



**Macon County
State's Attorney's Office**

Macon County Courthouse
253 E. Wood St., Decatur, IL 62523
Telephone: 217/424-1400 FAX: 217/424-1402

**RECEIVED
CLERK'S OFFICE**

JAN 08 2010

**STATE OF ILLINOIS
Pollution Control Board**

January 6, 2010

ORIGINAL

Mr. John Therriault, Asst. Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218

AC10-11

Re: County of Macon v. Veolia Environmental Services Valley View Landfill
MCSWMD File No. 2010-001-AC: 1158040008 – Macon County

Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, including the Administrative Citation, The Inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency 811 Solid Waste Landfill Inspection Checklist, issued to the above-referenced respondents.

On this date, a copy of the Administrative Citation Package was sent to the Respondents via Certified Mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,

Steven Langhoff
Assistant State's Attorney

Enclosures

Cc: Laurie Rasmus, Macon County Solid Waste Management Dept.
Jeff Turner, IEPA Champaign Regional Office
Ellen Robinson, IEPA
FOS File

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATIVE CITATION

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JAN 08 2010

STATE OF ILLINOIS
Pollution Control Board

MACON COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)
Complainant,)
v.)
VEOLIA ES VALLEY VIEW LANDFILL,)
Respondent.)

ORIGINAL

AC 10-11
(MCSWMD No. 2010-001: 1158040008)

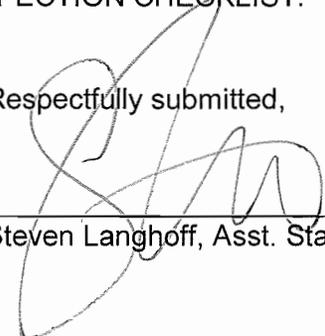
NOTICE OF FILING

To: Mr. Timothy Curry
Veolia ES Valley View Landfill
1363 Bear Road
Decatur, IL 62522

Mr. Timothy Curry
Veolia ES Solid Waste, Inc.
13932 St. Charles Rock Rd.
Earth City, MO 63045

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 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST.

Respectfully submitted,


Steven Langhoff, Asst. State's Attorney

Macon County State's Attorney's Office
Macon County Courthouse
253 E. Wood Street
Decatur, IL 62523-1496
217/424-1400

Dated: January 6, 2010

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CLERK'S OFFICE

JAN 08 2010

STATE OF ILLINOIS
Pollution Control Board

COUNTY OF MACON

AFFIDAVIT

MACON COUNTY)
 SOLID WASTE MANAGEMENT DEPT.,)
)
 Complainant,)
)
 v.)
)
 VEOLIA ES VALLEY VIEW LANDFILL,)
)
 Respondent.)

AC 10-11
 (MCSWMD No. 2010-001: 1158040008)

ORIGINAL

Affiant, Laurie Rasmus, 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.

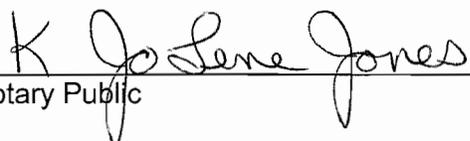
2. On December 2, 2009 between 6:15 a.m. and 10:04 a.m., Affiant conducted an inspection of a landfill operated by Veolia Environmental Services, Inc. located in Macon County, Illinois and known as Veolia ES Valley View Landfill by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1158040008.

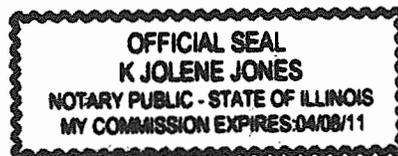
3. Affiant inspected said Veolia ES Valley View Landfill by an on-site inspection which included walking and photographing the site.

4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Checklist form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiants observations and factual conclusions with respect to the facility.


 Laurie Rasmus

Subscribed and Sworn to before me
this 5th of JANUARY 2010


 Notary Public



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JAN 08 2010

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

MACON COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)
Complainant,)
v.)
VEOLIA ES VALLEY VIEW LANDFILL,)
Respondent.)

AC 10-11
(MCSWMD No. 2010-001: 1158040008)

ORIGINAL

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Macon County Solid Waste Management Department, a delegated county of the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act , 415 ILCS 5/31.1 (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 Timothy D. Curry 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

LPC No. 1158040008. The facility is commonly known to the Macon County Solid Waste Management Department as Veolia ES Valley View Landfill.

4. That Respondents have owned and/or operated said facility at all times pertinent hereto.
5. That on December 2, 2009, Laurie Rasmus of the Macon County Solid Waste Management Department inspected the above-referenced facility. A copy of his inspection report setting forth the results of said inspection is attached hereto and made a part hereof.
6. That on Jan. 6, 2010, Laurie Rasmus sent this Notice of Filing of the Administrative Citation via United States Postal Service certified mail
7007 0220 0001 1331 1868
#7007 0220 0001 1331 2230

VIOLATIONS

Based upon direct observations made by Laurie Rasmus during the course of her December 2, 2009 inspection of the above-referenced facility, the Macon County Solid Waste Management Department has determined that Respondents violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents conducted a sanitary landfill operation in a manner which resulted in a manner which results in leachate flows entering waters of the State., a violation of Section 21(o)(2) of the Act, 415 ILCS 5/21(o)(2) (2006); and
- (2) That Respondents conducted a sanitary landfill operation in a manner which results in leachate flows exiting the landfill confines (as determined by the boundaries established for the landfill by a permit issued by the Agency), a violation of Section 21(o)(3) of the Act, 415 ILCS 5/21(o)(3) (2006); and

- (3) That Respondents conducted a sanitary landfill operation in a manner which resulted in uncovered refuse remaining from a previous operating day, a violation of Section 21(o)(5) of the Act, 415 ILCS 5/21(o)(5) (2006); and
- (4) That Respondents conducted a sanitary landfill operation in a manner which resulted in failure to collect and contain litter at the end of the operating day, a violation of Section 21(o)(12) of the Act, 415 ILCS 5/21(o)(12) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2006), Respondents are subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of Two Thousand Dollars (\$2,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than June 30 2009, 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(s) 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 of Two Thousand Dollars (\$2,000.00).

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2006), if Respondent fails 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(s) as alleged herein, and shall impose the statutory civil penalty specified above.

