

RECEIVED
CLERK'S OFFICE

JUL 22 2004

STATE OF ILLINOIS
Pollution Control Board

AC05-11

INFORMATIONAL NOTICE !!!

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.

NOTE: This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at State of Illinois Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL.**

RECEIVED
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **JUL 22 2004**

ADMINISTRATIVE CITATION

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
ENVIRONMENTAL RECLAMATION)
COMPANY and GENE STACEY,)
))
Respondents.)

AC *05-11*
(IEPA No. 332-04-AC)

NOTICE OF FILING

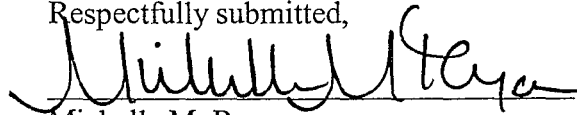
To: Environmental Reclamation Company
Route 316 West POB 137
Charleston, IL 61920

C.T. Corporation, Registered Agent
208 South LaSalle-Street
Chicago, IL 60604

Gene Stacey
Environmental Reclamation Company
Route 316 West POB 137
Charleston, IL 61920

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 OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,



Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: July 20, 2004

JUL 22 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,)

Complainant,)

v.)

ENVIRONMENTAL RECLAMATION
COMPANY, and GENE STACEY,)

Respondents.)

AC

05-11

(IEPA No. 332-04-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2002).

FACTS

1. That Respondent, Environmental Reclamation Company, is the permitted owner and operator of a facility located at Route 316 West, Charleston, Coles County, Illinois.
2. That Respondent, Gene Stacey, 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. 1994-524-LFM, and is designated with Site Code No. 0298050007. The facility is commonly known to the Illinois Environmental Protection Agency as Charleston/Environmental Reclamation Company (ERC Landfill).
4. That Respondents have owned and/or operated said facility at all times pertinent hereto.

5. That on June 15, 2004, Dustin Burger of the Illinois Environmental Protection Agency's Champaign Regional Office 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.

VIOLATIONS

Based upon direct observations made by Dustin Burger during the course of his June 15, 2004 inspection of the above-referenced facility, the Illinois Environmental Protection Agency 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 uncovered refuse remaining from a previous operating day, a violation of Section 21(o)(5) of the Act, 415 ILCS 5/21(o)(5) (2002); and
- (2) 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) (2002).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2002), Respondents are subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of One Thousand Dollars (\$1,000.00). 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 August 31, 2004, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondents elect 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 (2002), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondents shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2002), if Respondents fail 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 as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondents' check shall be made payable to the 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 payment, Respondents 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 Respondents from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2002). If Respondents elect to contest this Administrative Citation, then Respondents 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 Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. 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 Respondents.

Renee Cipriano

Renee Cipriano, Director *by wcc*
Illinois Environmental Protection Agency

Date 7/20/04

Prepared by: Michelle M. Ryan, Assistant Counsel
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Complainant,) AC
v.) (IEPA No. 332-04-AC)
ENVIRONMENTAL RECLAMATION)
COMPANY, and GENE STACEY,)
Respondent.)

FACILITY: Charleston/Env. Reclam. Co. (ERC Landfill) SITE CODE NO.: 0298050007

COUNTY: Coles CIVIL PENALTY: \$1,000.00

DATE OF INSPECTION: June 15, 2004

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, Illinois 62794-9276.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:)
)
)
)
)
)
Environmental Reclamation)
Company-Coles County Landfill)
)
Respondent)

IEPA DOCKET NO. 332-04-AC

Affiant, Dustin Burger, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.

2. On June 15, 2004 between 5:30 A.M. and 6:50 A.M., Affiant conducted an inspection of the site in Coles County, Illinois, known as Environmental Reclamation Company-Coles County Landfill near Charleston, Illinois, Illinois Environmental Protection Agency Site No. 0298050007.

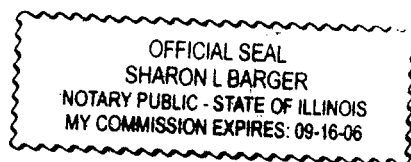
3. Affiant inspected said ERC-Coles County Landfill site by an on-site inspection which included photographing the site.

4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to the ERC-Coles County Landfill site.

Dustin Burger

Subscribed and Sworn to before me
this 15th day of July,
2004.

