



Jay Scott
State's Attorney
Macon County, Illinois

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Decatur, Illinois 62523
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Writer's Direct Email: mbaggett@sa-macon-il.us



January 10, 2017

Mr. Don Brown, Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218

Re: County of Macon v. Scott Hassler
Administrative Citation: ACL-2017-MC-002
MCEMD File No. AC2017-002: LPC1150305018 – Macon County

Dear Mr. Brown:

Attached for electronic filing with the Illinois Pollution Control Board, please find the Administrative Citation Package, including the Administrative Citation, The Inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent.

On this date, a copy of the Administrative Citation Package was sent to the Respondent via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Baggett".

Michael Baggett
Assistant State's Attorney

Enclosures

Cc: Laurie Rasmus, Macon County Environmental Management Dept.
Jeff Turner, IEPA Champaign Regional Office
Ellen Robinson, IEPA
FOS File

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

MACON COUNTY)
 ENVIRONMENTAL MGT. DEPT.,)
)
 Complainant,)
)
 v.)
)
 SCOTT HASSLER,)
)
 Respondent.)

Administrative Citation: ACL-2017-MC-002
(MCEMD No. 2017-002: LPC1150305018)


NOTICE OF FILING

To: Mr. Scott Hassler
2153 E. Hampshire Road
Maroa, IL 61756

PLEASE TAKE NOTICE that on this date I electronically filed with the Clerk of the Pollution control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Dated: Jan 10, 2017

Respectfully submitted,


 Michael Baggett, Asst. State's Attorney

Macon County State's Attorney's Office
Macon County Courthouse
253 E. Wood Street
Decatur, IL 62523-1496
217/424-1400

NOTICE OF FILING
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

MACON COUNTY)	
ENVIRONMENTAL MGT. DEPT.,)	
)	
Complainant,)	Administrative Citation: ACL-2017-MC-002
)	(MCEMD No. 2017-002: LPC1150305018)
v.)	
)	
SCOTT HASSLER,)	
)	
Respondent.)	

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Macon County Environmental Management Department, a delegated county of the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act , 415 ILCS 5/31.1.

FACTS

1. That Respondent, Scott Hassler, is the land owner of a property located at 2153 E. Hampshire Road, Maroa in Macon County, Illinois.
2. That Respondent has owned and/or operated said property at all times pertinent hereto.
3. That on December 16, 2016, Laurie Rasmus of the Macon County Environmental Management Department inspected the above-referenced facility. A copy of her

inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Laurie Rasmus during the course of her inspection of the above-referenced facility, the Macon County Environmental Management Department has determined that Respondent violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent caused or allowed open dumping of waste in a manner resulting in litter, a violation of Section 21(p)(1) of the Act, 415 ILCS 5/21(p)(1); and
- (2) That Respondent caused or allowed open dumping of waste in a manner resulting in open burning, a violation of Section 21(p)(3) of the Act, 415 ILCS 5/21(p)(3); and
- (3) That Respondent caused or allowed open dumping of waste in a manner resulting in deposition of General Construction or Demolition Debris as defined in Section 3.160(a), a violation of Section 21(p)(7) of the Act, 415 ILCS 5/21(p)(7).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4), Respondent is subject to a civil penalty of One Thousand Five Hundred Dollars (\$1,500.00) for each of the violations identified above, for a total of Four Thousand Five Hundred Dollars (\$4,500). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than March 15, 2017, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1, and if the Illinois Pollution Control Board issues a finding of violation(s) as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Macon County Environmental Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty of Four Thousand Five Hundred Dollars (\$4,500.00).

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and a finding of violation(s) as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's checks shall be made payable in equal amounts (50% of total penalty each) to:

(1) Macon County Environmental Management Department and mailed to the attention of Debra Hughes-Garrett, Macon County Environmental Management Department, 141 South Main Street, Room 408, Decatur, Illinois 62523.

(2) Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276.

Along with payments, Respondent shall complete and return the enclosed Remittance Forms to ensure proper documentation of payments.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be

assessed against the Respondent from the date payment is due up to and including the date that payment is received. The Office of the Macon County State's Attorney may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1. If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Macon County State's Attorney at 253 East Wood Street, Decatur, Illinois 62523. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.

Date

Jan 10, 2017



Michael Baggett, Asst. State's Attorney
County of Macon

REMITTANCE FORM - COUNTY

MACON COUNTY)
ENVIRONMENTAL MANAGEMENT DEPT.,)
Complainant,)
v.)
SCOTT HASSLER,)
Respondent.)

