

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

COUNTY OF MACON, ILLINOIS)
)
 Complainant,)
)
 v.)
)
 Onyx Valley View Landfill,)
)
)
)
 Respondents.)

AC 06-28
 (AC No. 2006-002-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the County of Macon by Section 4(r) of the Illinois Environmental Protection Act, 415 ILCS 5/4(r) (2002).

FACTS

1. That Respondent, Onyx Valley View Landfill, is the permitted owner and operator of a facility located at 1363 Bear Road, Decatur, Macon County, Illinois.
2. That Respondent, Chris Peters, 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 Site Code No. 1158040008. The facility is commonly known to the Illinois Environmental Protection Agency as Onyx Valley View Landfill.
4. That Respondents have owned and/or operated said facility at all times pertinent hereto.

5. That on January 19, 2006, Michael Warnick of the Macon County Solid Waste Management Department. 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 Michael Warnick during the course of his January 19, 2006 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 uncovered refuse remaining from any 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 a 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 \$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 April 19, 2006, 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 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.

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.

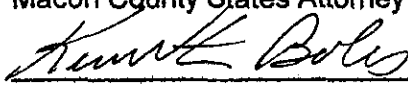
When payment is made, Respondents' check shall be made payable to the Macon County Solid Waste Management Department and mailed to the attention of Michael Warnick, Macon County Solid Waste Management Department, 141 South Main Street, Room 212, Decatur, Illinois 62523-1293. Along with payment, Respondents 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 Macon County State's Attorney 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 Macon County State's Attorney, 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 Respondents.

By: Jack W. Ahola
Macon County States Attorney

By: 
Kenneth Boles
Assistant State's Attorney
Macon County, Illinois

Date: March 3, 2006

Prepared by: Michael J. Warnick, Inspector
Macon County Solid Waste Management Department
141 South Main Street, Room 212
Decatur, Illinois 62523-1293
217-421-0291

REMITTANCE FORM

COUNTY OF MACON,)	
)	
Complainant,)	
)	AC
v.)	(AC No. 2006-002-AC)
)	
Onyx Valley View Landfill,)	
)	
)	
)	
Respondent.)	

FACILITY:	Onyx Valley View Landfill	SITE CODE NO.:	1158040008
COUNTY:	Macon	CIVIL PENALTY:	\$1,000.00
DATE OF INSPECTION:	January 19, 2006		

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 Michael Warnick, Macon County Solid Waste Management Department, 141 South Main Street, Decatur, Illinois 62523-1293.

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

AFFIDAVIT

IN THE MATTER OF:)

Onyx Valley View Landfill,)

(AC No. 2006-002-AC)

Respondents)

Affiant, Michael Warrick, 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 January 19, 2006 between 6:12 am and 8:10 am, Affiant conducted an inspection of the site in Macon County, Illinois, known as Onyx Valley View Landfill, Illinois Environmental Protection Agency Site No. 1158040008.

3. Affiant inspected said Onyx Valley View Landfill 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 Affiants knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the Onyx Valley View Landfill site.

Michael Warrick

Subscribed and Sworn to before me

this 3RD of MARCH

~~2004~~ 2006.

K. Jolene Jones
Notary Public





MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

141 S. Main St., Suite 212, Decatur, IL 62523 • phone 217/425-4505 • fax 217/424-1459

PERMITTED LANDFILL

ADMINISTRATIVE CITATION

MACON COUNTY SOLID)	1158040008 – Macon County
WASTE MANAGEMENT DEPT,)	Decatur/Onyx Valley View Landfill
Complainant)	COMPLIANCE FILE
vs.)	AC No. 2006 – 002 – AC
)	
ONYX VALLEY VIEW LF,)	
Respondent)	

WARNING: CORRECTIVE ACTION REQUIRED

You may be subject to substantial civil penalties if you fail to comply with the terms of this Administrative Citation Warning Notice, and are found to be in violation of the [Illinois] Environmental Protection Act.

FACTS

The purpose of this notice is to inform you of the results of the Agency's inspection on January 19, 2006, and the corrective action required. This inspection was conducted to evaluate compliance with the requirements of Section 21(o) of the [Illinois] Environmental Protection Act. The alleged violations found during the inspection are identified in the attached inspection report.