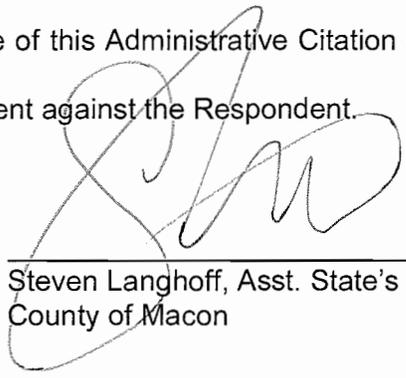
When payment is made, Respondent's check shall be made payable to the Macon County Solid Waste Management Department and mailed to the attention of Debra Hughes-Garrett, Macon County Solid Waste Management Department, 141 South Main Street, Decatur, Illinois 62523. Along with payment, Respondent shall 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 at 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.



Steven Langhoff, Asst. State's Attorney
County of Macon

Date January 6, 2010

Prepared by: Laurie Rasmus, Environmental Inspector
Macon County Solid Waste Management Department
141 South Main Street
Decatur, IL 62523
217/421-0291

ORIGINAL

REMITTANCE FORM

MACON COUNTY)
 SOLID WASTE MANAGEMENT DEPT.,)
 RECEIVED)
 CLERK'S OFFICE Complainant,)
 JAN 08 2010 v.)
 STATE OF ILLINOIS)
 POLLUTION CONTROL BOARD VEOLIA ES VALLEY VIEW LANDFILL,)
 Respondent.)

AC 15-11
 (MCSWMD No. 2010-001: 1158040008)

FACILITY: Veolia ES Valley View Landfill Land Pollution Control No.:
 1158040008

COUNTY: Macon CIVIL PENALTY: \$2,000.00

DATE OF INSPECTION: December 2, 2009

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 Macon County Solid Waste Management Department, Attn.: Debra Hughes-Garrett, 141 South Main Street, Decatur, Illinois 62523.

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CLERK'S OFFICE

JAN 08 2010

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I, STEVEN C. LANGHOFF, Assistant State's Attorney of Macon County, Illinois, do hereby certify that on January 6, 2010, I did 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 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST

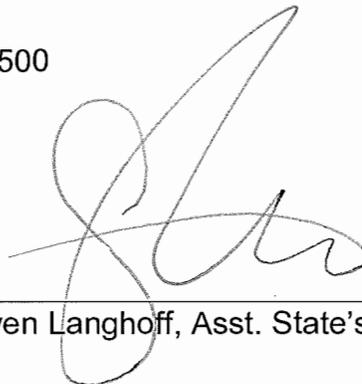
To: Mr. Timothy Curry
Veolia ES Valley View Landfill
1363 Bear Road
Decatur, IL 62522

Mr. Timothy Curry
Veolia ES Solid Waste, Inc.
13932 St. Charles Rock Rd.
Earth City, MO 63045

ORIGINAL

and the original and nine (9) true and correct copies of the same foregoing instruments on the date by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid

To: John Therriault
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218



Steven Langhoff, Asst. State's Attorney

Macon County State's Attorney's Office
Macon County Courthouse
253 E. Wood Street
Decatur, IL 62523-1496
217/424-1400

Dated: January 6, 2010

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

ORIGINAL

County: Macon LPC#: 1158040008 Region: 4 - Champaign
 Location/Site Name: Decatur/Veolia ES Valley View Landfill
 Date: 12/02/2009 Time: From 6:15 am To 10:04 am Previous Inspection Date: 11/13/2009
 Inspector(s): Laurie Rasmus Weather: @ 30 F, cloudy, 5 mph E winds
 No. of Photos Taken: # 42 Samples Taken: Yes # No
 Interviewed: Robert Tindell, Kim Frye, Rick Presser, Tim Curry 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
 Attn: Chris Rooney
 1363 Bear Road
 Decatur, Illinois 62522

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Pollution Control Board**

Chief Operator Mailing Address

Veolia ES Valley View Landfill
 Attn: Rick Presser, Interim Site Manager
 1363 Bear Road
 Decatur, Illinois 62522

Certified Operator Mailing Address

Veolia ES Solid Waste, Inc.
 Attn: Timothy D. Curry, Regional Engineer
 13932 St. Charles Rock Road
 Earth City, MO 63045

AUTHORIZATION:

Significant Modification Permit
 Initial: 1995-198-LF
 Latest 67 (08/21/2009)

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 checked="" 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 checked="" type="checkbox"/>
6.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input checked="" 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"/>

LPC #: 1158040008

Inspection Date: 12/02/2009

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 checked="" type="checkbox"/>
	(3)	Leachate Flows Exiting the Landfill Confines	<input checked="" 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"/> NE
	(7)	Acceptance of Wastes Without Necessary Permits	<input type="checkbox"/> NE
	(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"/> NE
	(11)	Failure to Submit Reports Required by Permits or Board Regulations	<input type="checkbox"/> NE
	(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"/> 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"/> NE
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			
21.	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/> NE
22.	745.201	PRIOR CONDUCT CERTIFICATION PROHIBITIONS	<input type="checkbox"/> NE
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"/> 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"/> NE
	(b)	Stakes and Monuments Marked	<input type="checkbox"/> NE
	(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 type="checkbox"/>
	(b)	Alternative Daily Cover	<input type="checkbox"/>
30.	811.107	OPERATING STANDARDS	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Work Face Size and Slope	<input type="checkbox"/>
	(c)	Equipment	<input type="checkbox"/>
	(d)	Utilities	<input type="checkbox"/>
	(e)	Maintenance	<input type="checkbox"/>
	(f)	Open Burning	<input type="checkbox"/>
	(g)	Dust Control	<input type="checkbox"/>
	(h)	Noise Control	<input type="checkbox"/>
	(i)	Vector Control	<input type="checkbox"/>
	(j)	Fire Protection	<input type="checkbox"/>
	(k)	Litter Control	<input type="checkbox"/>
	(l)	Mud Tracking	<input type="checkbox"/>
	(m)	Liquid Restrictions for MSWLF Units	<input type="checkbox"/>
31.	811.108	SALVAGING	
	(a)	Salvaging Interferes with Operation	<input type="checkbox"/>
	(b)	Safe and Sanitary Manner	<input type="checkbox"/>
	(c)	Management of Salvagable Materials	<input type="checkbox"/>
32.	811.109	BOUNDARY CONTROL	
	(a)	Access Restricted	<input type="checkbox"/>
	(b)	Proper Sign Posted	<input type="checkbox"/>

