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STATE OF ILLINOIS
Pollution Control Board

INFORMATIONAL NOTICE !!!

Acc-24

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 James R. Thompson 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**.

Any person other than individuals **MUST** appear through an attorney-at-law licensed and registered to practice law. Individuals may appear on their own behalf, or through an attorney. 35 Ill. Adm. Code 101.400(a).

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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FEB 06 2006

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
CITI OF FREEPORT and RYAN WILSON,)
))
Respondents.)

AC 06-24

(IEPA No. 5-06-AC)

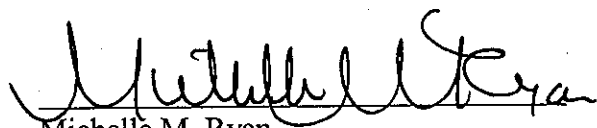
NOTICE OF FILING

To: Shelly Griswold, Community Development
Director for the City of Freeport
230 West Stephenson Street
Freeport, IL 61032

Ryan Wilson, P.E.
Fehr-Graham and Associates
221 E. Main Street
Freeport, IL 61032

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: February 3, 2006

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FEB 06 2006

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

| | |
|-----------------------------------|---|
| ILLINOIS ENVIRONMENTAL |) |
| PROTECTION AGENCY, |) |
| |) |
| Complainant, |) |
| |) |
| v. |) |
| |) |
| CITY OF FREEPORT and RYAN WILSON, |) |
| |) |
| Respondents. |) |

AC 06-24
(IEPA No. 5-06-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 (2004).

FACTS

1. That the City of Freeport is the permitted owner and operator and Ryan Wilson, P.E. is the certified operator (collectively "Respondents") of a facility located on South Walnut Road, Freeport, Stephenson County, Illinois.

2. That said facility is a closed, not yet certified, sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1995-281-LFM, and is designated with Site Code No. 1770200015. The facility is commonly known to the Illinois Environmental Protection Agency as Freeport/Municipal Landfill #4.

3. That Respondents have owned and/or operated said facility at all times pertinent hereto.

4. That on December 13, 2005, Kaare Jacobsen of the Illinois Environmental Protection Agency's Rockford 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 Kaare Jacobsen during the course of his December 13, 2005 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 in a manner which resulted in the acceptance of wastes without necessary permits, a violation of Section 21(o)(7) of the Act, 415 ILCS 5/21 (o)(7) (2004).

- (2) That Respondents conducted a sanitary landfill in a manner which resulted in the deposition of refuse in an un-permitted portion of the landfill, a violation of Section 21(o)(9) of the Act, 415 ILCS 5/21 (o)(9) (2004).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2004), Respondents are subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of Five Hundred Dollars (\$1000.00). 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 February 28, 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 (2004), 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) (2004), 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 (2004). 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.

Douglas P. Scott
Douglas P. Scott, Director *by me*
Illinois Environmental Protection Agency

Date 2/3/06

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

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FEB 06 2006
STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
CITY OF FREEPORT and RYAN WILSON,)
)
Respondents.)

AC 06-24
(IEPA No. 5-06-AC)

FACILITY: Freeport/Municipal Landfill #4 SITE CODE NO.: 1770200015
COUNTY: Stephenson CIVIL PENALTY: \$1000.00
DATE OF INSPECTION: December 13, 2005

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

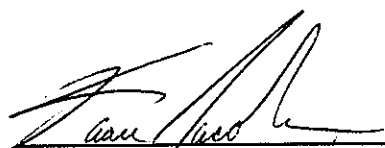
AFFIDAVIT

IN THE MATTER OF:)
)
Shelly Griswold, Community)
Development Director)
)
Respondent)

IEPA DOCKET NO.

Affiant, Kaare Jacobsen, 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 Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On December 13, 2005, between 11:44 a.m. and 12:20 p.m., Affiant conducted an inspection of a permitted landfill located in Stephenson County, Illinois and known as Freeport Municipal Landfill # 4 by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC#1770200015 by the Agency.
3. Affiant inspected said site 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 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 said landfill.



