

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
ADMINISTRATION CITATION

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MAY 19 2003
STATE OF ILLINOIS
Pollution Control Board

AC03-30

| | | |
|--|---|------------------------|
| County of Ogle |) | |
| |) | |
| Complainant, |) | |
| |) | |
| v. |) | AC OC 2003-1001 |
| |) | (State's Attorney No.) |
| Rochelle Waste Disposal, LLC, and |) | |
| Clyde A. Gelderloos, Chief Operator, and |) | |
| City of Rochelle |) | |
| Respondents |) | |

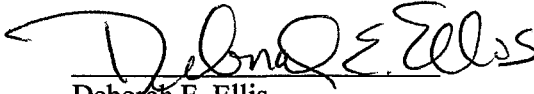
NOTICE OF FILING

Mr. Clyde A. Gelderloos
Rochelle Waste Disposal, L.L.C.
P. O. Box 268
Rochelle, IL 61068

Mr. Joseph Salitros
City Manager
City of Rochelle
420 N. 6th Street
Rochelle, IL 61068

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 instruments entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and IEPA SOLID WASTE LANDFILL INSPECTION CHECKLIST AND INSPECTION REPORT.

Respectfully submitted,


Deborah E. Ellis
Ogle County States Attorney

May 16, 2003

Ogle County States Attorney Office
Courthouse Building
110 S. 4th St.
Oregon, IL 61061
(815) 732-1170

PROOF OF SERVICE

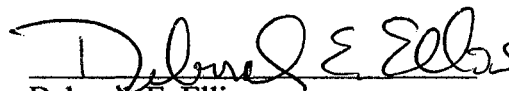
I hereby certify that I did on the 16 day of May, 2003, send by certified mail, return receipt requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box the follow instruments entitled: ADMINISTRATIVE CITATION, AFFIDAVIT, OPEN DUMP INSPECTIONS CHECKLIST and related documents to:

Clyde Gelderloos
Rochelle Waste Disposal, L.L.C.
P.O. Box 268
Rochelle, IL 61068

Joseph Salitros
City Manager
City of Rochelle
420 N. 6th St.
Rochelle, IL 61068

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

DOROTHY GUNN, CLERK
Pollution Control Board
James R. Thompson Center
100 West Randolph St. Suite 11-500
Chicago, IL 60601


Deborah E. Ellis
State's Attorney

Deborah E. Ellis
State's Attorney, Ogle County
P.O. Box 395
Oregon, IL 61061
(815) 732-1170

COPY

State of Illinois, Ogle County

Administrative Citation

RECEIVED

CLERK'S OFFICE

MAY 19 2003

STATE OF ILLINOIS
Pollution Control Board

County of Ogle

Complainant,

v.

Rochelle Waste Disposal, LLC, and
Clyde A. Gelderloos, Chief Operator, and
City of Rochelle

Respondents

AC #: OC 2003-1001
(State's Attorney No.)

Jurisdiction

This Administrative Citation is issued pursuant to authority vested in the Illinois Environmental Protection Agency by 415 ILCS 5/31.1 (2000), and delegated to Ogle County pursuant to 415 ILCS 5/4 (r).

Facts

1. That Respondent Rochelle Waste Disposal, LLC, is the present operator of a facility located at 6513 S. Mulford Road, Rochelle, in the County of Ogle, State of Illinois.
2. That Respondent, Clyde A. Gelderloos, is the Chief Operator of the above referenced facility.
3. That Respondent, City of Rochelle, is the permitted owner of said facility.
4. That said facility, Rochelle Municipal Landfill #2, is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Operating Permit No. 1994-547-LFM, and designated with Site Code No. 1418030020.
5. That Respondents have owned or operated said facility at all times pertinent hereto.
6. That on March 19, 2003, at 5:10 p.m. a complaint was received by voice mail at the Ogle County solid Waste Management Department (OCSWMD), from a

concerned citizen stating that there was blown litter outside of the facility and all along the southwestern corner of the site.

7. That on March 20, 2003, Stephen J. Rypkema, of the Ogle County Solid Waste Management Department, inspected the above-described landfill facility. A copy of the inspection report setting forth the results of such inspection is attached hereto and made a part hereof.