LPC #: 1158040008

Inspection Date: 12/02/2009

33.	811.110	CLOSURE AND WRITTEN CLOSURE PLAN	
	(a)	Final Slopes and Contours	<input type="checkbox"/> NE
	(b)	Drainage Ways and Swales	<input type="checkbox"/> NE
	(c)	Final Configuration	<input type="checkbox"/> NE
	(d)	Written Closure Plan	<input type="checkbox"/> NE
	(e)	Initiation of Closure Activities at MSWLF Units	<input type="checkbox"/> NE
	(f)	Completion of Closure Activities at MSWLF Units	<input type="checkbox"/> NE
	(g)	Deed Notation for MSWLF Units	<input type="checkbox"/> NE
34.	811.111	POST-CLOSURE MAINTENANCE	
	(a)	Procedures After Receipt of Final Volume of Waste	<input type="checkbox"/> NE
	(b)	Remove All Equipment of Structures	<input type="checkbox"/> NE
	(c)	Maintenance and Inspection of the Final Cover and Vegetation	<input type="checkbox"/> NE
	(d)	Planned Uses of Property at MSWLF Units	<input type="checkbox"/> NE
35.	811.112	RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS	
	(a)	Location Restriction Demonstration	<input type="checkbox"/> NE
	(b)	Load Checking Requirements	<input type="checkbox"/>
	(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"/> NE
	(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"/> NE
	(c)	Standards for On-Site Treatment and Pretreatment	<input type="checkbox"/> NE
	(d)	Standards for Leachate Storage System	<input type="checkbox"/> NE
	(e)	Standards for Discharge to Off-Site Treatment	<input type="checkbox"/> NE
	(f)	Standards for Leachate Recycling Systems	<input checked="" type="checkbox"/>
	(g)	Standards for Leachate Monitoring Systems	<input type="checkbox"/> NE
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"/> NE
	(b)	Notification and Implementation Requirements	<input type="checkbox"/> NE
	(c)	Standards for Gas Venting	<input type="checkbox"/> NE
	(d)	Standards for Gas Collection	<input type="checkbox"/> NE

LPC #: 1158040008

Inspection Date: 12/02/2009

40.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/> NE
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/> NE
	(e)	Standards for Gas Flares	<input type="checkbox"/> NE
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than Flares	<input type="checkbox"/> NE
	(g)	Gas Transported Off-Site	<input type="checkbox"/> NE
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 checked="" 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"/> NE
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/> NE
	(c)	Standards for Final Protective Layer	<input type="checkbox"/> NE
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"/> NE
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/> NE
	(b)	Slopes Required to Drain	<input type="checkbox"/> NE
	(c)	Vegetation	<input type="checkbox"/> NE
	(d)	Structures Built over the Unit	<input type="checkbox"/> NE
46.	811.323	LOAD CHECKING PROGRAM	
	(a)	Load Checking Program Implemented	<input type="checkbox"/>
	(b)	Load Checking Program for PCB's at MSWLF Units	<input type="checkbox"/>
	(c)	Load Checking Program Components	<input type="checkbox"/>
	(d)	Handling Regulated Hazardous Wastes	<input type="checkbox"/>
	PART 811 SUBPART D	MANAGEMENT OF SPECIAL WASTES AT LANDFILLS	
47.	811.402	NOTICE TO GENERATORS AND TRANSPORTERS	<input type="checkbox"/> NE
48.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/> NE
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"/> 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"/> NE
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"/>

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): Laurie Rasmus

Inspection Date: December 2, 2009

GIS Data: Latitude-N 39.82455°, Longitude-W 89.04328° (file)

Inspection Report Narrative

A routine inspection of the Veolia ES Valley View Landfill (VVLFF) was conducted on December 2, 2009 between the hours of 6:15 a.m. and 10:04 a.m. by Laurie Rasmus (author of this report), representing the Macon County Solid Waste Department. Weather conditions consisted of cloudy skies, an air temperature near 30 degrees Fahrenheit and winds of approximately 5 mph from the east.

Forty-two photographs were taken and no samples were collected. Kim Frye, VVLFF scale operator, and Robert Tindell, VVLFF operations staff, and Rick Presser, Operations Manager of Veolia ES Cranberry Creek Landfill in Wisconsin Rapids were interviewed on-site. Telephone conversations with Tim Curry, Veolia ES Regional Engineer, occurred following the site inspection.

This inspection was conducted in accordance with Section 4(c) and (d) of the Illinois Environmental Protection Act ("Act"). The purpose of this inspection was to determine if the site is in compliance with the Act and Regulations.

Site History and Permitting

Veolia ES Valley View Landfill (VVLFF) 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. The most current supplemental permit is 2008-297-SP, which was issued on July 31, 2009. The supplemental permit approves the annual evaluation of the effectiveness of the remedial activities based on Groundwater Monitoring Zone (GMZ) monitoring.

Unit 2 is governed by permit 1995-198-LF which has two recent modifications. Modification #66 approves an annually updated closure and post-closure cost estimate (Log No. 2009-279) and the use of anaerobically digested sewage (POTW) sludge as an alternate daily cover (Log No. 2009-318). Modification #67 approves the annual Evaluation of Remedial Action for 2008 for Units 2 and 3. The current permit for this facility expires on May 1, 2011.

Prior to this inspection of December 2, 2009, the most recent inspection of this facility was conducted on November 13, 2009.

Personnel Changes

On November 30, 2009 Tim Curry, Veolia ES Regional Engineer, telephoned to inform me that Mr. Robert Fosnock had resigned as VVLF Operations Manager and his employment period ended the preceding Friday. Mr. Curry indicated that an operations manager from a northern facility would temporarily serve at the VVLF during the time of transition. He also communicated that he would be at the VVLF more often than usual.

Mr. Curry also informed me that Mr. Robert "Paul" Whittaker was terminated on November 23, 2009 from his position as the General Manager at VVLF and over the local Veolia ES hauling operation. He explained that Chris Rooney of Veolia ES would oversee the hauling operations during the interim.

Inspection (Part 1 of 2)

At 6:15 a.m. on December 2, 2009 I arrived at the site. From the office parking lot, I observed that the flare was operational, hauling vehicles were at the active area and Kim Frye, VVLF scale operator, was in the scale office. I exited my vehicle and asked Ms. Frye to notify Robert Tindell that I was on site. Ms. Frye said that she would do so. I drove along the perimeter of the landfill and parked southwest of the active face. Landfill odors were noticeable on the west and north sides of the landfill as well as the active area.

Robert Tindell, who was seated in the dozer, drove to where I was parked and we both exited our vehicles. I mentioned that my intent was to observe the uncovering of the waste expecting a 7:00 a.m. opening. Mr. Tindell explained that he received word at 3:30 p.m. on the previous day that the facility was to open at 6:00 a.m. the next morning. Mr. Tindell informed me that Rick (referring to Rick Presser, Operations Manager of Veolia ES Cranberry Creek Landfill in Wisconsin Rapids) had arrived yesterday. Regarding the day's opening activities, Mr. Tindell said that he removed two tarps and that six Veolia hauling vehicles had already tipped waste. He stated that recently a tanker of leachate is being transported from the facility on a daily basis and leachate is being re-circulated to increase compaction. During our conversation, I noticed a truck with a tanker enter the facility. Concerning the two areas which were each covered by a single tarp, Mr. Tindell said that they typically utilize those areas on Saturdays.

