

RECEIVED
CLERK'S OFFICE

MAY 10 2004

STATE OF ILLINOIS
Pollution Control Board

ACC04-76

INFORMATIONAL NOTICE !!!

IT IS IMPORTANT THAT YOU READ THE ENCLOSED DOCUMENTS.

NOTE: This Administrative Citation refers to TWO separate State of Illinois Agencies. One is the **ILLINOIS POLLUTION CONTROL BOARD** located at State of Illinois Center, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601. The other state agency is the **ILLINOIS ENVIRONMENTAL PROTECTION AGENCY** located at: 1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 61794-9276.

If you elect to contest the enclosed Administrative citation, you must file a **PETITION FOR REVIEW** with **thirty-five (35) days** of the date the Administrative Citation was served upon you. Any such Petition for Review must be filed with the clerk of the Illinois Pollution Control Board by either hand delivering or mailing to the Board at the address given above. A copy of the Petition for Review should be either hand-delivered or mailed to the Illinois Environmental Protection Agency at the address given above and should be marked to the **ATTENTION: DIVISION OF LEGAL COUNSEL.**

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

RECEIVED
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MAY 10 2004

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Complainant,)
)
 v.)
)
 LANDFILL, LLC, WEST END DISPOSAL)
 FACILITY, and DANNY BOWMAN,)
)
 Respondents.)

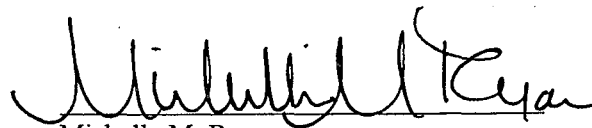
AC **04-76**
 (IEPA No. 235-04-AC)

NOTICE OF FILING

| | | | |
|-----|----------------------------|-------------------------------|-------------------------|
| To: | Landfill, LLC | West End Disposal Facility | Danny Bowman |
| | Attn: Robert Wilson | 1710 McFarland Road | 501 S. Cross |
| | P.O. Box 657 | Thompsonville, Illinois 62890 | Galatia, Illinois 62935 |
| | 622 N. Granger | | |
| | Harrisburg, Illinois 62946 | | |

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: May 5, 2004

MAY 10 2004

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Complainant,)

v.)

LANDFILL, LLC, WEST END DISPOSAL)
FACILITY, and DANNY BOWMAN,)

Respondents.)

AC 04-76
(IEPA No. 235-04-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 Respondent, Landfill LLC, is the permitted owner of a facility located at 1710 McFarland Road, Thompsonville, Saline County, Illinois.
2. That Respondent, West End Disposal Facility, is the permitted operator of a facility located at 1710 McFarland Road, Thompsonville, Saline County, Illinois.
3. That Respondent, Danny Bowman, is the Certified Operator of the above-referenced facility.
4. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1999-295-LF, and is designated with Site Code No. 1650155005. The facility is commonly known to the Illinois Environmental Protection Agency as

Galatia/West End Disposal Facility.

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

6. That on March 25, 2004, Kent Johnson of the Illinois Environmental Protection Agency's Marion 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 Kent Johnson during the course of his March 25, 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 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 Five Hundred Dollars (\$500.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than June 15, 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
Renee Cipriano, Director *by sec*
Illinois Environmental Protection Agency

Date 5/5/04

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;) AC
) (IEPA No. 235-04-AC)
)
v.)
)
LANDFILL, LLC, WEST END DISPOSAL)
FACILITY, and DANNY BOWMAN,)
)
Respondents.)

FACILITY: Galatia/West End Disposal Facility SITE CODE NO.: 1650155005
COUNTY: Saline CIVIL PENALTY: \$500.00
DATE OF INSPECTION: March 25, 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.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY)
)
Complainant,)
)
)
)
v.)
)
WEST END DISPOSAL FACILITY)
)
)
)
Respondent.)

IEPA DOCKET NO.