Kaare Jacobsen, EPS III

Subscribed and Sworn to Before Me

this 12th day of January, 2006



Notary Public

"OFFICIAL SEAL"
TERESA LABUNSKI
Notary Public, State of Illinois
My Commission Expires 1/10/2007

**ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
811 Solid Waste Landfill Inspection Checklist**

County: Stephenson LPC#: 1770200015 Region: 1 - Rockford
 Location/Site Name: Freeport/Freeport Municipal Landfill # 4
 Date: 12/13/2005 Time: From 11:44 am To 12:20 pm Previous Inspection Date: 09/22/2005
 Inspector(s): Jacobsen Weather: 20 degrees, frozen ground conditions
 No. of Photos Taken: # 5 Samples Taken: Yes # _____ No
 Interviewed: Ryan Wilson, Certified Operator Facility Phone No.: None

Permitted Owner Mailing Address
 Shelly Griswold, Community Development Director
 230 West Stephenson Street
 Freeport, IL 61032

Permitted Operator Mailing Address
 same as owner
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 JAN 13 2006

Chief Operator Mailing Address
 Ryan Wilson, Fehr Graham and Associates
 221 East Main Street
 Freeport, IL 61032

Certified Operator Mailing Address
 same as operator

AUTHORIZATION: Significant Modification Permit Initial: 1995-281-LFM Latest Mod. # 12 (01-10-05)
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"/> |

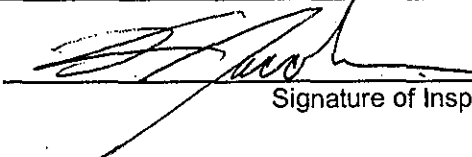
| | | | |
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| 10. | 21(o) | CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS: | |
| | (1) | Refuse in Standing or Flowing Water | <input type="checkbox"/> |
| | (2) | Leachate Flows Entering Waters of the State | <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 type="checkbox"/> |
| | (6) | Failure to Provide Final Cover Within Time Limits | <input type="checkbox"/> |
| | (7) | Acceptance of Wastes Without Necessary Permits | <input checked="" type="checkbox"/> |
| | (8) | Scavenging as Defined by Board Regulations | <input type="checkbox"/> |
| | (9) | Deposition of Refuse in Any Unpermitted Portion of the Landfill | <input checked="" 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 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 | |
| 12. | 21.6(b) | ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996) | |
| 13. | 22.01 | FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE | |
| 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 | |
| 16. | 22.23(f)(2) | CAUSE OR ALLOW THE DISPOSAL OF ANY LEAD-ACID BATTERY | |
| 17. | 22.28(b) | ACCEPTANCE OF WHITE GOODS FOR FINAL DISPOSAL | |
| 18. | 55(b)(1) | ACCEPTANCE OF ANY USED OR WASTE TIRE FOR FINAL DISPOSAL (UNLESS LANDFILL MEETS EXEMPTION OF 55(b)(1)) | |
| 19. | 56.1(a) | CAUSE OR ALLOW THE DISPOSAL OF ANY POTENTIALLY INFECTIOUS MEDICAL WASTE | |
| SOLID WASTE SITE OPERATOR CERTIFICATION LAW REQUIREMENTS | | | |
| 20. | 225 ILCS 230/1004 | CAUSING OF ALLOWING OPERATION OF A LANDFILL WITHOUT PROPER COMPETENCY CERTIFICATE | |
| 35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G | | | |
| PRIOR CONDUCT CERTIFICATION REQUIREMENTS | | | |
| 21. | 745.181 | CHIEF OPERATOR REQUIREMENTS | |
| 22. | 745.201 | PRIOR CONDUCT CERTIFICATION PROHIBITIONS | |
| SPECIAL WASTE HAULING REQUIREMENTS | | | |
| 23. | 809.301 | REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS | |

| | | | |
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| 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 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"/> |

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| 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"/> |

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| 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"/> |
| | (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"/> |

| | | | |
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| | 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 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"/> |


 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.

1770200015 – Stephenson County
Freeport/Freeport Municipal Landfill # 4

NARRATIVE INSPECTION REPORT

On December 13, 2005, I (Kaare Jacobsen) conducted a solid waste inspection at the Freeport Municipal Landfill No. 4. This inspection was conducted to determine whether the facility was in compliance with all applicable rules and regulations according to the solid waste statutes set forth by the Illinois Environmental Protection Agency. The above referenced facility is located on South Walnut Road in Freeport, Illinois. Agency correspondence should be addressed to the Community Development Director, Shelly Griswold, at Freeport City Hall located at 230 West Stephenson Street, in Freeport, Illinois.

