

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

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CLERK'S OFFICE

AUG 29 2006

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF OGLE)

Complainant,)

v.)

VEOLIA ES ORCHARD HILLS LANDFILL, INC.)
(formerly doing business as:)
ONYX ORCHARD HILLS LANDFILL, INC.))

Respondent.)

AC #: ⁰⁷⁻¹¹~~06~~
Administrative Citation

JURISDICTION

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/1 *et. seq.* (2004, as amended) and delegated to Ogle County, Illinois pursuant to 415 ILCS 5/4 (r) and 415 ILCS 5/31.1.

FACTS

1. That Respondent, Veolia ES Orchard Hills Landfill, Inc., is the present operator of a facility located in the County of Ogle, State of Illinois.
2. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Operating Permit No. 1996-135-LF, and designated with Site Code No. 1410175005.
3. That Respondent has owned or operated said facility at all times pertinent hereto.
4. That on June 30, 2006, said facility was known as Onyx Orchard Hills Landfill, Inc. and changed its name on July 1, 2006 to Veolia ES Orchard Hills Landfill, Inc.
5. That on June 30, 2006, Joy K. Bliton of the Ogle County Solid Waste Management

Department, inspected the above-described landfill facility. A copy of the inspection report setting forth the results of such inspection is attached hereto and made a part hereof.

6. That on previous occasions, Joy K. Bliton of the Ogle County Solid Waste Management Department has reminded the operation managers of the above described landfill facility that they were using construction and demolition debris incorrectly (Inspections on May 30, 2006 and January 24, 2005). Two inspection report narratives and one fax transmission to Onyx Orchard Hills Landfill of the definitions of general construction and demolition debris and clean construction or demolition debris from Section 3.160 of the Illinois Environmental Protection Act 415 ILCS 5/3.160 are included in Attachment A.

VIOLATIONS

On the basis of direct observation by Joy K. Bliton, the County of Ogle has determined that Respondent was conducting a sanitary landfill operation at the above-described facility, which is required to have a permit pursuant to 415 ILCS 5/21(d), in a manner which resulted in the following conditions:

- A. That on June 30, 2006, an on-site inspection of said sanitary landfill facility and review of Illinois Environmental Protection Agency files and records of said facility disclosed the following:
 1. Uncovered refuse remaining from a previous operating day, in violation of 415 ILCS 5/21(o)(5); and
 2. Failure to collect and contain litter from the site by the end of each operating day, in violation of 415 ILCS 5/21(o)(12).

CIVIL PENALTY

Pursuant to 415 ILCS 5/42(b)(4), Respondent herein is subject to a civil penalty of Five Hundred Dollars (\$500.00) for each violation specified above in Paragraph A, for a total of 1000.00 Dollars (\$1,000.00). Additionally, should Respondent elect to petition the Illinois Pollution Control Board under the review process described herein below, and if there is a finding of the violations alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by Ogle County and the Illinois Pollution Control Board, in addition to the Five Hundred Dollar (\$500.00) statutory penalty for each finding of violation. If you acknowledge the violations cited hereinabove, the civil penalty specified above shall be due and payable no later than 35 days from the date of service hereof. If you do not petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of service hereof or if you elect to contest this Administrative Citation, any judgment rendered against you shall specify the due date of the statutory civil penalty and any costs assessed against you.

When payment is made, your check should be made payable to Ogle County Solid Waste Fund and mailed to the Ogle County Treasurer, Ogle County Courthouse, P.O. Box 40, Oregon, IL 61061.

If any civil penalty, by reason of acknowledgment, default or finding after adjudicatory hearing, is not paid when due, the Illinois Environmental Protection Agency shall take into consideration such failure to pay during any permit review process upon your application for a new permit or for renewal of an existing permit. If any civil penalty imposed by the Illinois Pollution Control Board is not paid within the time prescribed in the order, interest on such penalty will be assessed for the period from the date payment is due until the date payment is

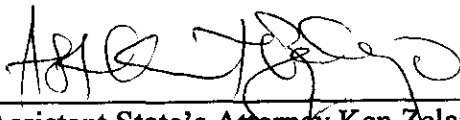
received. Furthermore, if payment is not received when due, the Ogle County State's Attorney shall be requested to initiate proceedings in Circuit Court to collect said civil penalty. In addition to the previously assessed civil penalty, interest, and hearing costs of Ogle County and the Illinois Pollution Control Board, if any, the Ogle County State's Attorney will seek to recover their costs of litigation.

