

STATE OF ILLINOIS

COUNTY OF LASALLE

ADMINISTRATIVE CITATION

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
KRISTINE DUFER)	AC NO. <u>LC2021-06</u>
)	
)	
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, Kristine Dufer is the present owner and/or operator of property located in Eagle 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. 0998075004. Said facility is commonly known to the Agency as the Dufer Property.
3. That the Respondent has owned and/or operated said facility since October 25, 2010.
4. That on December 16, 2021, Lauren Grumieaux and Brooke Schumacher of the LaSalle County Land Use Department, 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.

VIOLATIONS

5. On the basis of direct observations of Lauren Grumieaux and Brooke Schumacher of the LaSalle County Land Use Department, 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 December 16, 2021, 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 One Thousand Five Hundred Dollars (\$1,500.00) for each violation specified above in Paragraph 5(b) for a total of Three Thousand Dollars (\$3,000.00). 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 One Thousand Five Hundred Dollars (\$1,500.00) 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 Land Use Department
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

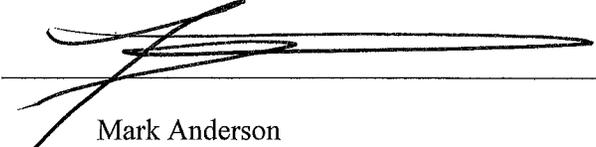
LaSalle County Land Use Department
119 West Madison Street
Room 107
Ottawa, Illinois 61350

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: 1/11/22

Todd Martin
LaSalle County State's Attorney

By: 

Mark Anderson
Assistant State's Attorney

Electronic Filing: Received, Clerk's Office 01/19/2022 **AC 2022-003**
BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

COUNTY OF LASALLE)

Complainant)

v.)

KRISTINE DUFER)

Respondent(s))

AC NO. LC2021-06

REMITTANCE FORM

FACILITY:

Kristine Dufer
4603 Cleveland St.
Streator, IL 61364

Site Code: 0998075004
County: LaSalle
Township: Eagle

CIVIL PENALTY: \$1,500.00 for each violation

Number of Violation(s): Two (2)

Total Remittance: \$1,500 (50% of \$3,000.00)

Date of Inspection: December 16, 2021

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

COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 KRISTINE DUFER)
)
 Respondent(s))

AC NO. LC2021-06

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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 LAND USE DEPARTMENT
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 LAND USE DEPARTMENT at the address given above.

COUNTY OF LASALLE)

Complainant)

v.)

KRISTINE DUFER)

Respondent(s))

AC NO. LC2021-06

AFFIDAVIT

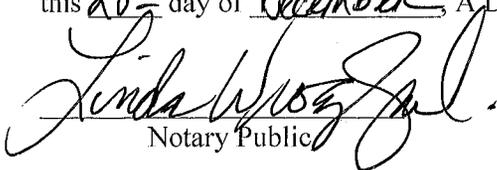
Affiants, Lauren Grumieaux and Brooke Schumacher, being first duly sworn, voluntarily deposes and states as follows:

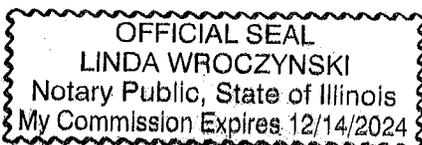
1. Affiants are employed by the County of LaSalle and have been so employed at all times pertinent hereto.
2. On December 16, 2021 between 2:34p.m. and 2:48p.m., Affiants conducted inspections of an open burn and open dump site operating without an Agency permit, located in LaSalle County, Illinois and known as the Dufer Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0998075004 by the Agency.
3. Affiants inspected the said Eagle Township / Dufer 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 Eagle Township / Dufer Property open burn and open dump site.


Lauren Grumieaux, LaSalle County


Brooke Schumacher, LaSalle County

Subscribed and Sworn to Before Me
this 20th day of December, A.D. 2021.


Notary Public



Illinois Environmental Protection Agency

Open Dump Inspection Checklist

County: LaSalle BOL #: 0998075004 Region: 1 - Rockford
 Site Name: Kristine Dufer
 Site Address: 4603 Cleveland St. City: Streator
 Inspector: L. Grumieaux, B. Schumacher Interviewed: _____
 Date: 12/16/21 Current Est. 120 yds³
 Complaint #: _____ Waste Amt. _____

Responsible Party	Current Occupant	Kristine Dufer
Mailing Address(es)	4603 Cleveland St.	816 Painter St.
and Phone Number(s):	Streator IL 61364	Streator IL 61364

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)	
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	V
(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	V
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		NA
Case Number _____ ; Order entered on _____		
Other		

Steven J. ...
Brook H. Schuyler

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

Attachment A

Warning: Corrective Action Required

To contest the Administrative Citation 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 and open burning.
2. Within 30 days, remove all remaining waste to a permitted landfill or transfer station. Scrap metal not disposed of at a landfill can be taken to a scrap metal facility or recycling center.
3. Within 30 days, submit to the LaSalle County Land Use Department copies of receipts that document the proper disposal or recycling of the wastes.

