

MAY 10 2007

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

COUNTY OF MACON, ILLINOIS)
)
 Complainant,)
)
 v.)
)
 Veolia ES Valley View Landfill,)
)
)
)
 Respondent.)

AC 07-58
 (MCSWMD No. 2007 - 001 - AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the County of Macon by Section 4(r) of the Illinois Environmental Protection Act, 415 ILCS 5/4(r) (2006).

FACTS

1. That Respondent, Veolia ES Valley View Landfill, is the permitted owner and operator of a facility located at 1363 Bear Road, Decatur, Macon County, Illinois.
2. That Respondent, Chris Peters, is the Certified Operator of the above-referenced facility.
3. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1995 - 198 - LF, and is designated with Site Code No. 1158040008. The facility is commonly known to the Illinois Environmental Protection Agency as Veolia ES Valley View Landfill.
4. That Respondent has owned and/or operated said facility at all times pertinent hereto.
5. That on April 5, 2007 between the hours of 6:20 am and 7:10 am, Darlene K. Powell of the Macon County Solid Waste Management Department conducted an inspection of 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 Darlene K. Powell during the course of her April 5, 2007 inspection of the above-referenced facility, the Macon County Solid Waste Management Department has determined that Respondent violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondent conducted a sanitary landfill operation in a manner which resulted in uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, a violation of Section 21(o)(5) of the Act, 415 ILCS 5/21(o)(5) (2006); and
- (2) That Respondent conducted a sanitary landfill operation in a manner which resulted in a failure to collect and contain litter from the site by the end of each operating day, a violation of Section 21(o)(12) of the Act, 415 ILCS 5/21(o)(12) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2006), Respondent is subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of One Thousand Dollars (\$1,000.00). If Respondent elects not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than June 30, 2007, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects 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 (2006), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing,

Respondent shall be assessed the associated hearing costs incurred by the Macon County Solid Waste Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty.

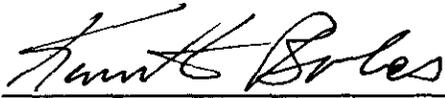
Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2006), if Respondent fails to petition or elects not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board 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, Respondent's check shall be made payable to the Macon County Solid Waste Management Department and mailed to the attention of Darlene K. Powell, Macon County Solid Waste Management Department, 141 South Main Street, Room 212, Decatur, Illinois 62523-1293. Along with payment, Respondent 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 Respondent from the date payment is due up to and including the date that payment is received. The Office of the Macon County State's Attorney may be requested to initiate proceedings against Respondent in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2006). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Macon County State's Attorney, 253 East Wood Street, Decatur, Illinois, 62523. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.



Kenneth Boles
Assistant State's Attorney
Macon County, Illinois

Date 5-3-07

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

RECEIVED
CLERK'S OFFICE

MAY 10 2007

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

COUNTY OF MACON,)
)
Complainant,)
)
v.)
)
Veolia ES Valley View Landfill,)
)
)
)
Respondent.)

AC 07-58

(MCSWMD No. 2007-001-AC)

FACILITY:	Veolia ES Valley View Landfill	SITE CODE NO.:	1158040008
COUNTY:	Macon	CIVIL PENALTY:	\$1,000.00
DATE OF INSPECTION:	April 5, 2007		

DATE REMITTED:

SSN/FEIN NUMBER:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security Number (SSN) 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 Darlene K. Powell, Macon County Solid Waste Management Department, 141 South Main Street, Decatur, Illinois 62523-1293.

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

AFFIDAVIT

IN THE MATTER OF:

Veolia ES Valley View Landfill

(MCSWMD File No. 2007-001-AC)

Respondent

Affiant, Darlene K. Powell, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Macon County Solid Waste Management Department and has been so employed at all times pertinent hereto.

2. On April 5, 2007 between 6:20 am and 7:10 am, Affiant conducted an inspection of the site in Macon County, Illinois, known as Veolia ES Valley View Landfill, Illinois Environmental Protection Agency Site No. 1158040008.

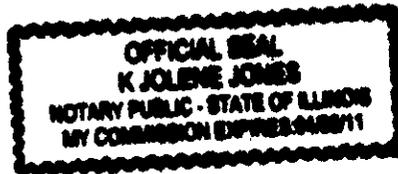
3. Affiant inspected said Veolia ES Valley View Landfill by an on-site inspection which included photographing the site.

4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiants knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the Veolia ES Valley View Landfill site.

Darlene K. Powell

Subscribed and Sworn to before me
this 3RD of MAY
2007.