Sharon L. Barger
Notary Public



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
811 Solid Waste Landfill Inspection Checklist

County: Coles LPC#: 0298050007 Region: 3 - Peoria
 Location/Site Name: Environmental Reclamation Company-Coles County Landfill
 Date: 06/15/2004 Time: From 5:30A To 6:50A Previous Inspection Date: 03/23/2004
 Inspector(s): Dustin Burger, M. Warnick, 2 interns Weather: Clear, dry, calm, 70s
 No. of Photos Taken: # 17 Samples Taken: Yes # No
 Interviewed: Gene Stacey, Rich Galloway Facility Phone No.: 217/345-7404

Permitted Owner Mailing Address
 Environmental Reclamation Company
 Route 316 West, POB 137
 Charleston, IL 61920

Permitted Operator Mailing Address
 Environmental Reclamation Company
 Route 316 West, POB 137
 Charleston, IL 61920

Chief Operator Mailing Address
 Gene Stacey, Environmental Reclamation Company
 Route 316 West, POB 137
 Charleston, IL 61920

Certified Operator Mailing Address
 Gene Stacey, Environmental Reclamation Company
 Route 316 West, POB 137
 Charleston, IL 61920

AUTHORIZATION: Significant Modification Permit Initial: 1994-524-LFM Latest 1994-524-LFM M-20
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 checked="" 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 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 checked="" type="checkbox"/>
9.	21(f)(1)	CONDUCT ANY HAZARDOUS WASTE-STORAGE, TREATMENT OR DISPOSAL OPERATION WITHOUT A RCRA PERMIT.	<input type="checkbox"/>

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 type="checkbox"/>
	(3)	Leachate Flows Exiting the Landfill Confines	<input 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"/>
	(7)	Acceptance of Wastes Without Necessary Permits	<input type="checkbox"/>
	(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"/>
	(11)	Failure to Submit Reports Required by Permits or Board Regulations	<input type="checkbox"/>
	(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"/>
11.	21(t)	CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT	<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"/>
14.	22.17	LANDFILL POST-CLOSURE CARE	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/>
	(b)	Failure to Take Remedial Action	<input type="checkbox"/>
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"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS			
SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			
	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/>
	745.201	PRIOR CONDUCT CERTIFICATION PROHIBITIONS	<input type="checkbox"/>
SPECIAL WASTE HAULING REQUIREMENTS			
23.	809.301	REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS	<input type="checkbox"/>

24.	809.302(a)	REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS	<input type="checkbox"/>
25.	809.501	MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS	
	(a)	Delivery of Special Waste to Hauler	<input type="checkbox"/>
	(e)	Retention of Special Waste Manifests	<input type="checkbox"/>
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 checked="" 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"/>
	(b)	Stakes and Monuments Marked	<input type="checkbox"/>
	(c)	Stakes and Monuments Inspected	<input type="checkbox"/>
	(d)	Control Monument Established and Maintained	<input type="checkbox"/>
28.	811.105	COMPACTION	<input type="checkbox"/>
29.	811.106	DAILY COVER	
	(a)	Six Inches Soil	<input checked="" 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 checked="" 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"/>

33.	811.110	CLOSURE AND WRITTEN CLOSURE PLAN	
	(a)	Final Slopes and Contours	<input type="checkbox"/>
	(b)	Drainage Ways and Swales	<input type="checkbox"/>
	(c)	Final Configuration	<input type="checkbox"/>
	(d)	Written Closure Plan	<input type="checkbox"/>
	(e)	Initiation of Closure Activities at MSWLF Units	<input type="checkbox"/>
	(f)	Completion of Closure Activities at MSWLF Units	<input type="checkbox"/>
	(g)	Deed Notation for MSWLF Units	<input type="checkbox"/>
34.	811.111	POST-CLOSURE MAINTENANCE	
	(a)	Procedures After Receipt of Final Volume of Waste	<input type="checkbox"/>
	(b)	Remove All Equipment of Structures	<input type="checkbox"/>
	(c)	Maintenance and Inspection of the Final Cover and Vegetation	<input type="checkbox"/>
	(d)	Planned Uses of Property at MSWLF Units	<input type="checkbox"/>
35.	811.112	RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS	
	(a)	Location Restriction Demonstration	<input type="checkbox"/>
	(b)	Load Checking Requirements	<input type="checkbox"/>
	(c)	Gas Monitoring Records	<input type="checkbox"/>
	(d)	MSWLF Liquid Restriction Records	<input type="checkbox"/>
	(e)	Groundwater Monitoring Program Requirements	<input type="checkbox"/>
	(f)	Closure and Post Closure Care Requirements	<input type="checkbox"/>
	(g)	Cost Estimates and Financial Assurance Requirements	<input type="checkbox"/>
	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"/>
	(c)	Standards for On-Site Treatment and Pretreatment	<input type="checkbox"/>
	(d)	Standards for Leachate Storage System	<input type="checkbox"/>
	(e)	Standards for Discharge to Off-Site Treatment	<input type="checkbox"/>
	(f)	Standards for Leachate Recycling Systems	<input type="checkbox"/>
	(g)	Standards for Leachate Monitoring Systems	<input type="checkbox"/>
38.	811.310	LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE)	
	(b)	Location and Design of Gas Monitoring Wells	<input type="checkbox"/>
	(c)	Monitoring Frequency for Landfill Gas	<input type="checkbox"/>
	(d)	Monitoring Parameters	<input type="checkbox"/>
39.	811.311	LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)	
	(a)	Conditions for Installation of Gas Management System	<input type="checkbox"/>
	(b)	Notification and Implementation Requirements	<input type="checkbox"/>
	(c)	Standards for Gas Venting	<input type="checkbox"/>
	(d)	Standards for Gas Collection	<input type="checkbox"/>