On April 5, 2003 the Freeport Municipal Landfill No. 4 ceased accepting solid waste. A permit application was submitted by Fehr-Graham and Associates (consulting group representing the City of Freeport) to extend the closure activities beyond the required six months after acceptance of the last load of waste. On August 5, 2004 the permit modification was granted.

Upon arrival at 11:44 a.m., I introduced myself to a representative of Fehr-Graham & Associates, Ryan Wilson. Mr. Wilson is the Chief Operator for the Freeport Municipal Landfills. The inspection began by discussing the operating permit (1995-281-LFM) issued by the Permit Section in Springfield, Illinois.

After a brief discussion, Mr. Wilson had to vacate the premises for business reasons, so I began to take tour of the permitted site. Photographs 1770200015~121305-001 and 002 indicates soil and broken concrete on the northeast footprint of the landfill. Photograph 1770200015~121305-003 indicates a leachate seep located on the southeastern part of the landfill.

The waste construction or demolition debris, located on the northeast corner of the permitted site, was generated from the Waste Transfer Station construction project that is occurring just south of the permitted site. The waste debris contains mostly broken concrete (with rebar) and soil, which meets the definition of Section 3.160(a) of the Act (General Construction or Demolition Debris).

The inspection concluded at 12:20 p.m., with the following solid waste violations cited during the time of the inspection: ***21(d)(1), 21(d)(2), 21(o)(7) and 21(o)(9) of the Environmental Protection Act and Permit Conditions I # 6(f), I # 6(h), VIII # 4 and Standard Condition # 3. The above- mentioned violations were cited due to the facility causing or allowing the contractor to transport waste construction or demolition debris, from the nearby Transfer Station construction site, onto the permitted closed (not certified) landfill. Also, the facility failed to notify the Agency that such actions had taken place at the permitted landfill.***

On December 28, 2005, I conducted a site visit to estimate the amount of cubic yards of Construction & Demolition Debris on the northeast section of the landfill.