Violations

On the basis of direct observation by Stephen J. Rypkema, the County of Ogle has determined that Respondents were conducting a sanitary landfill operation at the above-described facility, which is required to have a permit pursuant to 415 ILCS 5/21(d) (2000), in a manner which resulted in the following violations:

- A. That on March 20, 2003 an on-site inspection of said sanitary landfill facility, and review of Illinois Environmental Protection Agency files and records of said facility, disclosed the following:
 1. Refuse in standing or flowing water, in violation of 415 ILCS 5/21(o)(1) (2000).
 2. Uncovered refuse remaining from a previous operating day, in violation of 415 ILCS 5/21(o)(5) (2000).
 3. Failure to collect and contain litter from the site by the end of each operating day, in violation of 415 ILCS 5/21(o)(12) (2000).

Civil Penalty

Pursuant to 415 ILCS 5/42(b)(4) (2000)., Respondents herein are subject to a civil penalty of Five Hundred Dollars (\$500.00) for each violation specified above in

Paragraph A, for a total of one thousand five hundred Dollars (\$1500.00). Additionally, should Respondents elect to petition the Illinois Pollution Control Board under the review process described herein below, and if there is a finding of the violations alleged herein, after an adjudicatory hearing, Respondents shall be assessed the associated hearing costs incurred by Ogle County and the Illinois Pollution Control Board, in addition to the Five Hundred Dollar (\$500.00) statutory penalty for each finding of violation.

If Respondents acknowledge the violations cited herein above, the civil penalty specified above shall be due and payable no later than **July 1, 2003**. If Respondents do not petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of service hereof or if Respondents elect to contest this Administrative Citation, any judgment rendered against Respondents shall specify the due date of the statutory civil penalty and any costs assessed against Respondents.

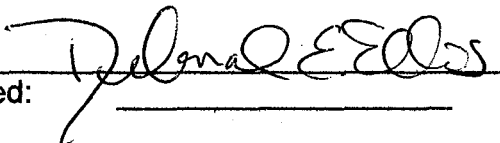
When payment is made, Respondents check should be made payable to Ogle County Solid Waste Fund and mailed to the Ogle County Treasurer, Ogle County Courthouse, Oregon, IL 61061. Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

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

proceedings in Circuit Court to collect said civil penalty. In addition to the previously assessed civil penalty, interest, and hearing costs of Ogle County and the Illinois Pollution Control Board, if any, the Ogle County State's Attorney will seek to recover their costs of litigation.

Procedure for Contesting this Administrative Citation

Respondents have the right to contest this Administrative Citation, pursuant to and in accordance with 415 ILCS 5/31.1 (2000). If Respondents elect to contest this Administrative Citation, Respondents must file a Petition for Review with the Clerk of the Illinois Pollution Control Board. A copy of the Petition for Review should be filed with the Ogle County State's Attorney. Such Petition for Review must be filed within thirty-five (35) days of the date of service of this Administrative Citation, or a default judgment shall be entered by the Pollution Control Board. The Petition for Review may be filed with the Clerk of the Illinois Pollution Control Board at the State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601; and, a copy of said Petition for Review filed with the Ogle County State's Attorney at the Ogle County Courthouse, 110 S. 4th St., Oregon, IL 61061.

Signed: 

Date: 5-15-03

State of Illinois, Ogle County

Affidavit

County of Ogle

Complainant,

v.

Rochelle Waste Disposal, LLC, and
Clyde A. Gelderloos, Chief Operator, and
City of Rochelle

Respondents

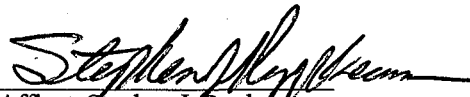
AC OC-2003-1001
(State's Attorney No.)

Affiant, Stephen J. Rypkema, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a Director and field inspector employed by the County of Ogle and has been so employed at all times pertinent hereto.
2. On March 20, 2003 between 10:04 a.m. and 11:21 a.m., Affiant conducted an inspection of the sanitary landfill located in Ogle County, Illinois and known as Rochelle Municipal Landfill #2. Illinois Environmental Protection Agency Site No.1418030020 (operating under the IEPA Permit No.1994-547-LFM, Modification #28).
3. Affiant inspected said Rochelle Municipal Landfill #2 site by an on-site inspection which included walking and photographing the site, interviewing personnel (and reviewing Illinois Environmental Protection Agency permits issued to the subject 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 Affiant's observations and factual conclusions with respect to said Rochelle Municipal Landfill #2 site.

