

RECEIVED  
CLERK'S OFFICE

SEP 20 2006

STATE OF ILLINOIS  
Pollution Control Board

INFORMATIONAL NOTICE !!!

A 007-17

**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).

**RECEIVED**  
CLERK'S OFFICE

SEP 20 2006

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, )  
) )  
v. )  
) )  
LEE COUNTY LANDFILL SC, LLC, and )  
DAVE GEIER, )  
) )  
Respondents. )

AC 07-17  
(IEPA No. 254-06-AC)

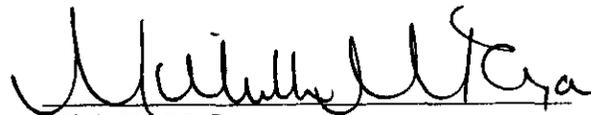
**NOTICE OF FILING**

To: Lee County Landfill SC, LLC  
CT Corporation System  
208 S. Lasalle, Suite 814  
Chicago, IL 60604

Dave Geier  
Lee County Landfill SC, LLC  
1214 South Bataan Road  
Dixon, IL 61021

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: September 15, 2006

**RECEIVED**  
CLERK'S OFFICE

SEP. 20 2006

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, )  
) )  
v. )  
) )  
LEE COUNTY LANDFILL SC, LLC, and )  
DAVID GEIER, )  
) )  
Respondents. )

07-17  
AC  
(IEPA No. 254-06-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 Lee County Landfill SC, LLC is the permitted owner and operator and David Geier is the certified operator (collectively "Respondents") of a facility located at 1214 South Bataan Road, Dixon, Lee County, Illinois.
2. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1997-261-LF, and is designated with Site Code No. 1030205110. The facility is commonly known to the Illinois Environmental Protection Agency as Lee County Landfill.
3. That Respondents have owned and/or operated said facility at all times pertinent hereto.

4. That on August 18, 2006, Kathy Geyer of the Illinois Environmental Protection Agency's Rockford Regional Office inspected the above-referenced facility. A copy of her inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

#### VIOLATIONS

Based upon direct observations made by Kathy Geyer during the course of her August 18, 2006 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 uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit, a violation of Section 21 (o)(5) of the Act, 415 ILCS 5/21 (o)(5) (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 (\$500.00). 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 October 31, 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, Director *by wec*  
Illinois Environmental Protection Agency

Date 9/15/06

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

**RECEIVED**  
CLERK'S OFFICE

SEP. 20 2006

STATE OF ILLINOIS  
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Complainant, )  
 )  
v. )  
 )  
LEE COUNTY LANDFILL SC, LLC, and )  
DAVE GEIER, )  
 )  
Respondents. )

AC 07-17  
(IEPA No. 254-06-AC)

FACILITY: Lee County Landfill  
COUNTY: Lee  
DATE OF INSPECTION: August 18, 2006

SITE CODE NO.: 1030205110  
CIVIL PENALTY: \$500.00

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.

RECEIVED  
CLERK'S OFFICE

SEP. 20 2006

AFFIDAVIT

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
Lee County Landfill, Inc., )  
)  
)  
Respondent )

IEPA DOCKET NO.

*AC07-17*

Affiant, Katherine L. Geyer, 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 August 18, 2006, between 5:40 a.m. and 7:45 a.m., Affiant conducted an inspection of a permitted landfill located in Stephenson County, Illinois and known as Lee County Landfill, Inc. by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC#1030205110 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.

*Katherine L. Geyer*

Katherine L. Geyer, Environmental Protection Specialist III

Subscribed and Sworn to Before Me

this 10<sup>th</sup> day of September, 2006

*Teresa Labunski*

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: Lee LPC#: 1030205110 Region: 1-Rockford  
 Location/Site Name: Dixon/Lee County Landfill  
 Date: 08/18/06 Time: From 0540 To 0745 Previous Inspection Date: 6-8-06  
 Inspector(s): Geyer, Kathy Weather: 75° F., hazy, partly cloudy, dry  
 No. of Photos Taken: # 6 Samples Taken: Yes #      No   
 Interviewed: Marcus Netz Facility Phone No.: 815/284-2432

