

COUNTY OF LASALLE

ADMINISTRATIVE CITATION

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
JOSEPH & STEPHANIE STEVENS)	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, Joseph & Stephanie Stevens is the present owner of property located in Troy Grove Township, LaSalle County, Illinois.
2. That said facility is an open dump site, operating without an Illinois Environmental Protection Agency Permit, and is designated with Site Code No. 0998325006 Said facility is commonly known to the Agency as Stevens Property.
3. That the Respondent has owned said facility since February 21, 2022.
4. That on December 14th, 2023, Myranda Lakan 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.

5. On the basis of direct observations of Myranda Lakan 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 December 14, 2023, 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 Dollars (\$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 (\$1500.00) 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 (\$1500.00) 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 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:

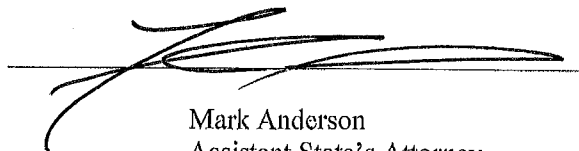
Clerk of the Illinois Pollution Control Board
60 E Van Buren St., Ste. 630
Chicago, IL 60605

Dated:

12/20/2023

Joseph Navarro
LaSalle County State's Attorney

By:


Mark Anderson
Assistant State's Attorney

Electronic Filing: Received, Clerk's Office 1/16/2024 **AC 2024-004**
**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 JOSEPH & STEPHANIE STEVENS)
)
) AC NO.
)
 Respondent(s))

REMITTANCE FORM

FACILITY:

Joseph & Stephanie Stevens
101D Vermillion St.
Troy Grove, IL 61372

Site Code: 0998325006
County: LaSalle
Township: Troy Grove

CIVIL PENALTY: \$1500.00 for each violation
Number of Violation(s): Two (2)
Total Remittance: \$1500.00 (50% of \$3,000.00 penalty to LaSalle County)
Date of Inspections: December 14, 2023

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**

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)	
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Complainant)	
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JOSEPH & STEPHANIE STEVENS)	
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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
60 E VAN BUREN ST, Ste. 630
CHICAGO, ILLINOIS 60605

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.)

JOSEPH & STEPHANIE STEVENS)

Respondent(s))

AC NO.

AFFIDAVIT

Affiants, Myranda Lakan being first duly sworn, voluntarily depose and state as follows:

1. Affiants are employed by the County of LaSalle and have been so employed at all times pertinent hereto.
2. On December 14, 2023, between 12:17 p.m. and 12:22 p.m., Affiants conducted inspections of an open dump site operating without an Agency permit, located in LaSalle County, Illinois, and known as Stevens Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0998325006 by the Agency.
3. Affiant inspected the said Troy Grove Township / Stevens Property open dump site by 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 Richland Township/Moore Property open dump site.

Myranda Lakan
 Myranda Lakan, LaSalle County

Subscribed and Sworn to Before Me
 this 20 day of December, A.D. 2023.

Lori Maskel
 Notary Public



**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

Illinois Environmental Protection Agency

Open Dump Inspection Checklist

County: LaSalle BOL #: 0998325006 Region: 1 - Rockford
 Site Name: Stevens Property
 Site Address: 107 N Vermillion St. City: Troy Grove
 Inspector: M. Lakan Interviewed: _____
 Date: 12/14/2023 Current Est. 20 yds³
 Complaint #: 23-83 Waste Amt. _____

Responsible Party Mailing Address(es) and Phone Number(s):	Joseph and Stephanie Stevens 1503 Brentwood PL. Joliet, IL 60435	Joseph & Stephanie Stevens 101D Vermillion St Troy Grove, IL 61372

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	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	
	(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	
	(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		NA
Case Number _____ ; Order entered on _____		
Other		
	<i>Mypaula Lakan</i>	

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)).

0998235006-LaSalle County
Troy Grove/ Stevens Property

NARRATIVE INSPECTION REPORT DOCUMENT

GENERAL REMARKS

On December 14, 2023, an open dumping and open burning reinspection was conducted at 107 N. Vermillion St., Troy Grove, by Ms. Myranda Lakan representing the LaSalle County Land Use Department, under the delegation authority of the Illinois Environmental Protection Agency. The property is owned by Joseph and Stephanie Stevens.

Weather conditions on December 14, 2023, were sunny and 46 degrees F. Winds SW at 8mph.

I arrived at the site at 12:17 PM and began the inspection.

Once out of the vehicle, I made contact with the current tenant. After a brief greeting, we made our way to the backyard. Facing north, I viewed and documented a white good in the backyard. The tenant informed me that the refrigerator will be placed inside the garage. (Photo #1) While in the area, I viewed two trailers that were tarped. I documented an on-rim tire placed on top of one of the trailers. (Photo #2) Making my way to the southeastern corner, I viewed a pile of charred scrap metal next to the burn pit. (Photo #3) Lastly, I viewed the burn pit. I documented that the burn pit contained charred debris. (Photo #4) After documenting my findings, I thanked the tenant for her time and concluded the inspection at 12:23 PM.