Attachment A(3)

FURTHER AFFIANT SAYETH NOT.


Affiant, Stephen J. Rypkema

Subscribed and Sworn to Before Me
this 15 Day of May 2003


Notary Public



Before The Illinois Pollution Control Board

COUNTY OF OGLE

Complainant

v

Rochelle Waste Disposal, LLC, and
Clyde A. Gelderloos, and
City of Rochelle

Respondent(s)

AC No: OC-2003-1001

REMITTANCE FORM

Facility: Rochelle Municipal Landfill #2
County: Ogle

Site Code: 1418030020
Township: Dement

Date of Inspections: March 20, 2003

Number of Violation(s): Three

Civil Penalty: \$1500.00

Total Remittance:

Date Remitted:

Social Security Number

Signatures

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. Please make your check out to Ogle County Solid Waste Fund and mail, along with Remittance Form to:

Ogle County Treasurer's Office
Ogle County Solid Waste Fund
Ogle County Courthouse
Oregon, IL 61061

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Solid Waste Landfill Inspection Checklist

County: Ogle LPC#: 1418030020 Region: 1

Location/Site Name: Rochelle Municipal Landfill #2

Date: 3/20/03 Time: From 10:04 am To 11:21am Previous Inspection Date: 03/14/03

Inspector(s): Steve Rypkema Weather: Foggy, 49°, Winds SE @ 5-10

No. of Photos Taken: # 26 Samples Taken: Yes# No X

Interviewed: Tom Hilbert and Donovan Delegau Facility Phone No.: (815) 562-2494

Permitted Owner Mailing Address

Joseph H. Salitros
City Manager
420 N. 6th Street
P. O. Box A
Rochelle, IL 61068

Permitted Operator Mailing Address

Mr. Clyde Gelderloos
Rochelle Waste Disposal, LLC
Box 268
Rochelle, IL 61068

Chief Operator Mailing Address

Certified Operator Mailing Address

Mr. Tom Hilbert
Rochelle Waste Disposal, LLC
8403 Lindenwood Rd.
Rockford, IL 61109

AUTHORIZATION:

Significant Modification Permit No.:

Initial: 1994-547-LFM

Latest: 1994-547-LFM Mod.#28

OPERATIONAL STATUS:

Operating X

Closed-Not Certified

Closed-Certified

TYPE OF OPERATION:

Existing Landfills: 814-Subpart C X

814-Subpart D

New Landfills: 811-Putres./Chem. X

| | SECTION | DESCRIPTION | VIOL. |
|---|---------|--|-------|
| ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS | | | |
| 1. | 9(a) | CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS | |
| 2. | 9(c) | CAUSE OR ALLOW OPEN BURNING | |
| 3. | 12(a) | CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS | |
| 4. | 12(d) | CREATE A WATER POLLUTION HAZARD | |
| 5. | 12(f) | CAUSE, THREATEN OR ALLOW DISCHARGE WITHOUT OR IN VIOLATION OF AN NPDES PERMIT | |
| 6. | 21(a) | CAUSE OR ALLOW OPEN DUMPING | |
| 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) | X |
| | (2) | In Violation of Any Regulations or Standards Adopted by the Board | X |
| 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 | |

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

PRIOR CONDUCT CERTIFICATION REQUIREMENTS

| | | | |
|-----|---------|--|--|
| 21. | 745.181 | CHIEF OPERATOR REQUIREMENTS | |
| 22. | 745.201 | PRIOR CONDUCT CERTIFICATION PROHIBITIONS | |

SPECIAL WASTE HAULING REQUIREMENTS

| | | | |
|-----|------------|---|----|
| 23. | 809.301 | REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS | NE |
| 24. | 809.302(a) | REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS | NE |
| 25. | 809.501 | MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS | |
| | (a) | Delivery of Special Waste to Hauler | NE |
| | (e) | Retention of Special Waste Manifests | NE |