AFFIDAVIT

Affiant, Kent Johnson, being first duly sworn, voluntarily deposes and states as follows:

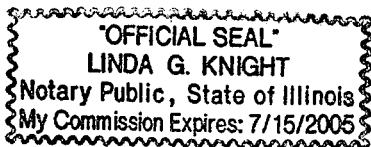
1. Affiant is a field inspector employed by the Land Pollution Control Division of the Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 25, 2004, between 1:45 and 3:33 P.M., Affiant conducted an inspection of the West End Disposal Facility in Saline County, Illinois, known as the West End Disposal Facility, Illinois Environmental Protection Agency Site No. 1650155005, operating under IEPA Permit # 1999-295-LF.
3. Affiant inspected said West End Disposal Facility by an on-site inspection, which included walking the site, photographing the site, and interviewing personnel.
4. As a result of the material actions referred to in Paragraph 3 above, Affiant completed the Inspection Report form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to said West End Disposal Facility.

Kent A Johnson

Subscribed and Sworn to before me

this 20th day of April, 2004.

Linda G. Knight
Notary Public



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

County: Saline LPC#: 1650155005 Region: 7 - Marion
 Location/Site Name: Galatia/West End Disposal Facility
 Date: 03/25/2004 Time: From 1:45 PM To 3:33 PM Previous Inspection Date: 12/30/2003
 Inspector(s): K. Johnson Weather: Warm, dry, strong wind from south
 No. of Photos Taken: # 13 Samples Taken: Yes # No
 Interviewed: Danny Bowman, Jackie Burlison Facility Phone No.: 618/268-9412

Permitted Owner Mailing Address

Landfill L.L.C.
 P.O. Box 657, 622 N. Granger
 Harrisburg, IL 62946

Permitted Operator Mailing Address

West End Disposal Facility
 1710 McFarland Road
 Thompsonville, IL 62890

Chief Operator Mailing Address

Danny Bowman
 501 S. Cross
 Galatia, IL 62935

Certified Operator Mailing Address

Danny Bowman
 501 S. Cross
 Galatia, IL 62935

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 APR 22 2004
 IEPA-DLPC

AUTHORIZATION:

Significant Modification Permit
 Initial: 1999-295-LF
 Latest Mod. 4. Log 2003-401

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 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 #: 1650155005

Inspection Date: 03/25/2004

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

LPC #: 1650155005
 Inspection Date: 03/25/2004

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| 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 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"/> |

| | | | |
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| 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 #: 1650155005
 Inspection Date: 03/25/2004

| | | | |
|-----|-----------------------------------|--|--------------------------|
| 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"/> |

Kent A. Johnson

 Signature of Inspector(s)

Informational Notes

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

LPC #: 1650155005
Inspection Date: 03/25/2004

PERMIT PROVISIONS

| PERMIT NUMBER | DESCRIPTION OF VIOLATION (condition # of permit, page # of permit, and/or page # of approved application) |
|----------------------|---|
| 1999-295-LF, m 4 | II(2)(I) Failure to collect and contain litter from the disposal area by the end of each operating day. |
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Bureau of Land

LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
Inspector K. Johnson
March 25, 2004
FOS File

Landfill Inspection Report Narrative

This permitted facility was inspected on March 25, 2004 by this author representing the Agency. The inspection, which was conducted as a routine inspection, took place from approximately 1:45 to 3:33 P.M. Thirteen photos were taken during the inspection {Photos 001-013}. Weather at the time of the inspection was warm and dry with a strong wind from the south. Mr. Danny Bowman, Certified Operator, and Ms. Jackie Burlison, scale house operator, were interviewed during the inspection. No samples were taken during this inspection.

General Remarks

This facility is located at 1710 McFarland Road, Thompsonville, IL 62890, and the phone number is 618/268-9412. The physical location of the site is northwest of Galatia, Illinois just east of the Franklin County line. The site is owned by Landfill, L.L.C., P.O. Box 657, Harrisburg, IL 62946. West End is currently operating in Phase 1, Cell 1, Lift # 5.

Inspection Findings

I arrived at the site and entered the office to announce myself. At that time, I met with Ms. Jackie Burlison. The previous inspection had revealed a few manifests without transporter signatures, and the facility had reportedly resolved those issues. As such, I reviewed the relevant manifests, which indeed had transporter signatures as required. In addition, the facility had received written statements from United Science Industries, the waste hauler for those manifests, to prevent any reoccurrence of this type of situation. While I was finishing this review, Mr. Bowman arrived from the active face.