Referring to my observation of the random load check which Mr. Tindell conducted during my previous inspection, I mentioned that I expected the load to be tipped away from the day's active area. I asked Mr. Tindell if he was able to adequately determine the contents of the load. He explained that by taking numerous swipes across the waste to divide it into one-foot lifts, he felt he was able to view the contents.

Mr. Tindell returned to the dozer and I walked east to a higher elevation to view the active area (photo 1). I then walked along the south and west sides of the active area (photos 2 & 3) and between the tarped areas. Litter, primarily plastics, was present in the areas adjacent to the tarps and active face. After observing a number of hauling vehicles tip waste, I drove from the area.

While on the perimeter hauling road at the southwest corner of the landfill, I saw a tanker truck drive east on the hauling road adjacent to the shop. I noticed that the steel doors to the leachate vaults labeled L307 and L306 were open. All of the three valves in the L306 vault were in the open position and landfill gas odors were prevalent in the area. A hose exited the L306 vault and was inserted in an uncapped pipe to the northwest (photo 4).

Approximately twenty-five feet northeast of L306, black-colored liquid with areas of light-colored foam that appeared to be leachate, was present along the base of the rip-rap downlet at the toe of the south slope (photos 5 & 6). Approximately thirty feet farther to the east another apparent leachate seep of approximately ten feet in length was present at the toe of the slope (photo 7). The liquid had a sheen of multiple colors on its surface and contained areas of foam. It gave the soil a black-stained appearance and clouded the pooled water of the drainage ditch a black color.

Walking approximately 60 feet to the southeast to an area southeast of GB 6S, the odors became of greater intensity and shallow pools of orange-colored liquid were present (photo 8). The outlet to the dewatering well was beyond these by a few feet to the east (photo 9).

I crossed the hauling road to the south and entered the Gradient Control Effluent Treatment System (GCETS) area. Strong odors were noticeable northwest of the aerator unit and in close proximity to the unit. The water, plants and fixtures appeared to have an orange cast. While I was in the GCETS, I saw Billie Sims, VVLF employee, close the steel doors to L306 and then leave the area.

Returning to the haul road, I observed where leachate was apparently present on the road in an area approximately 60 feet west of L306. Liquid was pooled along approximately a twenty foot length along the north edge of the road (photo 11). The liquid appeared to be pooled in tire ruts and was green at the bottom with floating black swirls and an oily sheen on the surface. I photographed segments of the area in an east to west sequence (photos 12-15). I walked around the southwest corner of the landfill, noticing ammonia odors, and viewed the L307 leachate vault (photo 16).

I returned to my vehicle and drove east along the haul road. I observed an area on the south slope that appeared to be recently graded where waste was exposed. I walked up the slope, seeing that the area encompassed an area of approximately 50 feet in diameter and a well labeled EW-52 (photos 17-20). Waste was on the surface as well as embedded in the soil. A partial list of the waste items includes: plastic sheeting, plastic containers and fragments, a blanket, fabric pieces, a rusty metal rod, rusty pipe, carpet and foam carpet pad.

Approximately thirty feet northeast of EW-52 were shallow pools of greenish liquid with a layer of scum on the surface (photos 21 & 22). It appeared as though the area had recently been driven on, leaving tire impressions. Continuing up the slope to the diagonal diversion berm on the east Sections of Unit II, I observed that a rill was present along the upslope side of the diversion berm (photos 23 & 24). Along the length of the rill, an orange-colored liquid with an oily purple sheen was present.

Continuing to walk up-slope, I passed through another area that appeared to be recently graded with waste on the surface and embedded in the soil (photo 25). A partial list of the waste items includes: vinyl siding, compacted plastic and textile material.

Along the shoulder of the slope, a greenish pool of water was present, stretching from the vicinity of EW-32 and eastward (photo 26). It appeared as though soil settlement had recently occurred around the base of EW-32 as cracks were visible and an abrupt elevation change of 4-6" was present. Farther to the east at the shoulder of the slope and along the haul road over the top of the landfill, it appeared as though an area had recently been excavated and/or graded (photo 27).

From the eastern section of the shoulder of the south slope of the landfill, I descended southwest along the diversion berm. Observing the rill that was upslope of the berm, I noticed the point of highest elevation where the leachate became visible on the soil surface. I recorded waypoint 219 (N39.82127, W89.04323) at the location (photo 28). I continued southwest along the berm, observing leachate throughout the length of the adjacent rill (photo 30), to the opening of the downlet (photo 29 & 31). The area of the downlet was permeated with ammonia odors and contained pools of orange colored liquid.

I then walked south, down the south slope, and observed an orange colored liquid, with a layer of film with an oily appearance on portions of the surface, pooled at the south end of the downlet pipe (photos 32-33). The path of the liquid in the pool appeared to descend southeast into the drainage ditch which connected with two culverts that stretched beneath the haul road (photo 34). A ditch from the north also appeared to feed into the two culverts (photos 34 & 35). The south sloping area between the south ends of the culverts and the south sedimentation pond (photos 36 & 37), contained greenish colored water.

Records Review

Deciding to try to make contact with the Interim Operations Manager (Rick Presser), I drove to the office building. Tamyra Meyers and Jenny Taylor, Veolia ES office staff, indicated that Mr. Presser was on the landfill and they would ask him to meet me at the office. While waiting, I went to the scale office and asked Kim Frye, VVLF Scale Operator, if I could view the Random Load Inspection Log. She affirmed my request and I found the log in its usual location. The November 13, 2009 entry for the 11:05 a.m. inspection corresponded with my observations at the active face during my previous inspection of November 13, 2009. The log also recorded random load checks at 7:21 a.m. and 9:11 a.m. on the same day.

The random loads log book contained records for three inspections each day for the following dates in September through November 2009: September 4, 11, 18, 25 (all Fridays); October 2, 10, 16, 23, 30 (three Fridays and a Saturday); November 6, 13, 20, 23 (three Fridays and a Monday).

I asked Ms. Frye what process is followed to determine which loads are inspected for the random checks. Ms. Frye said, "It's totally random." She added that she tries to "switch it up every week." Ms. Frye explained that at times she selects all the loads in the morning or all of the loads in the afternoon or spreads it throughout the day.