Administrative Citation: ACL-2017-MC-002
(MCEMD No. 2017-002: LPC1150305018)

FACILITY: Maroa Twp/Hassler

Land Pollution Control No.: 1150305018

COUNTY: Macon

CIVIL PENALTY: \$2,250.00

DATE OF INSPECTION: December 16, 2016

DATE REMITTED: _____

SS/FEIN NUMBER: _____

SIGNATURE: _____

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 Macon County Environmental Management Department, Attn.: Debra Hughes-Garrett, 141 South Main Street, Room 408, Decatur, Illinois 62523.

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REMITTANCE FORM - STATE

MACON COUNTY)
 ENVIRONMENTAL MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 SCOTT HASSLER,)
)
 Respondent.)

Administrative Citation: ACL-2017-MC-002
(MCEMD No. 2017-002: LPC1150305018)

FACILITY: Maroa Twp/Hassler

Land Pollution Control No.: 1150305018

COUNTY: Macon

CIVIL PENALTY: \$2,250.00

DATE OF INSPECTION: December 16, 2016

DATE REMITTED: _____
 SS/FEIN NUMBER: _____
 SIGNATURE: _____

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 Illinois Environmental Protection Agency, Attn: Fiscal Services, P.O. Box 19276, Springfield, IL 62794-9276.

COUNTY OF MACON

AFFIDAVIT

MACON COUNTY)
 ENVIRONMENTAL MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 SCOTT HASSLER,)
)
 Respondent.)

Administrative Citation: ACL-2017-MC-002
(MCEMD No. 2017-002: LPC1150305018)

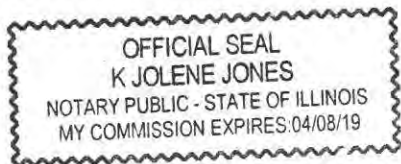
Affiant, Laurie Rasmus, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Macon County Environmental Management Department and has been so employed at all times pertinent hereto.
2. On December 16, 2016 between 2:30 p.m. and 3:10 p.m., Affiant conducted an inspection of a property owned and/or operated by Scott Hassler located in Macon County, Illinois and known as Maroa Twp/Hassler by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1150305018.
3. Affiant inspected said Mr. Hassler property by an on-site inspection which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Checklist form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the facility.


 Laurie Rasmus

Subscribed and Sworn to before me
this 10th of JANUARY 2017.


 Notary Public



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATION CITATION


MACON COUNTY)
 ENVIRONMENTAL MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 SCOTT HASSLER,)
)
 Respondent.)

Administrative Citation: ACL-2017-MC-002
(MCEMD No. 2017-002: LPC1150305018)

AFFADAVIT OF SERVICE

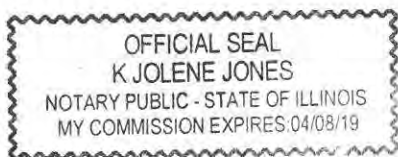
I, the undersigned, on oath [or affirmation] state that I have served on the date of January 10, 2017, a true and correct Copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, AND OPEN DUMP INSPECTION CHECKLIST upon the following persons by Certified Mail # 7007 0 220 001 1331¹⁵⁷⁸, Return Receipts Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box:

To: Mr. Scott Hassler
2153 E. Hampshire Road
Maroa, IL 61756


 Laurie Rasmus, Deputy Director
 Macon County Environmental Management
 141 S. Main St., Room 408
 Decatur, IL 62523
 217/425-4505

Subscribed and Sworn to before me
this 10th of JANUARY 2017.


 Notary Public



This Filing submitted on recycled paper

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
 Electronic Filing - Received, Clerk's Office 4/16/2017 AG 2017-009* * *
Open Dump Inspection Checklist

County: Macon LPC#: 1150305018 Region: 4 - Champaign
 Location/Site Name: Maroa Twp/Hassler
 Date: 12/16/2016 Time: From 2:30 pm To 3:10 pm Previous Inspection Date: _____
 Inspector(s): Laurie Rasmus Weather: Cloudy, @24F, S-SE 10 mph
 No. of Photos Taken: # 16 Est. Amt. of Waste: 10 yds³ Samples Taken: Yes # _____ No
 Interviewed: Scott Hassler Complaint #: 20161216
 Latitude: 39.993646 Longitude: -88.927038 Collection Point Description: - Dump site
 (Example: Lat.: 41.26493 Long.: -89.38294) Collection Method: - Garmin GPS