K Jolene Jones
Notary Public





MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

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

PERMITTED LANDFILL

ADMINISTRATIVE CITATION

MACON COUNTY SOLID)	1158040008 – Macon County
WASTE MANAGEMENT DEPT,)	Decatur/Veolia ES Valley View Landfill
Complainant)	COMPLIANCE FILE
vs.)	
)	
Veolia ES Valley View Landfill,)	
Respondent)	

WARNING: CORRECTIVE ACTION REQUIRED

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

FACTS

The purpose of this notice is to inform you of the results of the Department's inspection, conducted on April 5, 2007, and the corrective action required. This inspection was conducted to evaluate compliance with the requirements of Section 21(o) of the [Illinois] Environmental Protection Act. The alleged violations found during the inspection are identified in the attached inspection report.

CORRECTIVE ACTION REQUIRED

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

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

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

WRITTEN RESPONSE REQUIRED

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

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

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

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

**Macon County Solid Waste Management Department
Attn: Darlene K. Powell, Environmental Inspector
141 South Main Street, Room 212
Decatur, IL 62523**

POTENTIAL SANCTIONS

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

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

Department personnel will conduct a reinspection to verify compliance.

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

MACON COUNTY SOLID WASTE MANAGEMENT DEPARTMENT

By: *Darlene K. Powell*

Darlene K. Powell
Inspector

Date: May 2, 2007

CERTIFIED MAIL #: 7005-1820-0006-9701-4288

Enclosure

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

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

County: Macon LPC#: 1158040008 Region: 4 - Champaign
 Location/Site Name: Decatur/Veolia ES Valley View Landfill
 Date: 04/05/2007 Time: From 6:20 am To 7:10 am Previous Inspection Date: 03/22/2007
 Inspector(s): Darlene K. Powell Weather: overcast, windy, temp in twenties
 No. of Photos Taken: # 10 Samples Taken: Yes # No
 Interviewed: Troy Ward Facility Phone No.: 217-963-2976

Permitted Owner Mailing Address
 Veolia ES Valley View Landfill
 1363 Bear Road
 Decatur, Illinois 62522

Permitted Operator Mailing Address
 Veolia ES Valley View Landfill
 1363 Bear Road
 Decatur, Illinois 62522

Chief Operator Mailing Address
 Veolia ES Valley View Landfill
 Attn: Chris Peters, Chief Operator
 1363 Bear Road
 Decatur, Illinois 62522

Certified Operator Mailing Address
 Veolia ES Valley View Landfill
 Attn: Chris Peters, Operator
 1363 Bear Road
 Decatur, Illinois 62522

AUTHORIZATION: Significant Modification Permit Initial: 1995-198-LF Latest 50 (05/01/2011)
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"/>

LPC #: 1158040008

Inspection Date: 4/5/2007

10.	21(o)	CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:	
	(1)	Refuse in Standing or Flowing Water	<input type="checkbox"/>
	(2)	Leachate Flows Entering Waters of the State	<input type="checkbox"/>
	(3)	Leachate Flows Exiting the Landfill Confines	<input type="checkbox"/>
	(4)	Open Burning of Refuse in Violation of Section 9 of the Act	<input type="checkbox"/>
	(5)	Uncovered Refuse Remaining From Any Previous Operating Day or at the Conclusion of Any Operating Day	<input checked="" type="checkbox"/>
	(6)	Failure to Provide Final Cover Within Time Limits	<input type="checkbox"/>
	(7)	Acceptance of Wastes Without Necessary Permits	<input type="checkbox"/>
	(8)	Scavenging as Defined by Board Regulations	<input type="checkbox"/>
	(9)	Deposition of Refuse in Any Unpermitted Portion of the Landfill	<input type="checkbox"/>
	(10)	Acceptance of Special Waste Without a Required Manifest	<input type="checkbox"/>
	(11)	Failure to Submit Reports Required by Permits or Board Regulations	<input type="checkbox"/>
	(12)	Failure to Collect and Contain Litter by the End of each Operating Day	<input checked="" type="checkbox"/>
(13)	Failure to Submit Any Cost Estimate, Performance Bond or Other Security	<input type="checkbox"/>	
11.	21(t)	CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION	<input type="checkbox"/> NA
12.	21.6(b)	ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996)	<input type="checkbox"/>
13.	22.01	FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE	<input type="checkbox"/>
14.	22.17	LANDFILL POST-CLOSURE CARE	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/> NE
	(b)	Failure to Take Remedial Action	<input type="checkbox"/> NE
15.	22.22(c)	ACCEPTANCE OF LANDSCAPE WASTE FOR FINAL DISPOSAL	<input type="checkbox"/>
16.	22.23(f)(2)	CAUSE OR ALLOW THE DISPOSAL OF ANY LEAD-ACID BATTERY	<input type="checkbox"/>
17.	22.28(b)	ACCEPTANCE OF WHITE GOODS FOR FINAL DISPOSAL	<input type="checkbox"/>
18.	55(b)(1)	ACCEPTANCE OF ANY USED OR WASTE TIRE FOR FINAL DISPOSAL (UNLESS LANDFILL MEETS EXEMPTION OF 55(b)(1))	<input type="checkbox"/>
19.	56.1(a)	CAUSE OR ALLOW THE DISPOSAL OF ANY POTENTIALLY INFECTIOUS MEDICAL WASTE	<input type="checkbox"/>
SOLID WASTE SITE OPERATOR CERTIFICATION LAW REQUIREMENTS			
20.	225 ILCS 230/1004	CAUSING OF ALLOWING OPERATION OF A LANDFILL WITHOUT PROPER COMPETENCY CERTIFICATE	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			
21.	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/>
22.	745.201	PRIOR CONDUCT CERTIFICATION PROHIBITIONS	<input type="checkbox"/>
SPECIAL WASTE HAULING REQUIREMENTS			
23.	809.301	REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS	<input type="checkbox"/> NE