0998075004-LaSalle County
Eagle / Dufer Property

NARRATIVE INSPECTION REPORT DOCUMENT

GENERAL REMARKS

On December 16, 2021 an open dump and open burn re-inspection was conducted at 4603 Cleveland St. Streator, by Lauren Grumieaux and Brooke Schumacher, representing the LaSalle County Land Use Department, under the delegation authority of the Illinois Environmental Protection Agency. The property is owned by Kristine Dufer.

Weather conditions on December 16, 2021 were sunny and 42°F. Winds E at 21 mph.

Ms. Grumieaux and I arrived at the site at 2:34 PM and began the inspection.

Upon arrival, Ms. Grumieaux and I noticed several more vehicles in the front of the residence compared to our previous inspection in September. In total, there were approximately 25 vehicles located on the 9,000 sq. ft. lot. Ms. Grumieaux approached the door and knocked; the tenant of the residence greeted us. The property owner, Ms. Kristine Dufer, was not on site at the time of the inspection. After a brief introduction and a description of which vehicles were operable, the tenant allowed us access to the property.

Ms. Grumieaux and I began by inspecting the south side of the home. Along the outside wall of the home, several tires were stacked (Photo #1). There were two car batteries located on the ground near the front steps (Photo #2). Near the back of the home, on the south side, were three more car batteries next to a stack of tires (Photo #3). In total, there were approximately 78 tires on the property.

Heading east, along the south fence line were several more tires, full garbage bags, and various car parts (Photo #4). Up against the eastern side of the home were several car exterior and interior parts (Photo #5). Looking into the backyard, we noticed several tires, construction debris, engine pieces, charred metal next to the pile burned previously, household garbage, and multiple gas cans (Photo #6). Along the southern fence line were approximately seven full garbage bags and various vehicle engine parts (Photo #7).

To the east of the fence line, more tires were discovered along with three camper trailers (Photo #8). East of the trailers, several vehicles in various stages of repair, formed two lines that cover the rest of the property up to the eastern cornfield (Photos #9 and #10). It was mentioned by the tenant that people were residing in one of the camper trailers near the eastern fence line. Behind that camper was a white good (Photo #11).

Moving towards the front of the home, photos were taken of the backyard from the north side of the fence. The southeastern portion of the fenced-in backyard contained multiple gas cans, shoes, several pieces of litter, a box fan, and various car parts (Photo #12). While inspecting a pile that had been

burnt previously, we noticed charred food waste and charred food packaging (Photo #13). The north east side of the backyard contained household waste along the fence line, welding torch cylinders, children's toys, area rugs, car parts, treated lumber, and furniture pieces (Photo #14). Once near our vehicle, we inspected waste tires found in the back of a pickup truck located on the west side of the home (Photo #15).

After documenting our findings, Ms. Grumieaux and I concluded the inspection at 2:48 PM.

Apparent violations noted:

Illinois Environmental Protection Act:

9(a), 9(c), 21(a), 21(d) 1, 21(e), 21(p) 1, 3, 55(a) 1, 55(k) 1, and 83(c)