Responsible Party Mailing Address(es) and Phone Number(s):	Mr. Dustin Hassler 2153 E. Hampshire Road Maroa, IL 61756	Mr. Scott Hassler 2153 E. Hampshire Road Maroa, IL 61756
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	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input checked="" type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
6.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit	<input checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
7.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	<input checked="" type="checkbox"/>
8.	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	<input checked="" type="checkbox"/>
	(2)	Scavenging	<input type="checkbox"/>
	(3)	Open Burning	<input checked="" type="checkbox"/>
	(4)	Deposition of Waste in Standing or Flowing Waters	<input type="checkbox"/>
	(5)	Proliferation of Disease Vectors	<input type="checkbox"/>
	(6)	Standing or Flowing Liquid Discharge from the Dump Site	<input type="checkbox"/>
	(7)	Deposition of: (i) General Construction or Demolition Debris as defined in Section 3.160(a); or (ii) Clean Construction or Demolition Debris as defined in Section 3.160(b)	<input checked="" type="checkbox"/>

9.	55(a)	NO PERSON SHALL:	
	(1)	Cause or Allow Open Dumping of Any Used or Waste Tire	<input type="checkbox"/>
	(2)	Cause or Allow Open Burning of Any Used or Waste Tire	<input type="checkbox"/>
10.	55(k)	NO PERSON SHALL:	
	(1)	Cause or Allow Water to Accumulate in Used or Waste Tires	<input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements	<input type="checkbox"/>
ELECTRONIC PRODUCTS RECYCLING AND REUSE ACT REQUIREMENTS			
11.	95(a)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE MIXING OF A COVERED ELECTRONIC DEVICE (CED) OR OTHER LISTED DEVICE WITH MUNICIPAL WASTE THAT IS INTENDED FOR DISPOSAL AT A LANDFILL	<input type="checkbox"/>
12.	95(b)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE DISPOSAL OF A CED OR OTHER LISTED DEVICE IN A SANITARY LANDFILL	<input type="checkbox"/>
13.	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	<input type="checkbox"/>
14.	95(d)	NO PERSON MAY KNOWINGLY CAUSE OR ALLOW THE BURNING OR INCINERATION OF A CED OR OTHER LISTED DEVICE	<input checked="" type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
15.	812.101(a)	FAILURE TO SUBMIT AN APPLICATION FOR A PERMIT TO DEVELOP AND OPERATE A LANDFILL	<input checked="" type="checkbox"/>
16.	722.111	HAZARDOUS WASTE DETERMINATION	<input type="checkbox"/>
17.	808.121	SPECIAL WASTE DETERMINATION	<input type="checkbox"/>
18.	809.302(a)	ACCEPTANCE OF SPECIAL WASTE FROM A WASTE TRANSPORTER WITHOUT A WASTE HAULING PERMIT, UNIFORM WASTE PROGRAM REGISTRATION AND PERMIT AND/OR MANIFEST	<input type="checkbox"/>
19.	815.201	FAILURE TO FILE AN INITIAL FACILITY REPORT WITH THE AGENCY TO PROVIDE INFORMATION CONCERNING LOCATION AND DISPOSAL PRACTICES OF THE FACILITY	<input type="checkbox"/>
OTHER REQUIREMENTS			
20.		APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
21.	OTHER:		<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

- [Illinois] Environmental Protection Act: 415 ILCS 5/1 et seq.; and The Electronic Products Recycling and Reuse Act: 415 ILCS 150/5 et seq.
- Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
- Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
- The provisions of subsection (p) of Section 21, subsection (k) of Section 55 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of that Act or by complaint under Section 31 of that Act. Violation of the Electronic Products Recycling and Reuse Act shall be enforceable by administrative citation under Section 20(k) of that Act, or referral to the Attorney General, pursuant to Section 20(a) of that Act.
- This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d); and Section 20(a) of the Electronic Products Recycling and Reuse Act: 415 ILCS 150/20(a).
- Items marked with an "NE" were not evaluated at the time of this inspection.