CORRECTIVE ACTION REQUIRED

**YOU MUST COMPLETE THE
FOLLOWING CORRECTIVE ACTIONS:**

#1 Provide daily cover on all uncovered refuse by the end of the operating day.

#2 Immediately collect and contain all litter from the site by the end of the operating day.

WRITTEN RESPONSE REQUIRED

Within fifteen (15) calendar days of the date of receipt of this notice, you must submit in writing:

1. the reasons for the alleged violation(s),
2. a description of the corrective actions that have been or will be taken to correct the alleged violation(s), and
3. a proposal to ensure that the alleged violation(s) will not recur.

PLEASE REFERENCE THE DESIGNATED FACILITY (LPC) NUMBER AND FACILITY NAME LISTED ON THE FIRST PAGE ON ANY CORRESPONDENCE CONCERNING THIS COMPLAINT.

Your written response of all documents submitted in reply to this notice must be sent, via certified mail return-receipt, to:

**Macon County Solid Waste Management Department
Attn: Michael Warnick, Environmental Inspector
141 South Main Street, Room 212
Decatur, IL 62523**

POTENTIAL SANCTIONS

For any violations of Section 21(o) of the [Illinois] Environmental Protection Act ("Act") [415 ILCS 5/21 (1994)] cited in the attached inspection report, the Agency may, without further notice and regardless of any future activities to achieve compliance, file an Administrative Citation before the Illinois Pollution Control Board pursuant to Section 31.1 of the Act [415 ILCS 5/31.1 (1994)]. An Administrative Citation carries a fine of \$500.00 for each and every violation of Section 21(o).

You are also advised that your noncompliance could result in the filing of an enforcement action pursuant to Title VIII and/or Title XII of the Act.

Department personnel will conduct a reinspection to verify compliance.

Should you have any questions concerning the Administrative Citation Warning Notice or need further assistance, contact Michael Warnick at (217) 421-0291.

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

By: _____

Michael Warnick
Inspector

Date: January 31, 2006

CERTIFIED MAIL #: 70051820000697015940

Enclosure

cc: Rich Gerard, Illinois Environmental Protection Agency
Ellen Robinson, Illinois Environmental Protection Agency
FOS File

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

811 Solid Waste Landfill Inspection Checklist

County: Macon LPC#: 1158040008 Region: 4 - Champaign
 Location/Site Name: Decatur/Onyx Valley View Landfill
 Date: 01/19/2006 Time: From 06:12am To 08:10am Previous Inspection Date: 01/05/2006
 Inspector(s): Michael Warnick Weather: Clear Skies, Moderate Winds, Temp in 30's
 No. of Photos Taken: # 15 Samples Taken: Yes # _____ No
 Interviewed: Troy Ward Facility Phone No.: 217-963-2976

Permitted Owner Mailing Address

Onyx Valley View Landfill
 1363 Bear Road
 Decatur, Illinois 62522

Permitted Operator Mailing Address

Onyx Valley View Landfill
 1363 Bear Road
 Decatur, Illinois 62522

Chief Operator Mailing Address

Onyx Valley View Landfill
 Attn: Chris Peters, Chief Operator
 1363 Bear Road
 Decatur, Illinois 62522

Certified Operator Mailing Address

Onyx Valley View Landfill
 Attn: Chris Peters, Operator
 1363 Bear Road
 Decatur, Illinois 62522

AUTHORIZATION: Significant Modification Permit Initial: 1995-198-LF Latest 44 (expires 05/01/06)

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 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 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 MODIFICATION	<input type="checkbox"/> NA
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"/> 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"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			
21.	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/>
22.	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"/> NE

