



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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CLERK'S OFFICE

JUN 07 2004

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397

JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-813-6028

STATE OF ILLINOIS
Pollution Control Board

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

(217) 782-9817
TDD: (217) 782-9143

AC04-84

June 3, 2004

The Honorable Dorothy Gunn, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601

Re: Illinois Environmental Protection Agency v. City of Salem, Roger Kinney, Dick Brown and Jason Bruce
IEPA File No. 275-04-AC; 1218130007—Marion County

Dear Clerk Gunn:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, consisting of the Administrative Citation, the inspector's Affidavit, and the inspector's Illinois Environmental Protection Agency Open Dump Inspection Checklist, issued to the above-referenced respondent(s).

On this date, a copy of the Administrative Citation Package was sent to the Respondent(s) 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,

Michelle M. Ryan
Assistant Counsel

Enclosures

RECEIVED
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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

JUN 07 2004

ADMINISTRATIVE CITATION

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

CITY OF SALEM, ROGER KINNEY,
DICK BROWN and JASON BRUCE,

Respondents.

AC 04-84

(IEPA No. 275-04-AC)

NOTICE OF FILING

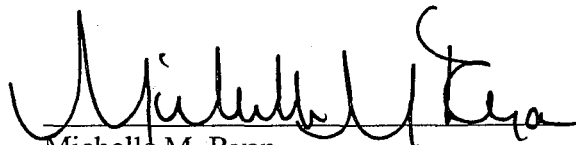
To: City of Salem
John Pruden
101 South Broadway
Salem, Illinois 62881

Roger Kinney
101 South Broadway
Salem, Illinois 62881

Dick Brown and Jason Bruce
101 South Broadway
Salem, Illinois 62881

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST.

Respectfully submitted,



Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: June 3, 2004

RECEIVED
CLERK'S OFFICE

JUN 07 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

CITY OF SALEM, ROGER KINNEY,
DICK BROWN and JASON BRUCE,

Respondents.

AC 04-84
(IEPA No. 275-04-AC)

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2002).

FACTS

1. That the City of Salem is the permitted owner, Roger Kinney is the permitted operator and Dick Brown and Jason Bruce are the certified operators (collectively "Respondents") of a facility located at 900 East Lake Street, Salem, Marion County, Illinois.

2. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1995-178-LFM, and is designated with Site Code No. 1218130007. The facility is commonly known to the Illinois Environmental Protection Agency as Salem/Salem Municipal Landfill #2.

3. That Respondents have owned and/or operated said facility at all times pertinent hereto.

4. That on April 22, 2004, John Senjan of the Illinois Environmental Protection Agency's Collinsville Regional Office 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.

VIOLATIONS

Based upon direct observations made by John Senjan during the course of his April 22, 2004 inspection of the above-referenced facility, the Illinois Environmental Protection Agency has determined that Respondents violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents conducted a sanitary landfill in a manner which resulted in uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit, a violation of Section 21 (o)(5) of the Act, 415 ILCS 5/21 (o)(5) (2002).
- (2) That Respondents conducted a sanitary landfill operation in a manner which resulted in the failure to collect and contain litter from the site by the end of the operating day, a violation of Section 21(o)(12) of the Act, 415 ILCS 5/21(o)(12) (2002).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2002), Respondents are subject to a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of One Thousand Dollars (\$1000.00). 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, 2004, unless otherwise provided by order of the Illinois Pollution Control

Board.

If Respondents elect to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2002), and if the Illinois Pollution Control Board issues a finding of violation as alleged herein, after an adjudicatory hearing, Respondents shall be assessed the associated hearing costs incurred by the Illinois Environmental Protection Agency and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty.