40.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/>
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/>
	(e)	Standards for Gas Flares	<input type="checkbox"/>
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than	<input type="checkbox"/>
	(g)	Gas Transported Off-Site	<input type="checkbox"/>
41.	811.313	INTERMEDIATE COVER	
	(a)	Requirements for the Application for Intermediate Cover	<input 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"/>
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/>
	(c)	Standards for Final Protective Layer	<input type="checkbox"/>
43.	811.316	PLUGGING AND SEALING OF DRILL HOLES	<input type="checkbox"/>
44.	811.321	WASTE PLACEMENT	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/>
	(b)	Slopes Required to Drain	<input type="checkbox"/>
	(c)	Vegetation	<input type="checkbox"/>
	(d)	Structures Built over the Unit	<input type="checkbox"/>
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"/>
48.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/>
49.	811.404	IDENTIFICATION RECORD	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/>
	(b)	Special Waste Recertification	<input type="checkbox"/>
50.	811.405	RECORDKEEPING REQUIREMENTS	<input type="checkbox"/>
51.	811.406	PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES	<input type="checkbox"/>

PART 811 SUBPART G		FINANCIAL ASSURANCE	
52.	811.700	COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G	<input type="checkbox"/>
53.	811.701	UPGRADING FINANCIAL ASSURANCE	<input type="checkbox"/>
54.	811.704	CLOSURE AND POST-CLOSURE CARE COST ESTIMATES	<input type="checkbox"/>
55.	811.705	REVISION OF COST ESTIMATE	<input type="checkbox"/>
SOLID WASTE FEE SYSTEM REQUIREMENTS			
56.	Part 858 Subpart B	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES	<input type="checkbox"/>
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"/>
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"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>



 Signature of Inspector(s)

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.

40.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/>
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/>
	(e)	Standards for Gas Flares	<input type="checkbox"/>
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than	<input type="checkbox"/>
	(g)	Gas Transported Off-Site	<input type="checkbox"/>
41.	811.313	INTERMEDIATE COVER	
	(a)	Requirements for the Application for Intermediate Cover	<input 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"/>
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/>
	(c)	Standards for Final Protective Layer	<input type="checkbox"/>
43.	811.316	PLUGGING AND SEALING OF DRILL HOLES	<input type="checkbox"/>
44.	811.321	WASTE PLACEMENT	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/>
	(b)	Slopes Required to Drain	<input type="checkbox"/>
	(c)	Vegetation	<input type="checkbox"/>
	(d)	Structures Built over the Unit	<input type="checkbox"/>
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"/>
48.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/>
49.	811.404	IDENTIFICATION RECORD	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/>
	(b)	Special Waste Recertification	<input type="checkbox"/>
50.	811.405	RECORDKEEPING REQUIREMENTS	<input type="checkbox"/>
51.	811.406	PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES	<input type="checkbox"/>

PART 811 SUBPART G		FINANCIAL ASSURANCE	
52.	811.700	COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G	<input type="checkbox"/>
53.	811.701	UPGRADING FINANCIAL ASSURANCE	<input type="checkbox"/>
54.	811.704	CLOSURE AND POST-CLOSURE CARE COST ESTIMATES	<input type="checkbox"/>
55.	811.705	REVISION OF COST ESTIMATE	<input type="checkbox"/>
SOLID WASTE FEE SYSTEM REQUIREMENTS			
56.	Part 858 Subpart B	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES	<input type="checkbox"/>
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"/>
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"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Dustin Buehler