PROCEDURE FOR CONTESTING ADMINISTRATIVE CITATION

You have the right to contest this Administrative Citation (see 415 ILCS 5/31.1). If you elect to contest this Administrative Citation, you must file a Petition for Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition for Review should be filed with the Ogle County State's Attorney. Such Petition for Review must be filed within thirty-five (35) days of the date of service of this Administrative Citation, or a default judgment shall be entered by the Pollution Control Board. The Petition for Review may be filed with the Clerk of the Illinois Pollution Control Board at the State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601; and, a copy of said Petition for Review filed with the Ogle County State's Attorney at the Ogle County Courthouse, 106 S. Fifth Street, Suite 110, Oregon, IL 61061.

John B. Roe
State's Attorney of Ogle County

Date: 8.28-06

By: 
Assistant State's Attorney Ken Zelazo
Ogle County State's Attorney's Office
106 S. 5th Street, Suite 110
Oregon, Illinois 61061
815-732-1170

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AUG 29 2006

STATE OF ILLINOIS
Pollution Control Board

State of Illinois, Ogle County

Affidavit

County of Ogle)
)
Complainant,)
) AC No.: 07-11
v.)
)
Veolia ES Orchard Hills Landfill, Inc.)
)
Respondent.)

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

1. Affiant is a field inspector employed by the County of Ogle and has been so employed at all times pertinent hereto.
2. On, June 30, 2006 between 10:14 a.m. and 11:45 a.m., Affiant conducted an inspection of a solid waste landfill, located in Ogle County, Illinois and known at that time as the Onyx Orchard Hills Landfill by the Illinois Environmental Protection Agency - Site No. 1410175005.
3. Affiant inspected said Onyx Orchard Hills Landfill 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 Veolia ES Orchard Hills Landfill site.


Joy K. Bliton, Ogle County Solid Waste
Management Department

Subscribed and Sworn to Before Me

this 23rd Day of August, 2006


Notary Public



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

County: Ogle LPC#: 1410175005 Region: 1 - Rockford
 Location/Site Name: Veolia ES Orchard Hills Landfill, Inc.
 Date: 06/30/2006 Time: From 10:14 am To 11:45 am Previous Inspection Date: 05/30/2006
 Inspector(s): Joy Bliton Weather: Mostly Sunny, 77 Deg., SW @ 12 MPH
 No. of Photos Taken: # 40 Samples Taken: Yes # No
 Interviewed: Daniel Bunk Facility Phone No.: 815/874-9000

Permitted Owner Mailing Address

Veolia ES Orchard Hills Landfill, Inc.
 Attn: Chris Peters
 8290 Highway 251
 Davis Junction, IL 61020

Permitted Operator Mailing Address

Mr. Chris Peters, General Manager
 Veolia ES Orchard Hills Landfill, Inc.
 8290 Highway #251
 Davis Junction, IL 61020

Chief Operator Mailing Address

Certified Operator Mailing Address

Mr. Chris Peters, Operations Manager
 Veolia ES Orchard Hills Landfill, Inc.
 8290 Highway 251
 Davis Junction, IL 61020

AUTHORIZATION: Significant Modification Permit Initial: 1996-135-LF Latest #37 (Loc #2005-385)
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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 Inspection Date: 06/30/06

10.	21(e)	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"/> NE
11.	21(t)	CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION	<input type="checkbox"/>
12.	21.6(b)	ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996)	<input type="checkbox"/>
13.	22.01	FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE	<input type="checkbox"/> NE
14.	22.17	LANDFILL POST-CLOSURE CARE	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/> NA
	(b)	Failure to Take Remedial Action	<input type="checkbox"/> NA
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

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24.	809.302(a)	REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS	<input type="checkbox"/> NE
25.	809.501	MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS	
	(a)	Delivery of Special Waste to Hauler	<input type="checkbox"/> NE
	(e)	Retention of Special Waste Manifests	<input type="checkbox"/> NE
NEW SOLID WASTE LANDFILL REQUIREMENTS			
	PART 811 SUBPART	GENERAL STANDARDS FOR ALL LANDFILLS	
26.	811.103	SURFACE WATER DRAINAGE	
	(a)	Runoff from Disturbed Areas	<input type="checkbox"/>
	(b)	Diversion of Runoff from Undisturbed Areas	<input type="checkbox"/>
27.	811.104	SURVEY CONTROL	
	(a)	Boundaries Surveyed and Marked	<input type="checkbox"/>
	(b)	Stakes and Monuments Marked	<input type="checkbox"/>
	(c)	Stakes and Monuments Inspected	<input type="checkbox"/> NE
	(d)	Control Monument Established and Maintained	<input type="checkbox"/> NE
28.	811.105	COMPACTION	<input type="checkbox"/>
29.	811.106	DAILY COVER	
	(a)	Six Inches Soil	<input 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 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"/> 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"/> NE
	(c)	Gas Monitoring Records	<input type="checkbox"/> NE
	(d)	MSWLF Liquid Restriction Records	<input type="checkbox"/> NE
	(e)	Groundwater Monitoring Program Requirements	<input type="checkbox"/> NE
	(f)	Closure and Post Closure Care Requirements	<input type="checkbox"/> 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"/> NE
	(c)	Monitoring Frequency for Landfill Gas	<input type="checkbox"/> NE
	(d)	Monitoring Parameters	<input type="checkbox"/> NE
39.	811.311	LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)	
	(a)	Conditions for Installation of Gas Management System	<input type="checkbox"/>
	(b)	Notification and Implementation Requirements	<input type="checkbox"/>
	(c)	Standards for Gas Venting	<input type="checkbox"/>
	(d)	Standards for Gas Collection	<input type="checkbox"/>