END OF NARRATIVE BY BROOKE SCHUMACHER

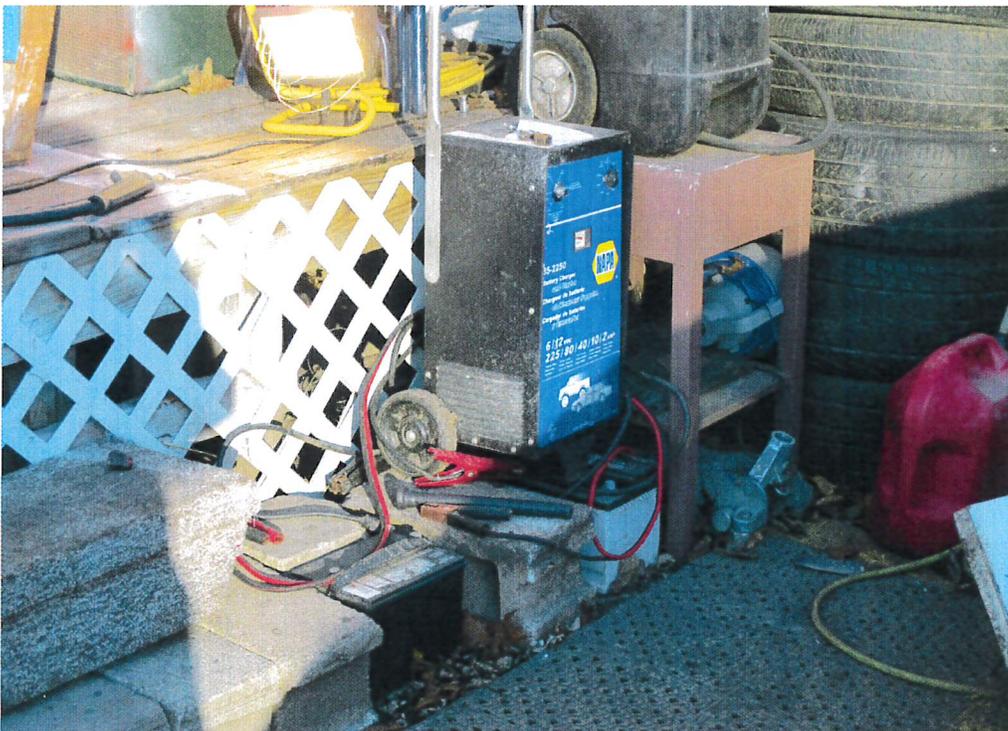


DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:37 PM
Direction: East
Photo by:
Brooke Schumacher
Exposure #: 1
Comments: Tires
along south side of
residence



Date: 12/16/21
Time: 2:39 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #:2
Comments: Batteries
located on the
ground



DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:40 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #: 3
Comments: Batteries
found along south
side of home
comingled with tires



Date: 12/16/21
Time: 2:40 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #:4
Comments: More
tires found along
south fence



DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:40 PM
Direction: North
Photo by:
Brooke Schumacher
Exposure #: 5
Comments: New car
parts located on east
side of residence



Date: 12/16/21
Time: 2:40 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #: 6
Comments:
Inoperable
Construction debris,
fires, engine pieces,
charred metal,
household garbage,
multiple gas cans
located east of
home, enclosed by
chain fence



DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:40 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #: 7
Comments:
Household garbage
located along south
facing fence line



Date: 12/16/21
Time: 2:41 PM
Direction: East
Photo by:
Brooke Schumacher
Exposure #: 8
Comments: Tires
near trailer, east of
residence



DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:41 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #: 9
Comments: Multiple
vehicles located
east of home



Date: 12/16/21
Time: 2:42 PM
Direction: West
Photo by:
Brooke Schumacher
Exposure #: 10
Comments: Facing
west, picture shows
second line of cars
behind home



DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:43 PM
Direction: South
Photo by:
Brooke Schumacher
Exposure #: 11
Comments: White
good found behind
one of the vehicles



Date: 12/16/21
Time: 2:43 PM
Direction: South
Photo by:
Brooke Schumacher
Exposure #: 12
Comments: Multiple
gas cans, shoes,
litter, a box fan,
various car parts
along side south and
east fence line