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2002), if Respondents fail to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and a finding of violation as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondents' check shall be made payable to the Illinois Environmental Protection Trust Fund and mailed to the attention of Fiscal Services, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Along with payment, Respondents shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

If any civil penalty and/or hearing costs are not paid within the time prescribed by order of the Illinois Pollution Control Board, interest on said penalty and/or hearing costs shall be assessed against the Respondents from the date payment is due up to and including the date that payment is received. The Office of the Illinois Attorney General may be requested to initiate proceedings against Respondents in Circuit Court to collect said penalty and/or hearing costs, plus any interest accrued.

PROCEDURE FOR CONTESTING THIS
ADMINISTRATIVE CITATION

Respondents have the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31/1 (2002). If Respondents elect to contest this Administrative Citation, then Respondents shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Illinois Environmental Protection Agency's Division of Legal Counsel at 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondents.


Renee Cipriano, Director
Illinois Environmental Protection Agency

Date 6-3-04

Prepared by: Susan E. Konzelmann, Legal Assistant
Division of Legal Counsel
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant,

v.

CITY OF SALEM, ROGER KINNEY
DICK BROWN and JASON BRUCE
Respondents.

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AC
(IEPA No. 275-04-AC)

FACILITY: Salem/Salem Municipal L.F. #2

SITE CODE NO.: 1218130007

COUNTY: Marion

CIVIL PENALTY: \$1000.00

DATE OF INSPECTION: April 22, 2004

DATE REMITTED:

SS/FEIN NUMBER:

SIGNATURE:

NOTE

Please enter the date of your remittance, your Social Security number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mail, along with Remittance Form, to Illinois Environmental Protection Agency, Attn.: Fiscal Services, P.O. Box 19276, Springfield, Illinois 62794-9276.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF:

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Complainant

vs.

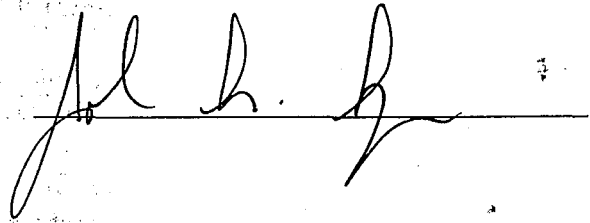
SALEM MUNICIPAL LANDFILL #2

Respondent

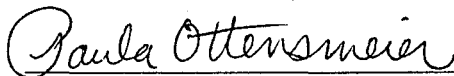
)
)
) LPC# 1218130007 – MARION COUNTY
) SALEM/SALEM MUNICIPAL LANDFILL
#2
) COMPLIANCE FILE
)
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Affiant, John S. Senjan being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspectors employed by the Land Pollution Control Division of the Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On April 22, 2004 at approximately 6:45 a.m., affiant conducted an inspection at the Salem Municipal Landfill #2. The said site is commonly known to the Agency as LPC# 1218130007-Marion County – Salem/Salem Municipal Landfill #2.
3. Affiant's inspection included interviewing Certified Operator, Mr. Dick Brown as well as walking and photographing the site.
4. As a result of the activities referred to in paragraph three above, Affiant completed the Landfill Inspection Report 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 Salem Municipal Landfill #2.

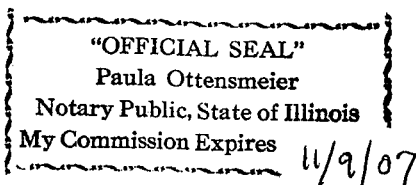


Subscribed and Sworn To before me
This 20th day of May 2004



Notary Public

SEAL



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

811 Solid Waste Landfill Inspection Checklist

County: Marion LPC#: 1218130007 Region: 6 - Collinsville
 Location/Site Name: Salem / Salem Community Landfill #2
 Date: 04/22/2004 Time: From 6:45am To 7:20am Previous Inspection Date: 12/22/2003
 Inspector(s): John Senjan Weather: ~65°F Partly cloudy
 No. of Photos Taken: # 7 Samples Taken: Yes # No ☒
 Interviewed: Jason Bruce, Dick Brown Facility Phone No.: 618/548-7781