NEW SOLID WASTE LANDFILL REQUIREMENTS

| | PART 811 SUBPART A | GENERAL STANDARDS FOR ALL LANDFILLS | |
|-----|-----------------------|---|----|
| 26. | 811.103 | SURFACE WATER DRAINAGE | |
| | (a) | Runoff from Disturbed Areas | |
| | (b) | Diversion of Runoff from Undisturbed Areas | |
| 27. | 811.104 | SURVEY CONTROL | |
| | (a) | Boundaries Surveyed and Marked | NE |
| | (b) | Stakes and Monuments Marked | NE |
| | (c) | Stakes and Monuments Inspected | NE |
| | (d) | Control Monument Established and Maintained | NE |
| 28. | 811.105 | COMPACTION | |
| 29. | 811.106 | DAILY COVER | |
| | (a) | Six Inches Soil | |
| | (b) | Alternative Daily Cover | |
| 30. | 811.107 | OPERATING STANDARDS | |
| | (a) | Phasing of Operations | |
| | (b) | Work Face Size and Slope | |
| | (c) | Equipment | |
| | (d) | Utilities | |
| | (e) | Maintenance | |
| | (f) | Open Burning | |
| | (g) | Dust Control | |
| | (h) | Noise Control | |
| | (i) | Vector Control | |
| | (j) | Fire Protection | |
| | (k) | Litter Control | X |
| | (l) | Mud Tracking | |

| | | | |
|------------|-------------------------------|--|----|
| | (m) | Liquid Restrictions for MSWLF Units | |
| 31. | 811.108 | SALVAGING | |
| | (a) | Salvaging Interferes with Operation | |
| | (b) | Safe and Sanitary Manner | |
| | (c) | Management of Salvagable Materials | |
| 32. | 811.109 | BOUNDARY CONTROL | |
| | (a) | Access Restricted | |
| | (b) | Proper Sign Posted | |
| 33. | 811.110 | CLOSURE AND WRITTEN CLOSURE PLAN | |
| | (a) | Final Slopes and Contours | |
| | (b) | Drainage Ways and Swales | |
| | (c) | Final Configuration | |
| | (d) | Written Closure Plan | |
| | (e) | Initiation of Closure Activities at MSWLF Units | |
| | (f) | Completion of Closure Activities at MSWLF Units | |
| | (g) | Deed Notation for MSWLF Units | |
| 34. | 811.111 | POST-CLOSURE MAINTENANCE | |
| | (a) | Procedures After Receipt of Final Volume of Waste | |
| | (b) | Remove All Equipment of Structures | |
| | (c) | Maintenance and Inspection of the Final Cover and Vegetation | |
| | (d) | Planned Uses of Property at MSWLF Units | |
| 35. | 811.112 | RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS | |
| | (a) | Location Restriction Demonstration | NE |
| | (b) | Load Checking Requirements | NE |
| | (c) | Gas Monitoring Records | NE |
| | (d) | MSWLF Liquid Restriction Records | NE |
| | (e) | Groundwater Monitoring Program Requirements | NE |
| | (f) | Closure and Post Closure Care Requirements | |
| | (g) | Cost Estimates and Financial Assurance Requirements | 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) | |
| 37. | 811.309 | LEACHATE TREATMENT AND DISPOSAL SYSTEM | |
| | (a) | General Requirements | |
| | (c) | Standards for On-Site Treatment and Pretreatment | |
| | (d) | Standards for Leachate Storage System | |

| | | | |
|------------|----------------|--|----|
| | (e) | Standards for Discharge to Off-Site Treatment | |
| | (f) | Standards for Leachate Recycling Systems | NA |
| | (g) | Standards for Leachate Monitoring Systems | |
| 38. | 811.310 | LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE) | |
| | (b) | Location and Design of Gas Monitoring Wells | |
| | (c) | Monitoring Frequency for Landfill Gas | |
| | (d) | Monitoring Parameters | |
| 39. | 811.311 | LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS) | |
| | (a) | Conditions for Installation of Gas Management System | |
| | (b) | Notification and Implementation Requirements | |
| | (c) | Standards for Gas Venting | |
| | (d) | Standards for Gas Collection | |
| 40. | 811.312 | LANDFILL GAS PROCESS AND DISPOSAL SYSTEM | |
| | (c) | No Unpermitted Gas Discharge | |
| | (d) | Gas Flow Rate Measurements into Treatment of Combustion Device | |
| | (e) | Standards for Gas Flares | |
| | (f) | Standards for On-Site Combustion of Landfill Gas Using Devices Other Than Flares | |
| | (g) | Gas Transported Off-Site | |
| 41. | 811.313 | INTERMEDIATE COVER | |
| | (a) | Requirements for the Application for Intermediate Cover | |
| | (b) | Runoff and Infiltration Control | |
| | (c) | Maintenance of Intermediate Cover | |
| 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 | |
| | (b) | Standards for Low Permeability Layer | |
| | (c) | Standards for Final Protective Layer | |
| 43. | 811.316 | PLUGGING AND SEALING OF DRILL HOLES | |
| 44. | 811.321 | WASTE PLACEMENT | |
| | (a) | Phasing of Operations | |
| | (b) | Initial Waste Placement | |
| 45. | 811.322 | FINAL SLOPE AND STABILIZATION | |
| | (a) | Grade Capable of Supporting Vegetation and Minimizing Erosion | |
| | (b) | Slopes Required to Drain | |
| | (c) | Vegetation | |
| | (d) | Structures Built over the Unit | |
| 46. | 811.323 | LOAD CHECKING PROGRAM | |