LPC #1150305018 - Macon County

Site/Locations: Maroa Twp/Hassler

FOS File

Inspector(s): Laurie Rasmus

Inspection Date: December 16, 2016

Inspection Report Narrative

This site was inspected on December 16, 2016 between 2:30 p.m. and 3:10 p.m. by Laurie Rasmus (author of this report), representing the Macon County Environmental Management Department (MCEMD). At the time of the inspection, weather conditions consisted of cloudy skies and an air temperature near twenty-four degrees with south-southeast winds of approximately ten miles per hour. Sixteen photographs were recorded. Scott Hassler was interviewed. No samples were collected.

General Information /Property Ownership/Site History

This property rural, residential property of approximately 1.3 acres is addressed as 2153 East Hampshire Road, Maroa and is in the Maroa Township of Macon County, Illinois.

According to the Macon County Recorder's Office, the property is owned by David and Elaine Hughes. However, during the initial inspection on December 16, 2016, Scott Hassler said that he owned the property.

This initial inspection on December 16, 2016 was conducted after receiving a report on December 16, 2016 from the Macon County Sheriff's Office (MCSO) that an open dump/burn site was observed on the property. A MCSO deputy was reportedly on the property as part of his investigation regarding an incident at another site (LPC 1150210002) in which Dustin Hassler was arrested for illegal dumping and in which a Person's Wanted was entered for Loyd R. Peterson. The MCSO report that describes the investigation for LPC 115021002 and as it relates to this site (LPC 1150305018) is included in this report as Attachment A. According to a press release on December 20, 2016 by the MCSO, Loyd R. Peterson surrendered himself to MCSO on the charge of Illegal Dumping in regards to the incident at site LPC 1150210002.

Inspection Findings

As I drove onto the property's driveway, I observed an accumulation of waste that appeared to be open dumped on an area used for burning waste. I also observed a man walking into the white garage on the property. After exiting my vehicle, I walked toward the garage and met with the man near the entrance of the garage. I introduced myself and explained that my visit was in response to a MCSO report of open dumping at the property. In response to my questions, the man told me his name was Scott Hassler, father of Dustin Hassler, and that he was the owner of the property. Also in

response to my questions, Scott Hassler said that he was told by a deputy that his son was tied to the investigation regarding open dumping on Grand Avenue (LPC 1150210002) but that he did not know anything further about the Grand Avenue site or where the waste items in the accumulation on his property had originated. I explained that it was expected that the site be cleaned-up and the waste properly disposed. Scott Hassler said that he intended to clean-up the area and properly dispose of the waste. I asked Mr. Hassler to keep any receipts for costs that may be incurred for submittal to my office. I then explained that I intended to inspect the site. After concluding our conversation, I walked to the site and Mr. Hassler went into the garage and was seen driving from the property a few minutes later.

I observed the following points in regards to the site that appeared to serve as a burn site for waste items that had been open dumped (photos 01 – 14):

- The accumulation of waste was approximately twenty feet east to west and forty feet north to south and no more than four feet high at its highest point.
- The base layer of the site (photos 01, 06, 09) appeared to primarily consist of bare soil, scorched soil, ash and fines.
- General construction and/or demolition debris waste items (photos 01 -10, 13, 14), some of which appeared to be charred, were observed including drywall, dimensional lumber, plywood, panels, carpeting and a toilet.
- Covered electronic devices appeared to have been disposed at the site by open burning. Parts that appeared to be from covered electronic devices (photos 13, 14), such as copper wiring, speakers and housing units were observed. No less than one speaker unit, which did not appear to be burned, was also appeared to be disposed at the site (photo 02 & others).
- Automotive parts (photos 02, 03, 05, 10, 13, 14) appeared to be disposed and burned at the site. Waste items observed included metal pipes, metal wiring of the type used in automotive upholstery and various metal parts that appeared to be from automobiles.
- Household furnishings, which appeared to be disposed at the accumulation included broken mirrors (photos left side of 03, 12), a file cabinet (photo 07), a microwave oven (background of photo 07), a window air conditioner unit (background of photo 07), a vacuum cleaner (photo 02), wire units that appeared to be from box springs (photos 03, 13, 14), a wood slat unit that appeared to be a piece of a crib (photo 04), and a mattress (photo 07).
- A Federal Express shipping label (photos 07, 11) to an address in Shelbyville, Illinois was on a box inside of a clear plastic bag that contained other waste items.

At the south end of the driveway, a trailer was parked (photos 15, 16). Particles, which appeared to be from construction and demolition debris, were in the back of the trailer.

Following my observations, I concluded the inspection and drove from the property.

