

COUNTY OF LASALLE

ADMINISTRATIVE CITATION

COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 TIFFANY MORRIS) AC NO.
)
 Respondent(s))

JURISDICTION

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

FACTS

1. That Respondent, Tiffany Morris is the present owner of property located in Osage Township, LaSalle County, Illinois.
2. That said facility is an open burn and open dump site, operating without an Illinois Environmental Protection Agency Permit, and is designated with Site Code No. 0998245005. Said facility is commonly known to the Agency as The Dexter Group Trust.
3. That the Respondent has owned said facility since July 8, 2013.
4. That on May 19, 2022, Lauren Grumieaux and Myranda Posada of the LaSalle County Department of Land Use, under the authority of the Illinois Environmental Protection Agency, inspected the above-described facility. A copy of the inspection reports setting forth the results of such inspections are attached hereto and made a part hereof.

Electronic Filing: Received, Clerk's Office 07/12/2022 **AC 2023-001**
VIOLATIONS

5. On the basis of direct observations of Lauren Grumieaux and Myranda Posada of the LaSalle County Department of 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 19, 2022, an on-site inspection of said facility disclosed the following:

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

CIVIL PENALTY

6. Pursuant to 415 ILCS 5/42 (b) (4), formerly Ill. Rev. Stat. 1991, ch. 111 ½, par. 1042 (b) (4), Respondent herein is subject to a civil penalty of Fifteen Hundred Dollars (\$1500.00) for each violation specified above in Paragraph 5(b) for a total of 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 Fifteen Hundred Dollar (\$1500.00) statutory penalty for each finding of violation.
7. If you acknowledge the violations cited herein above, the civil penalty specified above shall be due and payable no later than thirty-five (35) days from the date of service hereof. If you do not petition the Illinois Pollution Control Board of review of this Administrative Citation within thirty-five (35) days of service hereof or if you elect to contest this Administrative Citation, any judgment rendered against you shall specify the due date of the statutory civil penalty and any costs assessed against you.
8. When payment is made, one certified check or money order for (\$1,500.00) shall be made payable to the **LaSalle County Treasurer** and mailed to:

**LaSalle County Department of 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 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: 7/8/22

Todd Martin
LaSalle County State's Attorney

By: _____

Mark Anderson
Assistant State's Attorney

COUNTY OF LASALLE)
)
 Complainant)
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)
 TIFFANY MORRIS)
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 Respondent(s))

REMITTANCE FORM

FACILITY:

Tiffany Morris
PO BOX 622
Wenona, IL 61377

Site Code: 0998245005
County: LaSalle
Township: Osage

CIVIL PENALTY: \$1500.0 for each violation
Number of Violation(s): Two (2)
Total Remittance: \$1,500.00 (50% of \$3,000.00 penalty to IEPA)
Date of Inspection: May 19, 2022

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 Land Use
119 West Madison Street, Room 107a
Ottawa, IL 61350**

COUNTY OF LASALLE)
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 Complainant)
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 v.)
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 TIFFANY MORRIS)
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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 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 LAND USE at the address given above.

STATE OF ILLINOIS
COUNTY OF LASALLE

| | | |
|-------------------|---|--------|
| COUNTY OF LASALLE |) | |
| |) | |
| Complainant |) | |
| |) | |
| v. |) | |
| |) | |
| TIFFANY MORRIS |) | AC NO. |
| |) | |
| Respondent(s) |) | |

AFFIDAVIT

Affiants, Lauren Grumieaux and Myranda Posada, 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 19, 2022 between 2:28p.m. and 2:38p.m., Affiants conducted inspections of an open burn and open dump site operating without an Agency permit, located in LaSalle County, Illinois and known as The Dexter Group Trust by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0998245005 by the Agency.
3. Affiant inspected the said Osage Township / The Dexter Group Trust 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 Osage Township / The Dexter Group Trust Property open burn and open dump site.

Lauren Grumieaux

 Lauren Grumieaux, LaSalle County

Myranda Posada

 Myranda Posada, LaSalle County

Subscribed and Sworn to Before Me
this 8th day of July, A.D. 2022.

Lori Maskel

 Notary Public



COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 TIFFANY MORRIS)
)
 Respondent(s))

Facility# 0998245005
Facility Name: The Dexter Group Trust

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 Land Use office at 815-434-8666.