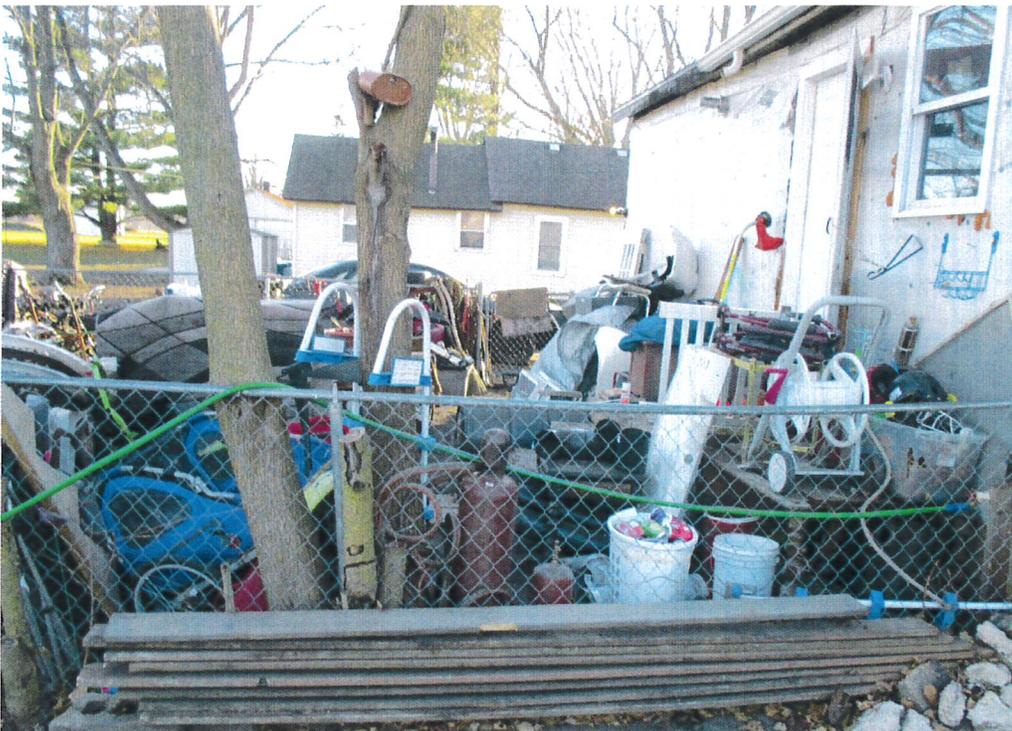


DIGITAL PHOTOGRAPHS

Dufer Property 0998075004



Date: 12/16/21
Time: 2:43 PM
Direction: South
Photo by:
Brooke Schumacher
Exposure #: 13
Comments: Area of burn pile, includes charred food waste, and charred food packaging



Date: 12/16/21
Time: 2:44 PM
Direction: South
Photo by:
Brooke Schumacher
Exposure #: 14
Comments: Open dumping, including household waste found east of home



DIGITAL PHOTOGRAPHS

Dufer Property 0998075004

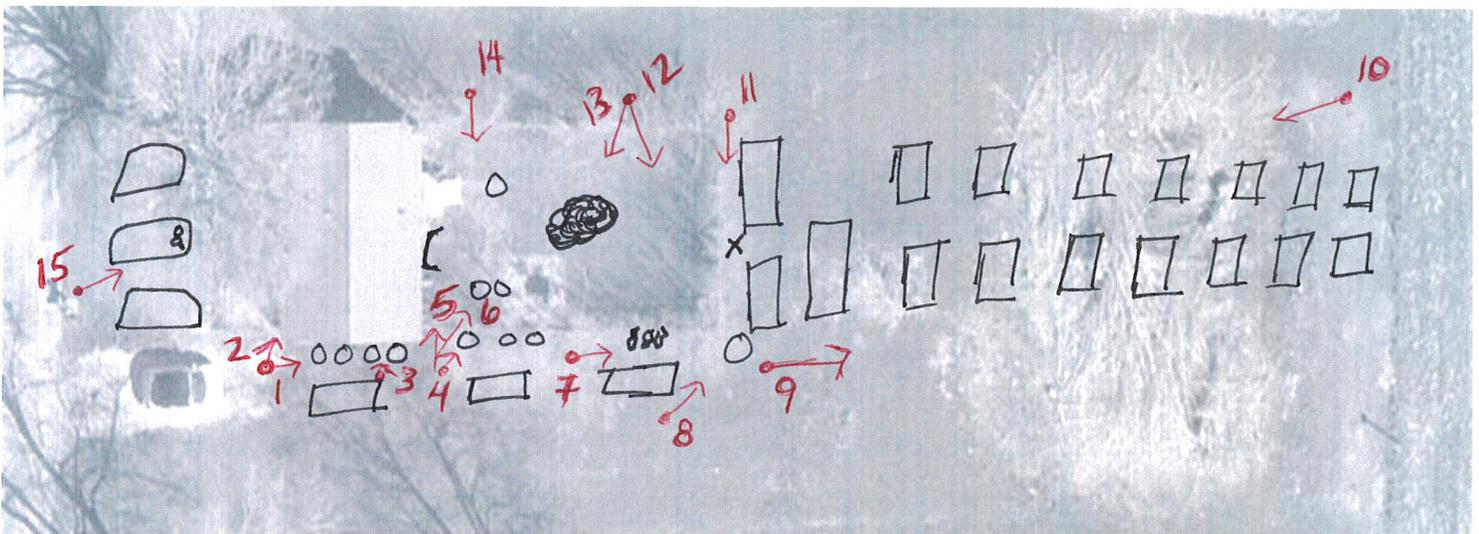


Date: 12/16/21
Time: 2:45 PM
Direction: Northeast
Photo by:
Brooke Schumacher
Exposure #: 15
Comments: Waste
tires found in the
back of a pick-up in
front of home

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: December 16, 2021 Inspector (s): B. Schumacher + L. Grumieaux
Site Code: 0998075004 County: La Salle
Site Name: Dufer Property Time: 2:34 pm - 2:48 pm



- - VEHICLE / TRAILER
- - TIRE(S)
- ↓ - GARBAGE BAGS
- 🍁 - LEAF PILE ; BURN PILE

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)

Complainant)

v.)

KRISTINE DUFER)

Respondent(s))

AC NO. LC2021-06

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):

KRISTINE DUFER
816 PAINTER ST.
STREATOR, IL 61364

or upon an authorized agent of such person(s) for the purpose of service of process upon such person(s), by:

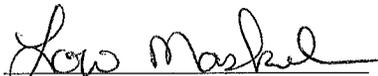
() personal service

(X) 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 19th day of January, A.D. 2021.



Subscribed and Sworn to Before Me
this 19th day of January, A.D. 2021.


Notary Public