Permitted Owner Mailing Address

City of Salem
 Attn: Mr. John Pruden
 101 South Broadway
 Salem, IL 62881

Permitted Operator Mailing Address

Roger Kinney
 101 South Broadway
 Salem, IL 62881

Chief Operator Mailing Address

Certified Operator Mailing Address

John Pruden
 Dick Brown
 Jason Bruce

AUTHORIZATION:

Significant Modification Permit
 Initial: 1995-178-LFM
 Latest 2003-306

OPERATIONAL STATUS:

Operating ☒
 Closed-Not Certified. ☐
 Closed-Date Certified:

TYPE OF OPERATION:

Existing Landfills 814-Subpart C ☒
 814-Subpart D ☐
 New Landfills: 811-Putres./Chem. ☐

	SECTION	DESCRIPTION	VIOL
ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS			
1.	9(a)	CAUSE, THREATEN OR ALLOW AIR POLLUTION IN ILLINOIS	<input type="checkbox"/>
2.	9(c)	CAUSE OR ALLOW OPEN BURNING	<input type="checkbox"/>
3.	12(a)	CAUSE, THREATEN OR ALLOW WATER POLLUTION IN ILLINOIS	<input type="checkbox"/>
4.	12(d)	CREATE A WATER POLLUTION HAZARD	<input type="checkbox"/>
5.	12(f)	CAUSE, THREATEN OR ALLOW DISCHARGE WITHOUT OR IN VIOLATION OF AN NPDES PERMIT	<input type="checkbox"/>
6.	21(a)	CAUSE OR ALLOW OPEN DUMPING	<input type="checkbox"/>
7.	21(d)	CONDUCT ANY WASTE-STORAGE, WASTE-TREATMENT, OR WASTE-DISPOSAL OPERATION:	
	(1)	Without a Permit or in Violation of Any Conditions of a Permit (See Permit Provisions)	<input checked="" type="checkbox"/>
	(2)	In Violation of Any Regulations or Standards Adopted by the Board	<input checked="" type="checkbox"/>
8.	21(e)	DISPOSE, TREAT, STORE, OR ABANDON ANY WASTE, OR TRANSPORT ANY WASTE INTO THE STATE AT/TO SITES NOT MEETING REQUIREMENTS OF ACT AND REGULATIONS	<input checked="" type="checkbox"/>
9.	21(f)(1)	CONDUCT ANY HAZARDOUS WASTE-STORAGE, TREATMENT OR DISPOSAL OPERATION WITHOUT A RCRA PERMIT.	<input type="checkbox"/>

LPC #: 1218130007

Inspection Date: 04/22/2004

10.	21(o)	CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:	
	(1)	Refuse in Standing or Flowing Water	<input type="checkbox"/>
	(2)	Leachate Flows Entering Waters of the State	<input type="checkbox"/>
	(3)	Leachate Flows Exiting the Landfill Confines	<input type="checkbox"/>
	(4)	Open Burning of Refuse in Violation of Section 9 of the Act	<input type="checkbox"/>
	(5)	Uncovered Refuse Remaining From Any Previous Operating Day or at the Conclusion of Any Operating Day	<input checked="" type="checkbox"/>
	(6)	Failure to Provide Final Cover Within Time Limits	<input type="checkbox"/>
	(7)	Acceptance of Wastes Without Necessary Permits	<input type="checkbox"/>
	(8)	Scavenging as Defined by Board Regulations	<input type="checkbox"/>
	(9)	Deposition of Refuse in Any Unpermitted Portion of the Landfill	<input type="checkbox"/>
	(10)	Acceptance of Special Waste Without a Required Manifest	<input type="checkbox"/>
	(11)	Failure to Submit Reports Required by Permits or Board Regulations	<input type="checkbox"/>
	(12)	Failure to Collect and Contain Litter by the End of each Operating Day	<input checked="" type="checkbox"/>
	(13)	Failure to Submit Any Cost Estimate, Performance Bond or Other Security	<input type="checkbox"/>
11.	21(t)	CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION	
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	
14.	22.17	LANDFILL POST-CLOSURE CARE	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/>
	(b)	Failure to Take Remedial Action	<input type="checkbox"/>
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	<input type="checkbox"/>
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			
21	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/>
22	745.201	PRIOR CONDUCT CERTIFICATION PROHIBITIONS	<input type="checkbox"/>
SPECIAL WASTE HAULING REQUIREMENTS			
23.	809.301	REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS	<input type="checkbox"/>