| | | | |
|-----|-------------------------------|---|----|
| | (a) | Load Checking Program Implemented | NE |
| | (b) | Load Checking Program for PCB's at MSWLF Units | NE |
| | (c) | Load Checking Program Components | NE |
| | (d) | Handling Regulated Hazardous Wastes | NE |
| | PART 811 SUBPART D | MANAGEMENT OF SPECIAL WASTES AT LANDFILLS | |
| 47. | 811.402 | NOTICE TO GENERATORS AND TRANSPORTERS | |
| 48. | 811.403 | SPECIAL WASTE MANIFESTS REQUIREMENTS | |
| 49. | 811.404 | IDENTIFICATION RECORD | |
| | (a) | Special Waste Profile Identification Sheet | |
| | (b) | Special Waste Recertification | |
| 50. | 811.405 | RECORDKEEPING REQUIREMENTS | NE |
| 51. | 811.406 | PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES | |
| | PART 811 SUBPART G | FINANCIAL ASSURANCE | |
| 52. | 811.700 | COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G | NE |
| 53. | 811.701 | UPGRADING FINANCIAL ASSURANCE | NE |
| 54. | 811.704 | CLOSURE AND POST-CLOSURE CARE COST ESTIMATES | NE |
| 55. | 811.705 | REVISION OF COST ESTIMATE | 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 NO. VIOLATIONS IN OTHER:) | 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 SECTION NO. VIOLATIONS IN OTHER:) | NE |
| | | OTHER REQUIREMENTS | |
| 58. | | APPARENT VIOLATION OF: () PCB; () CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON: | |
| 59. | OTHER: | | |

| PERMIT PROVISIONS | |
|---|---|
| PERMIT NUMBER | DESCRIPTION OF VIOLATION (condition # of permit, page # of permit, and/or page # of approved application) |
| Permit #1994-547-LFM, Modification No. 28 | |
| Condition # 1.7 | The operator of this solid waste disposal facility shall not conduct the operation in a manner which results in any of the following: a. refuse in standing or flowing water; d. uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit; i. failure to collect and contain litter from the site by the end of each operating day. |


Stephen J. Rypkema, Director
Ogle County Solid Waste Management Department

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.
7. Statutory effective date: through 1/8/97.
8. Regulatory effective date: through 12/20/94.

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY

NARRATIVE INSPECTION REPORT DOCUMENT

| | | | |
|---------------------|-----------------------|------------|--------------------|
| Date of Inspection: | 03/20/03 | Inspector: | Steve Rypkema |
| Site Code: | 1418030020 | County: | Ogle |
| Site Name: | Rochelle Municipal #2 | Time: | 10:04 - 11:21 a.m. |

General Remarks

A complaint was received a little after 5 p.m. on 3/19/03 by voice mail from a concerned citizen reporting there was blown litter outside the site and all along the southwestern corner of the Rochelle Municipal #2 Landfill. I arrived at about 10:04 a.m on March 20, 2003. I drove to the southwest corner of the site and parked at the leachate storage area. The whole southeastern corner of the site had quite a lot of blown litter, as well as along the ditch and drainage way that exits the site underneath Mulford Road. Some of it was in the bushes and trees. It extended from the SW corner eastward over to where there were three movable litter fences, which were full of litter. From there, the litter was scattered over to the working area. All of it appeared to be from the previous day.