Brian Gift, Director

Date: _____

Illinois Environmental Protection Agency

Open Dump Inspection Checklist

County: LaSalle BOL #: 0998245005 Region: 1 - Rockford
 Site Name: The Dexter Group Trust
 Site Address: 509 N LaSalle St. City: Wenona
 Inspector: L. Grumieaux & M. Posada Interviewed: _____
 Date: 5/19/2022 Current Est. 80 yds³
 Complaint #: _____ Waste Amt. _____

| | | |
|----------------------|------------------------|---------------------------------|
| Responsible Party | The Dexter Group Trust | Wilmington Savings Fund Society |
| Mailing Address(es) | 509 N LaSalle St. | 500 Delaware Ave 11th FL |
| and Phone Number(s): | Wenona, IL 61377 | Wilmington, DE 19801 |

| Section | Description | Status |
|---|---|--------|
| Illinois Environmental Protection Act Requirements | | |
| 9(a) | Cause, threaten, or allow air pollution in Illinois | V |
| 9(c) | Cause or allow open burning | V |
| 12(a) | Cause, threaten, or allow water pollution in Illinois | |
| 12(d) | Create a water pollution hazard | |
| 21(a) | Cause or allow open dumping | V |
| 21(d) | Conduct any waste-storage, waste-treatment, or waste- disposal operation: | |
| | (1) Without a permit | V |
| | (2) In violation of any regulations or standards adopted by the Board | |
| 21(e) | Dispose, treat, store, or abandon waste, or transport waste into Illinois for such activities, except at a site meeting Act and regulatory requirements | V |
| 21(p) | Cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site: | |
| | (1) Litter | V |
| | (2) Scavenging | |
| | (3) Open Burning | V |
| | (4) Deposition of waste in standing or flowing waters | |
| | (5) Proliferation of disease vectors | |
| | (6) Standing or flowing liquid discharge from the dump site | |
| | (7) Deposition of general construction or demolition debris as defined at §3.160(a) or clean construction or demolition debris as defined at §3.160(b) | V |
| 55(a) | No person shall | |
| | (1) Cause or allow open dumping of any used or waste tire | V |
| | (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 | |
| Consumer Electronic Recycling Act (415 ILCS 151) Requirements | | |
| 83(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 | |
| 83(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 Case Number _____ ; Order entered on _____ | | NA |
| Other | | |
| | | |
| | | |

Sharon [Signature]
Myma [Signature]

- Notes**
- 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
 - 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 Consumer Electronic Recycling Act are enforceable by administrative citation under §1-55(a) or referral to the Attorney General pursuant to §1-50(b).
 - This inspection was conducted in accordance with §§4(c)–(d) of the Environmental Protection Act (415 ILCS 5/4(c) and (d)).

0998245005-LaSalle County
Osage/ The Dexter Group Trust

NARRATIVE INSPECTION REPORT DOCUMENT

GENERAL REMARKS

On May 19, 2022 an open dumping re-inspection was conducted at 509 N LaSalle St. Wenona, IL by Ms. Lauren Grumieaux, and Myranda Posada representing the LaSalle County Land Use Department, under the delegation authority of the Illinois Environmental Protection Agency. The property is owned by The Dexter Group Trust and Wilmington Savings Fund Society and Tiffany Morris.

Weather conditions on May 19, 2022 were sunny and 85 °F. Winds SSW at 15 mph.

Ms. Grumieaux and I arrived at the site at 2:28 PM and began the inspection.

Prior to the inspection, Ms. Grumieaux made arrangements with the home owner, Ms. Tiffany Morris, to view the back yard of the home. Once out of the vehicle, we made our way through the open gate, and into the back yard. Ms. Grumieaux and I noted household refuse along the fence line; along with some children toys. It was noted that the fence had fallen on household debris and waste. (Photo #1-#2) Facing south of the property, strewn of clothing, tarp, card board boxes, kitty litter and a car seat were visible by the back door step. (Photo #3) Ms. Grumieaux noted that the burn pile still contained domicile waste, charred springs, metals, soiled diapers, and other accumulated debris. (Photo #4)