LPC #: 1218130007

Inspection Date: 04/22/2004

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

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

LPC #: 1218130007

Inspection Date: 04/22/2004

40.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/>
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/>
	(e)	Standards for Gas Flares	<input type="checkbox"/>
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than	<input type="checkbox"/>
	(g)	Gas Transported Off-Site	<input type="checkbox"/>
41.	811.313	INTERMEDIATE COVER	
	(a)	Requirements for the Application for Intermediate Cover	<input type="checkbox"/>
	(b)	Runoff and Infiltration Control	<input type="checkbox"/>
	(c)	Maintenance of Intermediate Cover	<input type="checkbox"/>
42.	811.314	FINAL COVER SYSTEM (DOES NOT APPLY TO PART 814 SITES THAT HAVE CLOSED, COVERED AND VEGETATED PRIOR TO SEPTEMBER 18, 1990)	
	(a)	General Requirements	<input type="checkbox"/>
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/>
	(c)	Standards for Final Protective Layer	<input type="checkbox"/>
43.	811.316	PLUGGING AND SEALING OF DRILL HOLES	<input type="checkbox"/>
44.	811.321	WASTE PLACEMENT	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
45.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/>
	(b)	Slopes Required to Drain	<input type="checkbox"/>
	(c)	Vegetation	<input type="checkbox"/>
	(d)	Structures Built over the Unit	<input type="checkbox"/>
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"/>
48.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/>
49.	811.404	IDENTIFICATION RECORD	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/>
	(b)	Special Waste Recertification	<input type="checkbox"/>
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"/>
53.	811.701	UPGRADING FINANCIAL ASSURANCE	<input type="checkbox"/>
54.	811.704	CLOSURE AND POST-CLOSURE CARE COST ESTIMATES	<input type="checkbox"/>
55.	811.705	REVISION OF COST ESTIMATE	<input type="checkbox"/>
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	<input type="checkbox"/>
57.	Part 858 Subpart C	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS NOT WEIGHED (LIST SPECIFIC	<input type="checkbox"/>
OTHER REQUIREMENTS			
58.	OTHER:	APPARENT VIOLATION OF: <input type="checkbox"/> PCB; <input type="checkbox"/> CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
59.			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Signature of Inspector(s)

Informational Notes

1. [Illinois] Environmental Protection Act: 415 ILCS 5/4.
2. Illinois Pollution Control Board: 35 Ill. Adm. Code, Subtitle G.
3. Statutory and regulatory references herein are provided for convenience only and should not be construed as legal conclusions of the Agency or as limiting the Agency's statutory or regulatory powers. Requirements of some statutes and regulations cited are in summary format. Full text of requirements can be found in references listed in 1. and 2. above.
4. The provisions of subsection (c) 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.

Inspection Date: 04/22/2004

PERMIT PROVISIONS

[illegible]

**LPC #1218130007-Marion County
Salem / Salem Municipal Landfill #2
Compliance File**

NARRATIVE INSPECTION REPORT

The purpose of this memorandum is to serve as the Narrative Inspection Report Document of an inspection conducted at the subject site on April 22, 2004. The inspection occurred between the hours of 0645 and 0720. The weather at the time was approximately 65 degrees Fahrenheit with cloudy skies and a mild breeze. The soil conditions were dry.