LPC #: 1410175005
 Inspection Date: 06/30/06

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 checked="" 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"/>
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"/> NE
	(b)	Load Checking Program for PCB's at MSWLF Units	<input type="checkbox"/> NE
	(c)	Load Checking Program Components	<input type="checkbox"/> NE
	(d)	Handling Regulated Hazardous Wastes	<input type="checkbox"/> NE
	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"/> NE
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"/> NE
57.	Part 858 Subpart C	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS NOT WEIGHED (LIST SPECIFIC	<input type="checkbox"/> NA
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.

PERMIT PROVISIONS	
PERMIT NUMBER	DESCRIPTION OF VIOLATION (condition # of permit, page # of permit, and/or page # of approved application)
1996-135-LF, mod #37	II.3.e, page 6. The operator of this solid waste facility shall not conduct the operation in a manner which results in uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit.
1996-135-LF, mod #37	II.3.l., page 6. The operator of this solid waste facility shall not conduct the operation in a manner which results in failure to collect and contain litter from the site by the end of each operating day.
1996-135-LF, mod #37	II.5., page 7. At the end of each day of operation all exposed waste shall be covered with soil or alternate daily cover material (ADCM).
1996-135-LF mod #37	II.8, page 12. All waste not covered within sixty (60) days of placement with additional waste or final cover shall have an intermediate cover applied to it. The intermediate cover shall either be compacted clean soil with minimum thickness of one (1) foot or alternate intermediate cover applied in accordance with the requirements of condition Numbers: II.29 and II.30 of this permit.
1996-135-LF mod #37	II.28.a, page 16. The use of materials listed in Special Condition II.27 (a) through (d) as subbase or base course materials shall be covered with uncontaminated road-base aggregate and placed on the road bed in a manner, which prevents migration of those materials to the surface.
1996-135-LF mod #37	II.29(a) The use of alternative material as intermediate cover is subject to the condition that the alternate material to be used as intermediate cover shall be polyethylene copolymer and nylon yard laminate reinforced with a non-woven grid of high strength cord manufactured by Griffolyn Division of Reef Industries or equivalent.

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

NARRATIVE INSPECTION REPORT

Date of Inspection: June 30, 2006

Inspector: Joy K. Bliton

Site Code: 1410175005

County: Ogle

Site Name: Veolia ES Orchard Hills Landfill, Inc.

Time: 10:14 a.m. – 11:45 a.m.

General Remarks

I arrived at the Veolia ES Orchard Hills Landfill, Inc. at 10:14 a.m. I walked up to the scale house. Cindy said that Chris Peters, the General Manager, was not in. She said I could proceed with my inspection.

I drove out to the working face which was in Phase V. They were hauling dirt from the future Phase VI to the north side of Phase IV for final capping. I noted that a large area north and south of the access road was covered with general construction and demolition debris. This area could not be considered a road as the debris was on areas north and south of the access road nor was it covered with aggregate as is required of road base materials in the operating permit No. 1996-135-LF, modification #37, Section, 28(a). Construction and demolition debris is not permitted to be used as intermediate cover either. In addition, general construction and demolition waste may not be used for ADCM. Therefore, this appeared to be a violation of the operating permit, IPCB Regulations and Illinois Environmental Protection Act (ACT).

Daniel Bunk, an equipment operator, arrived and he accompanied me on the inspection. We discussed the general construction and demolition debris being used. I explained that they cannot use it in the manner that they have been doing (see above paragraph).

We drove to the north side of the landfill. He explained the work that they are doing on the gas piping system. We looked at Phase IV that they will be capping soon.

We then drove south along the perimeter road to Phase V. We walked on top of the west end of Phase V. This large area is also covered with general construction and demolition debris which again does not meet the requirements of the ACT, regulations or operating permit. There appears to be at least 6 acres on site that is covered with general construction and demolition debris. I discussed this concern with Daniel Bunk.

