

COUNTY OF LASALLE

ADMINISTRATIVE CITATION

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
ANA MUNOZ)	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, Ana R. Munoz, is the present owner of property located in Manlius Township, LaSalle County, Illinois.
2. That the 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.0998175022. Said facility is commonly known to the Agency as Munoz Property.
3. That the Respondent has owned the said facility since December 22, 2023.
4. That on March 12, 2024, Lauren Grumieaux, Brian Gift, and 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 Lauren Grumieaux, Brian Gift, and 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 March 12, 2024, 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)]).
- XXX 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 Four Thousand Five Hundred Dollars (\$4500.00). 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 (\$2,250.00) 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 (\$2,250.00) 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:

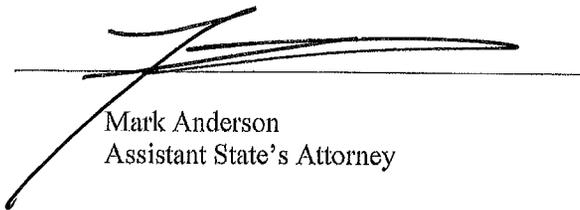
Clerk of the Illinois Pollution Control Board
60 E. Van Buren St., Ste. 630
Chicago, IL 60605

Dated:

4-9-2024

Joseph R. Navarro
LaSalle County State's Attorney

By:


Mark Anderson
Assistant State's Attorney

COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 ANA MUNOZ)
) AC NO.
)
 Respondent(s))

REMITTANCE FORM

FACILITY:

Ana Munoz
1104 Madison Blvd.
Marseilles, IL 61341

Site Code: 0998175022
County: LaSalle
Township: Manlius

CIVIL PENALTY: \$1500.0 for each violation
Number of Violation(s): Three (3)
Total Remittance: \$2,250.00 (50% of \$4,500.00 penalty to IEPA)
Date of Inspection: March 12, 2024

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 the Remittance Form to:

**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, IL 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.

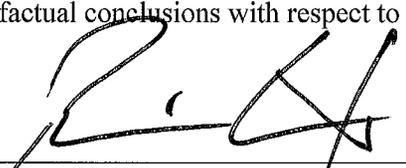
STATE OF ILLINOIS
COUNTY OF LASALLE

COUNTY OF LASALLE)	
)	
Complainant)	
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v.)	
)	
ANA MUNOZ)	AC NO.
)	
Respondent(s))	

AFFIDAVIT

Affiants, Lauren Grumieaux, Brian Gift, and Myranda Lakan, 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 March 12, 2024, between 12:51 p.m. and 1:35 p.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 Munoz Property by the Illinois Environmental Protection Agency. Said site has been assigned site code number 0998175022 by the Agency.
3. Affiant inspected the said Manlius Township / Munoz 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 Manlius Township / Munoz Property open burn and open dump site.


 Brian Gift, LaSalle County


 Lauren Grumieaux, LaSalle County


 Myranda Lakan, LaSalle County

Subscribed and Sworn to Before Me
this 3 day of April, A.D. 2024.


 Notary Public



NOTICE OF REQUIRED CORRECTIVE ACTION

COUNTY OF LASALLE)
)
 Complainant)
)
 v.)
)
 ANA MUNOZ)
)
 Respondent(s))

Facility# 0998175022
 Facility Name: Munoz Property

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.

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: 4/15/2024

Illinois Environmental Protection Agency Open Dump Inspection Checklist

County: LaSalle BOL #: 0998175022 Region: 1 - Rockford
 Site Name: Munoz Property
 Site Address: 2558 US RT 6 City: Marseilles
 Inspector: L. Grumieaux, B. Gift, & M. Lakan Interviewed: _____
 Date: 3/12/24 Current Est. 60 yds³
 Complaint #: 24LSLC-00011 Waste Amt. _____

Responsible Party	Ana Munoz	Edtsel Munoz
Mailing Address(es)	1104 Madison	1385 N 2889 th Rd.
and Phone Number(s):	Marseilles, IL 61341	Ottawa, IL 61350

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	
(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		

Mr. Lakun

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)).