24.	809.302(a)	REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS	<input type="checkbox"/>
25.	809.501	MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS	
	(a)	Delivery of Special Waste to Hauler	<input type="checkbox"/>
	(e)	Retention of Special Waste Manifests	<input type="checkbox"/>
NEW SOLID WASTE LANDFILL REQUIREMENTS			
	PART 811 SUBPART	GENERAL STANDARDS FOR ALL LANDFILLS	
26.	811.103	SURFACE WATER DRAINAGE	
	(a)	Runoff from Disturbed Areas	<input type="checkbox"/>
	(b)	Diversion of Runoff from Undisturbed Areas	<input type="checkbox"/>
27.	811.104	SURVEY CONTROL	
	(a)	Boundaries Surveyed and Marked	<input type="checkbox"/>
	(b)	Stakes and Monuments Marked	<input type="checkbox"/>
	(c)	Stakes and Monuments Inspected	<input type="checkbox"/>
	(d)	Control Monument Established and Maintained	<input type="checkbox"/>
28.	811.105	COMPACTION	<input type="checkbox"/>
29.	811.106	DAILY COVER	
	(a)	Six Inches Soil	<input type="checkbox"/>
	(b)	Alternative Daily Cover	<input checked="" type="checkbox"/>
30.	811.107	OPERATING STANDARDS	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Work Face Size and Slope	<input type="checkbox"/>
	(c)	Equipment	<input type="checkbox"/>
	(d)	Utilities	<input type="checkbox"/>
	(e)	Maintenance	<input type="checkbox"/>
	(f)	Open Burning	<input type="checkbox"/>
	(g)	Dust Control	<input type="checkbox"/>
	(h)	Noise Control	<input type="checkbox"/>
	(i)	Vector Control	<input type="checkbox"/>
	(j)	Fire Protection	<input type="checkbox"/>
	(k)	Litter Control	<input checked="" type="checkbox"/>
	(l)	Mud Tracking	<input type="checkbox"/>
	(m)	Liquid Restrictions for MSWLF Units	<input type="checkbox"/>
31.	811.108	SALVAGING	
	(a)	Salvaging Interferes with Operation	<input type="checkbox"/> NE
	(b)	Safe and Sanitary Manner	<input type="checkbox"/> NE
	(c)	Management of Salvagable Materials	<input type="checkbox"/> NE
32.	811.109	BOUNDARY CONTROL	
	(a)	Access Restricted	<input type="checkbox"/>
	(b)	Proper Sign Posted	<input type="checkbox"/>