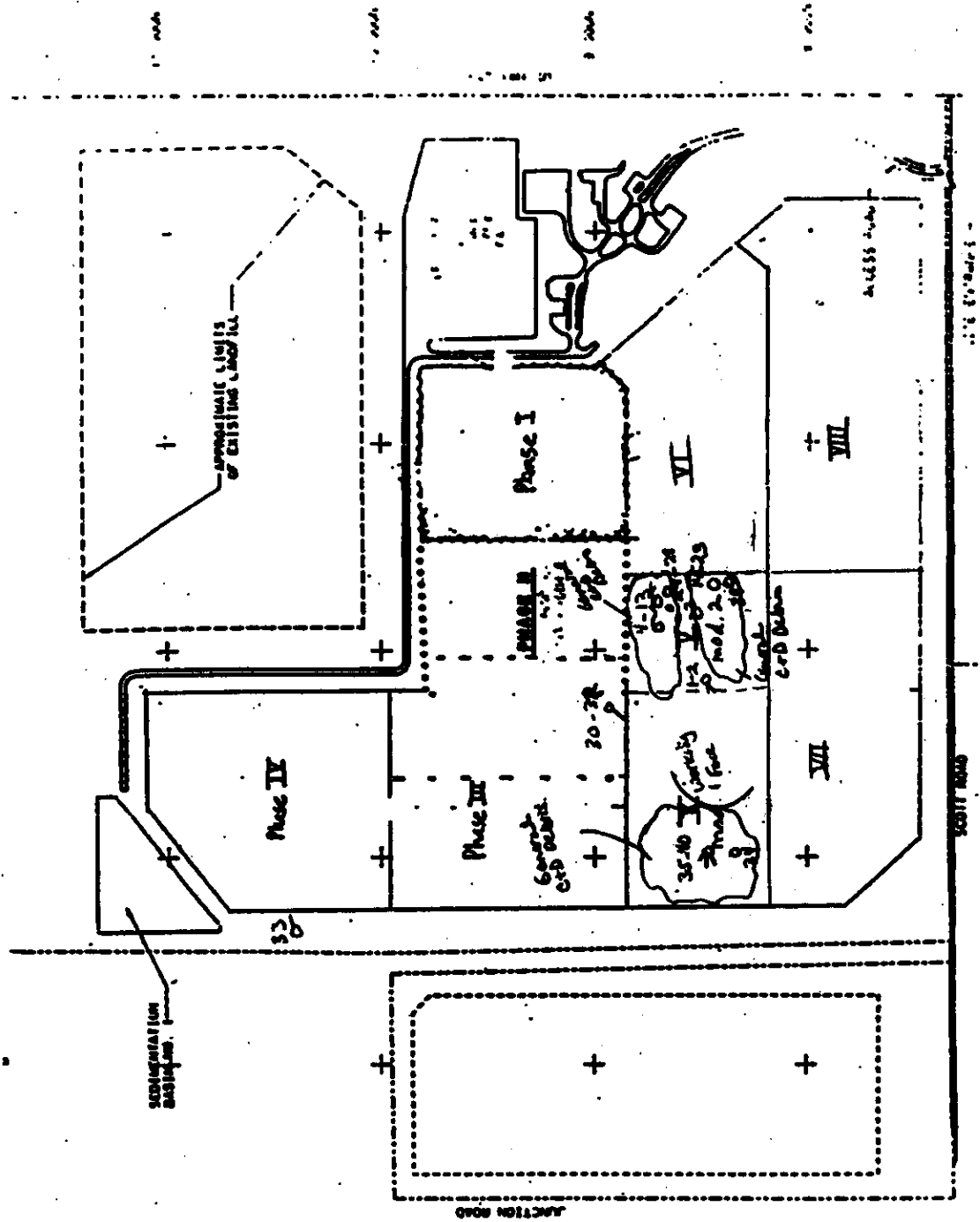
I drove back to the scale house and left the site at 11:45 a.m.

