



Macon County State's Attorney's Office

Macon County Courthouse
253 E. Wood St., Decatur, IL 62523
Telephone: 217/424-1400 FAX: 217/424-1402

RECEIVED
CLERK'S OFFICE

JAN 25 2010

STATE OF ILLINOIS
Pollution Control Board

January 22, 2010

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

AC10-14

ORIGINAL

Re: County of Macon v. Veolia Environmental Services Valley View Landfill
MCSWMD File No. 2010-002-AC: 1158040008 – Macon County

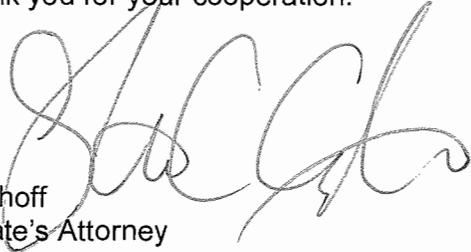
Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, including the Administrative Citation, The Inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency 811 Solid Waste Landfill Inspection Checklist, issued to the above-referenced respondents.

On this date, a copy of the Administrative Citation Package was sent to the Respondents 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,


Steven Langhoff
Assistant State's Attorney

Enclosures

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

Printed on recycled paper

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE

JAN 25 2010

STATE OF ILLINOIS
Pollution Control Board

MACON COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)

Complainant,)

v.)

VEOLIA ES VALLEY VIEW LANDFILL,)

Respondent.)

AC 10-14

(MCSWMD No. 2010-002: 1158040008)

ORIGINAL

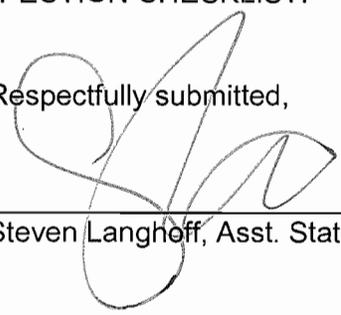
NOTICE OF FILING

To: Mr. Timothy Curry
Veolia ES Valley View Landfill
1363 Bear Road
Decatur, IL 62522

Mr. Timothy Curry
Veolia ES Solid Waste, Inc.
13932 St. Charles Rock Rd.
Earth City, MO 63045

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST.

Respectfully submitted,



Steven Langhoff, 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

Dated: January 22, 2010

COUNTY OF MACON

AFFIDAVIT

RECEIVED
CLERK'S OFFICE

JAN 25 2010

STATE OF ILLINOIS
Pollution Control Board

MACON COUNTY)
 SOLID WASTE MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 VEOLIA ES VALLEY VIEW LANDFILL,)
)
 Respondent.)

AC *10-14*
 (MCSWMD No. 2010-002: 1158040008)

ORIGINAL

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

1. Affiant is a field inspector employed by the Macon County Solid Waste Management Department and has been so employed at all times pertinent hereto.
2. On December 18, 2009 between 2:30 p.m. and 4:26 p.m., Affiant conducted an inspection of a landfill operated by Veolia Environmental Services, Inc. located in Macon County, Illinois and known as Veolia ES Valley View Landfill by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1158040008.
3. Affiant inspected said Veolia ES Valley View Landfill 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

 Laurie Rasmus

Subscribed and Sworn to before me
this 21st of JANUARY, 2010

K Jolene Jones

 Notary Public



NOTICE OF FILING
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

RECEIVED
CLERK'S OFFICE
JAN 25 2010
STATE OF ILLINOIS
Pollution Control Board

MACON COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)
Complainant,)
v.)
VEOLIA ES VALLEY VIEW LANDFILL,)
Respondent.)

AC 10-14
(MCSWMD No. 2010-002: 1158040008)

ORIGINAL

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Macon County Solid Waste 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 (2006).

FACTS

1. That Respondent, Veolia ES Valley View Landfill., is the permitted owner and operator of a facility located at 1363 Bear Road, Decatur, Macon County, Illinois.
2. That Timothy D. Curry is the Certified Operator of the above-referenced facility.
3. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1995-198-LF, and is designated with

LPC No. 1158040008. The facility is commonly known to the Macon County Solid Waste Management Department as Veolia ES Valley View Landfill.

4. That Respondents have owned and/or operated said facility at all times pertinent hereto.
5. That on December 18, 2009, Laurie Rasmus of the Macon County Solid Waste Management Department inspected the above-referenced facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.
6. That on January 22, 2010, Laurie Rasmus sent this Notice of Filing of the Administrative Citation via United States Postal Service certified mail
7007 0220 0001 1331 2261
7007 0220 0001 1331 2278

VIOLATIONS

Based upon direct observations made by Laurie Rasmus during the course of her December 18, 2009 inspection of the above-referenced facility, the Macon County Solid Waste Management Department has determined that Respondents violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents conducted a sanitary landfill operation in a manner which resulted in a manner which results in leachate flows entering waters of the State., a violation of Section 21(o)(2) of the Act, 415 ILCS 5/21(o)(2) (2006); and
- (2) That Respondents conducted a sanitary landfill operation in a manner which results in leachate flows exiting the landfill confines (as determined by the boundaries established for the landfill by a permit issued by the Agency), a violation of Section 21(o)(3) of the Act, 415 ILCS 5/21(o)(3) (2006); and

- (3) That Respondents conducted a sanitary landfill operation in a manner which resulted in uncovered refuse remaining from a previous operating day, a violation of Section 21(o)(5) of the Act, 415 ILCS 5/21(o)(5) (2006); and
- (4) That Respondents conducted a sanitary landfill operation in a manner which resulted in failure to collect and contain litter at the end of the operating day, a violation of Section 21(o)(12) of the Act, 415 ILCS 5/21(o)(12) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2006), Respondents are subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of Two Thousand Dollars (\$2,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than June 30 2010, 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 (2006), 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 Solid Waste Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty of Two Thousand Dollars (\$2,000.00).

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2006), if Respondent fails to petition or elect 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.

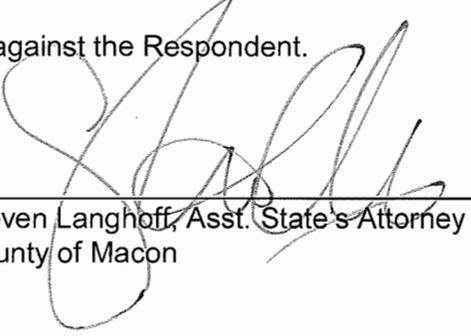
When payment is made, Respondent's check shall be made payable to the Macon County Solid Waste Management Department and mailed to the attention of Debra Hughes-Garrett, Macon County Solid Waste Management Department, 141 South Main Street, Decatur, Illinois 62523. Along with payment, Respondent shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

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 (2006). 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.