33.	811.110	CLOSURE AND WRITTEN CLOSURE PLAN	
	(a)	Final Slopes and Contours	<input type="checkbox"/> NA
	(b)	Drainage Ways and Swales	<input type="checkbox"/> NA
	(c)	Final Configuration	<input type="checkbox"/> NA
	(d)	Written Closure Plan	<input type="checkbox"/> NA
	(e)	Initiation of Closure Activities at MSWLF Units	<input type="checkbox"/> NA
	(f)	Completion of Closure Activities at MSWLF Units	<input type="checkbox"/> NA
	(g)	Deed Notation for MSWLF Units	<input type="checkbox"/> NA
34.	811.111	POST-CLOSURE MAINTENANCE	
	(a)	Procedures After Receipt of Final Volume of Waste	<input type="checkbox"/> NA
	(b)	Remove All Equipment of Structures	<input type="checkbox"/> NA
	(c)	Maintenance and Inspection of the Final Cover and Vegetation	<input type="checkbox"/> NA
	(d)	Planned Uses of Property at MSWLF Units	<input type="checkbox"/> NA
35.	811.112	RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS	
	(a)	Location Restriction Demonstration	<input type="checkbox"/>
	(b)	Load Checking Requirements	<input type="checkbox"/>
	(c)	Gas Monitoring Records	<input type="checkbox"/>
	(d)	MSWLF Liquid Restriction Records	<input type="checkbox"/>
	(e)	Groundwater Monitoring Program Requirements	<input type="checkbox"/>
	(f)	Closure and Post Closure Care Requirements	<input type="checkbox"/> NA
	(g)	Cost Estimates and Financial Assurance Requirements	<input type="checkbox"/> NE
	PART 811 SUBPART C	PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS	
36.	811.302	FACILITY LOCATION	
	(c)	Site Screening (Does Not Apply To Part 814-Subpart D Sites)	<input type="checkbox"/>
37.	811.309	LEACHATE TREATMENT AND DISPOSAL SYSTEM	
	(a)	General Requirements	<input type="checkbox"/>
	(c)	Standards for On-Site Treatment and Pretreatment	<input type="checkbox"/>
	(d)	Standards for Leachate Storage System	<input type="checkbox"/>
	(e)	Standards for Discharge to Off-Site Treatment	<input type="checkbox"/>
	(f)	Standards for Leachate Recycling Systems	<input type="checkbox"/>
	(g)	Standards for Leachate Monitoring Systems	<input type="checkbox"/>
38.	811.310	LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE)	
	(b)	Location and Design of Gas Monitoring Wells	<input type="checkbox"/>
	(c)	Monitoring Frequency for Landfill Gas	<input type="checkbox"/>
	(d)	Monitoring Parameters	<input type="checkbox"/>
39.	811.311	LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)	
	(a)	Conditions for Installation of Gas Management System	<input type="checkbox"/>
	(b)	Notification and Implementation Requirements	<input type="checkbox"/>
	(c)	Standards for Gas Venting	<input type="checkbox"/>
	(d)	Standards for Gas Collection	<input type="checkbox"/>

40.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/>
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/>
	(e)	Standards for Gas Flares	<input type="checkbox"/>
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than Flares	<input type="checkbox"/>
	(g)	Gas Transported Off-Site	<input type="checkbox"/>
41.	811.313	INTERMEDIATE COVER	
	(a)	Requirements for the Application for Intermediate Cover	<input type="checkbox"/>
	(b)	Runoff and Infiltration Control	<input type="checkbox"/>
	(c)	Maintenance of Intermediate Cover	<input type="checkbox"/>
42.	811.314	FINAL COVER SYSTEM (DOES NOT APPLY TO PART 814 SITES THAT HAVE CLOSED, COVERED AND VEGETATED PRIOR TO SEPTEMBER 18, 1990)	
	(a)	General Requirements	<input type="checkbox"/> NA
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/> NA
	(c)	Standards for Final Protective Layer	<input type="checkbox"/> NA
43.	811.316	PLUGGING AND SEALING OF DRILL HOLES	<input type="checkbox"/> NE
44.	811.321	WASTE PLACEMENT	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/> NA
	(b)	Slopes Required to Drain	<input type="checkbox"/> NA
	(c)	Vegetation	<input type="checkbox"/> NA
	(d)	Structures Built over the Unit	<input type="checkbox"/> NA
46.	811.323	LOAD CHECKING PROGRAM	
	(a)	Load Checking Program Implemented	<input type="checkbox"/>
	(b)	Load Checking Program for PCB's at MSWLF Units	<input type="checkbox"/>
	(c)	Load Checking Program Components	<input type="checkbox"/>
	(d)	Handling Regulated Hazardous Wastes	<input type="checkbox"/> NA
	PART 811 SUBPART D	MANAGEMENT OF SPECIAL WASTES AT LANDFILLS	
47.	811.402	NOTICE TO GENERATORS AND TRANSPORTERS	<input type="checkbox"/>
48.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/>
49.	811.404	IDENTIFICATION RECORD	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/> NE
	(b)	Special Waste Recertification	<input type="checkbox"/> NE
50.	811.405	RECORDKEEPING REQUIREMENTS	<input type="checkbox"/>
51.	811.406	PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES	<input type="checkbox"/>

PART 811 SUBPART G		FINANCIAL ASSURANCE	
52.	811.700	COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G	<input type="checkbox"/> NE
53.	811.701	UPGRADING FINANCIAL ASSURANCE	<input type="checkbox"/> NE
54.	811.704	CLOSURE AND POST-CLOSURE CARE COST ESTIMATES	<input type="checkbox"/> NE
55.	811.705	REVISION OF COST ESTIMATE	<input type="checkbox"/> NE
SOLID WASTE FEE SYSTEM REQUIREMENTS			
56.	Part 858 Subpart B	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS WEIGHED (LIST SPECIFIC SECTION	<input type="checkbox"/>
57.	Part 858 Subpart C	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS NOT WEIGHED (LIST SPECIFIC	<input type="checkbox"/>
OTHER REQUIREMENTS			
58.	OTHER:	APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
59.			<input type="checkbox"/>
			<input type="checkbox"/>