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 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 checked="" 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"/> NE
	(b)	Safe and Sanitary Manner	<input type="checkbox"/> NE
	(c)	Management of Salvagable Materials	<input type="checkbox"/> NE
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"/> NA
	(b)	Drainage Ways and Swales	<input type="checkbox"/> NA
	(c)	Final Configuration	<input type="checkbox"/> NA
	(d)	Written Closure Plan	<input type="checkbox"/> NA
	(e)	Initiation of Closure Activities at MSWLF Units	<input type="checkbox"/> NA
	(f)	Completion of Closure Activities at MSWLF Units	<input type="checkbox"/> NA
	(g)	Deed Notation for MSWLF Units	<input type="checkbox"/> NA
34.	811.111	POST-CLOSURE MAINTENANCE	
	(a)	Procedures After Receipt of Final Volume of Waste	<input type="checkbox"/> NA
	(b)	Remove All Equipment of Structures	<input type="checkbox"/> NA
	(c)	Maintenance and Inspection of the Final Cover and Vegetation	<input type="checkbox"/> NA
	(d)	Planned Uses of Property at MSWLF Units	<input type="checkbox"/> NA
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"/> NA
	(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"/>
	(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 Flares	<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 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"/> NA
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/> NA
	(c)	Standards for Final Protective Layer	<input type="checkbox"/> NA
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"/>
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/> NA
	(b)	Slopes Required to Drain	<input type="checkbox"/> NA
	(c)	Vegetation	<input type="checkbox"/> NA
	(d)	Structures Built over the Unit	<input type="checkbox"/> NA
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"/> NA
	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"/> 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"/>

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"/>
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"/>

Michael Warmist

 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.

PERMIT PROVISIONS

PERMIT NUMBER	DESCRIPTION OF VIOLATION
	(condition # of permit, page # of permit, and/or page # of approved application)
1995 - 198 - LF	Condition II Part 2(e) -- Uncovered refuse remaining from any previous operating day
1995 - 198 - LF	Condition II Part 2(l) -- Failure to collect and contain all litter by the end of each operating day
1995 - 198 - LF	Condition II Part 4(a) -- At the end of each day of operation all exposed waste shall be covered with... clean soil at least six inches thick
1995 - 198 - LF	Condition II Part 5(d) -- Conventional soil daily cover shall be used if weather or other conditions adversely affect the ability of the ADC to prevent problems with... blowing litter
1995 - 198 - LF	Condition II Part 5(p) -- All ADC must meet the requirements of 35 IAC, 811.106(b)(1) through (4) at all times.

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

Inspector(s): Michael Warnick

Inspection Date: Thursday January 19, 2006

Inspection Report Narrative

I conducted a routine inspection of this facility on January 19, 2006 between the hours of 06:12 and 08:10 in the morning. 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). Fifteen photographs were taken and no samples collected. Weather conditions at the time of the inspection were of clear skies, moderately gusty winds, and an air temperature in the thirties.

Site History and Permitting

Onyx Valley View Landfill 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 with the most current supplemental permit being 2001-451-SP, which was issued in 2002. Unit 2 is governed by Permit 1995-198-LF. Onyx Valley View Landfill was granted permit Log No. 2005-202 on August 30, 2005 which approved permit No. 1995-198-LF, Modification #44. The new permit approves an update of the closure and post-closure care cost estimates.

As of the most recent landfill capacity report dated January 01, 2005, Onyx Valley View Landfill had approximately 5.2 years of active life remaining, with an approximate airspace of 1,368,075 million cubic yards. Onyx Valley View received approximately 2,030 cubic yards of waste per day.

Site Inspection

I arrived at the landfill at 6:16, and first stopped to check the citizens drop box located at the scale house. Other than one piece of refuse, I observed that it was empty (photograph 01). I then proceeded to the working face to check conditions of the previous days cover. I observed a considerable amount of exposed litter present in the active area, as well as uncovered refuse remaining from the previous operating day, however I did not take photographs at this time.

I then went down to the shop to check in with the crew. I advised them that I was present to conduct a periodic inspection. When the crew left the shop, I followed them down to the working face and documented the litter and uncovered refuse present throughout the working face (photographs 02 – 07).

I observed the removal of the tarp, and did not observe any banned waste present.

I then drove up to the top portion of the landfill, to check areas up there that were the subject of violations in my inspection conducted on January 05, 2006. When I arrived, I observed that the waste had had tarps covering the waste in two places. Upon closer inspection, it appeared as if the tarps had been very carelessly placed around the waste with, as they had blown away from the waste, exposing uncovered refuse and resulting in litter scattered throughout the area (photographs 08 – 15). I walked around the area and observed that it did not appear that much, if any; dirt had been placed around the edges of the tarps.