Moving on, we documented a deep freezer on the southeast of the property. Along with household carpeting, office chair, and a gated dog kennel. (Photo #5) Both burn piles were still on site at the time of the inspection. Burn pile #2 had a tire comingled with other debris (Photo #6). The accumulated household waste is stacked by the back door of the house. Looking west, we could see: children's clothing, child car seat, tarp, boxes, totes, kitty litter bucket, used diapers, garbage can fill with bedding, and furniture. Lastly, household waste, and children's toys, was strewn throughout the property. (Photo #7) Our inspection was interrupted, when two of the household dogs came out of the shed. Ms. Grumieaux and I decided that it was best to leave the property for our safety. While exiting out from the north side of the property, it was evident that under the fallen fence there is an accumulated amount of household waste along the fence line. (Photo #8-#9)

After documenting our findings, we returned to the vehicle and concluded the inspection at 2:38 PM.

Apparent violations noted:

Illinois Environmental Protection Act:

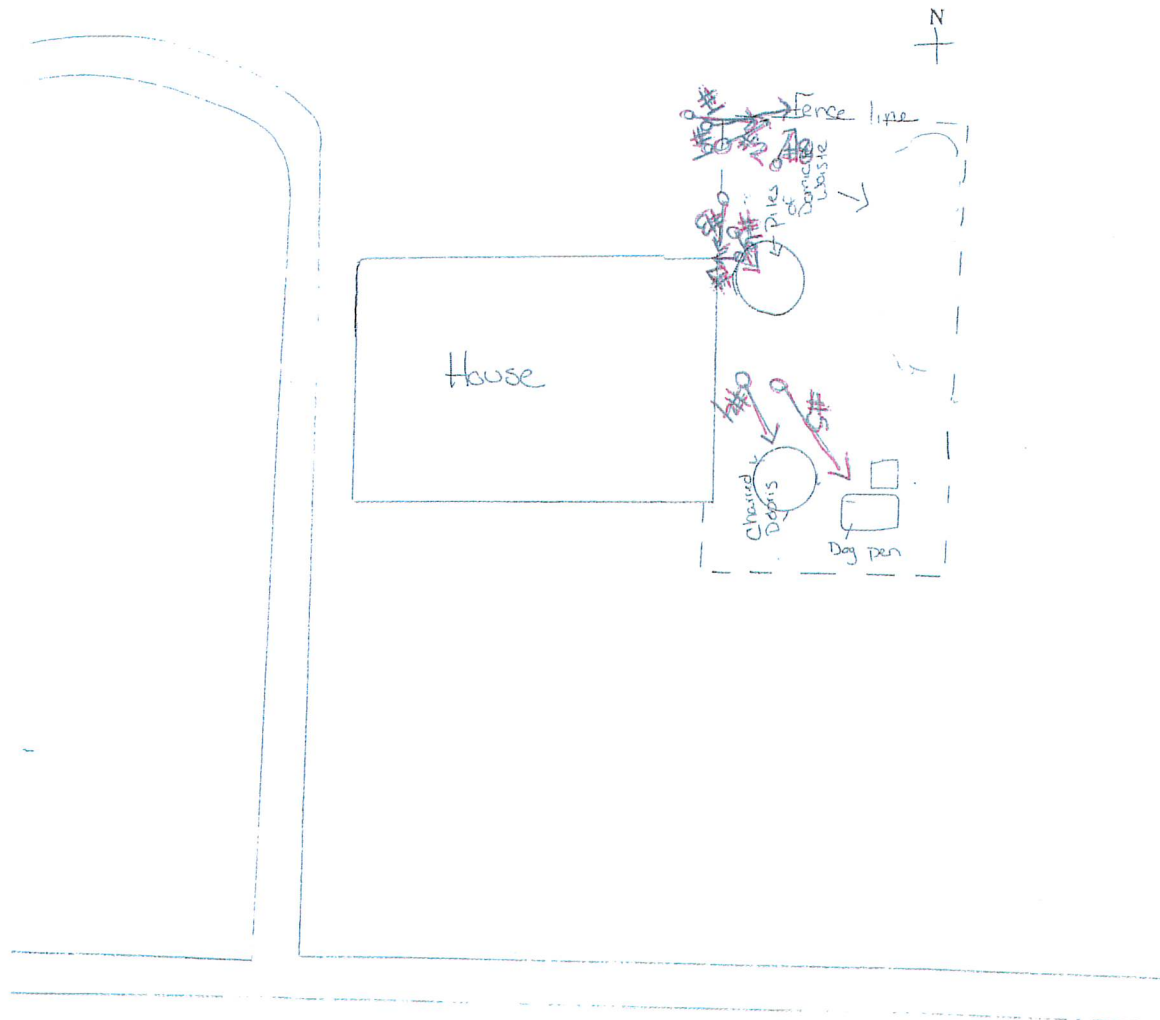
9(a), 9(c), 21(a), 21(d) 1, 21(e), 21(p) 1, 3 and 7, 55(a) 1