**Permitted Owner Mailing Address**  
 Lee County Landfill SC, LLC  
 Attn: Steve Smith  
 13832 S. Kostner  
 Crestwood, IL 60445

**Permitted Operator Mailing Address**  
 (same as permitted owner)

**Chief Operator Mailing Address**  
 Lee County Landfill SC, LLC  
 Attn: Roger Groen  
 13832 South Kostner  
 Crestwood, IL 60445

**Certified Operator Mailing Address**  
 Lee County Landfill SC, LLC  
 Attn: Dave Geier  
 1214 S. Bataan Road  
 Dixon, IL 61021

**AUTHORIZATION:** Significant Modification Permit Initial: 1997-261-LF Latest Mod. #58  
**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
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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 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)	<b>CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:</b>	
	(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 type="checkbox"/>
	(13)	Failure to Submit Any Cost Estimate, Performance Bond or Other Security	<input type="checkbox"/>
11.	21(t)	<b>CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION</b>	<input type="checkbox"/>
12.	21.6(b)	<b>ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996)</b>	<input type="checkbox"/>
13.	22.01	<b>FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE</b>	<input type="checkbox"/>
14.	22.17	<b>LANDFILL POST-CLOSURE CARE</b>	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/>
	(b)	Failure to Take Remedial Action	<input type="checkbox"/>
15.	22.22(c)	<b>ACCEPTANCE OF LANDSCAPE WASTE FOR FINAL DISPOSAL</b>	<input type="checkbox"/>
16.	22.23(f)(2)	<b>CAUSE OR ALLOW THE DISPOSAL OF ANY LEAD-ACID BATTERY</b>	<input type="checkbox"/>
17.	22.28(b)	<b>ACCEPTANCE OF WHITE GOODS FOR FINAL DISPOSAL</b>	<input type="checkbox"/>
18.	55(b)(1)	<b>ACCEPTANCE OF ANY USED OR WASTE TIRE FOR FINAL DISPOSAL (UNLESS LANDFILL MEETS EXEMPTION OF 55(b)(1))</b>	<input type="checkbox"/>
19.	56.1(a)	<b>CAUSE OR ALLOW THE DISPOSAL OF ANY POTENTIALLY INFECTIOUS MEDICAL WASTE</b>	<input type="checkbox"/>
<b>SOLID WASTE SITE OPERATOR CERTIFICATION LAW REQUIREMENTS</b>			
20.	225 ILCS 230/1004	<b>CAUSING OF ALLOWING OPERATION OF A LANDFILL WITHOUT PROPER COMPETENCY CERTIFICATE</b>	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
<b>PRIOR CONDUCT CERTIFICATION REQUIREMENTS</b>			
21.	745.181	<b>CHIEF OPERATOR REQUIREMENTS</b>	<input type="checkbox"/>
22.	745.201	<b>PRIOR CONDUCT CERTIFICATION PROHIBITIONS</b>	<input type="checkbox"/>
<b>SPECIAL WASTE HAULING REQUIREMENTS</b>			
23.	809.301	<b>REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS</b>	<input type="checkbox"/>

24.	809.302(a)	<b>REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS</b>	<input type="checkbox"/>
25.	809.501	<b>MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS</b>	
	(a)	Delivery of Special Waste to Hauler	<input type="checkbox"/>
	(e)	Retention of Special Waste Manifests	<input type="checkbox"/>
<b>NEW SOLID WASTE LANDFILL REQUIREMENTS</b>			
	<b>PART 811 SUBPART</b>	<b>GENERAL STANDARDS FOR ALL LANDFILLS</b>	
26.	811.103	<b>SURFACE WATER DRAINAGE</b>	
	(a)	Runoff from Disturbed Areas	<input type="checkbox"/>
	(b)	Diversion of Runoff from Undisturbed Areas	<input type="checkbox"/>
27.	811.104	<b>SURVEY CONTROL</b>	
	(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	<b>COMPACTION</b>	<input type="checkbox"/>
29.	811.106	<b>DAILY COVER</b>	
	(a)	Six Inches Soil	<input checked="" type="checkbox"/>
	(b)	Alternative Daily Cover	<input type="checkbox"/>
30.	811.107	<b>OPERATING STANDARDS</b>	
	(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	<b>SALVAGING</b>	
	(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	<b>BOUNDARY CONTROL</b>	
	(a)	Access Restricted	<input type="checkbox"/>
	(b)	Proper Sign Posted	<input type="checkbox"/>