Steven Langhoff, Asst. State's Attorney
County of Macon

Date January 22, 2010

Prepared by: Laurie Rasmus, Environmental Inspector
Macon County Solid Waste Management Department
141 South Main Street
Decatur, IL 62523
217/421-0291

REMITTANCE FORM

MACON COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)
)
Complainant,)
)
v.)
)
VEOLIA ES VALLEY VIEW LANDFILL,)
)
Respondent.)

AC *10-14*
(MCSWMD No. 2010-002: 1158040008)

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JAN 25 2010

STATE OF ILLINOIS
Pollution Control Board

ORIGINAL

FACILITY: Veolia ES Valley View Landfill
Land Pollution Control No.: 1158040008

COUNTY: Macon

CIVIL PENALTY: \$2,000.00

DATE OF INSPECTION: December 18, 2009

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 Solid Waste Management Department, Attn.: Debra Hughes-Garrett, 141 South Main Street, Decatur, Illinois 62523.

RECEIVED
CLERK'S OFFICE

JAN 25 2010

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I, STEVEN C. LANGHOFF, Assistant State's Attorney of Macon County, Illinois, do hereby certify that on January 22, 2010, I did send by Certified Mail, Return Receipts Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box, a true and correct Copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, AND 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST

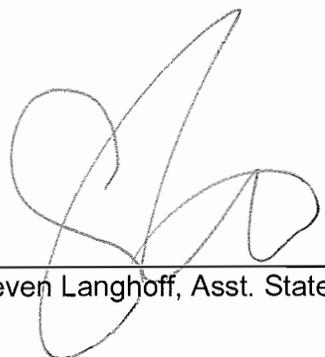
To: Mr. Timothy Curry
Veolia ES Valley View Landfill
1363 Bear Road
Decatur, IL 62522

Mr. Timothy Curry
Veolia ES Solid Waste, Inc.
13932 St. Charles Rock Rd.
Earth City, MO 63045

ORIGINAL

and the original and nine (9) true and correct copies of the same foregoing instruments on the date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

To: John Therriault
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218



Steven Langhoff, 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

Dated: January 22, 2010

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY 811 Solid Waste Landfill Inspection Checklist

County: Macon LPC#: 1158040008 Region: 4 - Champaign
 Location/Site Name: Decatur/Veolia ES Valley View Landfill
 Date: 12/18/2009 Time: From 2:30 pm To 4:26 pm Previous Inspection Date: 12/08/2009
 Inspector(s): Laurie Rasmus Weather: @ 42 F, cloudy, 5-10 mph N winds
 No. of Photos Taken: # 30 Samples Taken: Yes # _____ No
 Interviewed: Rick Presser, Billie Sims Facility Phone No.: 217/963-2976

Permitted Owner Mailing Address

Veolia ES Valley View Landfill
 1363 Bear Road
 Decatur, Illinois 62522

Permitted Operator Mailing Address

Veolia ES Valley View Landfill
 Attn: Chris Rooney
 1363 Bear Road
 Decatur, Illinois 62522

Chief Operator Mailing Address

Veolia ES Valley View Landfill
 Attn: Rick Presser, Interim Site Manager
 1363 Bear Road
 Decatur, Illinois 62522

Certified Operator Mailing Address

Veolia ES Solid Waste, Inc.
 Attn: Timothy D. Curry, Regional Engineer
 13932 St. Charles Rock Road
 Earth City, MO 63045

AUTHORIZATION:

Significant Modification Permit
 Initial: 1995-198-LF
 Latest 67 (08/21/2009)

OPERATIONAL STATUS:

Operating
 Closed-Not Certified.
 Closed-Date Certified: _____

TYPE OF OPERATION:

Existing Landfills 814-Subpart C
 814-Subpart D
 New Landfills: 811-Putres./Chem.

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input checked="" type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	12(f)	CAUSE, THREATEN OR ALLOW DISCHARGE WITHOUT OR IN VIOLATION OF AN NPDES PERMIT	<input checked="" type="checkbox"/>
6.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" type="checkbox"/>
7.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE- DISPOSAL OPERATION:	
	(1)	Without a Permit or in Violation of Any Conditions of a Permit (See Permit Provisions)	<input checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
8.	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 type="checkbox"/>
9.	21(f)(1)	CONDUCT ANY HAZARDOUS WASTE-STORAGE, TREATMENT OR DISPOSAL OPERATION WITHOUT A RCRA PERMIT.	<input type="checkbox"/>