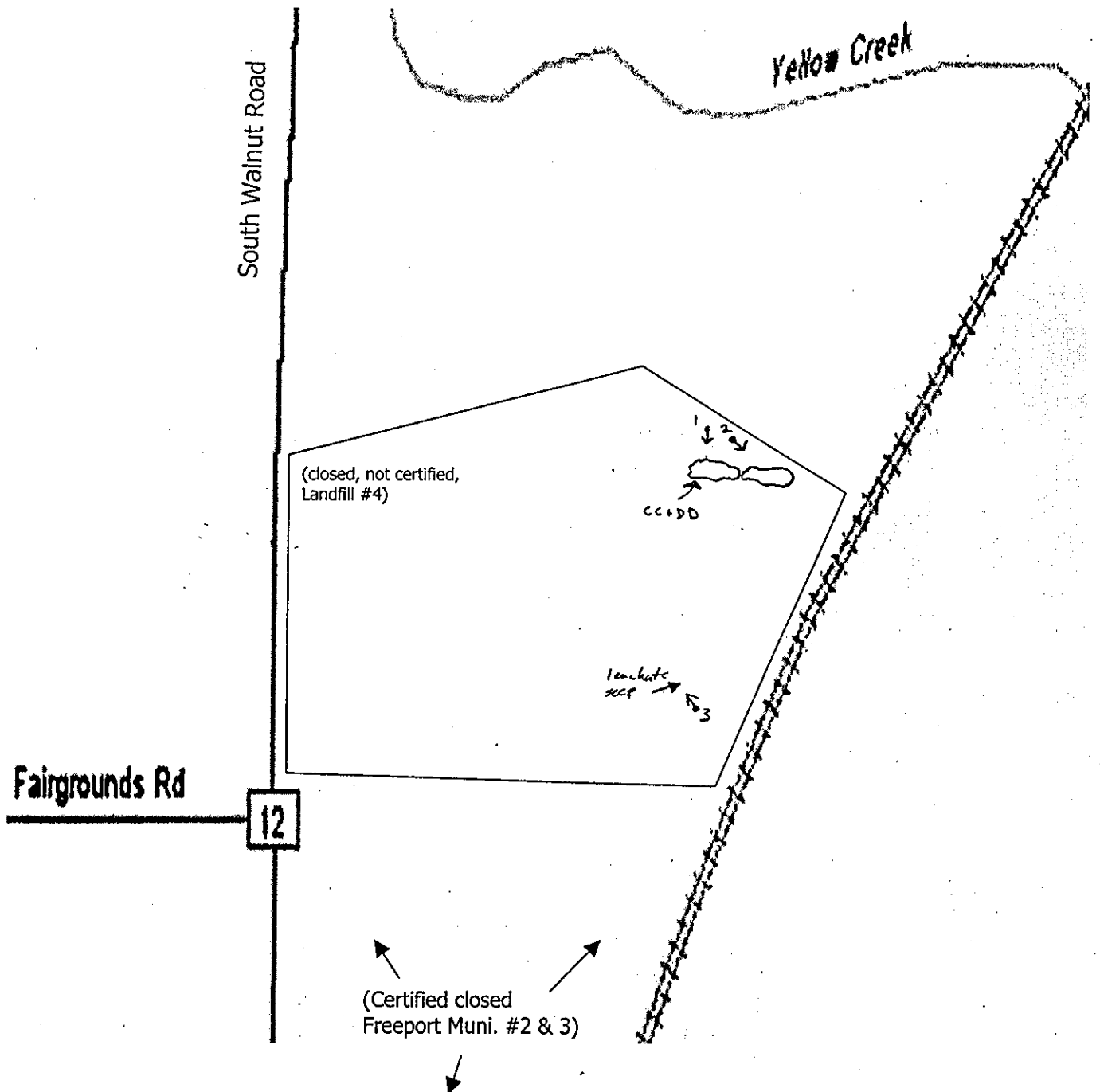
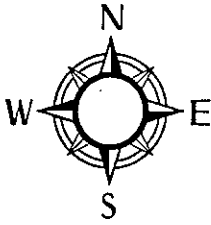
Photographs 1770200015~122805-001 and 002 indicate that the pile of waste construction or demolition debris has increased in size since the previous inspection. An estimated 35 cubic yards of waste construction & demolition debris is located on the north footprint of the landfill.