Darlene K. Powell
 Signature of Inspector(s)

Informational Notes

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

LPC #1158040008 - Macon County
Decatur/Veolia ES Valley View Landfill
FOS File
Inspector(s): Darlene K. Powell
Inspection Date: Thursday, April 5, 2007

Inspection Report Narrative

I conducted a routine inspection of this facility on April 5, 2007 between the hours of 6:20 and 7:10 in the morning. This inspection was conducted to determine the regulatory status and evaluate compliance with the Environmental Protection Act (Act) and Title 35 Illinois Administrative Code, Subtitle G: Land Pollution (Regulations). Ten photographs were taken. No samples collected. Weather conditions at the time of the inspection were overcast and windy, with an air temperature in the twenties.

Site History and Permitting

Veolia ES Valley View Landfill has two permits. Unit 1 has been closed since 1970. It is governed by Permits 1976-4-DE, 1978-7-DE, and 1979-18-DE with the most current supplemental permit being 2001-451-SP, which was issued in 2002. Unit 2 is governed by permit 1995-198-LF. Veolia ES Valley View was granted permit Log No. 2006-338 on September 1, 2006 which modified permit No. 1995-198-LF, Modification #50. The new permit approves the modification to the leachate management plan, which allows Veolia the option to also direct leachate to Cathay Deep Well Disposal LLC. The current permit for this facility expires on May 1, 2011.

Site Inspection

I arrived on site at 6:20 in the morning. I stopped by the shop to let the workers know I was on site to do an inspection. I then drove to the active area. Tarps and processed landscape waste were the main ADCs utilized (Photographs 1 & 2). A considerable amount of litter was present in the processed landscape waste (Photographs 3 & 4). Soil was also used along the east edge of the tarps. Litter was also observed where soil had been utilized, and a hole was visible in one of the tarps (Photographs 5 – 8). The waste underneath the section of tarp that had the hole was appropriately covered with soil, as required by permit. Exposed refuse was observed in two locations (Photographs 9 & 10).

As I was preparing to leave the active area, I saw Patrick, the facility mechanic, and briefly talked about what was observed. When I mentioned the exposed refuse, he asked if it looked like the tarps had been blown by the wind. I said it appeared that way, but I did not know how the violations would be handled. I told Patrick I would talk to Troy when he returned from vacation. I then drove up to the office to review the records.

Records Review

Records that were reviewed at the time of the inspection included the following: alternate daily cover, leachate recirculation, and load checks.

Veolia ES Valley View is required to cover waste at the end of each operating day with a minimum of six (06) inches of clean soil, as specified in their permit. Veolia has also received permit modifications to use a variety of alternate daily cover (ADC) materials such as tarps, foundry sand, petroleum contaminated soils, ground wood waste, processed landscape waste, and/or select clean construction or demolition debris as defined by regulations and standards. Veolia is allowed a maximum area of no more than 60,000 square feet of area that may be covered with ADC, and they must keep a record that indicates a description of the weather that day, the type of the ADC that was used, and the performance of the ADC. During the week of March 26th through the 31st tarps, petroleum contaminated soil, and processed landscape waste were utilized. Performance was recorded as good for the entire week. Looking back through the ADC log for 2007, every day was noted as having good performance, which was incorrect. During an inspection conducted on March 20, 2007 a significant amount of litter was observed. It appeared as though the information may have been recorded at the end of each operating day as opposed to the following morning in order to document the performance of the ADC. I made a note that I needed to speak to Troy when he returned from vacation the following week.

Veolia ES Valley View Landfill collects leachate via a leachate collection system that drains into a 40,000 gallon underground storage tank. Leachate is recirculated over the active area on a periodic basis. Excess leachate is hauled to the Veolia ES Orchard Hills Landfill, located in Ogle County, for recirculation on an as needed basis. A permit was recently approved that will allow Veolia to haul leachate to Cathay Deep Well Disposal LLC (formerly ISK Magnetics, Inc.) if recirculation is not an option due to heavy rains for an extended period of time. During the week of March 26th through the 31st, 60,000 gallons of leachate were recirculated on site. No leachate was hauled off site during that week.

Veolia ES Valley View is required to conduct three random load checks per week to determine if any banned waste has been accepted by waste haulers. Three random load checks were last conducted on March 30, 2007 between the hours of 10:23 in the morning and 1:06 in the afternoon. All three loads were approved, and no waste was rejected.