END OF NARRATIVE BY MYRANDA POSADA

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 5/19/22 Inspector: L. Grumiec & M. Posada
Site Code: 0998245005 County: La. Salle
Site Name: The Dexter Group Trust Time: 2:28 - 2:38





DIGITAL PHOTOGRAPHS

The Dexter Group Trust 0998245005



Date: 5/19/2022
Time: 2:35 PM
Direction: East
Photo by:
L. Grumieaux
Exposure #: 1
Comments:
household waste
along the fence line
and children toys



Date: 5/19/2022
Time: 2:35 PM
Direction: Northeast
Photo by:
L. Grumieaux
Exposure #: 2
Comments: Back
yard fence top of
household debris
and waste



DIGITAL PHOTOGRAPHS

The Dexter Group Trust 0998245005



Date: 5/19/2022
Time: 2:35 PM
Direction: South
Photo by:
L. Grumieaux
Exposure #: 3
Comments: Misc.
debris. Clothing,
cardboard boxes,
totes, car seat and
kitty litter bucket



Date: 5/19/2022
Time: 2:36 PM
Direction: Southeast
Photo by:
L. Grumieaux
Exposure #:4
Comments: burn pile
#1. Rusted metal
springs, domicile
waste, accumulated
debris, soiled baby
diapers.



DIGITAL PHOTOGRAPHS

The Dexter Group Trust 0998245005



Date: 5/19/2022
Time: 2:35 PM
Direction: Southeast
Photo by:
L. Grumieaux
Exposure #: 5
Comments: White
goods, desk chair,
metal object, gated
dog kennel,
household carpet.



Date: 5/19/2022
Time: 2:36 PM
Direction: Northeast
Photo by:
L. Grumieaux
Exposure #: 6
Comments: Burn pile
#2. Charred and tire



DIGITAL PHOTOGRAPHS

The Dexter Group Trust 0998245005



Date: 5/19/2022

Time: 2:37 PM

Direction: West

Photo by:

L. Grumieaux

Exposure #:7

Comments:

Household waste,
totes, clothing, tarps,
garbage can, totes,
kitty litter bucket,
bedding, furniture.



Date: 5/19/2022

Time: 2:37 PM

Direction: North

Photo by:

L. Grumieaux

Exposure #: 8

Comments:

Household waste
along the fence



DIGITAL PHOTOGRAPHS

The Dexter Group Trust 0998245005



Date: 5/19/2022

Time: 2:37 PM

Direction: East

Photo by:

L. Grumieaux

Exposure #:9

Comments: burn pile

#1. Rusted metal

springs, domicile

waste

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

| | | |
|-------------------|---|--------|
| COUNTY OF LASALLE |) | |
| |) | |
| Complainant |) | |
| |) | |
| v. |) | |
| |) | |
| TIFFANY MORRIS |) | |
| |) | AC NO. |
| |) | |
| Respondent(s) |) | |

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):

Tiffany Morris
PO BOX 622
Wenona, IL 61377

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 11 day of July, A.D. 2022.

[Signature]

Subscribed and Sworn to Before Me
this 12 day of July, A.D. 2022.

[Signature: Lori Maskel]

Notary Public





July 12, 2022

Dear Lori Maskel:

The following is in response to your request for proof of delivery on your item with the tracking number: **9171 9999 9170 3942 0766 99**.


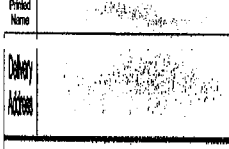
Item Details

Status: Delivered, Individual Picked Up at Post Office
Status Date / Time: July 12, 2022, 9:40 am
Location: WENONA, IL 61377
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 6lb, 9.8oz

Recipient Signature

| | |
|-------------------------|---|
| Signature of Recipient: |  |
| Address of Recipient: |  |

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