BFI Orchard Hills
Landfill

Inspection Date

6-30-06

N ↑

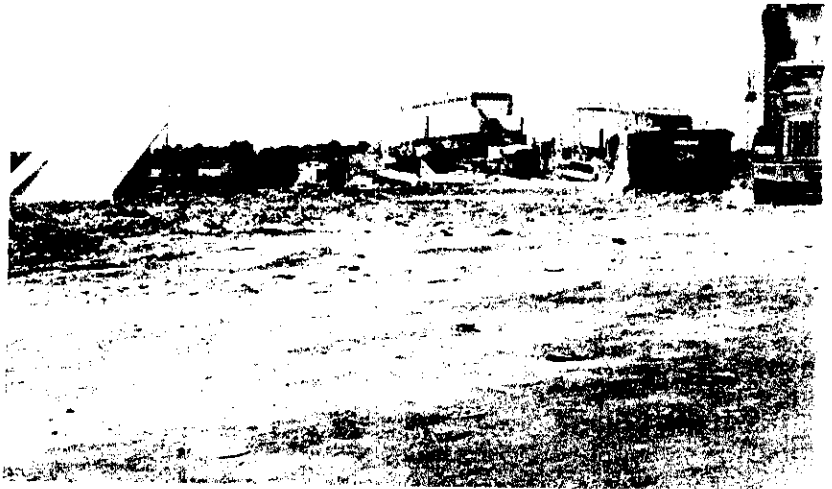


Site Sketch - Not to Scale

LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:29 a.m.
DIRECTION: SW
PHOTO #: 1410175005~06302006-001
COMMENTS: Working face, Phase V.



TIME: 10:29 a.m.
DIRECTION: W
PHOTO #: 1410175005~06302006-002
COMMENTS: Working face, Phase V.



LPC # 1410175005— Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:29 a.m.
DIRECTION: NW
PHOTO #: 1410175005~06302006-003
COMMENTS: Uncovered general
construction and demolition debris, North
East side, Phase V.



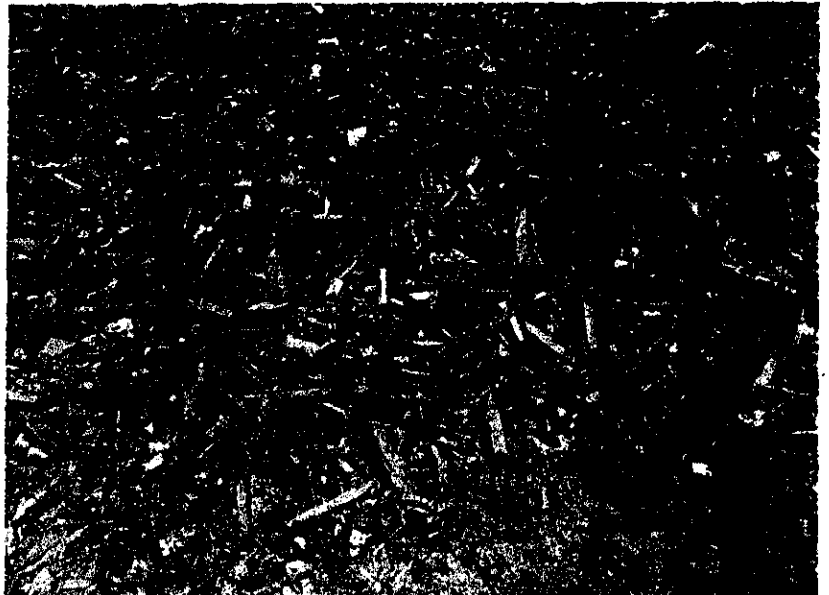
TIME: 10:29 a.m.
DIRECTION: NW
PHOTO #: 1410175005~06302006-004
COMMENTS: Uncovered general
construction and demolition debris, North
East side, Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:30 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-005
COMMENTS: Uncovered wood waste,
East side Phase V.



TIME: 10:30 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-006
COMMENTS: Uncovered wood waste,
East side Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:30 a.m.
DIRECTION: NW
PHOTO #: 1410175005~06302006-007
COMMENTS: Uncovered general
construction and demolition debris, North
East side of Phase V.



TIME: 10:30 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-008
COMMENTS: Uncovered refuse, East
side, Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:30 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-009
COMMENTS: Uncovered refuse, East side, Phase V.



TIME: 10:30 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-010
COMMENTS: Uncovered refuse, East side, Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:31 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-011
COMMENTS: Uncovered general
construction and demolition debris, East
side, Phase V.



TIME: 10:31 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-012
COMMENTS: Uncovered general
construction and demolition debris, East
side, Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:31 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-013
COMMENTS: Uncovered refuse, East side Phase V.



TIME: 10:43 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-014
COMMENTS: Uncovered general construction and demolition debris, South East side Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:44 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-015
COMMENTS: Uncovered general
construction and demolition debris, South
East side Phase V.



TIME: 10:44 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-016
COMMENTS: Uncovered general
construction and demolition debris, South
East side of Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:45 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-017
COMMENTS: Uncovered general
construction and demolition debris and
other refuse, South East side of Phase V.



TIME: 10:45 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-018
COMMENTS: Uncovered general
construction and demolition debris, South
East side Phase V.



LPC # 1410175005— Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:45 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-019
COMMENTS: Uncovered general
construction and demolition debris, South
East side Phase V.



TIME: 10:45 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-020
COMMENTS: Uncovered refuse, South
East side Phase V.



LPC # 1410175005-- Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:46 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-021
COMMENTS: Uncovered refuse, South East side Phase V.