I concluded my inspection and left the landfill at 7:10 in the morning.

Follow-up

I spoke with Troy on April 9th, and I emailed him the pictures from the April 5th inspection while we were on the phone. Troy said it looked like birds picked through the compost, and he also said the tarps appeared to have been moved because of the windy conditions. I told Troy that litter was also observed where soil was used and not just in the areas where compost was used as cover. I also

told Troy the tarps need to be anchored so the wind is not able to move them. Troy said the tarps could rip when the workers try to remove them the next day if too much compost or soil is used to hold them in place.

I told Troy that ADC needs to perform at least as good as six inches of soil. If the ADC currently utilized is not adequate for keeping vectors out of the waste and keeping the waste covered, the refuse would need to be covered by alternative means. Troy said the ADCs being used now are the alternative, and he would like to avoid using soil in order to save on air space in the landfill.

I told Troy the ADC log for 2007 had everyday to date as having good performance for the ADC that was used, which was incorrect. I mentioned the March 20th inspection and how the ADC did not have good performance that day. Each person will have his own interpretation as to whether or not the performance is good; however, if there is litter, regardless of how the litter got there, the performance can not be marked as good. I asked when the performance conditions were being recorded. Troy said at night before the workers leave for the evening. I told him that the performance conditions were not supposed to be recorded until the following morning when the workers come in and assess the area. Troy understood and said he would let the workers know.

Finally, I told Troy I was not sure how the violations would be handled. I told Troy that after viewing the March 20th inspection Rich Gerard said the litter was bad enough that we could have pursued an Administrative Citation (AC). If issued an AC by the Department for the current inspection, Troy said he would probably fight the AC because he felt he had a good argument against everything that was documented. I told Troy I would let him know if any developments occurred before my meeting with Mr. Gerard on April 30th.

Summary of Apparent Violations

The following is a list of apparent violations of the 35 Illinois Administrative Code (regulations) and the Illinois Environmental Protection Act 415 ILCS 5/1 et seq (formerly Ill Ch. Rev. Stat. Ch.111 ½, 1001 et seq.)

Pursuant to Section 21(d)(1) of the Act, in relevant part, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Agency or in violation of any conditions imposed by such permit, including periodic reports and full access to adequate records and the inspection of facilities, as may be necessary to assure compliance with this Act and with regulations and standards adopted there under.

- A violation of Section 21(d)(1) is alleged because waste was disposed of and/or stored in violation of permit conditions

Pursuant to Section 21(d)(2) of the Act, no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation in violation of any regulations or standards adopted by the Board under this Act.

- A violation of Section 21(d)(2) is alleged because waste was disposed of and/or stored in a way that violates regulations and standards adopted by the Board.

Pursuant to Section 21(e) of the Act, no person shall dispose, treat, store or abandon any waste, or transport any waste into this State for disposal, treatment, storage or abandonment, except at a site or facility which meets the requirements of this Act and of regulations and standards there under.

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

Pursuant to Section 21(o), (5) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit...in a manner which results in any of the following conditions...uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit.

- A violation of Section 21(o)(5) is alleged because uncovered refuse, which is not authorized by permit, was observed during the inspection.

Pursuant to Section 21(o)(12) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit...in a manner which results in any of the following conditions...failure to collect and contain litter from the site by the end of each operating day.

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

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

Pursuant to Section 811.106(b) of the Regulations, alternative materials or procedures, including the removal of daily cover prior to additional waste placement, may be used, provided that the alternative materials or procedures achieve equivalent or superior performance to the requirements of 811.106(a) in the following areas: (1) prevention of blowing debris; (2) minimization of access to the waste by vectors; (3) minimization of the threat of fires at the open face; and (4) minimization of odors.

- A violation of 811.106(b) is alleged because exposed waste was observed during the inspection.

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

- A violation of 811.107(k) is alleged because litter was observed during the inspection.

VIOLATIONS OF PERMIT #1995-198-LF

Pursuant to Section II “Operating Conditions” Part 2(e), the operator of this 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.

- A violation of Section II, Part 2(e) of Permit 1995-198-LF is alleged because uncovered refuse was observed in the active area during the inspection.

Pursuant to Section II “Operating Conditions” Part 2(l), the operator of this 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.

- A violation of Section II, Part 2(l) of Permit 1995-198-LF is alleged because litter was observed during the inspection.

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

- A violation of Section II, Part 5(d) of Permit 1995-198-LF is alleged because weather conditions adversely affected the ability of the ADC to prevent the blowing of litter and vectors.