Two people were collecting litter and there were probably 15-20 bags full of litter by the time I arrived there. The winds, upon arrival, were light from the SE, although it was very foggy and calm earlier that morning as reported by the National Weather Service in Rockford. The working face was northeast of the littered area so it was not possible that the blown litter could have accumulated that morning. It all appeared to be wet and to have been there since at least the previous day, if not longer.

Across Mulford Road to the SW of the landfill, there was at least a dozen pieces of litter scattered along the corn field, also along the ditch on Mulford Road. Approaching the landfill from Mulford Road to the North, there were probably a half a dozen pieces of plastic blown into the farm fields on both sides of Mulford Road.

I left the area of the SW corner of the site. I drove into the site and checked in at the scale house. The scale house operator contacted Clyde Gelderloos, he was at a meeting and unavailable. She then contacted Tom Hilbert who said he would meet me in 20 minutes. I then met with Donovan Delegau who came to the scale house and we drove down to the working face. I let him know the litter at the SW corner of the site appeared to me to have been there from the previous operating day and was unacceptable. He admitted the litter was bad and said the winds were strong the previous day and they were unable to get it picked up. But they did have people picking up the litter. He later mentioned that normally they have two guys picking up litter, but one was in court the previous day, so they only had one plus himself and the other equipment operator.

We walked over to the working face and up to the top. I took a look at the area of concern from the top. Obviously there was waste that was uncovered on the south bank of Phase I of Unit II and the litter fences were still scattered with litter from the previous day or more. The waste was scattered all the way to the SW corner of the site where the litter pickers were picking it up.

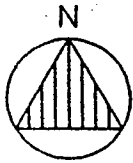
Conditions were wet that day. Donovan mentioned they were unable to get the litter fences moved to where they would be more effective, because of the wet conditions of the soil. I suggested they use cables or find some other way to drag the fences where they can be more effective. I also suggested they install secondary fencing around the perimeter of the site or hire additional laborers to pick up the litter prior to the end of the operating day. He agreed these were good ideas but said he is limited as to what he can do at the site.

Donovan and I drove back to the scale house and Tom Hilbert arrived. Donovan left, Tom and I drove over to the SW corner where the leachate storage tank is. We looked at the area of concern. I expressed my concern that the litter had not been picked up. He admitted he had been there yesterday afternoon and that he did notice the litter in that area. We talked about the fact that the waste was uncovered. There was some disagreement about what is "uncovered waste".

I mentioned to Tom that I would be writing this inspection report up and discussing it with our enforcement decision group and making a decision. Further action would probably be warranted by these apparent violations.

I drove Tom back to the scale house. I left the site and drove to the corner of Mulford and Creston Roads. I parked and did the narrative of this inspection, and departed at 11:21 a.m.

Inspection Date: 3/20/03



1" = 300'

Scale house

Mulford Road

3

4

2

UNIT 2

UNIT 3

UNIT 1

5

Blown Litter

Litter Fences

21-23

Working Face

04, 5, 6

Creek

Wind on 3/19/03

Wind on 3/20/03

Calm in am then

Fig 1

| | |
|------------------|-----------------|
| DRAWN BY: BKS | DATE: 8/15/97 |
| DESIGNED BY: DLZ | PROJECT: 95-123 |
| APPROVED BY: DLZ | FILE: RM000083 |

SITE DEVELOPMENT PLAN
ROCHELLE MUNICIPAL LANDFILL NO. 2
ROCHELLE, ILLINOIS



ANDREWS ENVIRONMENTAL ENGINEERING INC.
29W100 BUTTERFIELD ROAD, SUITE 105
WARRENVILLE, ILLINOIS 60555
(630)393-9474 FAX (630)393-9495

Digital Photograph Photocopies

Date: 3/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 10:10 a.m.

Direction: SW

Photo File Name:

1418030020~032003~001

Comments:

Blown litter in field southwest
of landfill.



Time: 10:10 a.m.

Direction: NE

Photo File Name:

1418030020~032003~002

Comments:

View of southwest corner of
landfill where blown litter
remained from previous
operating day.



1418030020~032003

Digital Photo Photocopies

Date: 02/20/03
Photos taken by: Steve Rypkema

Site: 1418030020 - Rochelle Municipal #2 Landfill
County: Ogle

Time: 10:11 a.m.

Direction: NE

Photo File Name:
1418030020~032003~003

Comments:
Closer view of litter scattered
all over SW corner of Unit II.