Mr. Presser, Operations Manager at Veolia ES Cranberry Creek Landfill in Wisconsin Rapids, arrived in the office building and we were introduced by Ms. Meyer.

Mr. Presser said that he arrived the preceding day and was uncertain as to the duration of his presence at VVLF. I briefly stated my observation from the morning and mentioned that I needed to continue with my inspection where I had stopped in the southeast section of the Unit II. He suggested that we go to the landfill together and we left the office building area in his vehicle.

Inspection (Part 2 of 2)

Note: The photograph numbers that are written in italics were of areas that were photographed during the inspection either prior to or after the time that I was accompanied by Mr. Presser.

As we drove along the west slope of the landfill I pointed out two areas with apparent leachate outbreaks (*photos 39-41*). Continuing along the south side of the landfill I commented on my observations of apparent leachate in the rill upslope of the east diversion berm on the south slope of the landfill (*photos 23-24*). I explained that apparently the leachate descended in the rill (*photos 24 & 30*), entered the downlet (*photos 29-31*), exited the bottom of the downlet (*photos 32-33*), entered the drainage ditch (*photos 34-35*), entered the two culverts under the hauling road (*photo 36*) and descended south to the south sedimentation pond (*photo 37*).

I pointed out the exposed waste on the south slope (*photos 17-20*). Mr. Presser commented that it appeared as though some work had recently occurred around the well, referring to EW-52. I also explained my observations in the southwest section of the landfill regarding the apparent leachate outbreaks, discolorations and odors in the GCETS (*photos 4-15*).

As we continued along the west side of the landfill with the windows of the vehicle raised, odors became more noticeable and odors continued as we drove along the north side and into the active area. I commented that I had observed significant litter on the soil surfaces in the area. Mr. Presser mentioned that a light duty worker was on site for the day. Regarding the active area Mr. Presser said, "My goal at the end of the week, I hope to eliminate some of these tarps." I mentioned that my main concern was that leachate was apparently entering the south sedimentation pond. Mr. Presser replied, "The head behind them is extreme." He voiced concern that "opening them up" might create a greater flow.

We left the active area and drove around the perimeter of the landfill and then ascended the haul road on the east side of the Unit II. In regards to the disturbed soil area (*photo 27*), Mr. Presser thought that work on the road must have recently taken place. We turned around, descended onto the hauling road on the east side of the Unit II and turned west onto Hill Road. Billie Simms was on the north side of the perimeter fence. Mr. Presser stopped to ask Mr. Simms about the hose that connected L306 and the uncapped pipe. Mr. Sims said, "It collects groundwater." We observed another apparent leachate outbreak at the toe of the north slope (*photo 42*). Mr. Presser then dropped me off at my vehicle in the parking lot.

I drove to the southeast section of the landfill and photographed the west side of the Unit I south section referred to as Florida (photo 38). It appeared that water had recently receded from the area leaving a layer of silt on the grassy slope.

At the toe of the east slope of the Unit II landfill, north of the southeast corner, an apparent leachate seep was present on an area of disturbed soil of approximately thirty feet north-south by fifteen feet east-west (photos 39-40). Portions of the soil appeared blackened and the liquid of the apparent leachate seep was black in color with an oily sheen. Approximately 60 feet north of this area was a second apparent leachate seep on an area of disturbed soil of approximately 70 feet north-south by twenty feet east west (photo 41). The apparent leachate was orange colored with an oily sheen.

At the toe of the north slope of the landfill, the appearance of another leachate seep was present (photo 42). The length of the apparent seep was black in color. The water in the drainage ditch was a brownish color with an orange colored area directly below the apparent seep.

Post-Inspection Interviews

At 11:21 a.m. on December 2, 2009 I returned Mr. Presser's telephone call to my office telephone at 10:48 a.m. Mr. Presser said that the pond in the GCETS was typically orange colored since it receives water from the gradient control pump in Unit I. Regarding the odors at the GCETS, Mr. Presser said it was "normal odor for groundwater that comes out of a gradient control system." I commented that my primary concern was that the apparent leachate was entering the south sedimentation pond.

At 11:45 a.m. on December 2, 2009 Tim Curry telephoned. He said that the discoloration in the GCETS is caused by iron. I explained my other concerns regarding apparent leachate outbreaks and exposed waste. Regarding the exposed waste area, Mr. Curry volunteered that work around EW-52 had recently occurred. I referred to my notes and confirmed that EW-52 was the location of the area with exposed waste.

As we continued the conversation we addressed the leachate issues. Mr. Curry asked me what Mr. Presser had told me during the inspection. I said that Mr. Presser had acknowledged the problems and said that he had concerns about opening up the areas due to the leachate head levels. Mr. Curry emphasized that the leachate heads are within compliance and that leachate is percolating down through the waste as a delayed reaction from the preceding rain events. Mr. Curry inquired if the south sedimentation pond should be tested. I told him that I would not direct him to do so at this time. I explained to him that I intended to consult Jeff Turner at the Illinois Environmental Protection Agency (IEPA) Regional Office regarding the matter. Mr. Curry requested that I inform him of the outcome of my intended conversation with Mr. Turner. Mr. Curry said that if the shut-off valve at the sedimentation pond was not yet turned off it would be closed. He also stated, "Rick is going to address the cause of the problem today."

At 12:02 p.m. on December 2, 2009 I telephoned Jeff Turner at the IEPA Regional Office and explained my latest observations at VVLF. Mr. Turner indicated that he would consult with others within the IEPA. He indicated that the south

sedimentation pond did not be sampled at this time since a sample probably would not reflect an alteration from baseline conditions. Rather Mr. Turner suggested that the cause should be addressed at this point. He also suggested that VVLF transport greater volumes of leachate from the facility.

At 12:15 p.m. on December 2, 2009 I telephoned Tim Curry to inform him of my conversation with Mr. Turner. Referring to the leachate outbreaks, Mr. Curry said that operations personnel will “cap it off” today. He elaborated that if conditions were favorable that they may “open” the areas. Mr. Curry said that during last week and this week VVLF has been hauling a 6,000 gallon load of leachate off-site on a daily basis. He explained that typically one load is transported off-site per week.

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 12(a) of the Act, no person shall cause or threaten or allow the discharge of any contaminants into the environment in any State so as to cause or tend to cause water pollution in Illinois, either alone or in combination with matter from other sources, or so as to violate regulations or standards adopted by the Pollution Control Board under this Act.

- A violation of Section 12(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(a)) is alleged because during the inspection contaminants were discharged into the environment so as to cause or tend to cause water pollution in Illinois.