Signature of Inspector(s)

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 #: 0298050007--ERC-Coles County Landfill
Inspection Date: June 6, 2004

PERMIT PROVISIONS

DESCRIPTION OF VIOLATION

(condition # of permit, page # of permit, and/or page # of approved application)

PERMIT NUMBER

1994--524-LFM

II.2.I: Litter Control

1994--524-LFM

VI Surface Water Runoff

Illinois Environmental Protection Agency
Bureau of Land ♦ Field Operations Section ♦ Champaign

LPC#0298050007—Coles County
Charleston/Environmental Reclamation Company-Landfill
FOS File
June 15, 2004 Routine Compliance Inspection
By: Dustin Burger

Narrative Inspection Report

I conducted a routine inspection of the above referenced facility on March 23, 2004. The inspection lasted from approximately 5:30 A.M. to 6:50 A.M. This inspection was conducted to determine the regulatory status and evaluate compliance with the Environmental Protection Act (Act) and Title 35 Illinois Administrative Code, Subtitle G: Land Pollution (Regulations). The weather was overcast, calm, and dry, with temperatures in the 70s. Seventeen photos and no samples were taken during the visit. Gene Stacey and Rich Galloway were interviewed from ERC, while I was accompanied by Mike Warnick, a solid waste inspector from the Macon County Solid Waste Department and two GEC interns.

Permitting

ERC was granted permit Log No. 2003-408 on February 5, 2004 which modified permit No. 1994-524-LFM, Mod. 28. The new permit approved the placement of 1.32 acres of sand drainage layer in the vertical separation layer between the older fill material and vertical expansion. The permit also granted permission to begin operating the area.

Groundwater

ERC-Coles County Landfill maintains a groundwater monitoring network of nineteen (19) wells spaced around the perimeter of the facility. The facility submitted a fourth quarter groundwater monitoring report which was received on January 13, 2004. The Agency sent a February 26, 2004 letter to ERC citing problems with the facility's groundwater data upload to the IEPA database.

Records

The facility's latest quarterly fee report document for the fourth quarter of 2003 states the company accepted 73,728 tons of waste and paid \$37,552 in fees. While at the facility I checked the load checking, gas monitoring, asbestos acceptance, and leachate disposal records. The facility is required to check three loads per week. Each load that is checked includes a form with the truck's identifying numbers, name of driver, and contents of the

load. No loads were rejected as the result of the load-checking program in the last quarter.

The gas monitoring log was complete with no new exceedences noted. The facility has received six loads containing ACM during the last quarter and the location was noted in the log.

The facility ships its leachate to Metalworking Lubricants in Indiana for treatment. March and April were both active months for leachate removal. Forty-five (45) tanker loads each carrying 4800 gallon of leachate were removed in April, while forty-four (44) loads were removed in March. Only eleven loads were removed in May of 2004.

The facility submitted its latest post-closure cost estimates on May 30, 2003. The latest post-closure cost estimates are \$8,263,031. The facility's latest Landfill Capacity report dated March 5, 2004 states the site has 639,403 cubic yards of permitted space remaining which at current disposal rates should last 4.6 years.

Site Inspection

I arrived at the site at approximately 5:30 and drove to the previous day's active area. The operating area was located on the north face of area 10. The previous day's active area had been mostly covered by an alternative cover tarp. Exposed waste was observed along the haul road (see photo 8) and east of the active area (photo 7). I then drove around the perimeter of the facility looking for errant litter. I found litter around the northeast portion of the facility along the access road (photos 1, 2 and 4) and saw some litter in the trees on the north side of the landfill (photo 3). I found paper and plastic litter along a fence on the east side of the landfill, and small pieces of liter was scattered along the entire western upper slopes of the fill. (photo 14). Plastic bags used to collect litter were scattered around the site. One bag along the east access road was partially buried by dirt from the road, indicating it might have been placed there for a longer period of time.

The facility's flare system was operating normally during the inspection.

I drove around the west side of the landfill and noted the ditch between the county road and landfill ditch was full of silt and sediment washed down from the slope of the landfill. The landfill was cited in my March 23, 2004 inspection for improper stormwater control and according to ERC's VN response, the ditch was cleaned out on May 5, 2004. The lower portion of the slope is vegetated, but the majority of the western face was still bare earth. During recent heavy rains the vegetation at the bottom was inadequate to hold back the sediment washing down from above and the ditch was again full of sediment. The ditch eventually discharges into Riley Creek. A six-inch wide erosion gully was also present on the west side of the landfill (see photo 16).