Time: 10:11 a.m.

Direction: NE

Photo File Name:
1418030020~032003~004

Comments:
Blown litter in foreground and
in portable litter fences from
previous day.



1418030020~032003

Digital Photograph Photocopies

Date: 03/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 10:13 a.m.

Direction: NE

Photo File Name:

1418030020~032003~005

Comments:

Closer view of litter fences still
full of litter from previous day.



Time: 10:14 a.m.

Direction: W

Photo File Name:

1418030020~032003~006

Comments:

Different view of litter at SW
corner of Unit II.



1418030020~032003

Digital Photo Photocopies

Date: 03/20/03

Photos taken by: Steve Rypkema

Site: 1418030020 - Rochelle Municipal #2 Landfill

County: Ogle

Time: 10:15 a.m.

Direction: NW

Photo File Name:

1418030020~032003~007

Comments:

South west corner of Unit II
with laborers picking up litter.



Time: 10:22 a.m.

Direction: N

Photo File Name:

1418030020~032003~008

Comments:

Blown Litter.



1418030020~032003

Digital Photograph Photocopies

Date: 03/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 10:23 a.m.

Direction: NE

Photo File Name:

1418030020~032003~009

Comments:

Blown litter and bags of litter
picked up.



Time: 10:24 a.m.

Direction: Down

Photo File Name:

1418030020~032003~010

Comments:

Refuse in standing or flowing water on west side of
Mulford Road.



1418030020~032003

Digital Photo Photocopies

Date: 03/20/03
Photos taken by: Steve Rypkema

Site: 1418030020 - Rochelle Municipal #2 Landfill
County: Ogle

Time: 10:24 a.m.

Direction: W & Down

Photo File Name:
1418030020~032003~011

Comments:
Refuse in water in drainage
way on west side of Mulford
Road.

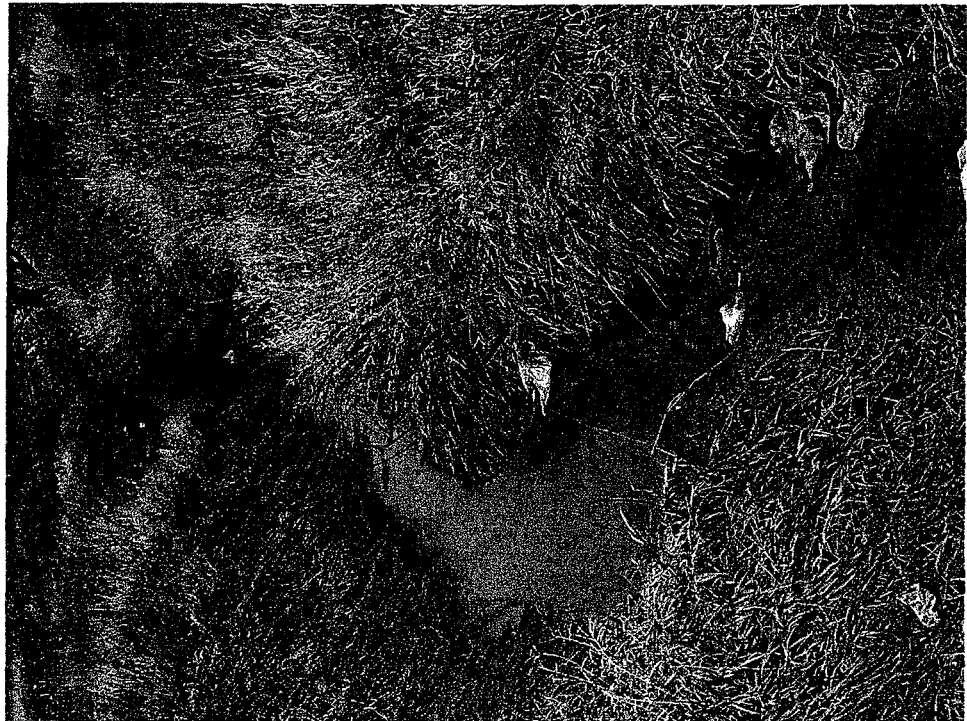


Time: 10:24 a.m.

Direction: W

Photo File Name:
1418030020~032003~012

Comments:
Waste in water in drainage
way.