Pursuant to Section 12(f) of the Act, in relevant part, no person shall cause, threaten, or allow the discharge of any contaminant into the waters of the State, as defined herein, including but not limited to, waters to any sewage works, or into any well or from any point source within the State, without an NPDES permit for point source discharges issued by the Agency under Section 39(b) of this Act, or in violation of any term or condition imposed by such permit, or in violation of any NPDES permit filing requirement established under Section 39(b), or in violation of any regulations adopted by the Board or of any order adopted by the Board with respect to the NPDES program.

- A violation of Section 12(f) of the [Illinois] Environmental Protection Act (415 ILCS 5/12(f)) is alleged because during the inspection contaminants were discharged into the waters of the State.

Pursuant to Section 21(a) of the Act, no person shall cause or allow the open dumping of any waste.

- A violation of Section 21(a) of the [Illinois] Environmental Protection Act (415 ILCS 5/9(a)) is alleged because uncovered waste, which is not authorized by permit, was observed during the inspection.

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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(d)(1)) is alleged because waste was disposed and/or stored in violation of permit conditions during the inspection.

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) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(d)(2)) is alleged because during the inspection waste was disposed and/or stored in a manner that violates regulations and standards adopted by the Board.

Pursuant to Section 21(o)(2) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in leachate flows entering waters of the State.

- A violation of Section 21(o)(2) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(2)) is alleged because leachate flows were entering waters of the State during the inspection.

Pursuant to Section 21(o)(3) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, in a manner which results in leachate flows exiting the landfill confines (as determined by the boundaries established for the landfill by a permit issued by the Agency).

- A violation of Section 21(o)(3) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(3)) is alleged because leachate flows were exiting the landfill confines during the inspection.

Pursuant to Section 21(o)(5) of the Act, no person shall conduct a sanitary landfill operation which is required to have a permit under subsection (d) of this Section, 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 21(o)(5) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(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 under subsection (d) of this Section, 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 21(o)(12) of the [Illinois] Environmental Protection Act (415 ILCS 5/21(o)(12)) is alleged because litter was observed during the inspection.

Pursuant to 35 Ill. Adm. Code 811.309(f), regarding standards for leachate recycling systems,, 1) Leachate recycling systems may be utilized only at permitted waste disposal units that meet the following requirements: A) The unit must have a liner designed, constructed and maintained to meet the minimum standards of Section 811.306. B) The unit must have a leachate collection system in place and operating in accordance with Section 811.307. C) A gas management system, equipped with a mechanical device such as a compressor to withdraw gas, must be implemented to control odors and prevent migration of methane in accordance with Section 811.3111. D) The topography must be such that any accidental leachate runoff can be controlled by ditches, berms or other equivalent control means. 2) Leachate shall not be recycled during precipitation events or in volumes large enough to cause runoff or surface seeps. 3) The amount of leachate added to the unit shall not exceed the ability of the waste and cover soils to transmit leachate flow downward. All other leachate shall be considered excess leachate, and a leachate management system capable of disposing of all excess leachate must be available. 4) The leachate storage and distribution system shall be designed to avoid exposure of leachate to air unless aeration or functionally equivalent devices are utilized. 5) The distribution system shall be designed to allow leachate to be evenly distributed beneath the surface over the recycle area. 6) Daily and intermediate cover shall be permeable to the extent necessary to prevent the accumulation of water and formation of perched watertables and gas buildup; alternatively cover shall be removed prior to additional waste placement. 7) Daily and

intermediate cover shall slope away from the perimeter of the site to minimize surface discharges.

A violation of 35 Ill. Adm. Code 811.309(f) is alleged for the following reasons:

- Leachate was recycled in volumes large enough to cause runoff or surface seeps.
- The amount of leachate added to the unit exceeded the ability of the waste and cover soils to transmit leachate flow downward, resulting in excess leachate.

Pursuant to 35 Ill. Adm. Code 811.313(a), all waste which is not to be covered within 60 days of placement by another lift of waste or final cover in accordance with Section 811.314 shall have a cover equivalent to that provided by 0.30 meter (1 foot) of compacted clean soil material.

- A violation of 35 Ill. Adm. Code 811.313(a) is alleged because waste was not covered within 60 days of placement by another lift of waste or final cover in accordance with Section 811.314 shall have a cover equivalent to that provided by 0.30 meter (1 foot) of compacted clean soil material.

Pursuant to 35 Ill. Adm. Code 811.313(c), the grade and thickness of intermediate cover shall be maintained until the placement of additional wastes or the final cover. All cracks, rills, gullies and depressions shall be repaired to prevent access to the solid waste by vectors, to minimize infiltration and to prevent standing water.

- A violation of 35 Ill. Adm. Code 811.313(c) is alleged because the grade and thickness of intermediate cover was insufficiently maintained until the placement of additional wastes or the final cover.

The following is a list of apparent violations of Veolia ES Valley View Landfill, Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191

Page 5, Section II (2)(b) The operator of this solid waste facility shall not conduct the operation in a manner which results in leachate flows entering waters of the State.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191 is alleged because leachate flows were entering waters of the State.

Page 5&6, Section II (2)(c) The operator of this solid waste facility shall not conduct the operation in a manner which results in leachate flows exiting the landfill confines.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 5, Section II (2)(b) is alleged because leachate flows were exiting the landfill confines.

Pages 5&6, Section II (2)(e) 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.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Pages 5&6, Section II (2)(e) is alleged because uncovered waste, which is not authorized by permit, was observed during the inspection.

Page 11, Section II (8)(a) The following conditions shall apply to the Section IV leachate recirculation system: Leachate shall not be recirculated during precipitation events or in volumes large enough to cause run-off or surface seeps.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 11, Section II (8)(a) is alleged because leachate was being recirculated in volumes large enough to cause run-off or surface seeps

Page 11, Section II (8)(b) The following conditions shall apply to the Section IV leachate recirculation system: The amount of leachate added to the unit shall not exceed the ability of the waste and cover soils to transmit leachate flow downward. All other leachate shall be considered excess leachate, and a leachate management system capable of disposing of all excess leachate must be available.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 11, Section II (8)(b) is alleged because the amount of leachate added to the unit exceeded the ability of the waste and cover soils to transmit leachate flow downward. A leachate management system capable of disposing of all excess leachate was not properly utilized.

Page 11, Section II (8)(e) The following conditions shall apply to the Section IV leachate recirculation system: Leachate may be recirculated at a rate that will not exceed the moisture holding capacity of the waste mass in accordance with 35 Ill. Code 811.309(f)(3).