The inspection was specifically conducted in response to a citizen complaint received at the Agency. In that complaint it was alleged that the City of Salem was violating its landfill-operating permit. In particular the complainant alleged the following:

1. The city does not put on the required daily cover of dirt or tarps.
2. Litter is blowing off the landfill property, and shopping bags can be seen blown into trees.
3. In the summer, roads are not watered and so they become dusty.
4. Portable pipes discharge liquids into a creek in various locations (observed during the Fall of 2003).
5. City wrongfully channels storm water to where it pools and breeds mosquitoes.
The storm water goes to a drain at the corner of Mitchell and Lackey.

In the following narrative, I will restate the complainant's allegations in italics. Directly below each allegation I will state my findings and any observations made in an attempt to address each of the five allegations in numerical order.

1. *The city does not put on the required daily cover of dirt or tarps.*

I arrived at the landfill before the beginning of their normal operating hours, 0645. No one was present. I parked my vehicle toward the northwest edge of the operating cell. From there, I had a good vantage point of the active face. I did observe a tarp stretched over the active face. I also observed exposed refuse. In particular, I could make out brightly colored shopping bags, such as the kinds used at Dollar General and Wal-Mart (see photo #1).

At that point, the Site Operator, Mr. Dick Brown drove up. I explained to him the purpose of my visit and he agreed to accompany during the rest of my inspection. We then drove to the active face of the landfill. There I noted that completely surrounding the Alternative Daily Cover (ADC) tarp was general refuse (see photo 2&3). This is a violation of Sections 21(d)(1)(2), 21(e) and 21(o)(5) of the Act as well as a violation of 811.106(b) of the Regulations. It is also subject to permit violations of Part II. OPERATING CONDITIONS, Sections 3(e) and 5(a).

LPC #1218130007-Marion County
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(page 2)

Mr. Brown pointed out that a lot of the trash was covered with roofing shingles. He stated that the shingles are used to ADC. Clean construction and demolition are part of the permit to use as ADC. Shingles do not meet the definition of clean construction and demolition debris. This is violation of Part II. OPERATING CONDITIONS, Section 8(a).

2. Litter is blowing off the landfill property, and shopping bags can be seen blown into trees.

After departing the active face we drove to the eastern section of the landfill. There I noted blowing debris in the landfill, on the road and in adjacent trees (see photos 4, 5 and 6). This is a violation of Section 21(o)(12) of the Act and Section 811.107(k) of the Regulations. It is also a permit violation of Part II. OPERATING CONDITIONS, Section 3(l).

3. In the summer, roads are not watered and so they become dusty.

The roads were not dusty or muddy during the time of my inspection. Road conditions will be monitored during any future violation.

4. Portable pipes discharge liquids into a creek in various locations.

No pipes discharging leachate into a creek were observed.

5. City wrongfully channels storm water to property where it pools and breeds mosquitoes. The storm water goes to a drain at the corner of Mitchell and Lackey.
During the inspection the ditches were dry so water drainage could not be evaluated.

I departed the site at approximately 0720.

