. No one responded at the residence. Photographs were taken documenting open dumping and the property being used as a waste storage and disposal site.
6. This is the second Administrative Citation against the property owners for these violations, with the first Administrative Citation (AC-06-31) being issued in early 2006. In accordance with the Act (415 ILCS 5/42 (b)(4-5)), Administrative Citation fines are doubled for the second or subsequent violations.

ALLEGED VIOLATIONS

1. The Respondent has caused or allowed the open dumping of waste in a manner which resulted in litter at the site, in violation of 415 ILCS 5/21(p)(1).
2. The Respondent has caused or allowed the open dumping of waste in a manner which resulted in the deposition of general construction or demolition debris or clean construction or demolition debris in violation of 415 ILCS 5/21(p)(7).

STIPULATION OF SETTLEMENT

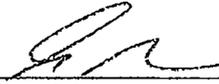
The parties have reached a Stipulation of Settlement, which is hereby tendered to the Illinois Pollution Control Board for approval:

1. Respondents admit that they have caused or allowed the open dumping of waste in a manner which resulted in litter at the site, in violation of 415 ILCS 5/21(p)(1).
2. A civil penalty of \$3,000.00 shall be assessed against the Respondents.
3. The civil penalty shall be paid in full within 30 months of the Board's order accepting this stipulation.
4. Payments shall be made in monthly installments of no less than \$100.00. Monthly payments shall be made by check or money order payable in equal amounts each to:
 - A. 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.
 - B. Ogle County Solid Waste Fund, Ogle County Treasurer, P.O. Box 40, Oregon, Illinois 61061.
5. Respondents agree to diligently comply with and shall cease and desist from further violations of the Act, and the Board's Rules and Restrictions.
6. Respondent's Petition for Review shall be dismissed.
7. Respondents acknowledge that if the civil penalty is not paid in full within the prescribed time, the law allows for the accumulation of interest on the remaining unpaid balance.

7. Respondent's acknowledge that if the civil penalty is not paid in full within the presented time, the law allows for the Complainant to institute a suit in the Circuit Court for Collection thereof.

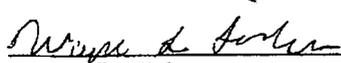
WHEREFORE, the Parties request that the Board accept the Stipulation of Settlement and issue an order consistent with its terms and conditions.

County of Ogle, Complainant



Eric Morrow
Ogle County State's Attorney

Wayne L. Fisher and
Christina C. Fisher



Wayne L. Fisher



Christina C. Fisher

7. Respondent's acknowledge that if the civil penalty is not paid in full within the presented time, the law allows for the Complainant to institute a suit in the Circuit Court for Collection thereof.

WHEREFORE, the Parties request that the Board accept the Stipulation of Settlement and issue an order consistent with its terms and conditions.

County of Ogle, Complainant

Wayne L. Fisher and
Christina C. Fisher



Eric Morrow
Ogle County State's Attorney

Wayne L. Fisher

Christina C. Fisher