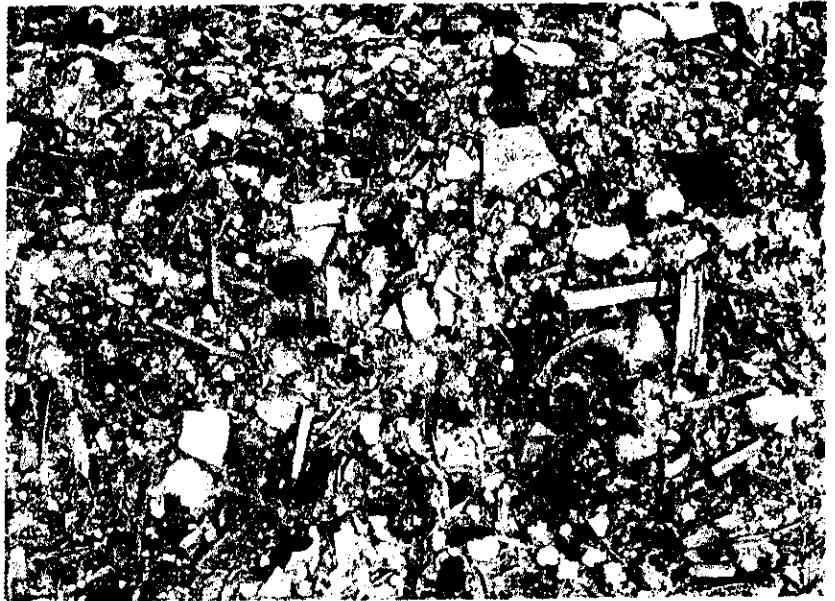
TIME: 10:46 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-022
COMMENTS: Carpet pad, uncovered refuse, South East side Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:47 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-023
COMMENTS: Uncovered general
construction and demolition debris, South
East side Phase V.



TIME: 10:48 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-024
COMMENTS: Uncovered general
construction and demolition debris, North
East side Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:48 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-025
COMMENTS: Uncovered general
construction and demolition debris, North
East side Phase V.



TIME: 10:48 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-026
COMMENTS: Uncovered general
construction and demolition debris, North
East side Phase V.



LPC # 1410175005— Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:48 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-027
COMMENTS: Uncovered general
construction and demolition debris, North
East side Phase V.



TIME: 10:49 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-028
COMMENTS: Uncovered general
construction and demolition debris, my
clipboard for scale, North East side
Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 10:49 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-029
COMMENTS: Uncovered general
construction and demolition debris, South
East end Phase V.



TIME: 11:00 a.m.
DIRECTION: SW
PHOTO #: 1410175005~06302006-030
COMMENTS: Working face, Phase V.



LPC # 1410175005— Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:00 a.m.
DIRECTION: SW
PHOTO #: 1410175005~06302006-031
COMMENTS: Working face, Phase V.



TIME: 11:02 a.m.
DIRECTION: SW
PHOTO #: 1410175005~06302006-032
COMMENTS: Working face, Phase V.



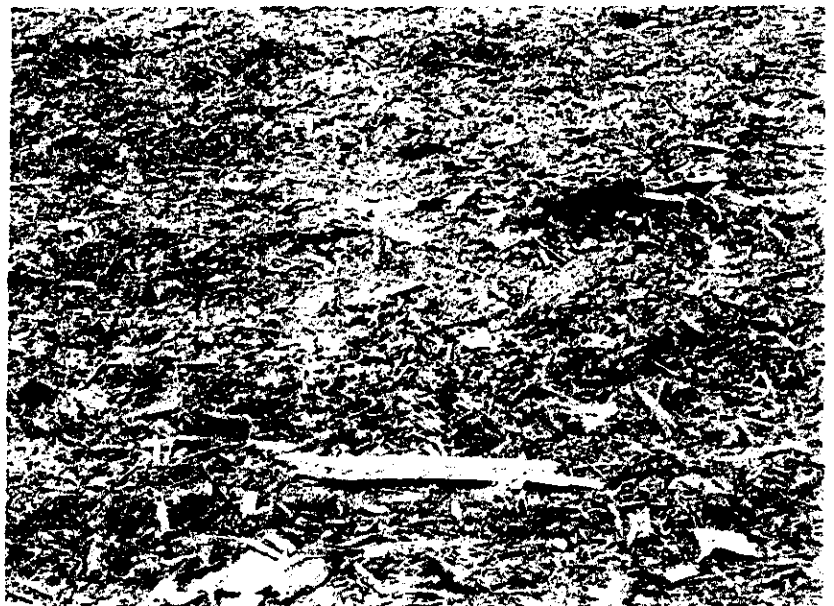
LPC # 1410175005—Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:25 a.m.
DIRECTION: E
PHOTO #: 1410175005-06302006-033
COMMENTS: Preparing Phase IV for capping.