<b>33.</b>	<b>811.110</b>	<b>CLOSURE AND WRITTEN CLOSURE PLAN</b>	
	(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"/>
<b>34.</b>	<b>811.111</b>	<b>POST-CLOSURE MAINTENANCE</b>	
	(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"/>
<b>35.</b>	<b>811.112</b>	<b>RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS</b>	
	(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"/>
	<b>PART 811 SUBPART C</b>	<b>PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS</b>	
<b>36.</b>	<b>811.302</b>	<b>FACILITY LOCATION</b>	
	(c)	Site Screening (Does Not Apply To Part 814-Subpart D Sites)	<input type="checkbox"/>
<b>37.</b>	<b>811.309</b>	<b>LEACHATE TREATMENT AND DISPOSAL SYSTEM</b>	
	(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"/>
<b>38.</b>	<b>811.310</b>	<b>LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE)</b>	
	(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"/>
<b>39.</b>	<b>811.311</b>	<b>LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)</b>	
	(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"/>

<b>40.</b>	<b>811.312</b>	<b>LANDFILL GAS PROCESS AND DISPOSAL SYSTEM</b>	
	(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"/>
<b>41.</b>	<b>811.313</b>	<b>INTERMEDIATE COVER</b>	
	(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"/>
<b>42.</b>	<b>811.314</b>	<b>FINAL COVER SYSTEM (DOES NOT APPLY TO PART 814 SITES THAT HAVE CLOSED, COVERED AND VEGETATED PRIOR TO SEPTEMBER 18, 1990)</b>	
	(a)	General Requirements	<input type="checkbox"/>
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/>
	(c)	Standards for Final Protective Layer	<input type="checkbox"/>
<b>43.</b>	<b>811.316</b>	<b>PLUGGING AND SEALING OF DRILL HOLES</b>	<input type="checkbox"/>
<b>44.</b>	<b>811.321</b>	<b>WASTE PLACEMENT</b>	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
<b>45.</b>	<b>811.322</b>	<b>FINAL SLOPE AND STABILIZATION</b>	
	(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"/>
<b>46.</b>	<b>811.323</b>	<b>LOAD CHECKING PROGRAM</b>	
	(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"/>
	<b>PART 811 SUBPART D</b>	<b>MANAGEMENT OF SPECIAL WASTES AT LANDFILLS</b>	
<b>47.</b>	<b>811.402</b>	<b>NOTICE TO GENERATORS AND TRANSPORTERS</b>	<input type="checkbox"/>
<b>48.</b>	<b>811.403</b>	<b>SPECIAL WASTE MANIFESTS REQUIREMENTS</b>	<input type="checkbox"/>
<b>49.</b>	<b>811.404</b>	<b>IDENTIFICATION RECORD</b>	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/>
	(b)	Special Waste Recertification	<input type="checkbox"/>
<b>50.</b>	<b>811.405</b>	<b>RECORDKEEPING REQUIREMENTS</b>	<input type="checkbox"/>
<b>51.</b>	<b>811.406</b>	<b>PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES</b>	<input type="checkbox"/>

	<b>PART 811 SUBPART G</b>	<b>FINANCIAL ASSURANCE</b>	
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"/>
<b>SOLID WASTE FEE SYSTEM REQUIREMENTS</b>			
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"/>
<b>OTHER REQUIREMENTS</b>			
58.	OTHER:	APPARENT VIOLATION OF: <input type="checkbox"/> PCB; <input type="checkbox"/> CIRCUIT COURT CASE NUMBER:                      ORDER ENTERED ON:	<input type="checkbox"/>
59.			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (o) of Section 21 of the [Illinois] Environmental Protection Act shall be enforceable either by administrative citation under Section 31.1 of the Act or by complaint under Section 31 of the Act.
5. This inspection was conducted in accordance with Sections 4(c) and 4(d) of the [Illinois] Environmental Protection Act: 415 ILCS 5/4(c) and (d).