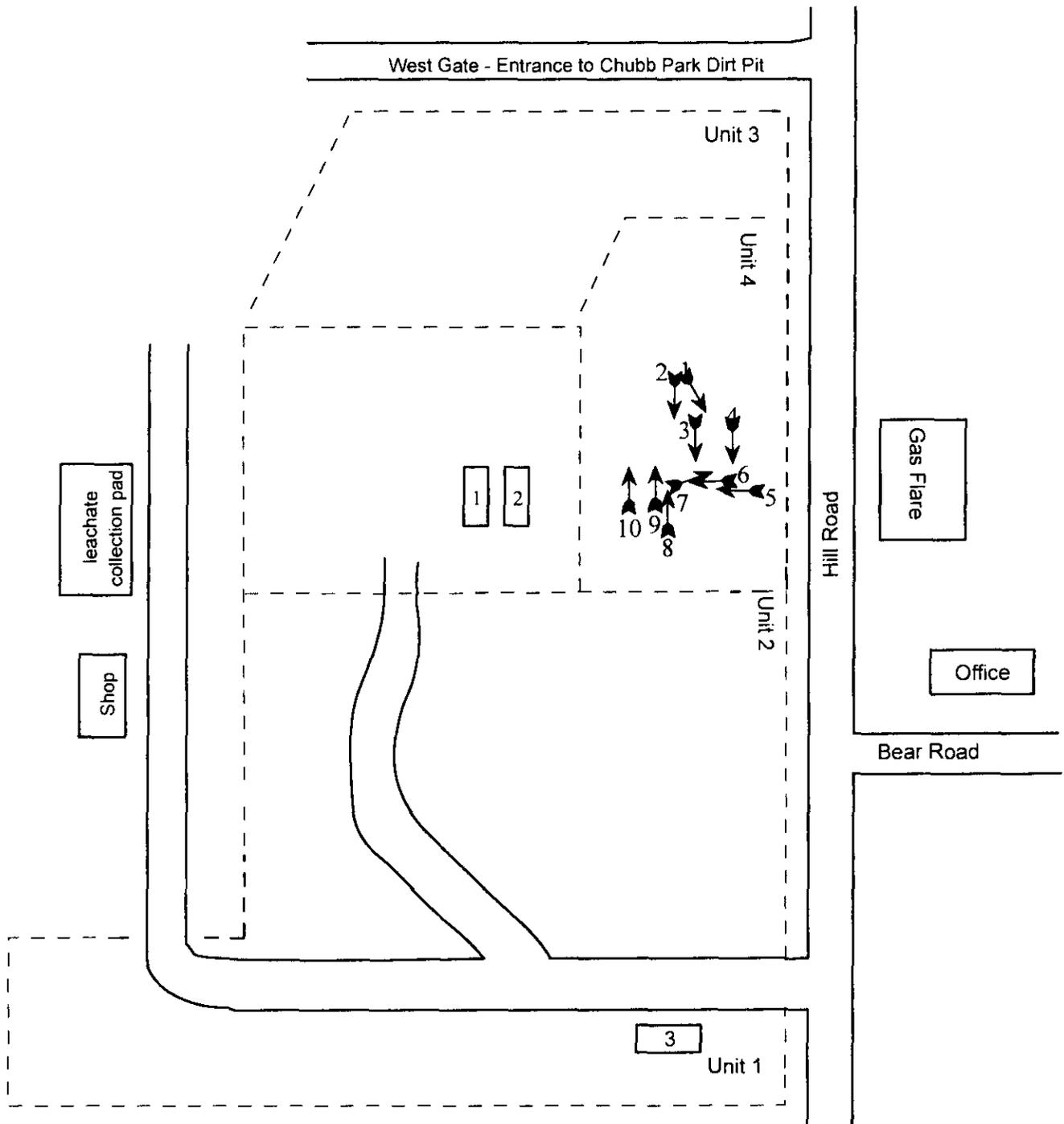
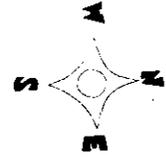
Pursuant to Section II “Operating Conditions” Part 5(f), ... Use of ADCs shall be subject to the following conditions... when an ADC is applied, the operator shall keep a record including a description of the weather conditions, the type of ADC used and its performance.

- A violation of Section II, Part 5(f) of Permit 1995-198-LF is alleged because inaccurate information was recorded in the ADC records at the time of the inspection.

Pursuant to Section II “Operating Conditions” Part 5(p), ... Use of ADCs shall be subject to the following conditions... all ADC must meet the requirements of 35 IAC, 811.106(b)(1) through (4) at all times.

- A violation of Section II Part 5(p) is alleged because the ADC failed to meet the requirements of 35 IAC, 811.106(b)(1) and 811.106(b)(2).