LPC #: 1158040008

Inspection Date: 12/18/2009

10.	21(o)	CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:	
	(1)	Refuse in Standing or Flowing Water	<input type="checkbox"/>
	(2)	Leachate Flows Entering Waters of the State	<input checked="" type="checkbox"/>
	(3)	Leachate Flows Exiting the Landfill Confines	<input checked="" type="checkbox"/>
	(4)	Open Burning of Refuse in Violation of Section 9 of the Act	<input type="checkbox"/>
	(5)	Uncovered Refuse Remaining From Any Previous Operating Day or at the Conclusion of Any Operating Day	<input checked="" type="checkbox"/>
	(6)	Failure to Provide Final Cover Within Time Limits	<input type="checkbox"/> NE
	(7)	Acceptance of Wastes Without Necessary Permits	<input type="checkbox"/> NE
	(8)	Scavenging as Defined by Board Regulations	<input type="checkbox"/>
	(9)	Deposition of Refuse in Any Unpermitted Portion of the Landfill	<input type="checkbox"/>
	(10)	Acceptance of Special Waste Without a Required Manifest	<input type="checkbox"/> NE
	(11)	Failure to Submit Reports Required by Permits or Board Regulations	<input type="checkbox"/> NE
	(12)	Failure to Collect and Contain Litter by the End of each Operating Day	<input checked="" type="checkbox"/>
	(13)	Failure to Submit Any Cost Estimate, Performance Bond or Other Security	<input type="checkbox"/> NE
11.	21(t)	CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION	<input type="checkbox"/>
12.	21.6(b)	ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996)	<input type="checkbox"/>
13.	22.01	FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE	<input type="checkbox"/> NE
14.	22.17	LANDFILL POST-CLOSURE CARE	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/> NE
	(b)	Failure to Take Remedial Action	<input type="checkbox"/> NE
15.	22.22(c)	ACCEPTANCE OF LANDSCAPE WASTE FOR FINAL DISPOSAL	<input type="checkbox"/>
16.	22.23(f)(2)	CAUSE OR ALLOW THE DISPOSAL OF ANY LEAD-ACID BATTERY	<input type="checkbox"/>
17.	22.28(b)	ACCEPTANCE OF WHITE GOODS FOR FINAL DISPOSAL	<input type="checkbox"/>
18.	55(b)(1)	ACCEPTANCE OF ANY USED OR WASTE TIRE FOR FINAL DISPOSAL (UNLESS LANDFILL MEETS EXEMPTION OF 55(b)(1))	<input type="checkbox"/>
19.	56.1(a)	CAUSE OR ALLOW THE DISPOSAL OF ANY POTENTIALLY INFECTIOUS MEDICAL WASTE	<input type="checkbox"/>
SOLID WASTE SITE OPERATOR CERTIFICATION LAW REQUIREMENTS			
20.	225 ILCS 230/1004	CAUSING OF ALLOWING OPERATION OF A LANDFILL WITHOUT PROPER COMPETENCY CERTIFICATE	<input type="checkbox"/> NE
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			
21.	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/> NE
22.	745.201	PRIOR CONDUCT CERTIFICATION PROHIBITIONS	<input type="checkbox"/> NE
SPECIAL WASTE HAULING REQUIREMENTS			
23.	809.301	REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS	<input type="checkbox"/> NE

LPC #: 1158040008

Inspection Date: 12/18/2009

24.	809.302(a)	REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS	<input type="checkbox"/> NE
25.	809.501	MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS	
	(a)	Delivery of Special Waste to Hauler	<input type="checkbox"/> NE
	(e)	Retention of Special Waste Manifests	<input type="checkbox"/> NE
NEW SOLID WASTE LANDFILL REQUIREMENTS			
	PART 811 SUBPART	GENERAL STANDARDS FOR ALL LANDFILLS	
26.	811.103	SURFACE WATER DRAINAGE	
	(a)	Runoff from Disturbed Areas	<input type="checkbox"/>
	(b)	Diversion of Runoff from Undisturbed Areas	<input type="checkbox"/>
27.	811.104	SURVEY CONTROL	
	(a)	Boundaries Surveyed and Marked	<input type="checkbox"/> NE
	(b)	Stakes and Monuments Marked	<input type="checkbox"/> NE
	(c)	Stakes and Monuments Inspected	<input type="checkbox"/> NE
	(d)	Control Monument Established and Maintained	<input type="checkbox"/> NE
28.	811.105	COMPACTION	<input type="checkbox"/>
29.	811.106	DAILY COVER	
	(a)	Six Inches Soil	<input type="checkbox"/>
	(b)	Alternative Daily Cover	<input type="checkbox"/>
30.	811.107	OPERATING STANDARDS	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Work Face Size and Slope	<input type="checkbox"/>
	(c)	Equipment	<input type="checkbox"/>
	(d)	Utilities	<input type="checkbox"/>
	(e)	Maintenance	<input type="checkbox"/>
	(f)	Open Burning	<input type="checkbox"/>
	(g)	Dust Control	<input type="checkbox"/>
	(h)	Noise Control	<input type="checkbox"/>
	(i)	Vector Control	<input type="checkbox"/>
	(j)	Fire Protection	<input type="checkbox"/>
	(k)	Litter Control	<input type="checkbox"/>
	(l)	Mud Tracking	<input type="checkbox"/>
	(m)	Liquid Restrictions for MSWLF Units	<input type="checkbox"/>
31.	811.108	SALVAGING	
	(a)	Salvaging Interferes with Operation	<input type="checkbox"/>
	(b)	Safe and Sanitary Manner	<input type="checkbox"/>
	(c)	Management of Salvagable Materials	<input type="checkbox"/>
32.	811.109	BOUNDARY CONTROL	
	(a)	Access Restricted	<input type="checkbox"/>
	(b)	Proper Sign Posted	<input type="checkbox"/>

LPC #: 1158040008

Inspection Date: 12/18/2009

33.	811.110	CLOSURE AND WRITTEN CLOSURE PLAN	
	(a)	Final Slopes and Contours	<input type="checkbox"/> NE
	(b)	Drainage Ways and Swales	<input type="checkbox"/> NE
	(c)	Final Configuration	<input type="checkbox"/> NE
	(d)	Written Closure Plan	<input type="checkbox"/> NE
	(e)	Initiation of Closure Activities at MSWLF Units	<input type="checkbox"/> NE
	(f)	Completion of Closure Activities at MSWLF Units	<input type="checkbox"/> NE
	(g)	Deed Notation for MSWLF Units	<input type="checkbox"/> NE
34.	811.111	POST-CLOSURE MAINTENANCE	
	(a)	Procedures After Receipt of Final Volume of Waste	<input type="checkbox"/> NE
	(b)	Remove All Equipment of Structures	<input type="checkbox"/> NE
	(c)	Maintenance and Inspection of the Final Cover and Vegetation	<input type="checkbox"/> NE
	(d)	Planned Uses of Property at MSWLF Units	<input type="checkbox"/> NE
35.	811.112	RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS	
	(a)	Location Restriction Demonstration	<input type="checkbox"/> NE
	(b)	Load Checking Requirements	<input type="checkbox"/>
	(c)	Gas Monitoring Records	<input type="checkbox"/> NE
	(d)	MSWLF Liquid Restriction Records	<input type="checkbox"/> NE
	(e)	Groundwater Monitoring Program Requirements	<input type="checkbox"/> NE
	(f)	Closure and Post Closure Care Requirements	<input type="checkbox"/> NE
	(g)	Cost Estimates and Financial Assurance Requirements	<input type="checkbox"/> NE
	PART 811 SUBPART C	PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS	
36.	811.302	FACILITY LOCATION	
	(c)	Site Screening (Does Not Apply To Part 814-Subpart D Sites)	<input type="checkbox"/>
37.	811.309	LEACHATE TREATMENT AND DISPOSAL SYSTEM	
	(a)	General Requirements	<input type="checkbox"/> NE
	(c)	Standards for On-Site Treatment and Pretreatment	<input type="checkbox"/> NE
	(d)	Standards for Leachate Storage System	<input type="checkbox"/> NE
	(e)	Standards for Discharge to Off-Site Treatment	<input type="checkbox"/> NE
	(f)	Standards for Leachate Recycling Systems	<input checked="" type="checkbox"/>
	(g)	Standards for Leachate Monitoring Systems	<input type="checkbox"/> NE
38.	811.310	LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE)	
	(b)	Location and Design of Gas Monitoring Wells	<input type="checkbox"/> NE
	(c)	Monitoring Frequency for Landfill Gas	<input type="checkbox"/> NE
	(d)	Monitoring Parameters	<input type="checkbox"/> NE
39.	811.311	LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)	
	(a)	Conditions for Installation of Gas Management System	<input type="checkbox"/> NE
	(b)	Notification and Implementation Requirements	<input type="checkbox"/> NE
	(c)	Standards for Gas Venting	<input type="checkbox"/> NE
	(d)	Standards for Gas Collection	<input type="checkbox"/> NE