Post-inspection Communication

On December 27, 2016, I initiated a telephone call with Lt. Belcher of MCSO, inquiring about the license plate that was on the back of the trailer (photo 16). Lt. Belcher said that the plate was assigned to a 2003 Barron trailer owned by Richard Hassler of 2153 East Hampshire Road.

Summary of Apparent Violations

Environmental Protection Act 415 ILCS 5/1 et seq. (formerly Ill Rev. Stat. Ch. 111 ½, 1001 et seq.) {hereinafter referred to as the "Act"} and **35 Illinois Administrative Code**. (Title 35: Environmental Protection, Subtitle G: Land Pollution, Chapter I: Pollution Control Board) [Regulations]

Pursuant to Section 9(a) of the Act, no person shall cause, threaten, or allow; or tend to cause, threaten or allow, air pollution in Illinois.

A violation of Section 9(a) is alleged because evidence of open-burning that would cause, threaten, or allow; or tend to cause, threaten, or allow air pollution in the State of Illinois was observed during the inspection.

Pursuant to Section 9(c) of the Act, no person shall cause or allow the open burning of any refuse, conduct any salvage operation by open burning or cause or allow the burning of any refuse in any chamber not specifically designed for the purpose and not approved by the agency.

A violation of Section 9(c) is alleged because evidence that open burning of refuse occurred on site was observed during the inspection.

Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

A violation of Section 21(a) is alleged because evidence of open dumping of waste was observed during the inspection.

Pursuant to Section 21(d)(1) of the Act, in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted there under.

A violation of Section 21(d)(1) is alleged because waste was disposed of and/or stored without a permit granted by the Agency.

Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

A violation of Section 21(d)(2) is alleged because waste was disposed of and/or stored in a way that violates regulations and standards adopted by the Board.

Pursuant to Section 21(e) of the Act, no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards there under.

A violation of Section 21(e) is alleged because waste was disposed of and/or stored in a manner that does not meet the requirements of the Act.

Pursuant to Section 21(p)(1) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...litter.

A violation of Section 21(p)(1) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in litter deposition on site was observed during the inspection.

Pursuant to Section 21(p)(3) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...open burning.

A violation of Section 21(p)(3) is alleged because evidence that open dumping of waste was caused or allowed to occur and resulted in open burning on site was observed during the inspection.

Pursuant to Section 21(p)(7) of the Act, no person shall cause or allow the open dumping of any waste in a manner which results in any of the following occurrences at the dump site...clean construction and/or demolition debris as defined in Section 3.160(b) of this Act.

A violation of Section 21(p)(7) is alleged because the open dumping of waste was caused or allowed to occur and resulted in the deposition of clean construction and/or demolition debris on site.

Pursuant to Section 95(d) of the Act, no person may knowingly cause or allow the burning or incineration of a covered electronic device or other listed device.

A violation of Section 95(d) is alleged because no less than one covered electronic device was knowingly burned at the site.

Pursuant to Section 812.101(a) the Regulations, all persons, except those specifically exempted by Section 21(d) of the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1021(d)) [415 ILCS 5/21(d)] shall submit to the Agency an application for a permit to develop and operate a landfill. The applications must contain the information required by this Subpart and by Section 39(a) of the Act, except as otherwise provided in 35 Ill. Adm. Code 817.

A violation of 35 Ill. Adm. Code 812.101(a) is alleged because a landfill is being operated, but no application has been submitted to the Agency to develop and operate a landfill.

LPC 1150305018 - Macon County
Site: Maroa Twp/Hassler
FOS File
Inspector: Laurie Rasmus
Inspection date: Dec. 16, 2016

Aerial is 2016 file photo.
Arrows denote direction of photos.
Annotations may not be to scale.
Printed on recycled paper.

1 inch = 40 feet



E HAMPSHIRE RD

02-25-200-005

02-25-100-002

Shed

Dump Site

02-25-200-006

15

E

16

E

13-14

E

4-5

E

3

E

1-2

8

7

12

9-10

11

6

Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 01
Direction of subject: NW
Comments:



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 02
Direction of subject: NW
Comments: Zoomed in from same point of view as photo 01



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 03
Direction of subject: WSW
Comments: Panned left from photo 02



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 04
Direction of subject: SW
Comments:



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 05
Direction of subject: SW
Comments: Zoomed in from same point of view as photo 04



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 06
Direction of subject: S
Comments:



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 07
Direction of subject: E
Comments:



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 08
Direction of subject: SE
Comments:



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 09
Direction of subject: NE
Comments:



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 10
Direction of subject: NE
Comments: Zoomed in from same point of view as photo 09



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 11
Direction of subject: NE
Comments: Close-up of address label on packaging in photo 07



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 12
Direction of subject: NE
Comments: Close-up of area in bottom of frame of photo 08



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 13
Direction of subject: WNW
Comments:



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 14
Direction of subject: WNW
Comments: Zoomed in on area in center of frame of photo 13



Inspection Photographs

Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 15
Direction of subject: SSW
Comments:



Site: 1150305018
County: Macon
Site Name: Maroa Twp/Hassler
Date: Dec. 16, 2016
Time: 2:47 - 3:02 p.m.
Photographer: Laurie Rasmus
Photograph: 16
Direction of subject: N
Comments: Rear of trailer in photo
15



Attachment A (6 pages)
 LPC 1150305018 - Macon County
 Site: Maroa Twp/ Hassler
 FOS File
 Inspector: Laurie Rasmus
 Inspection date: December 16, 2016

**INCIDENT/INVESTIGATION
 REPORT**

I N C I D E N T D A T A	Agency Name <i>Macon County Sheriff's Office</i>		Case# <i>16-002197</i>				
	ORI <i>IL 0580000</i>		Date / Time Reported <i>12/13/2016 13:40 Tue</i>				
	Location of Incident <i>5400 W Grand Ave, Decatur IL 62521-</i>		Premise Type <i>Highway/road/street, Etc.</i>	Zone/Traot	Last Known Secure <i>12/08/2016 11:00 Thu</i>		
M O	#1 Crime Incident(s) (Com) <i>Illegal Dumping 415 ILCS 105/4</i>		Weapon / Tools <i>NONE</i>				
	#2 Crime Incident ()		Weapon / Tools				
	#3 Crime Incident ()		Weapon / Tools				
V I C T I M	# of Victims <i>1</i> Type: <i>SOCIETY/PUBLIC</i>		Injury:				
	Victim/Business Name (Last, First, Middle) <i>State Of Illinois</i>		Victim of Crime # <i>J.</i>	DOB <i>Age</i>			
	Home Address		Home Phone				
O T H E R S	Type: <i>INDIVIDUAL</i>		Injury:				
	Code Name (Last, First, Middle) <i>RP WILLIAMS, TED L.</i>		Victim of Crime #	DOB <i>11/10/1960 Age 56</i>			
	Home Address <i>230 N Meridian Ave Niantic, IL 62526</i>		Home Phone <i>217-963-2898</i>				
I N V O L V E D	Type: <i>INDIVIDUAL</i>		Injury:				
	Code Name (Last, First, Middle) <i>IO ROY, HENRY L</i>		Victim of Crime #	DOB <i>03/01/1967 Age 49</i>			
	Home Address <i>1570 W Division St Decatur, IL 62526</i>		Home Phone <i>217-413-7321</i>				
P R O P E R T Y	Type: <i>INDIVIDUAL</i>		Injury:				
	Code Name (Last, First, Middle) <i>IO ROY, HENRY L</i>		Victim of Crime #	DOB <i>03/01/1967 Age 49</i>			
	Home Address <i>1570 W Division St Decatur, IL 62526</i>		Home Phone <i>217-413-7321</i>				
I = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)							
VI #	Code	Status Frm/To	Value	OJ QTY	Property Description	Make/Model	Serial Number
<i>1</i>	<i>108</i>	<i>EVID</i>	<i>\$0.00</i>		<i>DOCUMENT</i>		
					<div style="border: 2px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>RECEIVED</p> <p>DEC 19 2016</p> <p>MACON CO. ENVIRN. MGT.</p> </div>		
Officer/ID# <i>RODGERS, M. N. (PATL) (MR5078)</i>							
Invest ID# <i>(0)</i>					Supervisor <i>BELCHER, J. L. (PATL) (JB3996)</i>		
Status	Complainant Signature		Case Status <i>Active/pending</i>	Case Disposition:	Page 1		

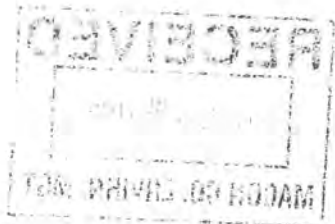
Incident Report Additional Name List

Macon County Sheriff's Office

OCA: 16-002197

Additional Name List

Name Code/#	Name (Last, First, Middle)	Victim of Crime #	DOB	Age	Race	Sex
1) IO 2	WARD, SHANNON J		05/04/1981	35	W	F
	Address 1570 W Division St, Decatur, IL 62526-		H: 217-358-6187			
	Empl/Addr		B: - -			
			Mobile #: - -			



INCIDENT/INVESTIGATION REPORT

Macon County Sheriff's Office

Case # 16-002197

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type

Assisting Officers

Suspect Hate / Bias Motivated: *NONE*

NARRATIVE
 Arrested: Dustin R. Hassler (m/w 02/10/96)
 Charge: Illegal Dumping

NTA: 01/20/17 at 13:30 hours, Room 1.