In the container storage area north of the landfill I noted two roll-off boxes that held general construction and demolition debris. Neither container had a cover. I later

informed Mr. Galloway that the container should be kept covered to avoid litter and leachate from escaping.

Summary of Apparent Violations

1. 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 for the following reason: **Evidence the facility threatened the discharge of contaminants into the environment so as to cause water pollution was observed during this inspection. The facility did not control stormwater and allowed sediment to be discharged into a ditch on the west side of the landfill.**

2. 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 for the following reason: **Evidence the facility operated a waste disposal operation in violation of Section VI (Surface Water Control) and Section II.2.1 (Collection of litter), of permit 1994-524-LFM was observed during this inspection.**

3. 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 no 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 for the following reason: **The facility did not control runoff from the west side of the landfill resulting in sedimentation of the western ditch in violation of the facility's stormwater permit and stormwater pollution prevention plan.**

4. 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 for the following reason: **Evidence the facility operated a waste-disposal operation in violation of the Regulations was observed, as noted below.**

5. 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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(e)) is alleged for the following reason: **Evidence the facility operated a waste disposal operation at a site that did not meet the requirements of the Act and Regulations was observed during this inspection.**

6. 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 for the following reason: **Evidence the facility conducted a sanitary landfill operation in a manner which results in uncovered refuse remaining from the previous operating day was observed during this inspection.**

7. 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 for the following reason: **Evidence the facility conducted a sanitary landfill operation in a manner that caused litter was observed during this inspection.**

8. Pursuant to 35 Ill. Adm. Code 811.103(a), runoff from disturbed areas runoff from disturbed areas resulting from precipitation events less than or equal to the 25-year, 24-hour precipitation event that is discharged to waters of the State shall meet the requirements of 35 Ill. Adm. Code 304. All discharges of runoff from disturbed areas to waters of the State shall be permitted by the Agency in accordance with 35 Ill. Adm. Code 309. All treatment facilities shall be equipped with bypass outlets designed to pass the peak flow of runoff from the 100-year, 24-hour precipitation event without damage to the treatment facilities or surrounding structures. All surface water control structures

shall be operated until the final cover is placed and erosional stability is provided by the vegetative or other cover meeting the requirements of Section 811.205 or 811.322. All discharge structures shall be designed to have flow velocities that will not cause erosion and scouring of the natural or constructed lining, i.e. bottom and sides, of the receiving stream channel.

A violation of 35 Ill. Adm. Code 811.103(a) is alleged for the following reason:

Evidence that facility personnel did not control runoff and did not have control structures to prevent sedimentation of a nearby ditch was observed during this inspection.

9. Pursuant to 35 Ill. Adm. Code 811.106(a), a uniform layer of at least 0.15 meter (six inches) of clean soil material shall be placed on all exposed waste by the end of each day of operation.

A violation of 35 Ill. Adm. Code 811.106(a) is alleged for the following reason:

Evidence that six inches of soil was not placed on all exposed waste at the end of each operating day was observed during this inspection.

10. Pursuant to 35 Ill. Adm. Code 811.107(k), the operator shall patrol the facility daily to check for litter accumulation. All litter shall be collected and placed in the fill or in a secure, covered container for later disposal. The facility shall not accept solid waste from vehicles that do not utilize devices such as covers or tarpaulins to control litter, unless the nature of the solid waste load is such that it cannot cause any litter during its transportation to the facility.

A violation of 35 Ill. Adm. Code 811.107(k) is alleged for the following reason:

Evidence that facility personnel did not patrol the facility to collect litter was observed during this inspection.

11. 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 for the following reason:

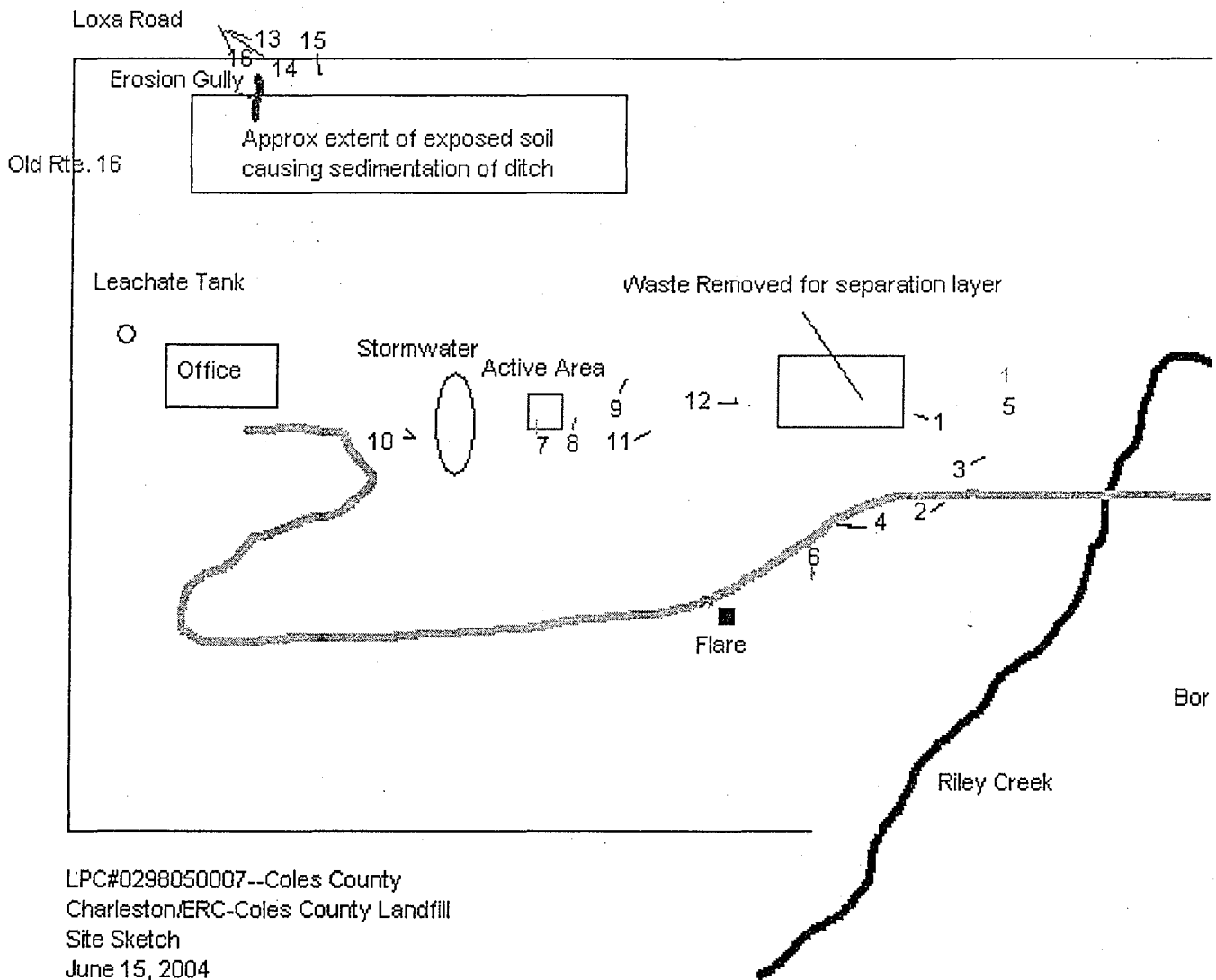
Evidence that the facility has not covered all waste which is not to be covered within 60 days by placement of another lift of waste by one foot of intermediate cover was observed during this inspection. Specifically, erosion gullies were observed on the west side of the landfill.

12. Pursuant to Section II.2.1 of Permit 1994-524-LFM, the operator of the facility shall not conduct the operation in a manner that results in failure to collect and contain letter from the site by the end of the operating day.

A violation of Section II.2.1 of Permit 1994-524-LFM is alleged for the following reason:
**The operator did not collect and contain litter by the end of the operating day.
Litter was observed in trees along the south and east sides of the landfill.**

13. Pursuant to Section VI of Permit 1994-524-LFM, Runoff from disturbed areas to Waters of the State shall be permitted by the State of Illinois and meet the requirements of 35 IAC 304 unless permitted otherwise.

A violation of Section VI of Permit 1994-524-LFM is alleged for the following reason:
The facility did not control runoff from the west side of the landfill in violation of its stormwater permit.