LPC #: 1158040008

Inspection Date: 12/18/2009

40.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/> NE
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/> NE
	(e)	Standards for Gas Flares	<input type="checkbox"/> NE
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than Flares	<input type="checkbox"/> NE
	(g)	Gas Transported Off-Site	<input type="checkbox"/> NE
41.	811.313	INTERMEDIATE COVER	
	(a)	Requirements for the Application for Intermediate Cover	<input checked="" type="checkbox"/>
	(b)	Runoff and Infiltration Control	<input type="checkbox"/>
	(c)	Maintenance of Intermediate Cover	<input checked="" type="checkbox"/>
42.	811.314	FINAL COVER SYSTEM (DOES NOT APPLY TO PART 814 SITES THAT HAVE CLOSED, COVERED AND VEGETATED PRIOR TO SEPTEMBER 18, 1990)	
	(a)	General Requirements	<input type="checkbox"/> NE
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/> NE
	(c)	Standards for Final Protective Layer	<input type="checkbox"/> NE
43.	811.316	PLUGGING AND SEALING OF DRILL HOLES	<input type="checkbox"/> NE
44.	811.321	WASTE PLACEMENT	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/> NE
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/> NE
	(b)	Slopes Required to Drain	<input type="checkbox"/> NE
	(c)	Vegetation	<input type="checkbox"/> NE
	(d)	Structures Built over the Unit	<input type="checkbox"/> NE
46.	811.323	LOAD CHECKING PROGRAM	
	(a)	Load Checking Program Implemented	<input type="checkbox"/>
	(b)	Load Checking Program for PCB's at MSWLF Units	<input type="checkbox"/>
	(c)	Load Checking Program Components	<input type="checkbox"/>
	(d)	Handling Regulated Hazardous Wastes	<input type="checkbox"/>
	PART 811 SUBPART D	MANAGEMENT OF SPECIAL WASTES AT LANDFILLS	
47.	811.402	NOTICE TO GENERATORS AND TRANSPORTERS	<input type="checkbox"/> NE
48.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/> NE
49.	811.404	IDENTIFICATION RECORD	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/> NE
	(b)	Special Waste Recertification	<input type="checkbox"/> NE
50.	811.405	RECORDKEEPING REQUIREMENTS	<input type="checkbox"/>
51.	811.406	PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES	<input type="checkbox"/>

LPC #: 1158040008

Inspection Date: 12/18/2009

PART 811 SUBPART G		FINANCIAL ASSURANCE	
52.	811.700	COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G	<input type="checkbox"/> NE
53.	811.701	UPGRADING FINANCIAL ASSURANCE	<input type="checkbox"/> NE
54.	811.704	CLOSURE AND POST-CLOSURE CARE COST ESTIMATES	<input type="checkbox"/> NE
55.	811.705	REVISION OF COST ESTIMATE	<input type="checkbox"/> NE
SOLID WASTE FEE SYSTEM REQUIREMENTS			
56.	Part 858 Subpart B	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS WEIGHED (LIST SPECIFIC SECTION	<input type="checkbox"/> NE
57.	Part 858 Subpart C	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS NOT WEIGHED (LIST SPECIFIC	<input type="checkbox"/> NE
OTHER REQUIREMENTS			
58.	OTHER:	APPARENT VIOLATION OF: <input type="checkbox"/> PCB; <input type="checkbox"/> CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
59.			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. 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.
4. The provisions of subsection (o) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. 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).
6. Items marked with an "NE" were not evaluated at the time of this inspection.

**LPC #1158040008 - Macon County
Decatur/Veolia ES Valley View Landfill
FOS File**

Inspector(s): Laurie Rasmus

Inspection Date: December 18, 2009

GIS Data: Latitude-N 39.82455°, Longitude-W 89.04328° (file)

Inspection Report Narrative

A routine inspection of the Veolia ES Valley View Landfill (VVLFF) was conducted on December 18, 2009 between the hours of 2:30 p.m. and 4:26 p.m. by Laurie Rasmus (author of this report), representing the Macon County Solid Waste Department. Weather conditions consisted of cloudy skies, an air temperature near 42 degrees Fahrenheit and winds of approximately 5-10 mph from the north.

Thirty photographs were taken and no samples were collected. Rick Presser, Operations Manager of Veolia ES Cranberry Creek Landfill in Wisconsin Rapids who is serving as Interim Operations Manager for VVLFF, and Billie Sims, employee of VVLFF, were interviewed during the inspection. Tim Curry, Veolia ES Regional Engineer, was interviewed during a telephone conversation on December 22, 2009.

This inspection was conducted in accordance with Section 4(c) and (d) of the Illinois Environmental Protection Act ("Act"). The purpose of this inspection was to determine if the site is in compliance with the Act and Regulations.

Site History and Permitting

Veolia ES Valley View Landfill (VVLFF) has two permits. Unit 1 has been closed since 1970. It is governed by Permits 1976-4-DE, 1978-7-DE, and 1979-18-DE. The most current supplemental permit is 2008-297-SP, which was issued on July 31, 2009. The supplemental permit approves the annual evaluation of the effectiveness of the remedial activities based on Groundwater Monitoring Zone (GMZ) monitoring.