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 11, Section II (8)(e) is alleged because leachate was recirculated at a rate that exceeded the moisture holding capacity of the waste mass in accordance with 35 Ill. Code 811.309(f)(3).

Page 13, Section II (11) All waste not covered within sixty (60) days of placement with additional waste or final cover shall have an intermediate cover of compacted clean soil with a minimum thickness of one (1) foot applied to it.

- A violation of Veolia ES Valley View Landfill Inc. Permit No. 1995-198-LF, Modification 67, Log No. 2009-191, Page 13, Section II (11) is alleged because waste was not covered with an intermediate cover of compacted clean soil with a minimum thickness of one (1) foot applied to it.

Macon County - 1158040008

Site: Decatur/Veolia ES Valley View Landfill

FOS File

Inspector: Laurie Rasmus

Inspection date: December 2, 2009

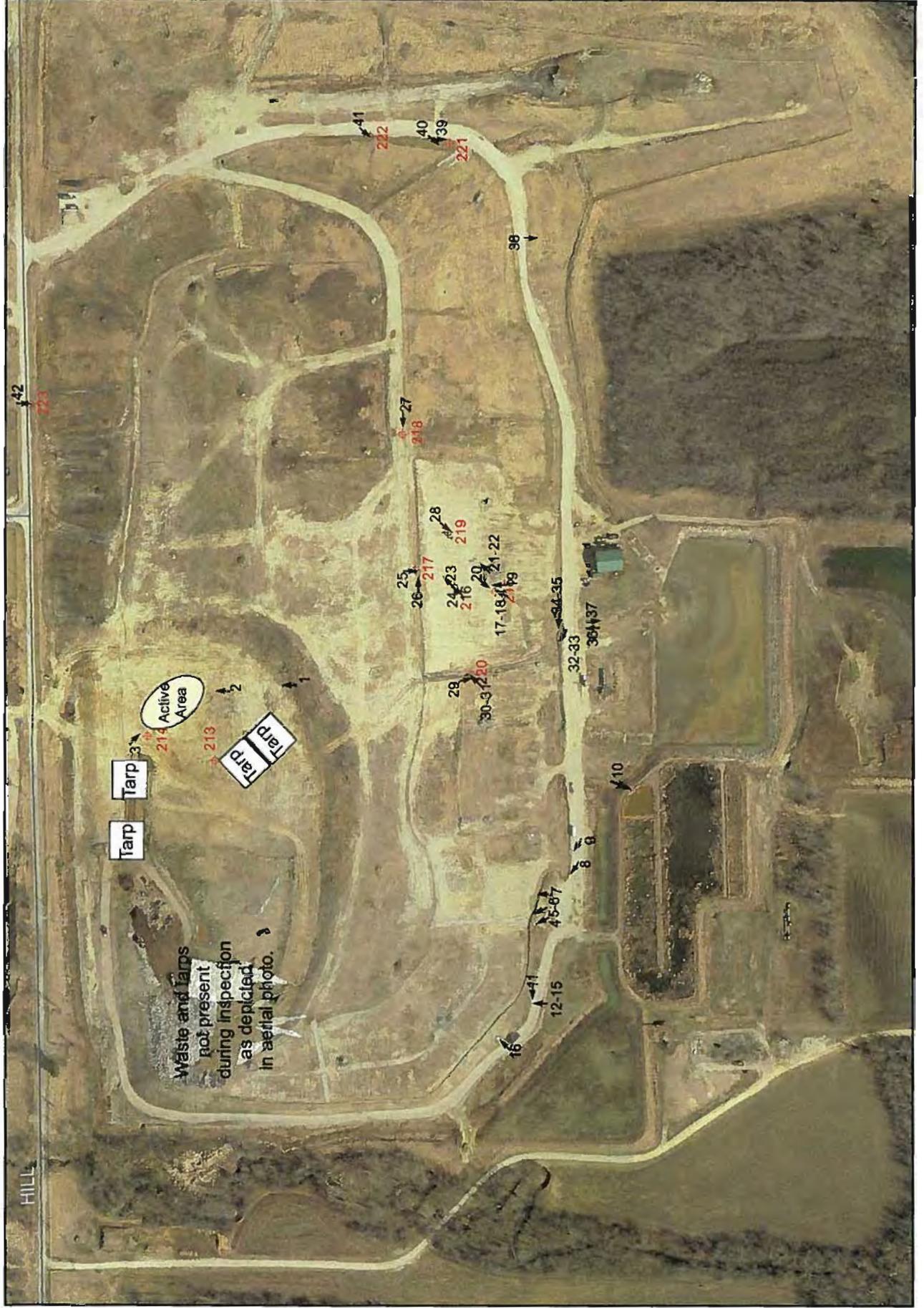
Aerial photo is 2009 file photo.

Black arrows indicate location of photos.

Red indicates GPS waypoints.

Annotations may not be to scale.

Printed on recycled paper.



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:06 a.m.

Photographer: Laurie Rasmus

Photograph: 01

Direction of subject: N

Comments: Active area



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:10 a.m.

Photographer: Laurie Rasmus

Photograph: 02

Direction of subject: N

Comments: Active area



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:15 a.m.

Photographer: Laurie Rasmus

Photograph: 03

Direction of subject: SE

Comments: Active area



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 7:31 a.m.

Photographer: Laurie Rasmus

Photograph: 04

Direction of subject: NNW

Comments:



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View Landfill

Date: December 2, 2009

Time: 7:35 a.m.

Photographer: Laurie Rasmus

Photograph: 05

Direction of subject: NNW

Comments:



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View Landfill

Date: December 2, 2009

Time: 7:35 a.m.

Photographer: Laurie Rasmus

Photograph: 06

Direction of subject: NW

Comments:



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 7:36 a.m.

Photographer: Laurie Rasmus

Photograph: 07

Direction of subject: N

Comments:



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 7:41 a.m.

Photographer: Laurie Rasmus

Photograph: 08

Direction of subject: NW

Comments: Vicinity of GB 6S



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View Landfill

Date: December 2, 2009

Time: 7:44 a.m.

Photographer: Laurie Rasmus

Photograph: 09

Direction of subject: NW

Comments: De-watering well



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View Landfill

Date: December 2, 2009

Time: 7:49 a.m.

Photographer: Laurie Rasmus

Photograph: 10

Direction of subject: SW

Comments: GCETS



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 7:55 a.m.

Photographer: Laurie Rasmus

Photograph: 11

Direction of subject: W

Comments:



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:56 a.m.

Photographer: Laurie Rasmus

Photograph: 12

Direction of subject: N

Comments: Detail of Photograph 11
area



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:56 a.m.