cc: Collinsville File

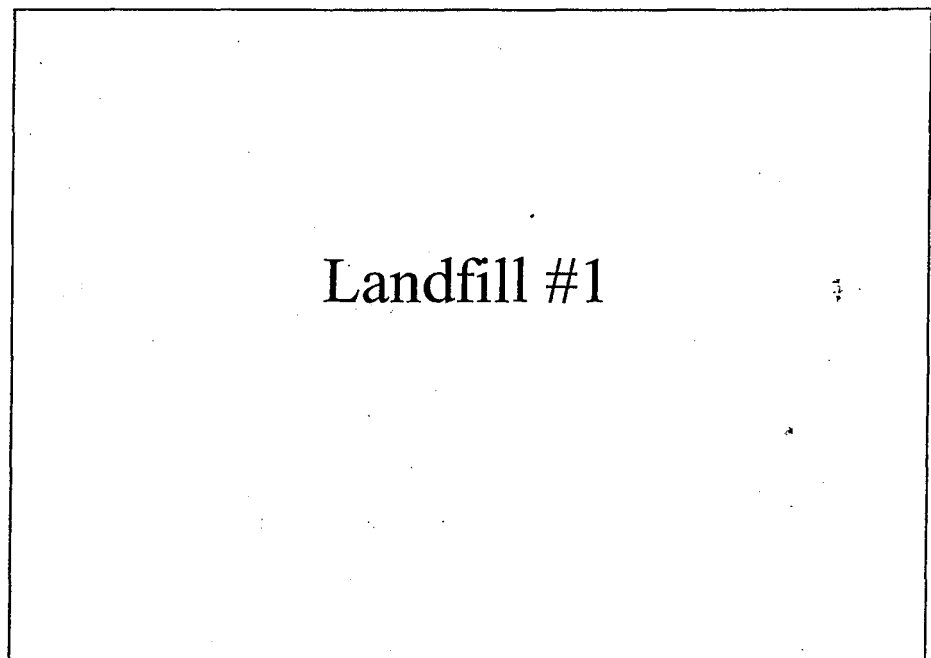
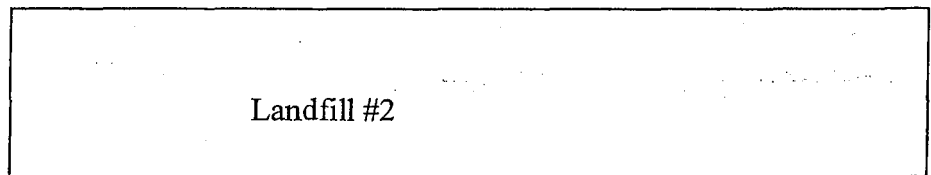
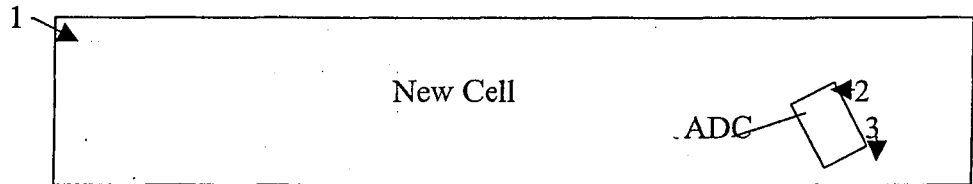
State of Illinois
Environmental Protection Agency
Facility Diagram