Unit 2 is governed by permit 1995-198-LF which has two recent modifications. Modification #66 approves an annually updated closure and post-closure cost estimate (Log No. 2009-279) and the use of anaerobically digested sewage (POTW) sludge as an alternate daily cover (Log No. 2009-318). Modification #67 approves the annual Evaluation of Remedial Action for 2008 for Units 2 and 3. The current permit for this facility expires on May 1, 2011.

Prior to this inspection of December 18, 2009, the most recent inspection of this facility was a Periodic Site Observation on December 8, 2009. An inspection December 2, 2009 cited violations regarding leachate and exposed waste.

Complaints

During the morning of December 18, 2009, I attended a scheduled meeting with a number of the residents in the vicinity of VVLFF. No less than five of the residents

commented that the odors from VVLF have been at the greatest intensity that they have ever experienced. The residents described the time frame of such intensity originating within in the last month to the last six months.

Inspection

At 2:30 p.m. on December 18, 2009, I stopped in the VVLF office and Jenny Taylor informed me that Rick Presser was on the landfill. I told Ms. Taylor that I would call Mr. Presser's cell phone to let him know that I was on site. I drove to a position on Hill Road between the active face and the gas flare and parked along Hill Road. I called Mr. Presser's cell phone and reached his voicemail.

From Hill Road, I observed that the active face encompassed an area of approximately 100 feet square and soil was piled to the north. A tarped area of approximately 100 feet square was east of the active area (photos 1-2). Numerous land gulls were present. Hauling vehicles tipped waste in the south section of the active area. Personnel were operating the compactor and dozer. Another individual was applying liquids, apparently leachate, with a hose from atop a tanker truck (photos 3-4).

Mr. Presser drove the dozer to my location. He informed me that he plans to be off-site until approximately January 5, 2010 when he will return to meet with the anticipated newly hired Operations Manager for VVLF. I asked if any changes had been implemented since my last visit. Concerning the southwest corner of the landfill, Mr. Presser said that the area was excavated down to the sand layer, backfilled with stone and a pipe was installed that, if necessary, could be pumped of leachate. Regarding other areas of the landfill, Mr. Presser said that the installation of a liner in the northeast corner, referring to the rill upslope of the diversion berm in Unit II on the east side of the north slope, was initiated but then halted due to an inadequate quantity of materials on site. He also mentioned that work on the haul road across the top of Unit II is progressing.

I commented that it appeared as though leachate was presently being applied. Mr. Presser said that Billie, referring to Billie Sims, was applying the leachate to the active area. I asked Mr. Presser what the leachate level was at the tank. He said that Billie had told him yesterday it was at six feet. Then Mr. Presser radioed Billie to inquire about today's level. Billie replied, "Four feet." Mr. Presser returned to the dozer and I drove to the northeast corner of Unit II. I walked onto the northeast corner of Unit II and observed that the area along the east diversion berm had been excavated and a liner had been installed on the top portion (photo 5).

Driving along the road to the top of the landfill, I observed that rocks had recently been placed on the surface of the road. Landfill odors were prevalent in the area that was directly south of the day's active area. I turned around near the end of the recently placed rock and parked in the southeast portion of the top of Unit II.

I descended along the diversion berm on the east side of the south slope of Unit II. As I was directly north of Extraction Well (EW) 52, I observed that the majority of exposed waste that was documented during the December 2, 2009 inspection appeared to be unchanged in terms of exposure and placement. A partial list of waste items that were observed on the surface or partially embedded in the soil included: carpet, textiles

and plastics (photos 6-7). The area north and northeast appeared to be recently graded (photo 8).

Also from the vantage point of standing on the diversion berm directly north of EW-52, I noticed that the fluids and frozen liquids in the rill to the northeast appeared to be stormwater (photo 9). Whereas, the fluids and frozen liquids to my southwest appeared to contain leachate due to the orange coloration, oily sheen and areas with foam (photos 10-12). Leachate appeared to seep into the rill from a point perpendicular to the rill and in the north bank of the rill (photo 10).

Continuing to descend along the east diversion berm to the entrance of the downlet pipe, I noticed that the perceptibility of landfill odors increased while the coloration of the water and slush in the rill cleared to the appearance of stormwater (photo 13). Litter was observed in the rill. The rill to the northwest of the inlet appeared to be muddy (photo 14). I then walked directly east of the downlet entrance to gain another perspective of the exposed waste adjacent to EW-52 (photos 15-16).

Next, I ascended to my vehicle and drove to the southeast corner of Unit II. The area along the toe of the slope and immediately north of the rip rap in the southeast corner of Unit II, appeared to be a patch of clay. The area had what appeared to be a two-prong forked leachate seep that was approximately seven feet in length from the fork apex to the drainage ditch below (photo 17). The seep was a black color. While observing the area, I noticed a momentary, liquid bubbling action at the fork's apex.

Noticing that Billie Sims was at the shop that is located south of Unit II, I stopped to clarify communications regarding the leachate levels in the tank. Mr. Sims said that a reading earlier in the day indicated the ten foot tank contained 3.93 feet of leachate. He commented, "Try to pull it down for the weekend." Mr. Sims explained that due to the installation of new equipment that a digital display was visible near the tank. He said, "Frank put a probe in it," most likely referring to an installation of a probe in the leachate tank by Frank Perugini of Environmental Sampling Corporation. Leaving the shop, I viewed the digital display which read "3.73" (photo 18).

Leaving the area of the leachate level display unit and heading west along the haul road, landfill odors became prominent and were continuous through my observation of the southwest perimeter section of Unit II. The odor was of the general landfill type including the citrus-like, acetone odor.

Stopping on the haul road approximately thirty feet east of the dewatering well discharge, I noticed a pool of approximately two feet in an east-west length that appeared to be leachate (photos 19-20). The pool was on the haul road and had magenta and black coloration with patches of bubbles and surface sheen. The drainage ditch east of the dewatering well discharge had a rusty orange coloration, particularly at the bottom of the ditch (photo 21).

Walking west to the leachate vault labeled "L306" I heard liquid flowing for the duration of a few seconds, apparently pumped through the hose between the vault and the uncapped pipe positioned northwest of the vault (photo 22). Odors were very strong in the area.

