

STATE OF ILLINOIS

COUNTY OF LASALLE

ADMINISTRATIVE CITATION

COUNTY OF LASALLE)

Complainant)

v.)

DSV SPV2 LLC)

Respondent)

AC NO. 2020-

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 1/2, par. 1031.1, and delegated to the County of LaSalle pursuant to 415 ILCS 5/4 (r), formerly Ill. Rev. Stat., Ch. 111 1/2, par. 1004 (r).

FACTS

1. That Respondent, DSV SPV2 LLC, is the present owner and/or operator of property located in Hope Township, LaSalle County, Illinois.
2. That said facility is an open dump, operating without an Illinois Environmental Protection Agency Permit, and is designated with Site Code No. 0998285003. Said facility is commonly known to the Agency as the DSV SPV 2 Property.
3. That the Respondent has owned and/or operated said facility since June 9, 2017.
4. That on January 13, 2020 Lauren Grumieaux, Environmental Inspector, and Brooke Schumacher, Assistant Planner / Enforcement Officer for LaSalle County Department of Environmental Services and 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.

5. On the basis of direct observations of Lauren Grumieaux and Brooke Schumacher of the LaSalle County Department of Environmental Services and 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 January 13, 2020, 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)]).
- _____ 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 Fifteen Hundred Dollars (\$1500.00). Additionally, should Respondent 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, Respondent 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 (\$750.00) shall be made payable to the
LaSalle County Treasurer and mailed to:

**LaSalle County Department of Environmental Services and Land Use
119 West Madison Street
Room 107
Ottawa, Illinois 61350**

And one certified check or money order for (\$750.00) 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 Environmental Services and 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: 1/22/20

Karen Donnelly
LaSalle County State's Attorney

By: _____

Mark Anderson
Special Assistant State's Attorney

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
DSV SPV2 LLC)	AC NO. _____
)	
Respondent(s))	

REMITTANCE FORM

FACILITY:	DSV SPV 2	Site Code:	0998285003
	556 N 14 th Rd.	County:	LaSalle
	Lostant, IL 61334	Township:	Hope

CIVIL PENALTY: \$1500.0 for each violation

Number of Violation(s): One (1)

Total Remittance: \$1,500

Date of Inspection: January 13, 2020

DATE REMITTED: _____

SS/FEIN NUMBER _____

SIGNATURES _____

NOTE

Please enter the date of your remittance, your social security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed, and mail, along with Remittance Form to:

**LaSalle County Department of Environmental Services and Land Use
119 West Madison Street, Room 107
Ottawa, IL 61350**

AND

**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 ENVIRONMENTAL SERVICES AND LAND USE
119 WEST MADISON STREET
ROOM 107
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 ENVIRONMENTAL SERVICES AND LAND USE at the address given above.

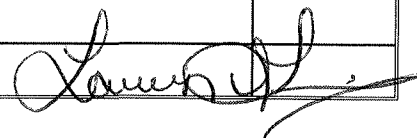
Illinois Environmental Protection Agency 2020-003**
Open Dump Inspection Checklist

County: LaSalle BOL #: 0998285003 Region: 1 - Rockford
 Site Name: DSV SPV2 LLC Property
 Site Address: 556 N 14th Rd. City: LaSalle
 Inspector: L. Grumieaux, B. Schumacher Interviewed: N/A
 Date: January 13, 2020 Current Est. 80 + yds³
 Complaint #: N/A Waste Amt. _____

Responsible Party	DSV SPV2 LLC	National Registered Agents Inc.
Mailing Address(es)	16 Berryville Rd. STE 200	208 SO LaSalle St. Suite 814
and Phone Number(s):	Columbia, SC 29210	Chicago, IL 60604

Section	Description	Status
Illinois Environmental Protection Act Requirements		
9(a)	Cause, threaten, or allow air pollution in Illinois	
9(c)	Cause or allow open burning	
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	V
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	
(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)	
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	
Electronic Products Recycling and Reuse Act (415 ILCS 150) Requirements		
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	
95(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		NA
Case Number ; Order entered on		
Other		



Notes

1. 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
2. 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 Electronic Products Recycling and Reuse Act are enforceable by administrative citation under §20(k) or referral to the Attorney General pursuant to §20(a).
3. This inspection was conducted in accordance with §§4(c)–(d) of the Environmental Protection Act (415 ILCS 5/4(c) and (d)) and §20(a) of the Electronic Products Recycling and Reuse Act (415 ILCS 150/20(a)).

