



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
ADMINISTRATIVE CITATION

COUNTY OF OGLE, )  
 )  
COMPLAINANT, )  
 )  
v. )  
 )  
RICHARD HAAN, JR., )  
 )  
RESPONDENT )

AC 10-016

STIPULATION OF SETTLEMENT

NOW COMES the Complainant, County of Ogle ("County"), by and through it's attorney, John B. Roe, Ogle County State's Attorney, by Emily S. Seifert, Assistant State's Attorney, and the Respondent, Richard Haan ("Haan"), by and through his attorney, Donald Delbert, 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 hereof state as follows:

1. On December 2, 2009, Joy Bliton, Field Inspector with Ogle County Solid Waste Management Department, conducted an inspection of a facility owned and operated by the Respondent. The facility is located at 3747 W. Illinois Route 64, Mt. Morris, Ogle County, Illinois, and is known as the Mt. Morris Estates Trailer Park. The site is designated with the Site Code No. 1410350003.

2. On or about January 28, 2009, the County served Respondent with Administrative Citation No. 2010-016, alleging therein that the Respondent had caused or allowed open dumping at the facility in a manner which resulted in the following violations: 1) littering, in violation of 415 ILCS 5/21(p)(1); 2) open burning of waste, in violation of 415 ILCS 5/21(p)(3); and 3) deposition of general construction or demolition debris or clean

construction or demolition debris, in violation of 415 ILCS 5/21(p)(7).

3. The parties discussed settlement possibilities and reached an Agreement, which is hereby tendered to the Illinois Pollution Control Board for approval:

A. Respondent admits that he caused or allowed the open burning of waste in violation of 415 ILCS 5/21(p)(3), and this being a subsequent offense, agrees to pay the statutory fine of \$3,000 pursuant to 415 ILCS 5/42(b)(4-5).

B. Respondent agrees to pay the statutory civil penalty within 30 days of the date of the Board's order accepting this stipulation.

C. Respondent agrees to diligently comply with, and shall cease and desist from further violation of the Act, 415 ILCS et seq., and the Board's rules and regulations.

D. The waste located at the site that was the subject of this administrative citation has been removed and properly disposed of.

WHEREFORE, the parties request that the Board accept this Agreement and issue an order consistent with its terms and conditions.

County of Ogle, Complainant,

By Emily Seifert

Emily Seifert  
Ogle County Assistant State's Attorney  
106 S. 5<sup>th</sup> Street, Ste 110  
Oregon, IL 61061  
(815) 732-1170

Richard Haan, Repondent,

By Donald B. Delbert

Donald Delbert  
Attorney for Respondent  
101 N. 7<sup>th</sup> Street  
Oregon, IL 61061  
(815) 732-1200