The bottom of the rip-rap downlet, located approximately twenty feet northeast of L306, had exposed geotextile and contained a pool of black liquid with an oily sheen that was apparently leachate (photo 23). The drainage ditch contained liquid with a foam on the surface of the liquid. Approximately five feet east of the bottom of the rip-

rap downlet were shallow rills with a black stained appearance, apparently leachate seeps, with areas of foam (photos 24-25). The rills were approximately ten feet in a north-south length. Foam and pooled liquid were present in an area of the rills. Frozen slush was in the drainage ditch below the rills. The odors of general landfill gases including the citrus-like acetone odor were prevalent.

As I was observing the area north of the haul road in the southwest corner of Unit II, Mr. Presser drove by and we briefly met. I mentioned that I observed leachate seeps especially near the area where we were. Mr. Presser said he would "put it on the list." Mr. Presser drove east along the haul road while I viewed the newly installed vertical pipe west of L306 (photo 26). The pipe was uncapped, approximately twelve inches in diameter and no more than six feet above grade. Sand was visible inside the pipe that appeared to be below grade. I viewed the Gradient Control Effluent Treatment System (GCETS) from the haul road, noticing that the area was covered with ice and/or slush.

I drove around the perimeter of Unit II and parked southwest of the active area at 4:04 p.m. No less than four Veolia hauling vehicles tipped waste on the south portion of the active area during my observation of the active area (photos 27-28).

To gain another vantage point of the active area, I parked on the haul road west of the active area (photos 29-30). I walked to a position adjacent to the northwest corner of the active area, noting that the landfill odors were incredibly strong in the area, particularly as I ascended the slope immediately west of the active area.

While observing the active face to the east, Mr. Presser parked his vehicle and we met. I commented that odors were prevalent in the area we were standing as well as the southwest corner of Unit II. Mr. Presser indicated that the odors where we were standing did not seem particularly unusual. In regards to the southwest corner of Unit II, Mr. Presser said that a cap on the newly installed vertical pipe would likely decrease the odor in the area.

After we finished our conversation, I drove from the area, back-tracking around the perimeter of Unit II. The west section of the entrance gate was in a closed position while the east section remained in an open position. While driving north on Bear Road, I observed that the scale office was dark and had a closed sign in the window. I drove off the property at 4:26 p.m.

Post-Inspection Interview

On December 22, 2009 I telephoned Tim Curry, Veolia ES Regional Engineer to discuss the odor issues at VVLF. I described that the odors were most prevalent in the southwest corner of Unit II and off the northwest corner of the active area. Mr. Curry indicated that a cap on the newly installed vertical pipe in the southwest corner of Unit II may alleviate odors in that area. Regarding the active area vicinity, I commented that it may be time to install additional gas extraction wells in the area. Mr. Curry said that a number of wells are scheduled to be installed in the area during the first quarter of 2010.

Summary of Apparent Violations

The following is a list of apparent violations of the 35 Illinois Administrative Code (regulations) and the Illinois Environmental Protection Act 415 ILCS 5/1 et seq (formerly Ill Ch. Rev. Stat. Ch.111 ½, 1001 et seq.)

Pursuant to Section 12(a) of the Act, no person shall cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

- A violation of Section 12(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(a)) is alleged because during the inspection contaminants were discharged into the environment so as to cause or tend to cause water pollution in Illinois.

Pursuant to Section 12(f) of the Act, in relevant part, no person shall cause, threaten, or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any sewage works, or into any well or from any point source within the State, without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program.

- A violation of Section 12(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(f)) is alleged because during the inspection contaminants were discharged into the waters of the State.

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) of the [Illinois] Environmental Protection Act (415 ILCS 5/9(a)) is alleged because uncovered waste, which is not authorized by permit, 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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(d)(1)) is alleged because waste was disposed and/or stored in violation of permit conditions during the inspection.

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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(d)(2)) is alleged because during the inspection waste was disposed and/or stored in a manner that violates regulations and standards adopted by the Board.

Pursuant to Section 21(o)(2) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in leachate flows entering waters of the State.

- A violation of Section 21(o)(2) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(2)) is alleged because leachate flows were entering waters of the State during the inspection.
-

Pursuant to Section 21(o)(3) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in leachate flows exiting the landfill confines (as determined by the boundaries established for the landfill by a permit issued by the Agency).

- A violation of Section 21(o)(3) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(3)) is alleged because leachate flows were exiting the landfill confines during the inspection.

Pursuant to Section 21(o)(5) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit.

- A violation of Section 21(o)(5) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(5)) is alleged because uncovered refuse, which is not authorized by permit, was observed during the inspection.

Pursuant to Section 21(o)(12) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in failure to collect and contain litter from the site by the end of each operating day.

- A violation of Section 21(o)(12) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(12)) is alleged because litter was observed during the inspection.

Pursuant to 35 Ill. Adm. Code 811.309(f), regarding standards for leachate recycling systems, 1) Leachate recycling systems may be utilized only at permitted waste disposal units that meet the following requirements: A) The unit must have a liner designed, constructed and maintained to meet the minimum standards of Section 811.306. B) The unit must have a leachate collection system in place and operating in accordance with Section 811.307. C) A gas management system, equipped with a mechanical device such as a compressor to withdraw gas, must be implemented to control odors and prevent migration of methane in accordance with Section 811.3111. D) The topography must be such that any accidental leachate runoff can be controlled by ditches, berms or other equivalent control means. 2) Leachate shall not be recycled during precipitation events or in volumes large enough to cause runoff or surface seeps. 3) The amount of leachate added to the unit shall not exceed the ability of the waste and cover soils to transmit leachate flow downward. All other leachate shall be considered excess leachate, and a leachate management system capable of disposing of all excess leachate must be available. 4) The leachate storage and distribution system shall be designed to avoid exposure of leachate to air unless aeration or functionally equivalent devices are utilized. 5) The distribution system shall be designed to allow leachate to be evenly distributed beneath the surface over the recycle area. 6) Daily and intermediate cover shall be permeable to the extent necessary to prevent the accumulation of water and formation of perched watertables and gas buildup; alternatively cover shall be removed prior to additional waste placement. 7) Daily and intermediate cover shall slope away from the perimeter of the site to minimize surface discharges.

A violation of 35 Ill. Adm. Code 811.309(f) is alleged for the following reasons:

- Leachate was recycled in volumes large enough to cause runoff or surface seeps.
- The amount of leachate added to the unit exceeded the ability of the waste and cover soils to transmit leachate flow downward, resulting in excess leachate.