TIME: 11:31 a.m.
DIRECTION: Down
PHOTO #: 1410175005-06302006-034
COMMENTS: Uncovered shredded wood waste, and general construction and demolition debris, West side of Phase V.



LPC # 1410175005– Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:31 a.m.
DIRECTION: NW
PHOTO #: 1410175005~06302006-035
COMMENTS: Uncovered shredded wood waste, and general construction and demolition debris, West side Phase V.



TIME: 11:32 a.m.
DIRECTION: W
PHOTO #: 1410175005~06302006-036
COMMENTS: Uncovered shredded wood waste, and general construction and demolition debris, West side Phase V.



LPC # 1410175005- Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:32 a.m.
DIRECTION: Down
PHOTO #: 1410175005~06302006-037
COMMENTS: Uncovered general construction and demolition debris and refuse, West side Phase V.



TIME: 11:32 a.m.
DIRECTION: W
PHOTO #: 1410175005~06302006-038
COMMENTS: Uncovered general construction and demolition debris and other refuse, West side Phase V.



LPC # 1410175005— Ogle County
Site Name: Veolia ES Orchard Hills Landfill
Photos taken by: J. K. Bliton
Date: June 30, 2006
FOS File

Illinois Environmental Protection Agency
DIGITAL PHOTOGRAPH PHOTOCOPIES

TIME: 11:32 a.m.
DIRECTION: NW
PHOTO #: 1410175005~06302006-039
COMMENTS: Uncovered general construction and demolition debris and other refuse, West side Phase V.



TIME: 11:33 a.m.
DIRECTION: SW
PHOTO #: 1410175005~06302006-040
COMMENTS: Uncovered refuse and general construction and demolition debris, West side of Phase V.



Attachment A, Page 1

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

NARRATIVE INSPECTION REPORT DOCUMENT

Date of Inspection: 5/30/06

Inspector: J. Bliton

Site Code: 1410175005

County: Ogle

Site Name: Onyx/Orchard Hills

Time: 11:00 a.m. – 12:39 p.m.

General Remarks

Weather conditions: Partly Cloudy, Mid 80s, Winds SW 5-10 MPH

I arrived at the Orchard Hills Landfill at 11:00 a.m. I walked up to the scale house. Cindy, the scale house operator, called Chris Peters, the General Manager. Chris met me and we drove to the landfill.

Chris pointed out the new litter fences added to the slope of Phase II. We drove over to the working face which is in Phase V. Chris and I discussed the pile of general construction and demolition debris. They have been using it for road base and for Alternative Daily Cover Material (ADCM). Because this pile is not clean construction and demolition debris, it can only be used for road base materials and not ADCM. The general construction and demolition pile contains primarily wood, but also pieces of metal, fabric, plastic, etc. Any materials not included in the definition of General Construction or Demolition Debris, shall be considered as waste and is not to be included in road base material nor as ADCM.

According to Section 3.160 of the Illinois Environmental Protection Act 415 ILCS, 5/3.160), general construction and demolition debris means non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster, drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and piping or metals incidental to any of those materials.

General construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and road provided the uncontaminated soil is not commingled with any general construction or demolition debris or other waste.

Section II.6 (j) of the operating permit 1996-135-LF, modification No. 37, states that only

Attachment A. Page 2

clean construction and demolition debris as defined in Section 3.160(b) of the Act, may be used as ADCM. Clean construction or demolition debris means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, or soil generated from construction or demolition activities.

Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.

Section II.6(j) goes on to state that only material that can be placed without leaving unacceptably large voids or open passages to the waste mass may be used.

Please be advised that according to Section II.6 (a,b,c) of the permit the use of ADCM shall be subject to the following conditions:

- a. If any alternate materials other than those approved by this permit are to be used, their use must be approved by the Illinois EPA through the permit process.
- b. At any one time, the total area, using ADCMs, shall be no more than 60,000 square feet. Beyond this maximum, daily cover soil shall be used on all areas where waste has been disposed and to which intermediate or final cover has not been applied.
- c. Areas upon which ADCMs have been used must be covered with either conventional cover or additional waste within six days.

We proceeded to the west of the site. The south slope of Phase III was filled to achieve a 3 ½:1 slope. The erosion gullies on the west slope of Phase III noted in the last inspection have been repaired. Also, more waste will be added to the top of Phase IV due to three or four feet of settling.

All the extraction wells are in. Seventy-five percent of the piping is in. The capping of Phase IV will then begin. Ryan, Inc., will start on the west side of Phase IV with the addition of clay.

We drove to the east slope of Phase II. Dirt was being hauled there to help cover any waste exhumed for pipe trenches. Pipe was being laid down.