1770200015-Stephenson County

Freeport Muni. Landfill #4

Date of Inspection: December 13, 2005

Time of Inspection: 11:44 am – 12:20 pm



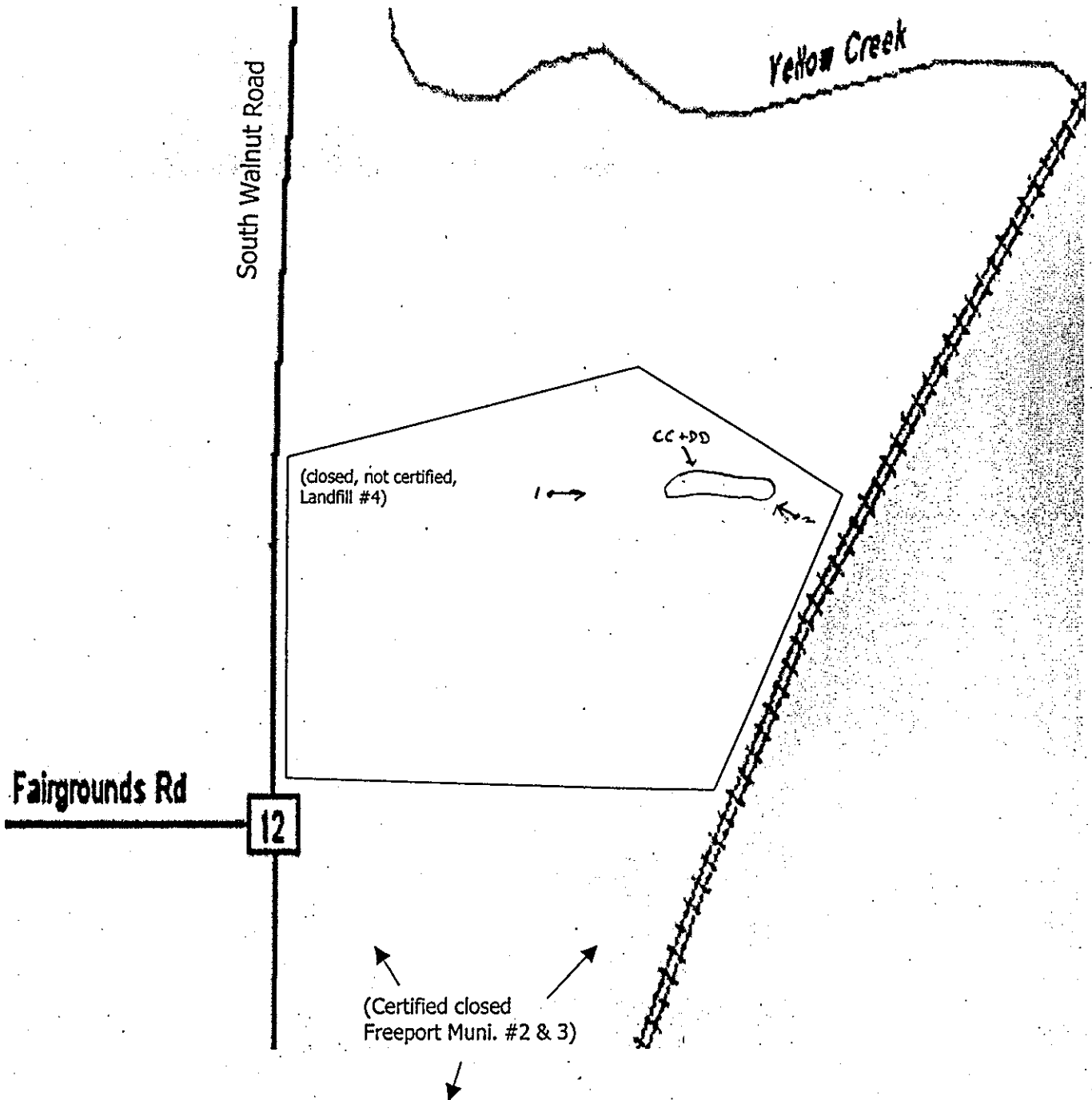
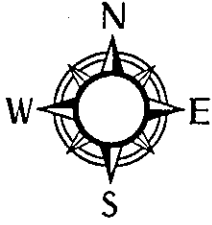
(no scale)
(photos in digital file #1770200015~121305-001 through 003)

1770200015-Stephenson County

Freeport Muni. Landfill #4

Date of Inspection: December 28, 2005

Time of Inspection: 9:56 am – 10:30 am



(no scale)
(photos in digital file #1770200015~122805-001 and 002)

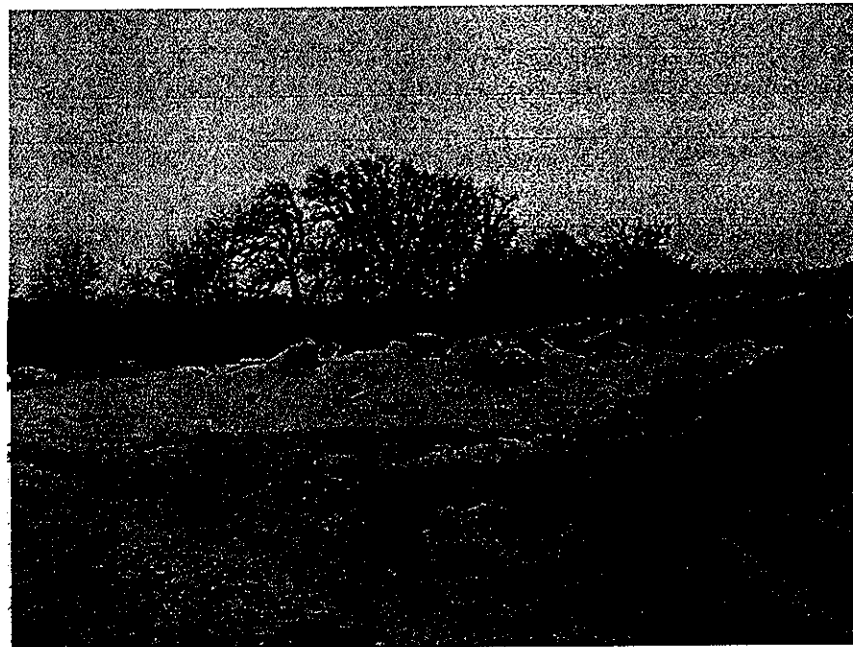
LPC # 1770200015 – Stephenson County
Freeport/Freeport Municipal Landfill No. 4
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 12-13-05
TIME: 11:58 a.m.
DIRECTION: south
PHOTO by: Jacobsen
PHOTO FILE NAME:
1770200015~121305-001
COMMENTS: Soil on the north
footprint of the landfill.