LPC #: 1030205110

Inspection Date: August 18, 2006

PERMIT PROVISIONS	
PERMIT NUMBER	DESCRIPTION OF VIOLATION (condition # of permit, page # of permit, and/or page # of approved application)
1997-261-LF Modif. #58	II.2.e, page 6, "The operator of this solid waste facility shall not conduct the operation in a manner which results in any of the following... e. uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit..."
(same as above)	II.4.a-w, page 7, "At the end of each day of operation, all exposed waste shall be covered with any combination of the following alternate daily covers...."

## Narrative

On August 18, 2006, the writer, Kathy Geyer, inspected Lee County Landfill. I arrived at 5:40 a.m., anticipating the opening of the facility at 6:00 a.m. Upon arrival, I went to the office, where I found Marcus Netz, the operations manager. He accompanied me during the inspection. On the day of the inspection, the weather conditions were 75° Fahrenheit, hazy (dark upon arrival), and dry.

We first proceeded to the active face, arriving at approximately 5:50 a.m. We approached the active face from the west, at the bottom. The refuse was being dumped from the top because the face was fairly close to the west side. I noted that the "Tarp-o-matic" (trailer that mechanically removes the tarps which have been used as alternate daily cover) had just begun steadily uncovering the day's active face. Historically, employees begin removing the tarps at 5:00 a.m. The covered active face was in excellent condition. The active face was located across a combination of Cells 11 and 13. The next cell, which received a permit to operate, is Cell 16, which was still empty on the date of the inspection.

Next, we drove around the main haul road to the top of the active face, approaching from the east side. We arrived there at 6:03 a.m. Two trucks were backing into the two tippers present at the active face.

Mr. Netz advised me that they were waiting for a contractor to complete the final tie-in for the leachate system for Cell 16 before they begin filling the Cell. The contractor has been delayed for approximately 2 weeks due to another project, so Cell 16 remains to be empty. It was permitted for operation on June 22. Just southeast of the active face, approximately 200' away, was a large, long pile of general construction and demolition debris, which was left uncovered. I took a photograph of it. Mr. Netz told me that approximately 2 weeks previous, the day that a contractor was supposed to arrive to tie in the leachate system for Cell 16, the landfill received several truckloads of the subject demolition debris. They had intended to use it as a "first layer" in Cell 16 on the same day that it was received, just after the contractor finished the leachate system. However, as mentioned previously, the contractor was delayed and had not arrived by the date of this inspection. Consequently, according to Mr. Netz, the debris had been stockpiled and uncovered for approximately 2 weeks. He further told me that when they realized that the contractor would not be arriving on that day, and they received more demolition debris, the remainder of the debris was dumped at the active face and covered.

The demolition debris consisted of wood, asphalt shingles, wires, chunks of drywall, carpeting, fencing material, vinyl siding, pieces of furniture, kitchen cupboards, and other miscellaneous material. The pile was visually estimated to be approximately 150' long by 20' wide and approx. 10' tall. It appeared to meet the definition of "General Construction or Demolition Debris," found in Section 3.160(a) of the Environmental Protection Act (415 ILCS 5/1 et. seq.). Mr. Netz told me that he understood that the permit allowed the stockpiling of the material. I searched through the permit and found that the permit allows; shredded and chipped wood as alternate daily cover and temporary road base, and, clean construction and demolition debris (as defined by Section 3.160(b) of the Act) to be used as alternate daily cover. The permit goes on to state that the chipped and shredded wood can be derived from General

Construction and Demolition Debris. However, the permit also states that none of the subject materials are allowed to be stockpiled. Consequently, since I arrived before the permitted opening time of the landfill, and took the photograph right at 6:05 a.m., I documented an alleged violation of Section 21(o)(5) (among other violations) of the Act. Section 21(o)(5) of the Act prohibits uncovered refuse to remain from any previous operating day or at the conclusion of any operating day.