REPORTING OFFICER NARRATIVE

Macon County Sheriff's Office

Victim Society	Offense ILLEGAL DUMPING	OCA 16-002197 Date / Time Reported Tue 12/13/2016 13:40
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 12/13/2016 at 13:40 hours, I, Deputy M. Rodgers, received a complaint from Harristown Township Road Commissioner Ted Williams about illegal dumping on the 5400-block of W. Grand Avenue. This street is located between Wyckles and Glasgow and is commonly referred to by county and local law enforcement officials as "Old Grand." Old Grand is a dirt and rock covered road that is approximately 3/4 mile long and is sparingly used by public due to its poor condition. The farthest west section of Old Grand lays under an overpass for I-72. Due to its remote location Old Grand has become a popular site for illegal dumping.

I met with Williams at the Harristown Township Office building, located at 195 N. Meridian, where we discussed this topic. According to Williams he was alerted to the dumping by an IDOT employee who noticed a suspicious vehicle in the area. It was later determined the vehicle was not involved in this incident.

Williams investigated the report and stated he discovered 19 dark-colored trash bags filled with garbage. The bags were scattered along the north side of the road directly under the over-pass. Williams also advised he had notified Laurie Rasmus with Macon County EPA. Upon further discussion we decided it would be prudent for me delay examining the contents of the bags due to sustained winds at 20-30 mph. Williams was concerned the strong winds would increase the size the debris field if the bags were opened and making it very difficult to clean up the site. I agreed to delay my investigation of the site until conditions improved. He assured the bags would not be removed until MSO and MCEPA had a chance to do its investigations.

On 12/15 I returned to the site at around 16:00 hours. MCEPA had concluded its investigation earlier in the day. My observation of the trash bags was consistent with what Williams described. Several of the trash bags had been opened by Rasmus as part of her investigation and no evidence was located. However, I found one bag that had not been opened which I chose to examine. I was able to recover a single piece a letterhead from Crossing Healthcare that contained the name of Shannon Ward. I did a check in RMS and discovered Ward had a current address of 1570 W. Division Street which is approximately four miles east of the dump site. The paper was secured as evidence, tagged E14356 and placed in MSO Evidence Locker #11. Rasmus took photographs of the dump site and agreed to share them with MSO.

At around 17:15 hours I made contact with Ward (f/w 05/04/81) and her husband, Henry L. Roy (m/b 03/01/67) at their residence. After discussing the issue with the couple they stated the following: Roy had befriended a person by the name of "Rich" whom he previously met CSL Plasma in Decatur. In early December the two had a discussion in which they reached an agreement for Rich to clean out the couple's garage for \$70 with the understanding the garbage would be properly disposed of. According to Roy and Ward, Rich stated the trash would be transported to Maroa and burned on property owned by Rich's family. The trash was removed during the morning of 12/08.

Roy also said there was a second person with Rich by the name of Dustin. He said Dustin was driving a turquoise-colored S10 with a small homemade trailer. He said Rich and Dustin loaded the trash bags onto the trailer which they used to haul the bags from the property. He was unable to provide a direction of travel. Shannon stated she did not know Rich's last name but that he lives in an apartment off Monroe

REPORTING OFFICER NARRATIVE

Macon County Sheriff's Office

OCA
16-002197
Date / Time Reported
Tue 12/13/2016 13:40

Victim

Society

Offense

ILLEGAL DUMPING

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

between Waggoner and Sawyer. She described him as a large, bald, white male. Approximately 6-1, 250.

Upon further investigation I was able to speak with friends and family members of the two suspects and was able to identify Rich as Loyd R. Peterson (m/w 02/14/70) and Dustin as Dustin R. Hassler (m/w 02/10/96). According to information obtained from SOS, Peterson's identifiers shows him to be a bald m/w, 6-0, 250. At around 20:25 hours I attempted to make contact with Peterson at his parents house located at 428 S. Locust Street in Maroa and they advised Peterson now lives in Decatur. His address, as shown in RMS, is 1668 N. Monroe #2.