Photographer: Laurie Rasmus

Photograph: 13

Direction of subject: N

Comments: Detail of Photograph 11
area



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:56 a.m.

Photographer: Laurie Rasmus

Photograph: 14

Direction of subject: N

Comments: Detail of Photograph 11
area



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:56 a.m.

Photographer: Laurie Rasmus

Photograph: 15

Direction of subject: N

Comments: Detail of Photograph 11
area



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 7:59 a.m.

Photographer: Laurie Rasmus

Photograph: 16

Direction of subject: NE

Comments:



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:09 a.m.

Photographer: Laurie Rasmus

Photograph: 17

Direction of subject: NNE

Comments: Vicinity of EW-52



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:09 a.m.

Photographer: Laurie Rasmus

Photograph: 18

Direction of subject: NNE

Comments: Vicinity of EW-52



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:11 a.m.

Photographer: Laurie Rasmus

Photograph: 19

Direction of subject: N

Comments: Vicinity of EW-52



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:13 a.m.

Photographer: Laurie Rasmus

Photograph: 20

Direction of subject: SW

Comments: Vicinity of EW-52



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:16 a.m.

Photographer: Laurie Rasmus

Photograph: 21

Direction of subject: NE

Comments: Area NE of EW-52



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:16 a.m.

Photographer: Laurie Rasmus

Photograph: 22

Direction of subject: ENE

Comments: Area NE of EW-52



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:20 a.m.

Photographer: Laurie Rasmus

Photograph: 23

Direction of subject: NE

Comments: Along east diversion berm on
south slope



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:20 a.m.

Photographer: Laurie Rasmus

Photograph: 24

Direction of subject: SW

Comments: Along east diversion berm on
south slope



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:23 a.m.

Photographer: Laurie Rasmus

Photograph: 25

Direction of subject: S

Comments: South slope



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:24 a.m.

Photographer: Laurie Rasmus

Photograph: 26

Direction of subject: E

Comments: Vicinity of EW 32-R



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:27 a.m.

Photographer: Laurie Rasmus

Photograph: 27

Direction of subject: W

Comments:



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:31 a.m.

Photographer: Laurie Rasmus

Photograph: 28

Direction of subject: SW

Comments: Photographed at Waypoint 219,
along east diversion berm on south slope



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:35 a.m.

Photographer: Laurie Rasmus

Photograph: 29

Direction of subject: SSE

Comments: Inlet on south slope



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:36 a.m.

Photographer: Laurie Rasmus

Photograph: 30

Direction of subject: NE

Comments: East diversion berm and inlet on
south slope



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:36 a.m.

Photographer: Laurie Rasmus

Photograph: 31

Direction of subject: NE

Comments: Inlet on south slope.



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 8:39 a.m.

Photographer: Laurie Rasmus

Photograph: 32

Direction of subject: NW

Comments: Outlet on south slope



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:39 a.m.

Photographer: Laurie Rasmus

Photograph: 33

Direction of subject: NW

Comments: Outlet on south slope



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:42 a.m.

Photographer: Laurie Rasmus

Photograph: 34

Direction of subject: W

Comments: South slope drainage



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View Landfill

Date: December 2, 2009

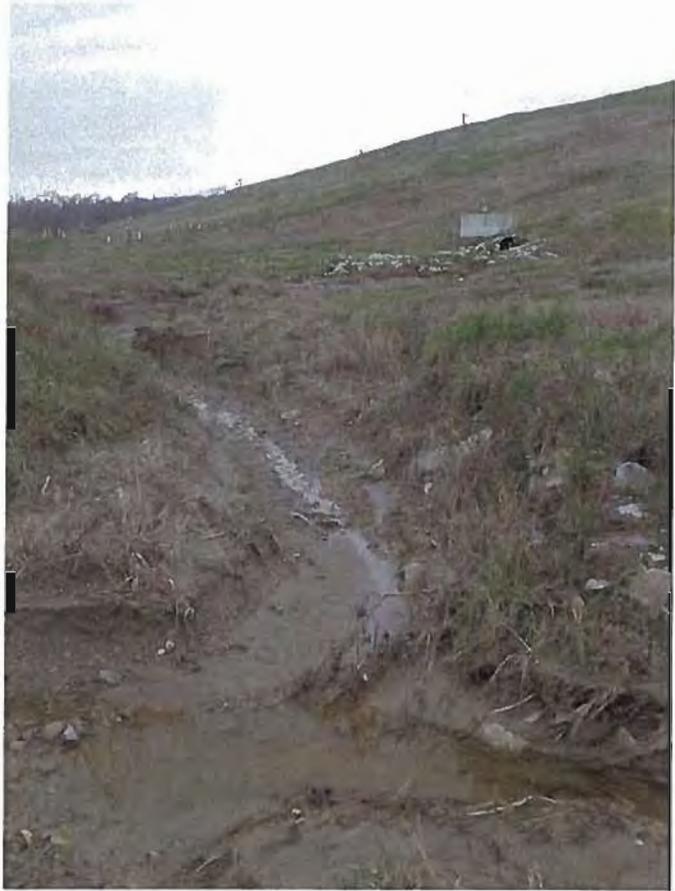
Time: 8:42 a.m.

Photographer: Laurie Rasmus

Photograph: 35

Direction of subject: WNW

Comments: South slope drainage



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View Landfill

Date: December 2, 2009

Time: 8:45 a.m.

Photographer: Laurie Rasmus

Photograph: 36

Direction of subject: N

Comments: South ends of culverts beneath hauling road



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 8:45 a.m.

Photographer: Laurie Rasmus

Photograph: 37

Direction of subject: S

Comments: Area north of south
sedimentation pond



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 9:39 a.m.

Photographer: Laurie Rasmus

Photograph: 38

Direction of subject: S

Comments: Unit 1, west side of area referred
to as Florida



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 9:44 a.m.

Photographer: Laurie Rasmus

Photograph: 39

Direction of subject: S

Comments: Toe of east slope



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 9:44 a.m.

Photographer: Laurie Rasmus

Photograph: 40

Direction of subject: SW

Comments: Toe of east slope



Inspection Photographs

Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES
Valley View Landfill

Date: December 2, 2009

Time: 9:50 a.m.

Photographer: Laurie Rasmus

Photograph: 41

Direction of subject: SW

Comments: Toe of east slope



Site#: 1158040008

County: Macon

Site Name: Decatur/ Veolia ES Valley View
Landfill

Date: December 2, 2009

Time: 9:55 a.m.

Photographer: Laurie Rasmus

Photograph: 42

Direction of subject: S

Comments: Toe of north slope