LPC#0298050007--Coles County
 Charleston/ERC-Coles County Landfill
 Site Sketch
 June 15, 2004

Not to scale
 numbers denoted photo location/direction

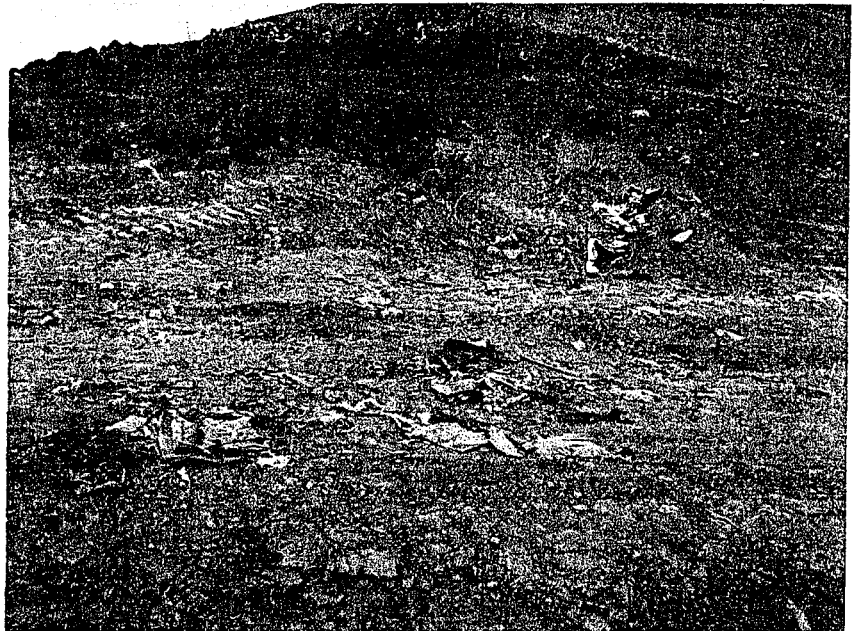


Illinois Environmental Protection Agency
Bureau of Land

DIGITAL PHOTOGRAPHS

LPC #0298050007--Coles County
Charleston/ERC-Coles County Landfill
FOS File

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COMMENTS:



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DIRECTION: North
PHOTO by: Dustin Burger
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Charleston/ERC-Coles County Landfill
FOS File

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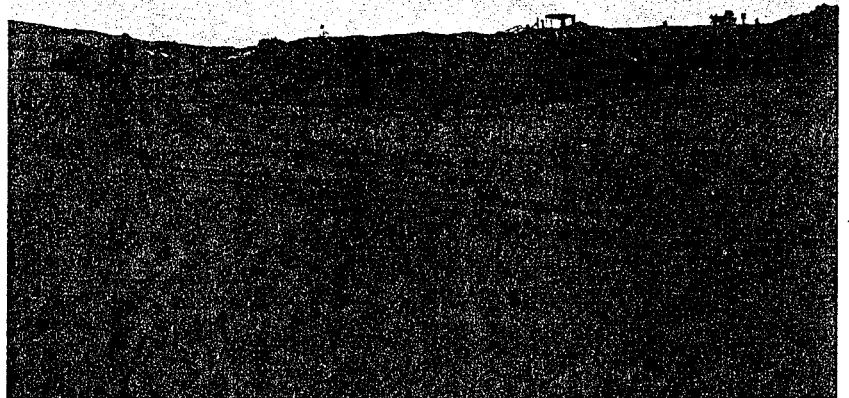
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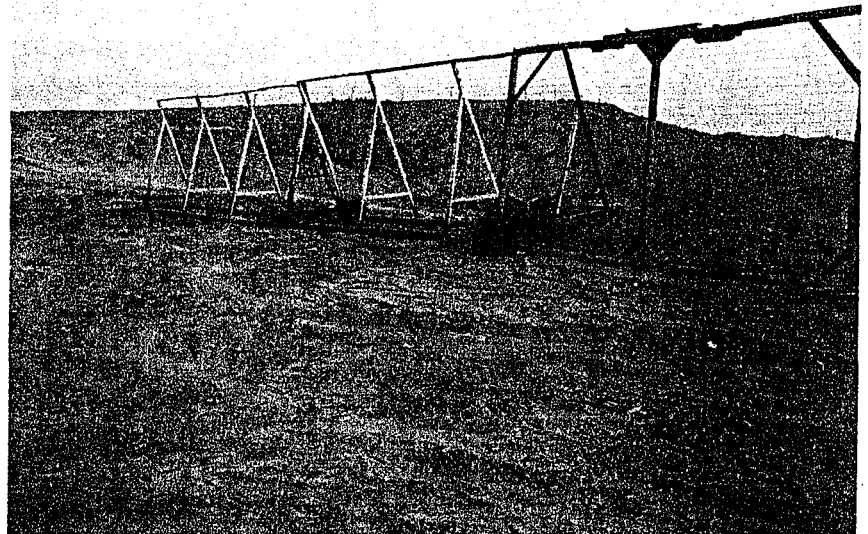