Hassler's address is 2153 E. Hampshire in Maroa. At around 20:39 hours I attempted to make contact with Hassler at his residence but was unsuccessful.

On 12/16 I spoke with Hassler via telephone at around 14:20 hours and informed him about my investigation. Hassler agreed to surrender himself at MSO but said he needed to wait a few hours because he was burning items on his property. Hassler never came to MSO to surrender himself on the charge of Illegal Dumping. I attempted to reach Hassler by telephone on two occasions throughout the evening but I was unable to make contact with him.

On 12/18/16 at 14:35 hours I made contact with Hassler at his residence where I placed him under arrest. Due to hazardous conditions outside and to reduce risk of injury due to falling, I placed the handcuffs in front of Hassler which were double locked and checked for proper fit. He was secured in MC21 and I transported him to MC Jail. While enroute the jail I verbally advised Hassler of his Miranda Rights and he agreed to speak with me about the illegal dumping.

Hassler admitted he and Loyd R. Peterson did remove garbage from 1570 W. Division Street and then transported that garbage to Old Grand. Hassler said he drove his truck and used his homemade trailer to transport the garbage bags. Once they were under the overpass they tossed all the bags onto the side of the road and left the scene. He said he was contacted by Peterson who asked him for his assistance. Hassler declined to say who's idea it was to take the garbage to Old Grand, but said this was the first time he was involved in Illegal Dumping. He denied dumping garbage anywhere else in Macon County. Hassler says its common for him to team up with various people to remove garbage from people's homes. He claimed he did not know Peterson received \$70 for the job and added he never received any money from Peterson.

Hassler said he could not remember what day he helped dump the garbage, but said last Thursday (12/08) sounded about right.

Upon arrival at MC Jail Hassler signed an MSO Rights Form. He declined to make a written statement. Hassler was released to jail staff for further processing at 17:20 hours and provided with a Notice to Appear for a mandatory court date on 01/20/17 at 13:30 hours, Courtroom 1. Hassler was charged with Illegal Dumping.

Attempts to locate Peterson at his residence have been unsuccessful. A Person's Wanted for Peterson was entered into CAD on 12/18/16 at 19:30 hours.

Incident Report Suspect List

Macon County Sheriff's Office

OCA: 16-002197

1	Name (Last, First, Middle) <i>HASSLER, DUSTIN R</i>					Also Known As					Home Address <i>2153 E HAMPSHIRE RD MAROA, IL 61756 217-329-8772</i>				
	Business Address <i>UNEMPLOYED</i> <i>217- - , GENERAL</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.					
<i>02/10/1996</i>	<i>20</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>601</i>	<i>215</i>	<i>BLK</i>	<i>HAZ</i>	<i>FAR</i>	<i>H24617696041 IL</i>					
Scars, Marks, Tattoos, or other distinguishing features <i>TATT LEFT SHOULDER / REBEL FLAG</i>															

<i>Reported Suspect Detail</i>		Suspect Age			Race	Sex	Eth	Height	Weight	SSN
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel		Mode of Travel	
VehYr/Make/Model	Drs	Style	Color	Lic/St	VIN					

Notes _____ Physical Char _____

2	Name (Last, First, Middle) <i>PETERSON, LOYD R</i>					Also Known As <i>PETERSON, LOYD R; PETERSON, RICH</i>					Home Address <i>1668 N MONROE ST - 2 DECATUR, IL 62521 217-600-9760</i>				
	Business Address <i>NONE</i> <i>217- -</i>														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State.					
<i>02/14/1970</i>	<i>46</i>	<i>W</i>	<i>M</i>	<i>N</i>	<i>600</i>	<i>240</i>	<i>BAL</i>	<i>BRO</i>	<i>LGT</i>	<i>P36253670045 IL</i>					
Scars, Marks, Tattoos, or other distinguishing features <i>TATT LEFT ARM / DRAGON</i>															

<i>Reported Suspect Detail</i>		Suspect Age			Race	Sex	Eth	Height	Weight	SSN
Weapon, Type	Feature	Make	Model		Color	Caliber	Dir of Travel		Mode of Travel	
VehYr/Make/Model	Drs	Style	Color	Lic/St	VIN					

Notes _____ Physical Char _____