0998175022-LaSalle County
Manlius/ Munoz Property

NARRATIVE INSPECTION REPORT DOCUMENT

GENERAL REMARKS

On March 12, 2024, open dumping and open burning inspections were conducted at 2558 US RT 6, Marseilles by Ms. Lauren Grumieaux, Mr. Brian Gift, and Ms. Myranda Lakan representing the LaSalle County Land Use Department, under the delegation authority of the Illinois Environmental Protection Agency. Ms. Ana Munoz owns the property.

Weather conditions on March 12, 2024, were sunny and 69 degrees F. Winds SW at 18 mph.

Mr. Gift, Ms. Lakan, and I arrived at the site at 12:51 PM and began the inspection.

Once at the site, we pulled into the lot and parked the vehicle along the western side of the property. A large fire was viewed at the center of the property, along the tree line. (Photo#1) After exiting the vehicle, Mr. Gift and I introduced ourselves to a man on site. Mr. Gift explained that we had received an open burning complaint and were on site to inspect. The man did not identify himself but stated that he was there tending the fire for Ed (Edtsel) Munoz. The man offered to call Mr. Munoz on his cell phone. Mr. Munoz was contacted and Mr. Gift spoke to him about the burn. Mr. Gift stated that not only has there been a Red Flag Warning issued but construction materials cannot be burned as a means of disposal. Mr. Munoz agreed to call the fire department to have the fire extinguished.

While waiting for the fire department to arrive, I documented the area. Windblown materials and litter were scattered throughout the area. (Photo#2) Viewing the pile from the west, I documented a pile of scrap metal and household items including a fan, furniture, siding, and other plastics. (Photo#3) The burn pile contained many areas that were smoldering at the time of the inspection. Through the smoke, I viewed more furniture, gutters, window screens, and other charred demolition waste. (Photo#4 & #5)

Once the fire department arrived on site, Mr. Gift and I spoke with the Mayor/Deputy Chief Mr. Jim Hollenbeck, while the firefighters got to work putting out the fire. (Photo#6) Mr. Hollenbeck informed us that this is not the first burn pile they have had to address from the property. Mr. Gift and I then thanked Mr. Hollenbeck for his time and concluded the inspection at 1:35 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

END OF NARRATIVE BY LAUREN GRUMIEAUX



DIGITAL PHOTOGRAPHS

Munoz Property 0998175022



Date: 3/12/2024
Time: 1:00 PM
Direction: Southeast
Photo by:
L. Grumieaux
Exposure #: 1
Comments: Burn pile.



Date: 3/12/2024
Time: 1:00 PM
Direction: Southeast
Photo by:
L. Grumieaux
Exposure #:2
Comments: Litter
blowing from the
burn pile.



DIGITAL PHOTOGRAPHS

Munoz Property 0998175022



Date: 3/12/2024
Time: 1:01 PM
Direction: South
Photo by:
L. Grumieaux
Exposure #: 3
Comments: Pile of
scrap metal.



Date: 3/12/2024
Time: 1:01 PM
Direction: East
Photo by:
L. Grumieaux
Exposure #:4
Comments: Charred
waste viewed on
site.



DIGITAL PHOTOGRAPHS

Munoz Property 0998175022



Date: 3/12/2024
Time: 1:02 PM
Direction: East
Photo by:
L. Grumieaux
Exposure #: 5
Comments: Springs,
siding, and other
construction
material.



Date: 3/12/2024
Time: 1:35 PM
Direction: South
Photo by:
L. Grumieaux
Exposure #: 6
Comments:
Firefighters
extinguished the fire.

**BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD**

COUNTY OF LASALLE)	
)	
Complainant)	
)	
v.)	
)	
ANA MUNOZ)	
)	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):

Ana Munoz
1104 Madison
Marseilles, IL 61341

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 15th day of April, A.D. 2024



Subscribed and Sworn to Before Me
this 15 day of April, A.D. 2024.

Lori Maskel

Notary Public





April 15, 2024

Dear Lori Maskel:

The following is in response to your request for proof of delivery on your item with the tracking number:
9489 0090 0027 6381 8388 87.

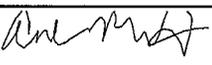
Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	April 13, 2024, 2:00 pm
Location:	MARSEILLES, IL 61341
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	5lb, 8.2oz
----------------	------------

Recipient Signature

Signature of Recipient:	
Address of Recipient:	1104 rrd 50v

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