After reviewing these manifests, I conducted the record review portion for selected records, including daily inspection records, leachate disposal manifests, load checking records for January and February of 2004, as well as gas monitoring records. Leachate disposal records showed that approximately 16,000 gallons of leachate were removed March 4-5, 2004, with no other leachate removed from the site since the previous inspection of December 30, 2003. Load checking records were reviewed, with no discrepancies noted. Gas monitoring records were briefly reviewed, and Mr. Bowman pointed out that well # EG5 has been showing less methane in recent sampling events. The most recent, conducted on March 24, 2004, was reported at 6.8%. While the levels are still above 50% of the Lower Explosive Limit (LEL) for this well, it does appear to be decreasing of late. It is noted that well # EG5 has shown higher than expected levels of methane since this facility opened, and is not in proximity to any known waste burial locations.

With regard to the daily inspections, this facility has apparently been using soil cover exclusively since the last inspection. Records indicate that the facility started filling on lift # 5 of Cell 1 on February 12, 2004.

After conducting the record review, I followed Mr. Bowman to the active face to make physical observations. Two open areas of waste were noted, one on the south {Photos 001-002} and one toward the north end of Cell 1 {Photo 003}. The southern area primarily contained demolition debris, which Mr. Bowman said he put there that morning to build up the access road toward the north side. The northern area was being worked with a compactor, and litter was blowing toward litter fences near the northeast corner of Cell 1 {Photo 004}. I talked to Mr. Bowman about the litter, and he acknowledged the presence of the litter, saying that the litter fence had busted the day before. I observed a few garbage bags along the fence line consistent with litter collection activities, but no one was picking up litter at the time of the inspection. Observations of the field and tree line north of Cell 1 revealed litter in the field and the trees {Photos 005-007}. The amount of litter in the fence and out in the field appeared to be excessive for the amount of waste exposed on this date. Mr. Bowman later admitted that litter remained from the previous operating day. As we discussed it, I acknowledged the strong winds from that date and the previous day, but reminded Mr. Bowman that the requirements for litter collection still must be met. We discussed the use of temporary manpower and portable litter fences at the active face as possible measures that could be used to address the litter concerns.

The northwest part of Cell 1 had one small area where waste was exposed that did not appear to be from that day's operations {Photo 008}. I made a verbal recommendation to Mr. Bowman to address that area, but advised that I would not cite a violation given the relatively small amount of exposed waste. Mr. Bowman said that he had apparently scraped off too much daily cover in that area while shaping that part of the cell. He agreed to put some more fill back in that area.

On this date, the facility was using a tractor-pulled scraper to remove soil as part of the early development of Cell # 2 {Photos 009-013}. This cell was originally designated as part of phase II, but the phasing of the cells was shifted based on apparent liner seepage along the west side of Cell 1. No leachate was noted on this date, nor did the review of the inspection records reveal any such concerns. In addition to the soil removal activities, the survey stakes marking the perimeter of Cell 2 appeared to be up and in place.

Summary of Inspection Findings

Based on the findings of this inspection, the special waste manifesting violation of Section 809.302(a) will be considered technically resolved. However, large volumes of litter were noted in the litter fence, as well as the field and tree line north of the litter fence. At the time of the inspection, no one was picking up litter, although the man operating the compactor apparently alternates between equipment operation and litter control. Based on the presence of litter, the absence of anyone picking up litter, Mr. Bowman's own admissions, and the locations and volumes of waste noted outside of the litter fence, the following violations are being cited at this time.

**LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
March 25, 2004 inspection report**

A violation of Section 21(d)(1) is being cited because apparent permit violations were observed on the date of this inspection.

A violation of Section 21(e) is being cited because waste is disposed at this site that, due to the apparent violations noted in this report, did not meet the requirements of the [Illinois] Environmental Protection Act (the Act) and regulations adopted thereunder.