I then went into the office to review records.

Records Review

Records that were reviewed at the time of this inspection were the leachate recirculation, load check, and alternate daily cover.

Onyx Valley View Landfill collects leachate via a leachate collection system that drains into a 40,000 gallon underground storage tank. Leachate is recirculated over the active area on a periodic basis, as well as hauling excess leachate to the local sanitary sewage treatment facility for processing as wastewater on an as-needed basis. Leachate recirculation records that were in the office showed that leachate was last recirculated on January 14, 2006, with 6,000 gallons recirculated at the working face.

Onyx Valley View is required to conduct three random load checks per week to determine if any banned waste has been accepted by waste haulers. Three random load checks were last conducted on January 13, 2006. Three loads were randomly checked that day, and none were rejected.

Onyx Valley View is required to cover waste at the end of each operating day with a minimum of six (06) inches of clean soil, as specified in their permit. Onyx has also received permit modifications to use a variety of alternate daily cover (ADC) materials such as tarps, foundry sand, petroleum contaminated soils, ground wood waste, processed landscape waste, and/or select clean construction or demolition debris as defined by regulations and standards. Onyx is allowed a maximum area of no more than 60,000 square feet of area that may be covered with ADC, and they must keep a record that indicates a description of the weather that day, the type of the ADC that was used, and the performance of the ADC. ADC was last recorded for use on January 14, 2006 utilizing a tarp and ground wood waste.

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.)

Section 21(d), (1) of the Act. 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 permits.

- A violation of Section 21(d), (1) is alleged because waste was disposed of and stored in violation of any conditions imposed by such permit.

Section 21(d), (2) of the Act. No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation...that is in violation of any regulations or standards adopted by the board under this Act.

- A violation of Section 21(d), (2) is alleged because waste was stored, treated, and disposed of in violation of regulations and standards adopted by the board.

Section 21(e) of the Act. No person shall dispose, treat, store, or abandon any waste, or transport any waste into the State of Illinois for disposal, treatment, storage, or abandonment at/to sites not meeting requirements of the act.

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

Section 21(o), (5) of the Act. 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) is alleged because uncovered refuse was observed at the site.

Section 21(o), (12) of the Act. Failure to collect and contain litter from the site by the end of each operating day.

- A violation of Section 21(o),(12) is alleged because litter was observed.

35 Illinois Administrative Code. (Title 35: Environmental Protection, Subtitle G: Land Pollution, Chapter I: Pollution Control Board)
[Regulations]

35 Illinois Administrative Code 811.106(a). A uniform layer of at least 0.15 meters (six inches) of clean soil material shall be placed on all exposed waste by the end of each day of operation.

- A violation of 811.106(a) is alleged because exposed waste was observed at the site.

35 Illinois Administrative Code 811.106(b)(1). Alternative materials or procedures, including the removal of daily cover prior to additional waste placement, may be used, provided that the alternative materials or procedures achieve equivalent or superior performance to the requirements of subsection (a) of this Section in the following areas:...(1) prevention of blowing debris.

- A violation of 811.106(b)(1) is alleged because alternate daily cover that was used failed to prevent debris (uncovered refuse) from becoming wind blown.

35 Illinois Administrative 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 811.107(k) is alleged because litter was observed on the site.

VIOLATIONS OF PERMIT #1995-198-LF

Section II “Operating Conditions” Part 2(e). Uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit.

- A violation of Section II, Part 2(e) of the permit is alleged because uncovered waste was observed.

Section II “Operating Conditions” Part 2(l). Failure to collect and contain litter from the site by the end of each operating day.

- A violation of Section II Part 2(e) is alleged because all litter was not collected and contained from the site by the end of the previous day.

Section II “Operating Conditions” Part 4(a). At the end of each day of operation all exposed waste shall be covered with...clean soil at least six inches thick.

- A violation of Section II Part 4(a) is alleged because exposed waste was observed.