0998285003-LaSalle County
Hope/DSV SPV2 LLC Property

NARRATIVE INSPECTION REPORT DOCUMENT

GENERAL REMARKS

On January 13, 2020 an open dump inspection was conducted at the subject property by Lauren Grumieaux, and Brooke Schumacher, representing the LaSalle County Environmental Services and Land Use Department. The inspection was conducted under the delegation authority of the Illinois Environmental Protection Agency. LaSalle County Recorder's documents verify the property is owned by DSV SPV2 LLC.

Weather conditions on January 13, 2020 were overcast and ~34°F. Winds S at 4mph.

Lauren and I arrived at 556 N 14th Rd., Lostant at 11:55AM and began the inspection.

Arriving at the site, Lauren and I proceeded to visually inspect the site. Walking south on the property and looking west, we noted approximately five televisions and four mattresses comingled in a pile next to a tree. We estimate that this pile contains 10 cubic yards of debris.

Moving south, we noted a metal shed with various items and a large pile of diverse objects located on the southwestern part of the property. This included a waste tire, miscellaneous car and boat parts, metal, domicile waste, and carpeting among other items. Facing north towards the pile, we noted plastic toys, a stroller, another waste tire, a broken windshield, and various electronic items. We estimate that this pile contains 20 cubic yards of debris.

Lauren and I then inspected the home which we believe was destroyed by a fire in 2017. Burned remnants remained while an uncovered foundation to a basement has allowed trespassers to dump items such as plastic toys, cushions, computer boards, a stroller, and electric wiring, among other items into it. We estimate that this contains 50 cubic yards of debris.

We concluded the inspection at 12:04PM.

Apparent violations noted:

Illinois Environmental Protection Act:

21(a), 21(d)(1) & (2), 21(e), 21(p)(1), 55(a)(1)

END OF NARRATIVE BY BROOKE SCHUMACHER & LAUREN GRUMIEAUX



DIGITAL PHOTOGRAPHS

DSV SPV2 LLC Property 0998285003



Date: 01/13/2020
Time: 1156
Direction: West
Photo by:
B. Schumacher
Exposure #: 1
Comments:
Approximately five
televisions and four
mattresses



Date: 01/13/2020
Time: 1158
Direction: West
Photo by:
B. Schumacher
Exposure #:2
Comments: This
photo depicts a
waste tire,
miscellaneous car
and boat parts,
metal, household
refuse, carpeting



DIGITAL PHOTOGRAPHS

DSV SPV2 LLC Property 0998285003



Date: 01/13/2020
Time: 1158
Direction: North
Photo by:
B. Schumacher
Exposure #: 3
Comments: This photo depicts toys, various plastic pieces, a stroller, a waste fire, broken windshield, various electronic items



Date: 01/13/2020
Time: 1200
Direction: East
Photo by:
B. Schumacher
Exposure #:4
Comments: This photo depicts the basement of the burned home along with items such as plastic toys, cushions, computer boards, construction debris, a stroller, electronic wiring

STATE OF ILLINOIS
COUNTY OF LASALLE

COUNTY OF LASALLE)

Complainant)

v.)

DSV SPV2 LLC)

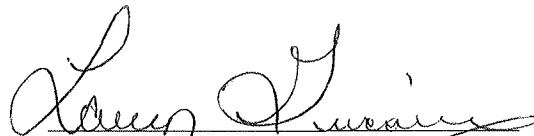
Respondent(s))

AC NO. _____

AFFIDAVIT

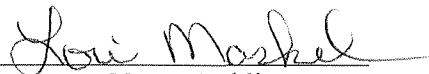
Affiant, Lauren Grumieaux, being first duly sworn, voluntarily deposes and states as follows:

5. Affiant is employed by the County of LaSalle and has been so employed at all times pertinent hereto.
6. On January 13, 2020 between 11:55 a.m. and 12:04 p.m., Affiant conducted inspections of a disposal/storage site operated without an Agency permit, located in LaSalle County, Illinois and known as the DSV SPV2 Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0998285003 by the Agency.
7. Affiant inspected the said Hope Township / DSV SPV2 Property open dump site by an on-site inspection which included conducting a visual inspection on the property and photographing the site.
8. As a result of the material actions referred to in paragraph 3 above, Affiant completed the Inspection Report Forms 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 Hope Township / DSV SPV2 Property open dump.


 Lauren Grumieaux, LaSalle County

Subscribed and Sworn to Before Me

this 21st day of January, A.D. 2020.