Pursuant to 35 Ill. Adm. Code 811.313(a), all waste which is not to be covered within 60 days of placement by another lift of waste or final cover in accordance with Section 811.314 shall have a cover equivalent to that provided by 0.30 meter (1 foot) of compacted clean soil material.

- A violation of 35 Ill. Adm. Code 811.313(a) is alleged because waste was not covered within 60 days of placement by another lift of waste or final cover in accordance with Section 811.314 shall have a cover equivalent to that provided by 0.30 meter (1 foot) of compacted clean soil material.

Pursuant to 35 Ill. Adm. Code 811.313(c), the grade and thickness of intermediate cover shall be maintained until the placement of additional wastes or the final cover. All cracks, rills, gullies and depressions shall be repaired to prevent access to the solid waste by vectors, to minimize infiltration and to prevent standing water.

- A violation of 35 Ill. Adm. Code 811.313(c) is alleged because the grade and thickness of intermediate cover was insufficiently maintained until the placement of additional wastes or the final cover.

The following is a list of apparent violations of Veolia ES Valley View Landfill, Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191

Page 5, Section II (2)(b) The operator of this solid waste facility shall not conduct the operation in a manner which results in leachate flows entering waters of the State.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191 is alleged because leachate flows were entering waters of the State.

Page 5&6, Section II (2)(c) The operator of this solid waste facility shall not conduct the operation in a manner which results in leachate flows exiting the landfill confines.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 5, Section II (2)(b) is alleged because leachate flows were exiting the landfill confines.

Pages 5&6, Section II (2)(e) The operator of this solid waste facility shall not conduct the operation in a manner which results in uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Pages 5&6, Section II (2)(e) is alleged because uncovered waste, which is not authorized by permit, was observed during the inspection.

Page 11, Section II (8)(a) The following conditions shall apply to the Section IV leachate recirculation system: Leachate shall not be recirculated during precipitation events or in volumes large enough to cause run-off or surface seeps.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 11, Section II (8)(a) is alleged because leachate was being recirculated in volumes large enough to cause run-off or surface seeps.

Page 11, Section II (8)(b) The following conditions shall apply to the Section IV leachate recirculation system: The amount of leachate added to the unit shall not exceed the ability of the waste and cover soils to transmit leachate flow downward. All other leachate shall be considered excess leachate, and a leachate management system capable of disposing of all excess leachate must be available.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 11, Section II (8)(b) is alleged because the amount of leachate added to the unit exceeded the ability of the waste and cover soils to transmit leachate flow downward. A leachate management system capable of disposing of all excess leachate was not properly utilized.

Page 11, Section II (8)(e) The following conditions shall apply to the Section IV leachate recirculation system: Leachate may be recirculated at a rate that will not exceed the moisture holding capacity of the waste mass in accordance with 35 Ill. Code 811.309(f)(3).

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 11, Section II (8)(e) is alleged because leachate was recirculated at a rate that exceeded the moisture holding capacity of the waste mass in accordance with 35 Ill. Code 811.309(f)(3).

Page 13, Section II (11) All waste not covered within sixty (60) days of placement with additional waste or final cover shall have an intermediate cover of compacted clean soil with a minimum thickness of one (1) foot applied to it.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 13, Section II (11) is alleged because waste was not covered with an intermediate cover of compacted clean soil with a minimum thickness of one (1) foot applied to it.

Macon County - 1158040008

Site: Decatur/ Veolia ES Valley View Landfill

FOS File

Inspector: Laurie Rasmus

Inspection date: December 18, 2009

Aerial photo is file photo, recorded Feb. 25, 2009 at 2:25 p.m.

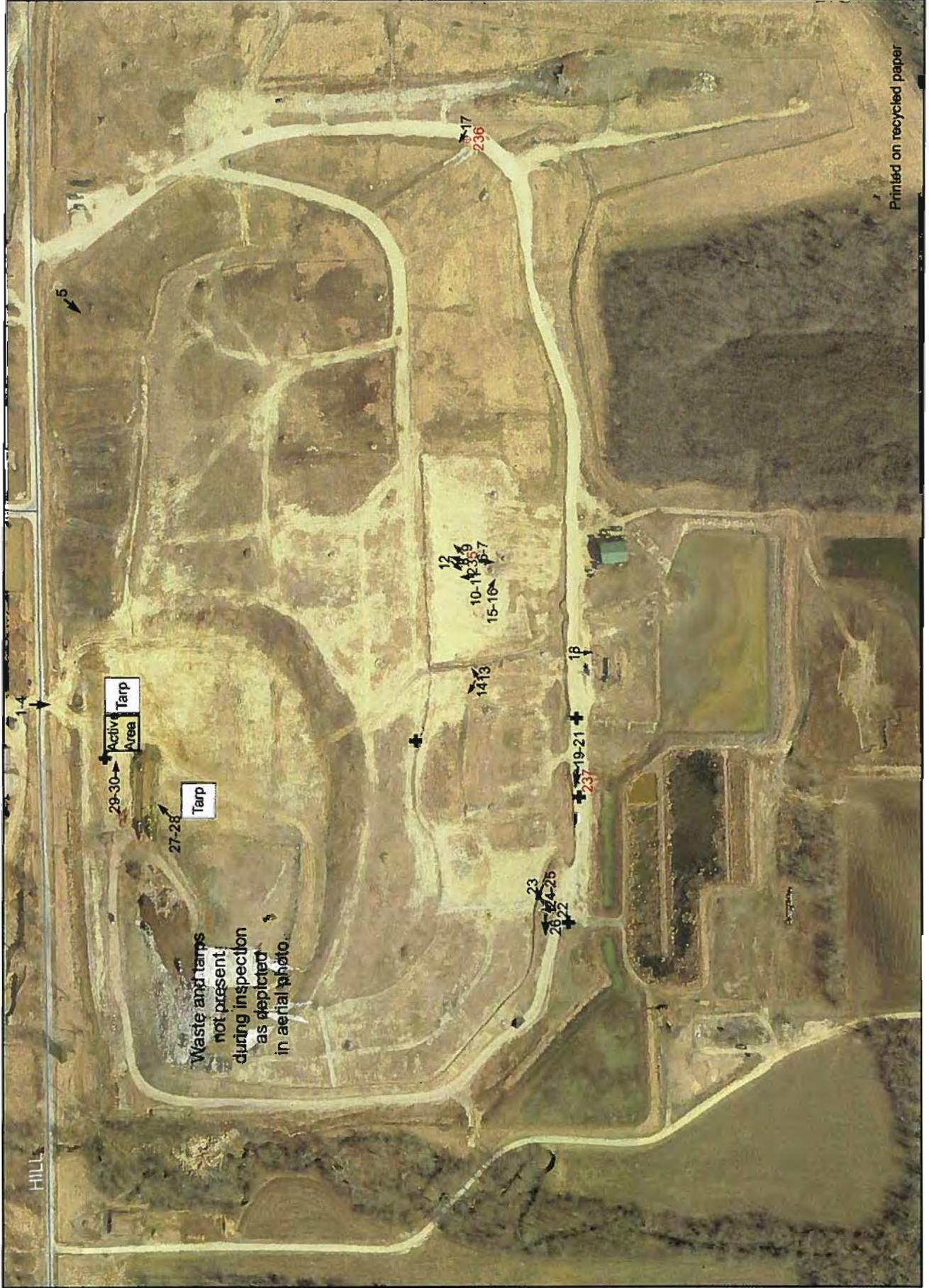
Black arrows indicate direction of photos.