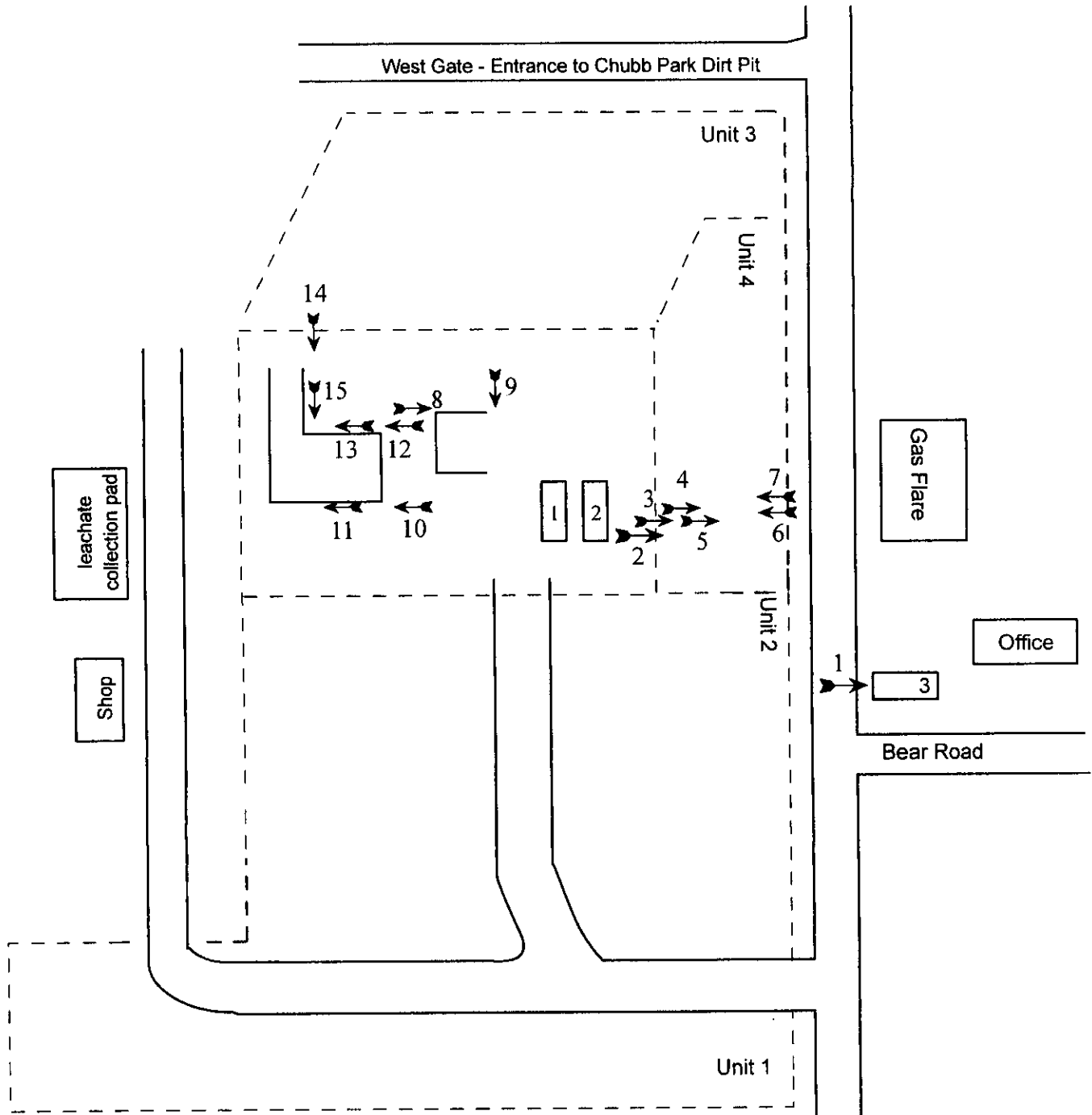
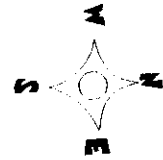
Section II “Operating Conditions” Part 5(d). Conventional soil daily cover in accordance with 35 IAC 811.106(a) shall be used if weather or other conditions adversely affect the ability of the ADC to prevent problems with blowing litter, fire, odors, or vectors.

- A violation of Section II Part 5(d) is alleged because conventional soil daily cover should have been used because the ADC failed to prevent problems with blowing litter.