Apparent violations noted:

Illinois Environmental Protection Act:

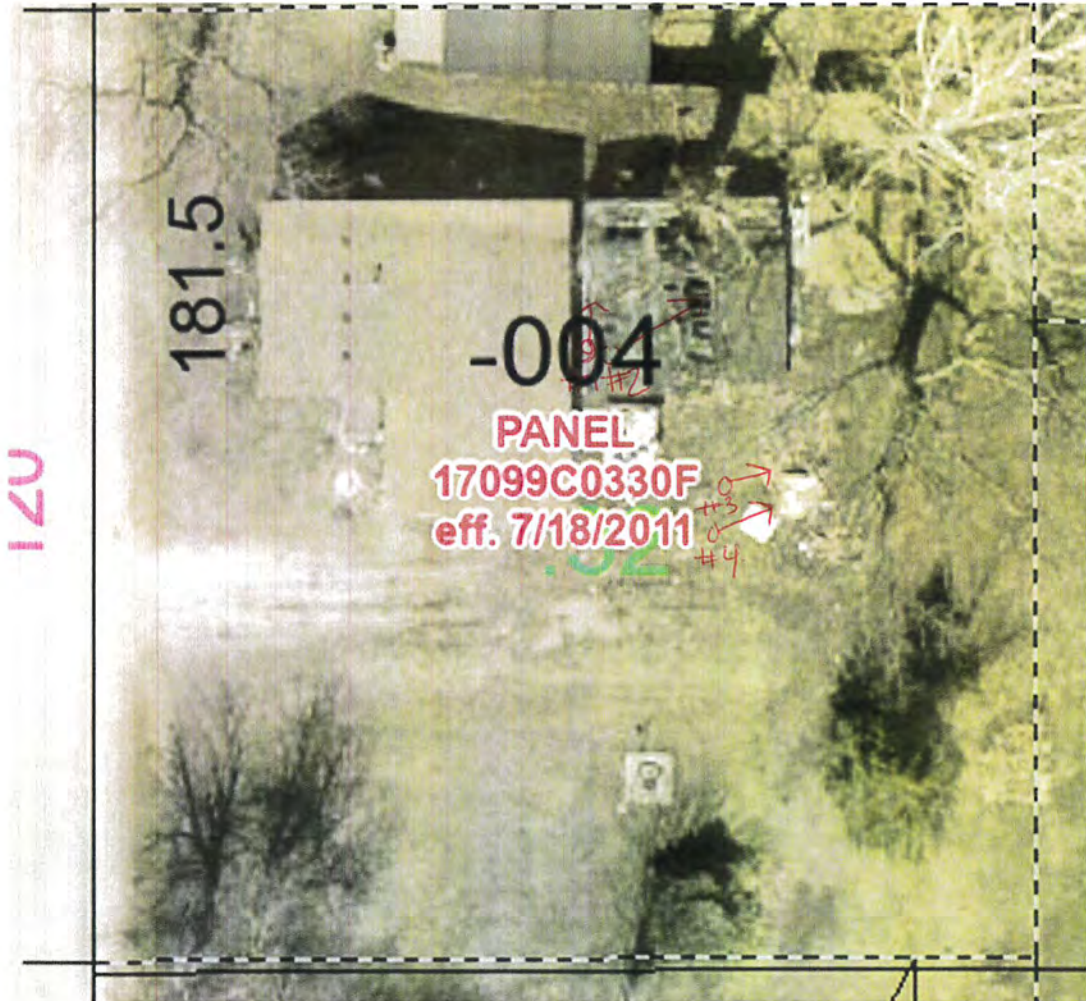
9 (a), 21(a), 21(d) 1, 21(e), and 21(p) 1

END OF NARRATIVE BY MYRANDA LAKAN

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Date of Inspection: 12/14/23 Inspector (s): M. Iakun
Site Code: 099832500 County: LASALLE
Site Name: Stevens Property Time: 12:17-12:23



2
←



DIGITAL PHOTOGRAPHS

Stevens 0998325006



Date: 12/14/2023
Time: 12:22 PM
Direction: North
Photo by:
M. Lakan
Exposure #: 1
Comments:
White good.



Date: 12/14/2023
Time: 12:28 PM
Direction: Northeast
Photo by:
M. Lakan
Exposure #:2
Comments: Trailer
and tire on top.
Some misc. items by
trailers.



DIGITAL PHOTOGRAPHS

Stevens 0998325006



Date: 12/14/2023
Time: 12:23 PM
Direction: East
Photo by:
M. Lakan
Exposure #: 3
Comments: Charred
scrap metal pile.



Date: 12/14/2023
Time: 12:23 PM
Direction: East
Photo by:
M. Lakan
Exposure #: 4
Comments: Burn pit.

Complainant)

v.)

JOSEPH & STEPHANIE STEVENS)

Respondent(s))

AC NO.

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):

Joseph & Stephanie Stevens
101D Vermillion St.
Troy Grove, IL 61372

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

(X) 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 11th day of January, A.D. 2024.

Laura Stevens

Subscribed and Sworn to Before Me
this 11 day of January, A.D. 2024.

Lori Maskel

Notary Public

