



State of Illinois
Pat Quinn, Governor

Illinois Environmental Protection Agency
Doug Scott, Director

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Prevention of Illegal Dumping in Illinois

Background

We have all seen illegal dumping – fly dumping of bags of trash, old mattresses or appliances thrown down a stream bank, piles of construction debris or tires left on an empty city lot or even on private property. Illegal dumping affects the quality of life for citizens who live near the dumping locations. How can we prevent this criminal act?



The Illinois Environmental Protection Agency (Illinois EPA), the Office of the Illinois Attorney General (OIAG), the Illinois Departments of Public Health (IDPH), Natural Resources (IDNR) and Commerce and Economic Opportunity (DCEO), as well as county, township and municipal enforcement authorities and elected officials are linking strategies to fight these unsightly blights on our communities that may present a threat to public health or the environment as well as a potentially negative impact on area property values.

What is the state law regarding illegal dumping?

Section 21 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/21, prohibits the open dumping of waste. Sections 44(a) and 44(p)(1)(A) provide for the classification of illegal dumping to be either a Class A misdemeanor or a Class 4 felony. In addition, Section 47-5 of the Illinois Criminal Code provides that dumping garbage, rubbish, refuse or trash on someone else’s property without their consent is a Class B misdemeanor for the first offense, a Class A misdemeanor for the second offense and a Class 4 felony for the third or subsequent offense.

Are there county or municipal laws or ordinances that also deal with this issue?

Yes. Counties and municipalities may have local ordinances that expressly prohibit open dumps and unpermitted landfills. Most have ordinances that prohibit maintaining a nuisance that can apply to an accumulation of solid waste materials or tires.

Which authorities may enforce against illegal dumping?

All law enforcement officers are authorized and obligated to administer and enforce the provisions explained in the first response (above). That includes local police, county sheriffs, Illinois State Police and Illinois Conservation Police, state’s attorneys, local zoning and code enforcement offices, county health and solid waste departments, as well as the Illinois EPA and the Office of the Illinois Attorney General.

Is it better for taxpayers to prevent illegal dumping rather than to clean it up after it occurs?

Yes. Prevention could be the small cost of better informing citizens with public service announcements, flyers and hotline numbers versus hundreds of thousands of tax dollars to clean up a complex site with illegally dumped tires, chemicals, construction and demolition debris and general refuse.

What are some potential health issues related to dumps?

Illegal dumps often present **physical hazards** with broken glass, sharp metal on discarded items, and appliances in which children may be trapped. Discarded **chemicals** may be toxic to a child who goes onto the site. There may be **biological hazards**, such as syringes or other discarded medical use items. Also, mosquitoes that carry encephalitis or West Nile Virus can breed in standing water held by discarded items.

Chemicals dumped on the ground or spilled from containers can contaminate waterways or shallow groundwater, resulting in potential impacts to water sources for fish, wildlife, livestock and people.

What can citizens or local officials do to prevent illegal dumping?

Vigilance by local government and private citizens is needed to identify and report illegal dumping at the local level as soon as it is observed. Municipal and county law enforcement officials may then work with county state’s attorney offices to investigate and prosecute offenders. Publicizing arrests and successful prosecutions help to deter others who would dump illegally. Don’t tolerate illegal waste in your neighborhood; take action!

What phone numbers should I call if I see dumping happening in my community?

It is best to call the non-emergency number for your local law enforcement agency or local health department. You may also contact the city or county solid waste agency, which usually has an inspector to investigate and cite violations of illegal dumping. Acting quickly stops a small problem from becoming a large, costly, and sometimes hazardous problem.

Contacts

(in addition to city or county law enforcement and your local health department)

IDPH Regional Offices:

Rockford - 815/987-7511
West Chicago - 630/293-6800
Peoria - 309/693-5360
Champaign - 217/278-5900
Edwardsville - 618/656-6680
Marion - 618/993-7010

Illinois EPA Regional Offices:

DesPlaines - 847/294-4000
Rockford - 815/987-7760
Peoria - 309/693-5463
Champaign - 217/278-5800
Springfield - 217/557-8761
Collinsville - 618/346-5120
Marion - 618/993-7200

Additional Information

Illinois Dept. of Public Health fact sheets:

West Nile Virus - <http://www.idph.state.il.us/public/hb/hbwestnile.htm>
Encephalitis - <http://www.idph.state.il.us/public/hb/hbencepl.htm>
Methamphetamine laboratories – <http://www.idph.state.il.us/envhealth/factsheets/meth-labs.htm>

U.S. EPA – Region 5 Illegal Dumping Prevention Guidebook - http://www.epa.gov/reg5rcra/wptdiv/illegal_dumping/downloads/il-dmpng.pdf and Illegal Dumping Project - http://www.epa.gov/reg5rcra/wptdiv/illegal_dumping/index.html

Illinois EPA – fact sheets

<http://www.epa.state.il.us/land/open-dumps/irid.html>
<http://www.epa.state.il.us/land/tires/images/project-tread.pdf>

Counties covered by the IEPA Regional offices - <http://www.epa.state.il.us/land/regions/index.html>