Section II “Operating Conditions” Part 5(p). All ADC must meet the requirements of 35 IAC, 811.106(b)(1) through (4) at all times.

- A violation of Section II Part 5(p) is alleged because the ADC failed to meet the requirements of 35 IAC, 811.106(b)(1).

Site sketch for Decatur/Onyx Valley View Landfill
 Site #1158040008 - Macon County
 Inspector(s): Michael Warnick
 Inspection Date: January 19, 2006



- * Drawing not to scale
- Arrows indicate direction/location of photographs
- *1 & 2 Represent the Liquid Waste Solidification boxes
- *3 Represents the Residential Drop Boxes

INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 6:12am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: South

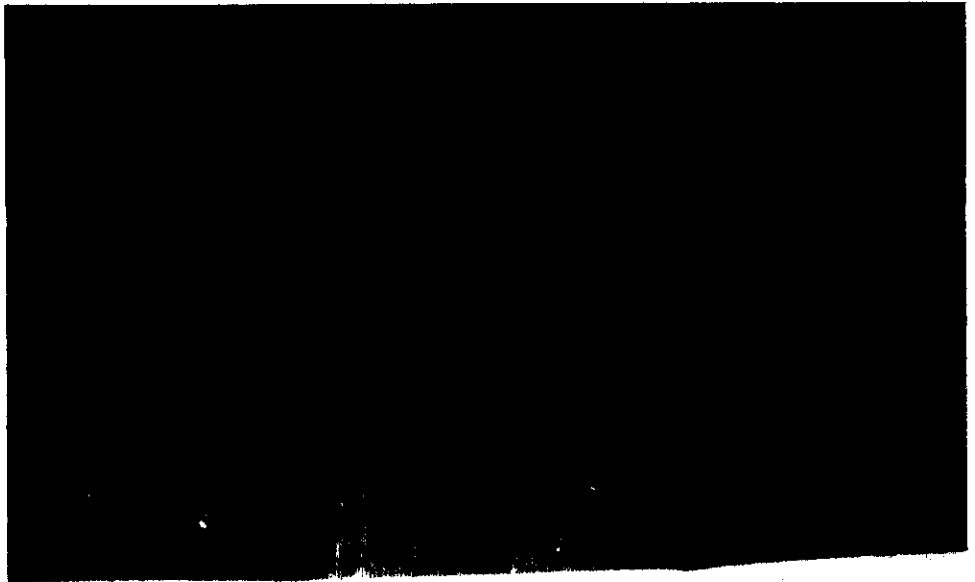


PHOTO #: 01

DATE: 01-19-2006

TIME: 06:41am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: North



PHOTO #: 02

INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 6:41am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: North