Date of Inspection: December 22, 2003 Inspector: John Senjan

Site Code: 1218130007 County: Marion

Site Name: Salem/Salem Community Landfill #2 Time: 1:00pm

4 N



Scale



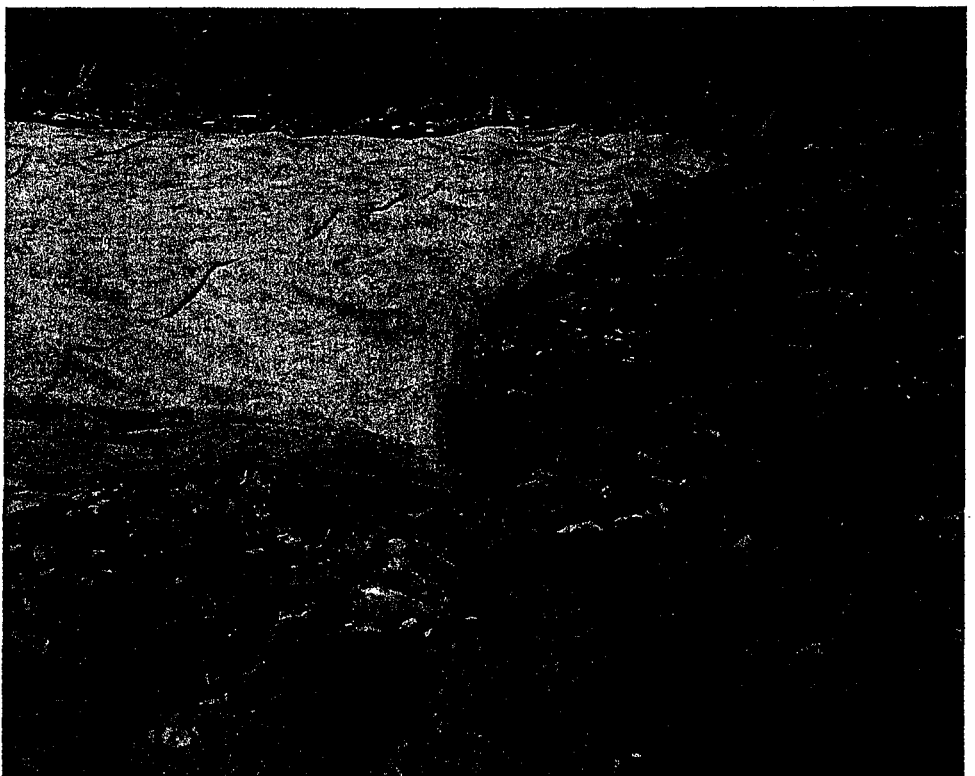
LPC # 1218130007-Marion County
Salem/Salem Landfill #2
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: April 22, 2004
TIME: 6:45 a.m.
DIRECTION: SE
PHOTO by: John Senjan
PHOTO FILE NAME:
1218130007~04222004-001
COMMENTS: Alternative Daily
Cover (ADC).



DATE: April 22, 2004
TIME: 6:45 a.m.
DIRECTION: W
PHOTO by: John Senjan
PHOTO FILE NAME:
1218130007~04222004-002
COMMENTS: ADC, roofing
shingles and general refuse.



LPC # 12181300007-Marion County
Salem/Salem Landfill #2
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: April 22, 2004

TIME: 6:45 a.m.

DIRECTION: S

PHOTO by: John Senjan

PHOTO FILE NAME:

1218130007~04222004-003

COMMENTS: ADC, roofing
shingles, general refuse. A mattress
can be seen in the lower center of
photo.



DATE: April 22, 2004

TIME: 6:45 a.m.

DIRECTION: N

PHOTO by: John Senjan

PHOTO FILE NAME:

1218130007~04222004-004

COMMENTS: Wind blown litter.



LPC # 1218130007-Marion County
Salem/Salem Landfill #2
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: April 22, 2004
TIME: 6:45 a.m.
DIRECTION: N
PHOTO by: John Senjan
PHOTO FILE NAME:
1218130007~04222004-005
COMMENTS: Wind blown litter in
trees.



DATE: April 22, 2004
TIME: 6:45 a.m.
DIRECTION: N
PHOTO by: John Senjan
PHOTO FILE NAME:
1218130007~04222004-006
COMMENTS: Wind blown litter.



LPC # 1218130007-Marion County
Salem/Salem Landfill #2
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: April 22, 2004

TIME: 6:45 a.m.

DIRECTION: E

PHOTO by: John Senjan

PHOTO FILE NAME:

1218130007~04222004-007

COMMENTS: Ground water pump.
Note litter in trees behind pump.



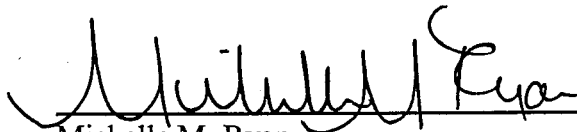
PROOF OF SERVICE

I hereby certify that I did on the 3rd day of June 2004, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To:	City of Salem	Roger Kinney	Dick Brown and Jason Bruce
	John Pruden	101 South Broadway	101 South Broadway
	101 South Broadway	Salem, Illinois 62881	Salem, Illinois 62881
	Salem, Illinois 62881		

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

To: Dorothy Gunn, Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601


Michelle M. Ryan
Special Assistant Attorney General

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544