 Notary Public



ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 01/13/2020

Inspector: L. GRUMIEAUX + B. SCHUMACHER

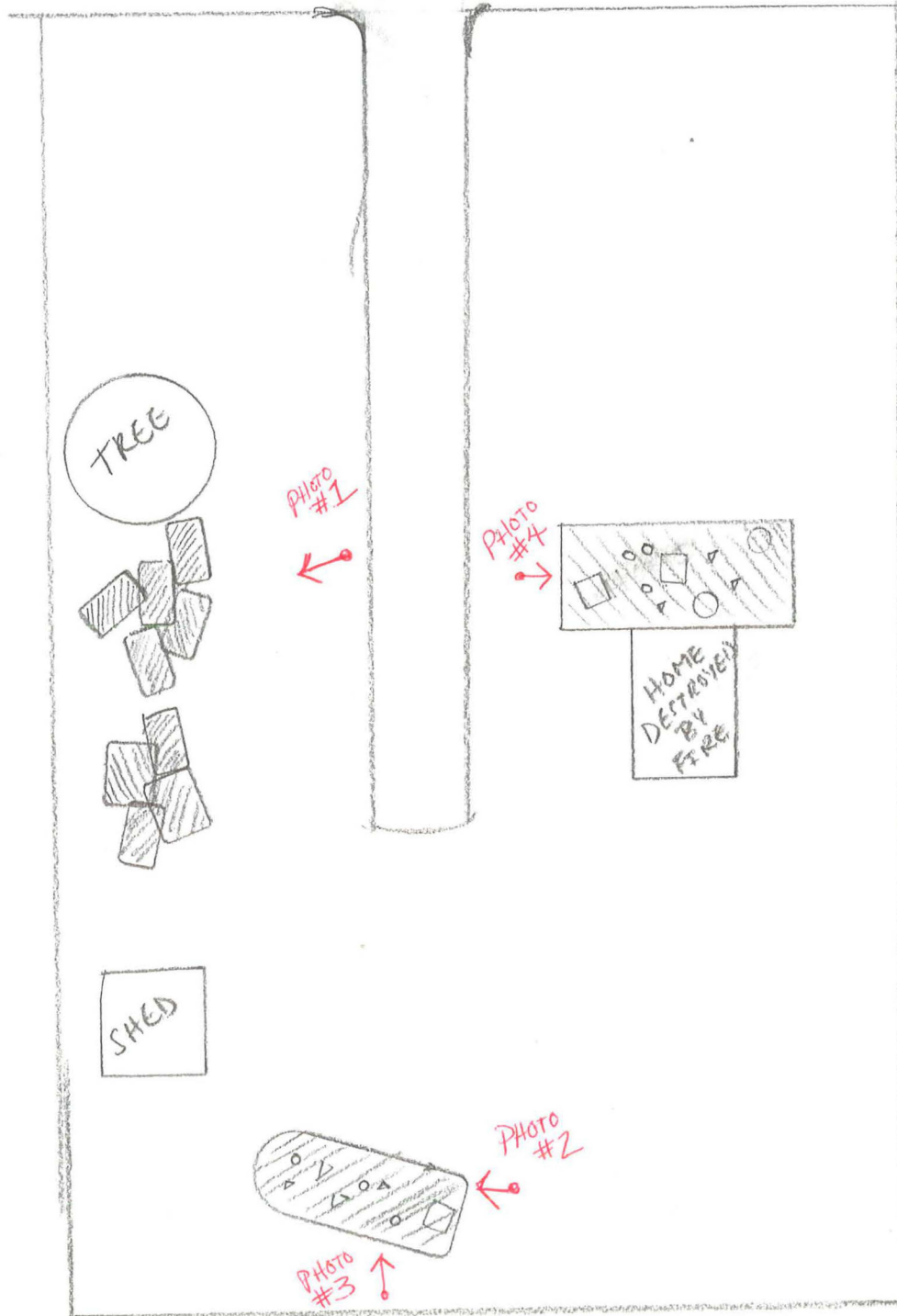
Site Code: 0998285003

County: LA SALLE

Site Name: DSV SPVZ LLC

Time: 11:55AM - 12:04PM

N. 14th Rd.



**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
DSV SPV2 LLC)	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):

DSV SPV2 LLC
National Registered Agents Inc.
208 SO LaSalle St, Suite 814
Chicago, IL 60604

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 24 day of January, A.D. 2020.



 Brian Gift, LaSalle County

Subscribed and Sworn to Before Me
this 24th day of January, A.D. 2020.



 Notary Public