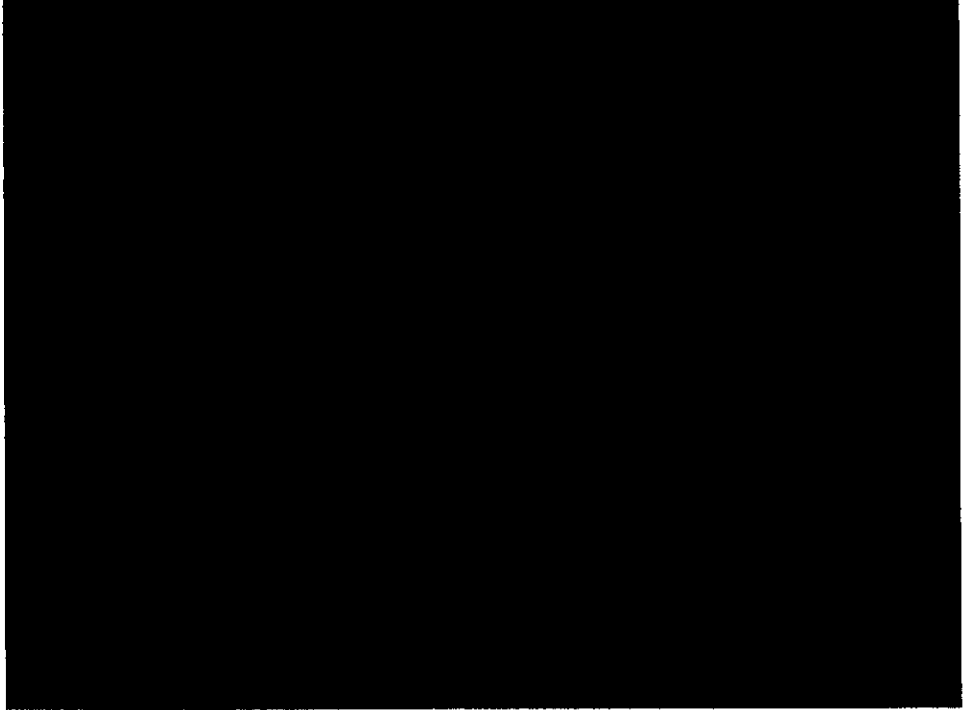


PHOTO #: 03

DATE: 01-19-2006

TIME: 06:43am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: North



PHOTO #: 04

INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 6:43am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: North

PHOTO #: 05



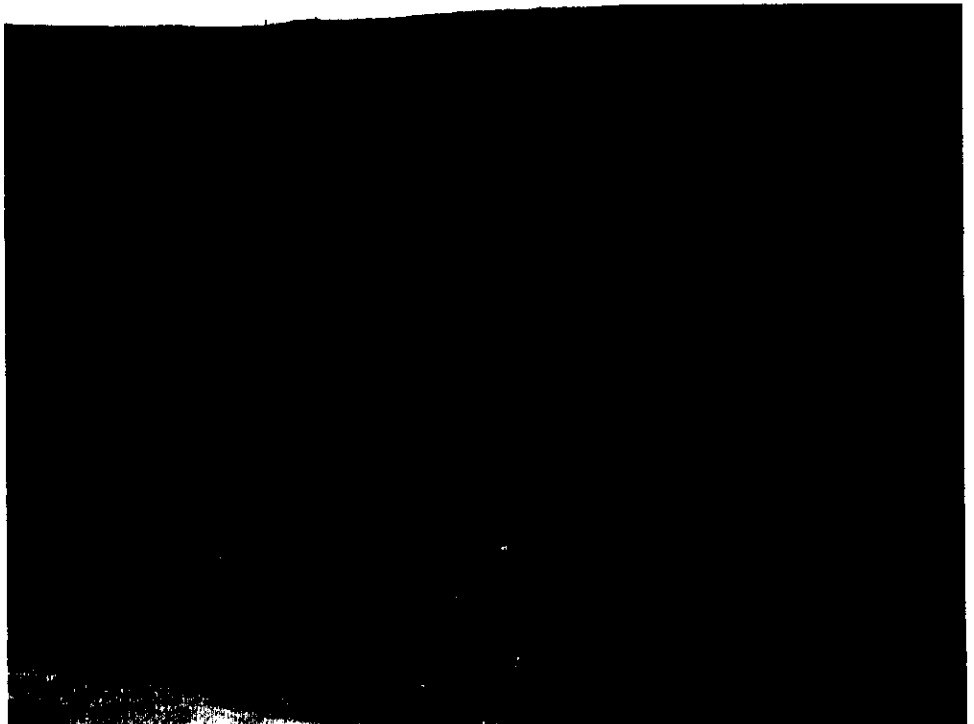
DATE: 01-19-2006

TIME: 06:52am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: South

PHOTO #: 06



INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 6:52am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: South

PHOTO #: 07



DATE: 01-19-2006

TIME: 7:08am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: North

PHOTO #: 08



INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 7:08am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: East

PHOTO #: 09



DATE: 01-19-2006

TIME: 7:10am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: South

PHOTO #: 10



INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 7:10am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: South



PHOTO #: 11

DATE: 01-19-2006

TIME: 7:15am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: South



PHOTO #: 12

INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 7:15am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: North



PHOTO #: 13

DATE: 01-19-2006

TIME: 7:16am

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: East



PHOTO #: 14

INSPECTION PHOTOS

DATE: 01-19-2006

SITE #: 1158040008

COUNTY: Macon

TIME: 7:16am

SITE NAME: Decatur/Onyx Valley View Landfill

PHOTOS TAKEN BY:
Michael Warnick

COMMENTS: Photo
Taken Toward: East

PHOTO #: 15