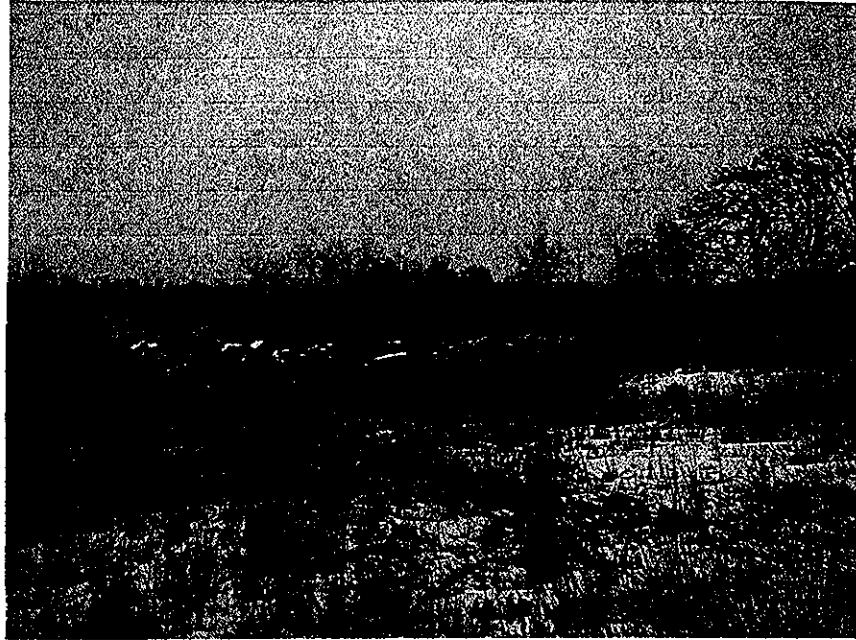
DATE: 12-13-05
TIME: 11:59 a.m.
DIRECTION: southeast
PHOTO by: Jacobsen
PHOTO FILE NAME:
1770200015~121305-002
COMMENTS: Construction and
Demolition Debris on the north footprint of
the landfill.



LPC # 1770200015 – Stephenson County
Freeport/Freeport Municipal Landfill No. 4
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 12-28-05
TIME: 10:07 a.m.
DIRECTION: east
PHOTO by: Jacobsen
PHOTO FILE NAME:
1770200015~122805-001
COMMENTS: Construction and
Demolition Debris from the transfer station
job site.



DATE: 12-28-05
TIME: 10:15 a.m.
DIRECTION: northwest
PHOTO by: Jacobsen
PHOTO FILE NAME:
1770200015~122805-002
COMMENTS: Construction and
Demolition Debris from the transfer station
job site.



LPC # 1770200015 – Stephenson County
Freeport/Freeport Municipal Landfill No. 4
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 12-13-05
TIME: 12:10 p.m.
DIRECTION: down
PHOTO by: Jacobsen
PHOTO FILE NAME:
1770200015~121305-003
COMMENTS: leachate seep



PROOF OF SERVICE


I hereby certify that I did on the 3rd day of February 2006, 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: Shelly Griswold, Community Development
Director for the City of Freeport
230 West Stephenson Street
Freeport, IL 61032

Ryan Wilson, P.E.
Fehr-Graham and Associates
221 E. Main Street
Freeport, IL 61032

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

THIS FILING SUBMITTED ON RECYCLED PAPER