Next, we drove completely around the landfill on the paved haul road. We stopped at the landscape waste transfer area, located at the north end of the landfill. The area contained ONLY landscape waste, with no other refuse present. It appeared to all be "fresh" and no odors were evident from the pile. Also, there was absolutely no blown litter visible anywhere on the site.

Next, we drove back to the active face. We observed several trucks dumping from the two tipplers. The loads were immediately spread and compacted by the compactors.

Next, we arrived at the office. At this time, I looked through the permit, as mentioned earlier in this report. Mr. Netz requested a copy of the definition of "clean construction and demolition debris." I told him that I would fax him a copy as soon as I arrived back in the office. He told me that, as soon as we were finished he would radio his employees to push the pile to the active face for final disposal.

I asked Mr. Netz how the facility records truckloads and amounts of leachate leaving the site from treatment. He told me that, after the tankers are filled, they travel over the scale. The weight is divided by 8.34 pounds per gallon, and that number is recorded on an Excel spreadsheet. That spreadsheet is printed out for internal and external monthly reports.

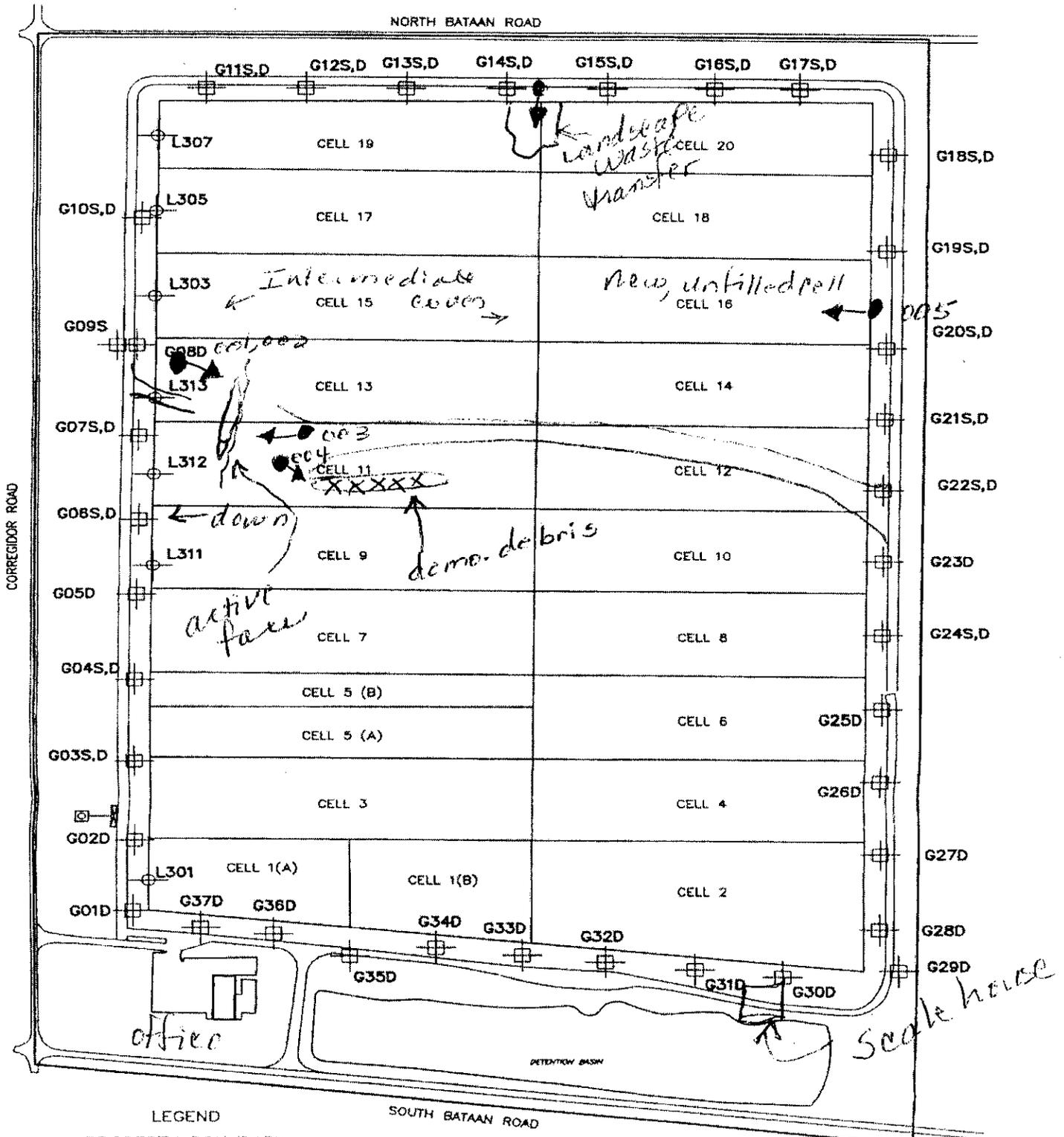
I left at 7:45 .am. When I returned to the office, I faxed Mr. Netz a copy of Section 3.160.