1418030020~032003

Digital Photograph Photocopies

Date: 03/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 10:25 a.m.

Direction: E

Photo File Name:

1418030020~032003~013

Comments:

Refuse in water on east side of
Mulford Road, south of Unit
II.



Time: 10:25 a.m.

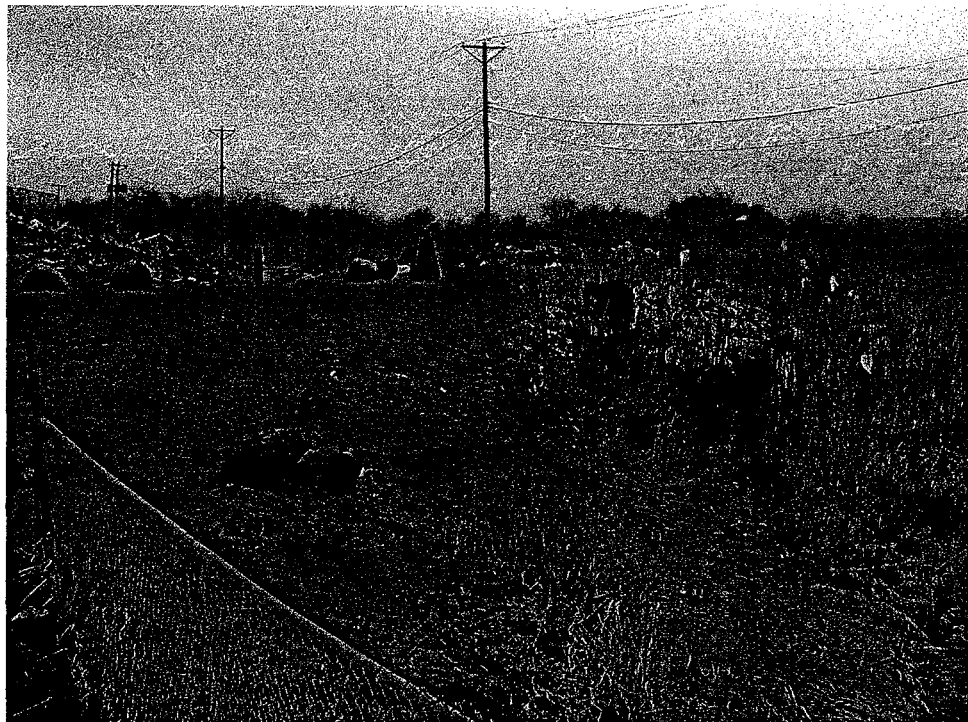
Direction: E

Photo File Name:

1418030020~032003~014

Comments:

Two litter pickers picking up
litter.



1418030020~032003

Digital Photograph Photocopies

Date: 03/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 10:40 a.m.

Direction: S

Photo File Name:

1418030020~032003~017

Comments:

Current working face.



Time: 10:42 a.m.

Direction: SW

Photo File Name:

1418030020~032003~018

Comments:

Cover tarps and litter.



1418030020~032003

Digital Photo Photocopies

Date: 03/20/03
Photos taken by: Steve Rypkema

Site: 1418030020 - Rochelle Municipal #2 Landfill
County: Ogle

Time: 10:42 a.m.

Direction: SW

Photo File Name:
1418030020~032003~019

Comments:
Blown litter remaining from
previous day.



Time: 10:42 a.m.

Direction: SW

Photo File Name:
1418030020~032003~020

Comments:
Closer view of blown litter in
and around litter fences from
previous day.



1418030020~032003

Digital Photograph Photocopies

Date: 03/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 10:46 a.m.

Direction: SW

Photo File Name:

1418030020~032003~021

Comments:

Blown litter remaining from
previous day.



Time: 10:46 a.m.

Direction: SW

Photo File Name:

1418030020~032003~022

Comments:

Blown litter remaining from
previous day.



1418030020~032003

Digital Photograph Photocopies

Date: 03/20/03

Site: 1418030020 - Rochelle Municipal #2 Landfill

Photos taken by: Steve Rypkema

County: Ogle

Time: 11:22 a.m.

Direction: N

Photo File Name:

1418030020~032003~025

Comments:

View of site from afar.



Time: 11:22 a.m.

Direction: N

Photo File Name:

1418030020~032003~026

Comments:

View of site from afar.



1418030020~032003