Site sketch for Decatur/Veolia ES Valley View Landfill
Site #1158040008 - Macon County
Inspector(s): Darlene K. Powell
Inspection Date: Thursday, April 5, 2007



* Drawing not to scale

Arrows indicate direction/location of photographs

*1 & 2 Represent the Liquid Waste Solidification boxes (buried)

*3 Represents the Residential Drop Boxes

INSPECTION PHOTOS

DATE: 4/5/2007

SITE #: 1158040008

COUNTY: Macon

TIME: 6:28 am

SITE NAME: Decatur/Veolia ES Valley View Landfill

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo
Taken Toward: Northeast
Tarps & compost used to
cover waste from
previous day; some
visible litter



PHOTO #: 01

DATE: 4/5/2007

TIME: 6:28 am

PHOTOS TAKEN BY:

Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Tarps & compost used to
cover waste from
previous day; some
visible litter



PHOTO #: 02

INSPECTION PHOTOS

DATE: 4/5/2007

SITE #: 1158040008

COUNTY: Macon

TIME: 6:29 am

SITE NAME: Decatur/Veolia ES Valley View Landfill

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Litter

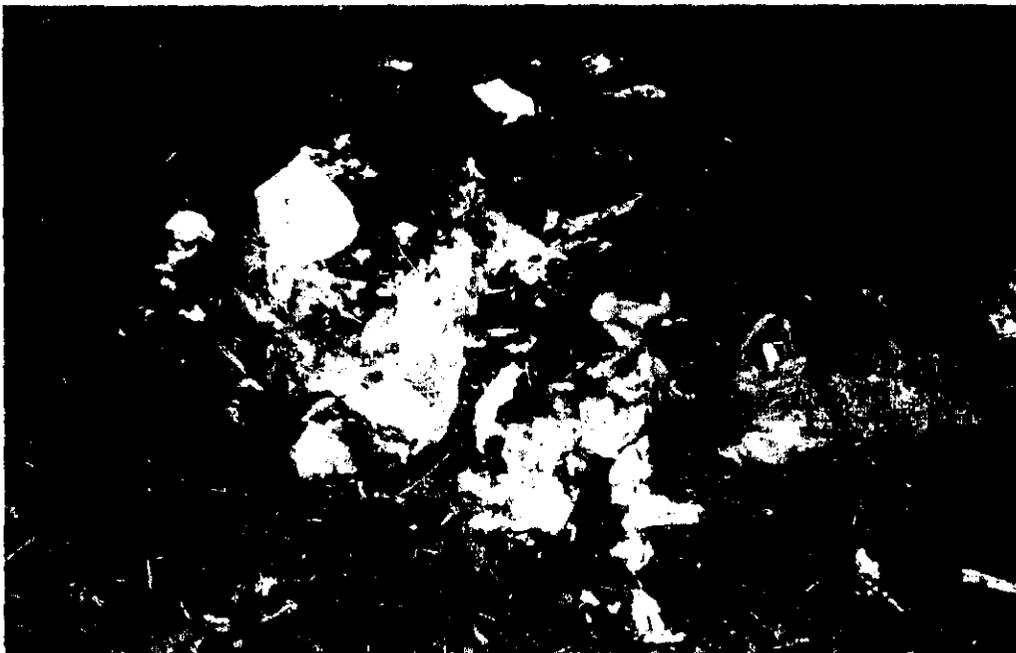


PHOTO #: 03

DATE: 4/5/2007

TIME: 6:29 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: East
Litter



PHOTO #: 04

INSPECTION PHOTOS

DATE: 4/5/2007

SITE #: 1158040008

COUNTY: Macon

TIME: 6:30 am

SITE NAME: Decatur/Veolia ES Valley View Landfill

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: South
Litter



PHOTO #: 05

DATE: 4/5/2007

TIME: 6:30 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: South
Litter



PHOTO #: 06

INSPECTION PHOTOS

DATE: 4/5/2007

SITE #: 1158040008

COUNTY: Macon

TIME: 6:31 am

SITE NAME: Decatur/Veolia ES Valley View Landfill

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: Northwest
Ripped tarp; soil used to
cover waste underneath



PHOTO #: 07

DATE: 4/5/2007

TIME: 6:31 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: West
Litter



PHOTO #: 08

INSPECTION PHOTOS

DATE: 4/5/2007

SITE #: 1158040008

COUNTY: Macon

TIME: 6:32 am

SITE NAME: Decatur/Veolia ES Valley View Landfill

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: West
Exposed refuse



PHOTO #: 09

DATE: 4/5/2007

TIME: 6:32 am

PHOTOS TAKEN BY:
Darlene K. Powell

COMMENTS: Photo
Taken Toward: West
Exposed refuse



PHOTO #: 10