The facility appeared to be in violation of Sections 21(d)(1), 21(d)(2), and 21(o)(5) of the Environmental Protection Act and Section 811.106(a) of 35 Ill. Adm. Code Subtitle G. The specific apparent permit violations were of conditions #II.2.e and II.4.a-w of Permit #1997-261-LF, Modification #58.

Lee County Landfill

Date of Inspection: August 18, 2006

Time of Inspection: 0540-0745



no scale  
●→ = photos



## **DIGITAL PHOTOGRAPHS**

File Names: 1030205110 ~ 08182006-[Exp. #].jpg



**Date:** August 18, 2006  
**Time:** 0550  
**Direction:** southeast  
**Photo by:** Kathy Geyer  
**Exposure #:** 001E002E  
**Comments:** Active face  
with two tippers  
positioned at the top  
before complete  
removal of the tarps.



**Date:** August 18, 2006  
**Time:** 0605  
**Direction:** west  
**Photo by:** Kathy Geyer  
**Exposure #:** 003  
**Comments:** First trucks  
backing into the  
tippers.



## ***DIGITAL PHOTOGRAPHS***

File Names: 1030205110 ~ 08182006-[Exp. #].jpg

Date: August 18, 2006  
Time: 0605  
Direction: southeast  
Photo by: Kathy Geyer  
Exposure #: 004  
Comments: demolition  
debris. The tarp in  
the photo is an old  
one, not used for  
cover on the date of  
the inspection.



Date: August 18, 2006  
Time: 0630  
Direction: west  
Photo by: Kathy Geyer  
Exposure #: 005  
Comments: Newly-  
permitted cell 16.





***DIGITAL PHOTOGRAPHS***

File Names: 1030205110 ~ 08182006-[Exp. #].jpg

Date: August 18, 2006  
Time: 0645  
Direction: south  
Photo by: Kathy Geyer  
Exposure #: 006  
Comments: Landscape  
waste transfer area.



Date:  
Time:  
Direction:  
Photo by:  
Exposure #:  
Comments:

(NO PHOTOGRAPH)

**PROOF OF SERVICE**

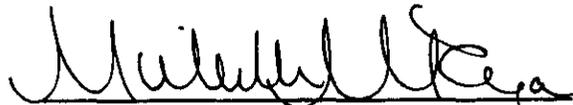
I hereby certify that I did on the 15th day of September 2006, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Lee County Landfill SC, LLC  
CT Corporation System  
208 S. Lasalle, Suite 814  
Chicago, IL 60604  
Cert #7004 2510 0001 8587 7528

Dave Geier  
Lee County Landfill SC, LLC  
1214 South Bataan Road  
Dixon, IL 61021  
Cert #7004 2510 0001 8587 7535

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  
Cert #7004 2510 0001 8587 7511



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