Violations of Sections 21(o)(12) of the Act, Section 811.107(k) of 35 Ill. Adm. Code, and Permit Condition II(2)(1) are being cited because litter was apparently not collected by the end of the operating day on March 24, 2004, as noted during this inspection.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

SITE SKETCH

Inspection Date: March 25, 2004

Inspector: K. Johnson

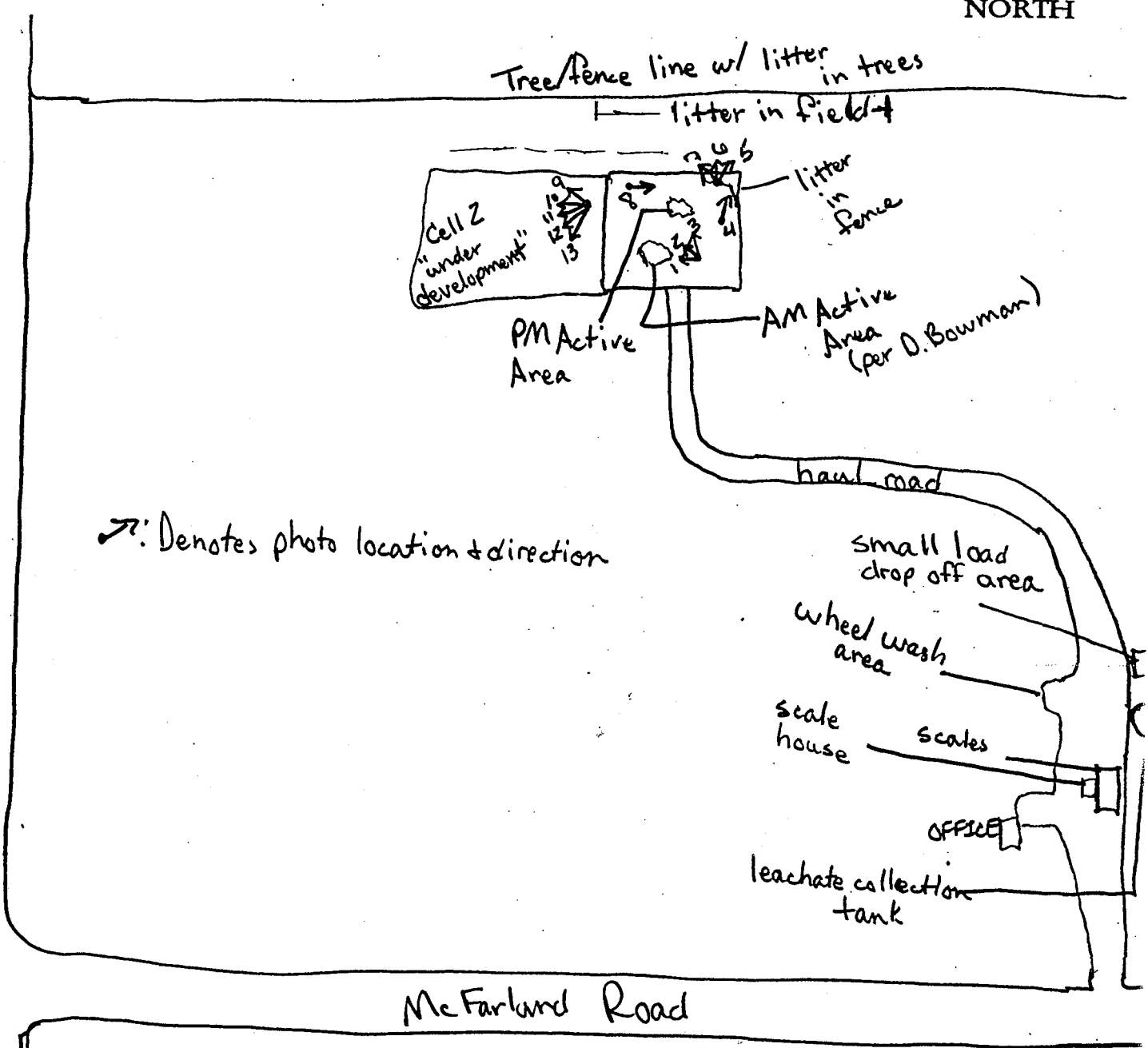
LPC #: 165 015 5005

County: Saline

Site Name: Galatia/West End Disposal Facility

NORTH

Franklin
County



Site sketch is not to scale.

LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 2:49 PM
DIRECTION: West
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-001
COMMENTS:



DATE: 3/25/04
TIME: 2:49 PM
DIRECTION: Northwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-002
COMMENTS:



LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 2:50 PM
DIRECTION: North-
northwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-003
COMMENTS:



DATE: 3/25/04
TIME: 2:51 PM
DIRECTION: North-
northeast
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-004
COMMENTS:



LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 2:52 PM
DIRECTION: Northeast
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-005
COMMENTS:



DATE: 3/25/04
TIME: 2:52 PM
DIRECTION: North
PHOTO by: K. Johnson
PHOTO FILE NAME:
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COMMENTS:



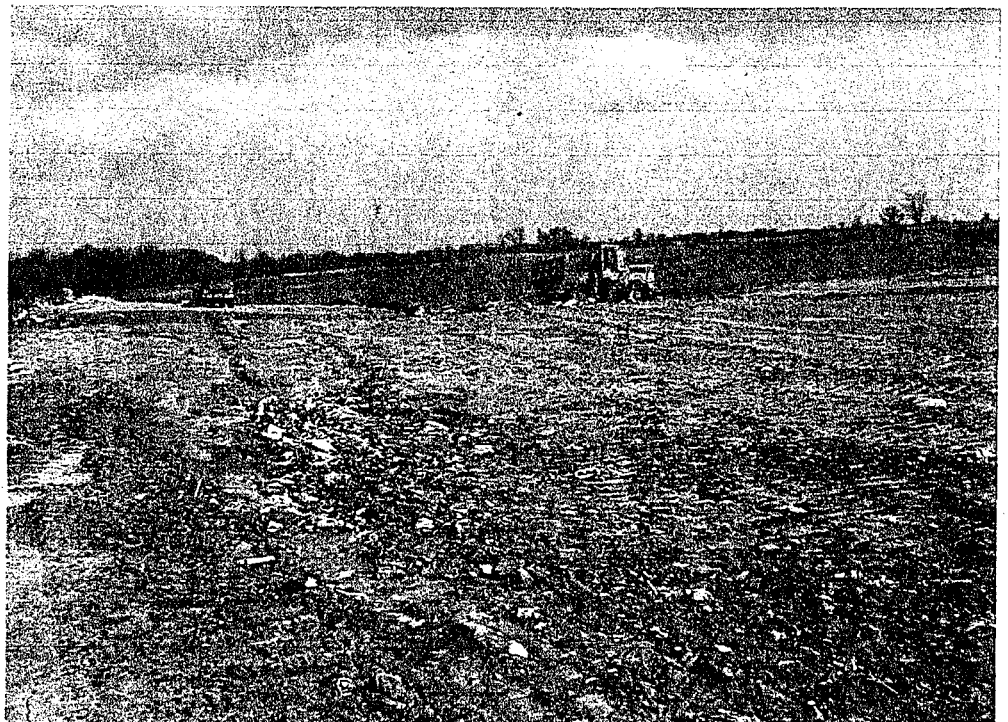
LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 2:52 PM
DIRECTION: Northwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-007
COMMENTS:



DATE: 3/25/04
TIME: 2:55 PM
DIRECTION: East
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-008
COMMENTS:



LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 2:59 PM
DIRECTION: Northwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
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COMMENTS:



DATE: 3/25/04
TIME: 2:59 PM
DIRECTION: West
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-010
COMMENTS:



LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 2:59 PM
DIRECTION: Southwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-011
COMMENTS:



DATE: 3/25/04
TIME: 3:00 PM
DIRECTION: Southwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005~03252004-012
COMMENTS:



LPC # 1650155005 — Saline County
Galatia/West End Disposal Facility
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: 3/25/04
TIME: 3:00 PM
DIRECTION: Southwest
PHOTO by: K. Johnson
PHOTO FILE NAME:
1650155005-03252004-013
COMMENTS:



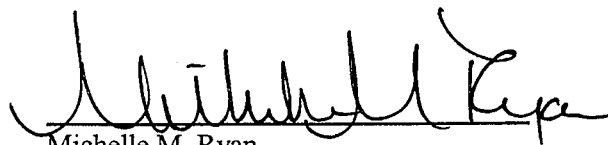
PROOF OF SERVICE

I hereby certify that I did on the 5th day of May 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: | Landfill, LLC Attn: Robert Wilson P.O. Box 657 622 N. Granger Harrisburg, Illinois 62946 | West End Disposal Facility 1710 McFarland Road Thompsonville, Illinois 62890 | Danny Bowman 501 S. Cross Galatia, Illinois 62935 |
|-----|--|--|---|

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