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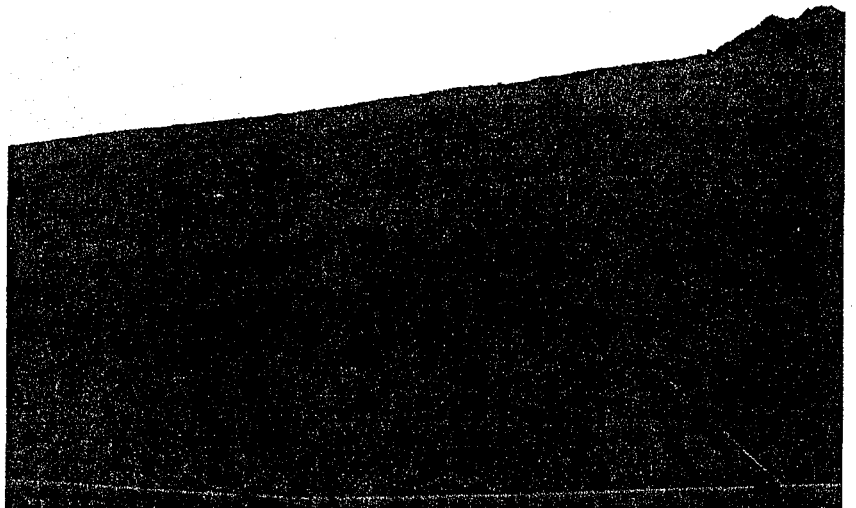
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Charleston/ERC-Coles County Landfill
FOS File

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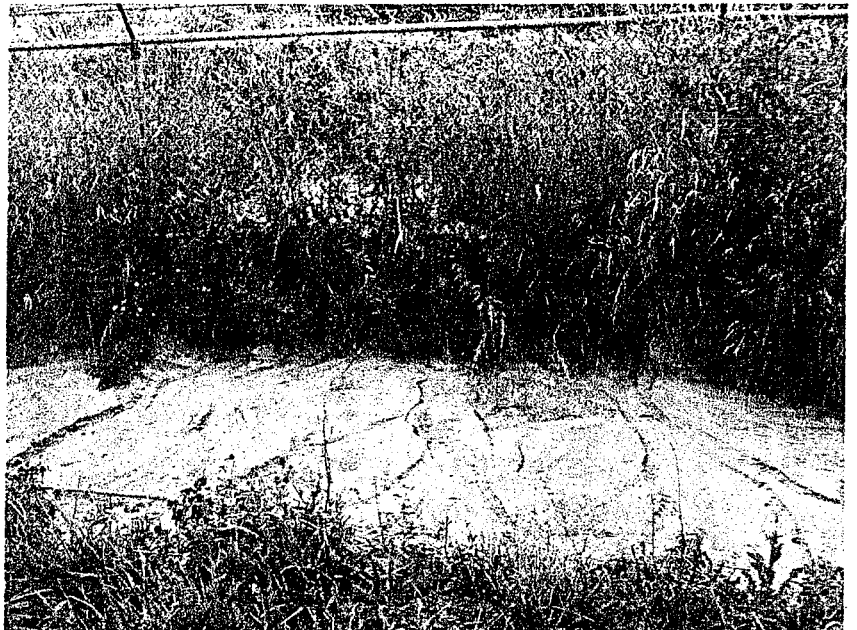


Illinois Environmental Protection Agency
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Charleston/ERC-Coles County Landfill
FOS File

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COMMENTS:



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COMMENTS:



PROOF OF SERVICE

I hereby certify that I did on the 20th day of July 2004, send by Certified Mail, Return Receipt 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 OPEN DUMP INSPECTION CHECKLIST

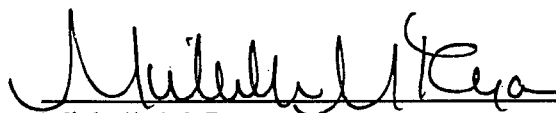
To: Environmental Reclamation Company
Route 316 West POB 137
Charleston, IL 61920

C.T. Corporation, Registered Agent
208 South LaSalle Street
Chicago, IL 60604

Gene Stacey
Environmental Reclamation Company
Route 316 West POB 137
Charleston, IL 61920

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

To: Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544