We drove on top of Phase I and II. The top is covered well. There was an erosion gully on the south slope of Phase II that will need to be watched at this time or repaired if it worsens. We looked out over the working face. Litter fences were in place.

We drove back to the scale house and I left the site at 12:39 p.m.

Attachment A, Page 3

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

NARRATIVE INSPECTION REPORT DOCUMENT

Date of Inspection: 1/24/05

Inspector: Joy Bliton

Site Code: 1410175005

County: Ogle

Site Name: Onyx/Orchard Hills

Time: 11:40 AM – 12:30 PM

General Remarks

Weather conditions: Partly Cloudy, 30 degrees; winds SW @ 10 mph

I arrived at the Onyx Orchard Hills Landfill and started the routine landfill inspection at 11:40 a.m. Rob Kraemer and I drove up to the top of Phase II and III. We looked over the area that needed additional cover that was east of the working face. Rob said that they added additional cover. I noted now that the waste was not exposed.

We drove over to the working face which is in Phase IV. They had both tippers working. They have a new compactor. There were piles of processed landscape waste, wood chips and general construction and demolition debris. I discussed with Rob that the construction and demolition debris may only be used for road building and not for alternate daily cover since it did not meet the definition of clean construction and demolition debris sine it contained wood waste and plastic.

We drove back to the scale house and I left at 12:30 p.m.

Attachment A, Page 4

Sec. 3.160. Construction or demolition debris

(a) "General construction or demolition debris" means non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following: bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and piping or metals incidental to any of those materials.

General construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any general construction or demolition debris or other waste.

(b) "Clean construction or demolition debris" means uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, or soil generated from construction or demolition activities.

Clean construction or demolition debris does not include uncontaminated soil generated during construction, remodeling, repair, and demolition of utilities, structures, and roads provided the uncontaminated soil is not commingled with any clean construction or demolition debris or other waste.

To the extent allowed by federal law, clean construction or demolition debris shall not be considered "waste" if it is (i) used as fill material below-grade outside of a setback zone if the fill is placed no higher than the highest point of elevation existing prior to the filling immediately adjacent to the fill area, and if covered by sufficient uncontaminated soil to support vegetation within 30 days of the completion of filling or if covered by a road or structure, or (ii) separated or processed and returned to the economic mainstream in the form of raw materials or products, if it is not speculatively accumulated and, if used as a fill material, it is used in accordance with item (i) within 30 days of its generation, or (iii) solely broken concrete without protruding metal bars used for erosion control, or (iv) generated from the construction or demolition of a building, road, or other structure and used to construct, on the site where the construction or demolition has taken place, a ~~an above-grade area shaped so as to blend into an extension of the surrounding topography or an above-grade manmade functional structure not to exceed 20 feet above the highest point of elevation of the property immediately adjacent to the new manmade functional structure as that elevation existed prior to the creation of that new structure in height,~~ provided that the area or structure shall be covered with sufficient soil materials to sustain vegetation or by a road or structure, and further provided that no such area or structure shall be constructed within a home rule municipality with a population over 500,000 without the consent of the municipality.

Post-It® Fax Note	7671	Date	12/4/05
To	R. Kraemer	From	J. Blinton
Co./Dept.	OMUK	Co.	OCSEWMD
Phone #		Phone #	815-732-4620
Fax #	815-874-5841	Fax #	815-732-3709

TOTAL P. 63

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION**

COUNTY OF OGLE)

Complainant,)

v.)

VEOLIA ES ORCHARD HILLS LANDFILL, INC.)
(formerly doing business as:)
ONYX ORCHARD HILLS LANDFILL, INC.))

Respondent.)

07-11
AC #: ~~06~~
(Administrative Citation)

PROOF OF SERVICE

The undersigned, under oath, states that a copy of the TRANSMITTAL LETTER TO THE ILLINOIS POLLUTION CONTROL BOARD, NOTICE OF FILING, ENTRY OF APPEARANCE, ADMINISTRATIVE CITATION, INFORMATIONAL NOTICE, REMITTANCE FORM, INSPECTOR'S AFFIDAVIT, INSPECTION REPORT FORM WITH ATTACHMENTS, NOTICE OF CORRECTIVE ACTION, & PROOF OF SERVICE on the above-captioned matter was personally served by handing a copy of the above to

PETERS, CHRISTOPHER C. on 08/28/, 2006
[Print Name]

at 8390 RT 251 N Davis Junction IL 61020

By: *Kevin Dewey*
[Signature]

KEVIN DEWEY
[Print Name]

Deputy, Ogle County Sheriff's Department

Subscribed and Sworn to Before Me

August 28, 2006
Melissa D. Hayes
Notary Public