Annotations may not be to scale.

Red denotes GPS waypoints.

Crosses indicate where strong odors were observed.

900 600 300 0 150 300 600 900 1,200 Feet



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 2:41 p.m.

Photographer: Laurie Rasmus

Photograph: 01

Direction of subject: S

Comments: Active area



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 2:41 p.m.

Photographer: Laurie Rasmus

Photograph: 02

Direction of subject: S

Comments: Active area



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 2:42 p.m.

Photographer: Laurie Rasmus

Photograph: 03

Direction of subject: S

Comments: Active area, manual leachate recirculation



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 2:42 p.m.

Photographer: Laurie Rasmus

Photograph: 04

Direction of subject: S

Comments: Active area, manual leachate recirculation



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View
Landfill

Date: December 18, 2009

Time: 2:59 p.m.

Photographer: Laurie Rasmus

Photograph: 05

Direction of subject: SW

Comments: NE section of Unit II



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley
View Landfill

Date: December 18, 2009

Time: 3:16 p.m.

Photographer: Laurie Rasmus

Photograph: 06

Direction of subject: S

Comments: Vicinity of EW-52



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:16 p.m.

Photographer: Laurie Rasmus

Photograph: 07

Direction of subject: S

Comments: Vicinity of EW-52



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:17 p.m.

Photographer: Laurie Rasmus

Photograph: 08

Direction of subject: NNE

Comments: North of EW-52



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:18 p.m.

Photographer: Laurie Rasmus

Photograph: 09

Direction of subject: NE

Comments: Rill and diversion berm on east side of south slope on Unit II



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:21 p.m.

Photographer: Laurie Rasmus

Photograph: 10

Direction of subject: N

Comments: Detail of photo 9



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:22 p.m.

Photographer: Laurie Rasmus

Photograph: 11

Direction of subject: N

Comments: Detail of photo 9



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:22 p.m.

Photographer: Laurie Rasmus

Photograph: 12

Direction of subject: SW

Comments: Rill and diversion berm on east side of south slope on Unit II



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:26 p.m.

Photographer: Laurie Rasmus

Photograph: 13

Direction of subject: NE

Comments: Rill and diversion berm on east side of south slope on Unit II



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:26 p.m.

Photographer: Laurie Rasmus

Photograph: 14

Direction of subject: NW

Comments: Rill and diversion berm on west side of south slope on Unit II



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:28 p.m.

Photographer: Laurie Rasmus

Photograph: 15

Direction of subject: ESE

Comments: Vicinity of EW-52



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:28 p.m.

Photographer: Laurie Rasmus

Photograph: 16

Direction of subject: SE

Comments: Vicinity of EW-52



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:35 p.m.

Photographer: Laurie Rasmus

Photograph: 17

Direction of subject: NW

Comments: At toe of east slope in southeast section of Unit II.



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:42 p.m.

Photographer: Laurie Rasmus

Photograph: 18

Direction of subject: S

Comments: Monitoring equipment for leachate tank



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View
Landfill

Date: December 18, 2009

Time: 3:44 p.m.

Photographer: Laurie Rasmus

Photograph: 19

Direction of subject: WNW

Comments: Haul road, drainage ditch along
south slope in southwest section of Unit II.



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View
Landfill

Date: December 18, 2009

Time: 3:44 p.m.

Photographer: Laurie Rasmus

Photograph: 20

Direction of subject: WNW

Comments: Detail of photo 19 of haul road
surface



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:44 p.m.

Photographer: Laurie Rasmus

Photograph: 21

Direction of subject: WNW

Comments: Detail of photo 19 of drainage ditch



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:51 p.m.

Photographer: Laurie Rasmus

Photograph: 22

Direction of subject: N

Comments: Leachate vault



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View
Landfill

Date: December 18, 2009

Time: 3:53 p.m.

Photographer: Laurie Rasmus

Photograph: 23

Direction of subject: NW

Comments: Toe of south slope in southwest
section of Unit II



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley
View Landfill

Date: December 18, 2009

Time: 3:53 p.m.

Photographer: Laurie Rasmus

Photograph: 24

Direction of subject: NE

Comments: Toe of south slope in
southwest section of Unit II



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:53 p.m.

Photographer: Laurie Rasmus

Photograph: 25

Direction of subject: NE

Comments: Detail of photo 24



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 3:59 p.m.

Photographer: Laurie Rasmus

Photograph: 26

Direction of subject: W

Comments: Haul road and toe of south slope with recently installed black pipe in southwest section of Unit II



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 4:05 p.m.

Photographer: Laurie Rasmus

Photograph: 27

Direction of subject: NE

Comments: Active area



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 4:09 p.m.

Photographer: Laurie Rasmus

Photograph: 28

Direction of subject: NE

Comments: Active area



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 4:14 p.m.

Photographer: Laurie Rasmus

Photograph: 29

Direction of subject: E

Comments: Active area



Site#: 1158040008

County: Macon

Site Name: Decatur/Veolia ES Valley View Landfill

Date: December 18, 2009

Time: 4:14 p.m.

Photographer: Laurie Rasmus

Photograph: 30

Direction of subject: SE

Comments: Active area

