

RECEIVED
CLERK'S OFFICE

MAY 09 2005

STATE OF ILLINOIS
Pollution Control Board

INFORMATIONAL NOTICE !!!

AC05-69

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
CLERK'S OFFICE

MAY 09 2005

STATE OF ILLINOIS
Pollution Control Board

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
WASTE MANAGEMENT OF ILLINOIS,)
INC., and MICHAEL WIERSEMA,)
)
Respondents.)

AC 0569
(IEPA No. 142-05-AC)

NOTICE OF FILING

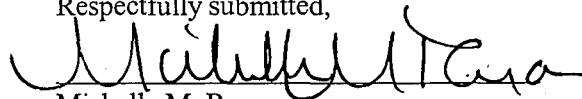
To: Waste Management of Illinois, Inc.
Attn: Mr. Dale Hoekstra
18370 Somonauk Road
Dekalb, Illinois 60115

Michael Wiersema
18370 Somonauk Road
Dekalb, Illinois 60115

CT Corporation System
208 S. LaSalle Street, Suite 814
Chicago, Illinois 60604-1101

PLEASE TAKE NOTICE that on this date I mailed for filing with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST.

Respectfully submitted,



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 6, 2005

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

MAY 09 2005

STATE OF ILLINOIS
Pollution Control Board

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
))
Complainant,)
))
v.)
))
WASTE MANAGEMENT OF ILLINOIS,)
INC., and MICHAEL WIERSEMA,)
))
Respondents.)

AC 05-69
(IEPA No. 142-05-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 Waste Management of Illinois, Inc. is the permitted owner and operator and Michael Wiersema is the certified operator (collectively "Respondents") of the DeKalb County Landfill located at 18370 Somonauk Road, Dekalb, Dekalb County, Illinois.

2. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1996-247-LFM, and is designated with Site Code No. 0378020001. The facility is commonly known to the Illinois Environmental Protection Agency as DeKalb County Landfill.

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

4. That on March 22, 2005, Katherine Geyer of the Illinois Environmental Protection Agency's Rockford Regional Office inspected the above-referenced facility. A copy of her inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

VIOLATIONS

Based upon direct observations made by Katherine Geyer during the course of her March 22, 2005 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).

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 1, 2005, 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 wcc*
Illinois Environmental Protection Agency

Date 5/5/05

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

RECEIVED
CLERK'S OFFICE

MAY 09 2005

STATE OF ILLINOIS
Pollution Control Board

REMITTANCE FORM

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Complainant,)
)
v.)
)
WASTE MANAGEMENT OF ILLINOIS,)
INC., and MICHAEL WIERSEMA,)
)
Respondents.)

AC **0569**
(IEPA No. 142-05-AC)

FACILITY: DeKalb County Landfill

SITE CODE NO.: 0378020001

COUNTY: DeKalb

CIVIL PENALTY: \$500.00

DATE OF INSPECTION: March 22, 2005

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.

RECEIVED
CLERK'S OFFICE

MAY 09 2005

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

STATE OF ILLINOIS
Pollution Control Board

AFFIDAVIT

IN THE MATTER OF:)
)
Dekalb County Landfill,)
)
Respondent)

IEPA DOCKET NO. -

Affiant, Katherine Geyer, 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 Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On March 22, 2005, between 7:17 a.m. and 8:30 a.m., Affiant conducted an inspection of a permitted landfill located in Dekalb County, Illinois and known as Dekalb County Landfill by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC#0378020001 by the Agency.
3. Affiant inspected said site by an on-site inspection, which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the inspection 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 landfill.

Katherine L Geyer
Katherine Geyer, EPS III

Subscribed and Sworn to Before Me
This 19th Day of March, 2005.

Teresa Labunski

Notary Public

"OFFICIAL SEAL"
TERESA LABUNSKI
Notary Public, State of Illinois
My Commission Expires 1/10/2007

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

County: Dekalb LPC#: 0378020001 Region: 1 - Rockford
 Location/Site Name: Dekalb/Dekalb County Landfill
 Date: 03/22/05 Time: From 0717 To 0830 Previous Inspection Date: 12/02/04
 Inspector(s): Geyer, Kathy Weather: Sunny, windy, 32° F
 No. of Photos Taken: # 5 Samples Taken: Yes # No
 Interviewed: Richard Diehl Facility Phone No.: 815/758-6906

Permitted Owner Mailing Address

Waste Management
18370 Somonauk Road
Dekalb, IL 60115

Permitted Operator Mailing Address

Waste Management
Attn: Mike Wiersema
18370 Somonauk Rd.
Dekalb, IL 60115

RECEIVED

APR 21 2005

Chief Operator Mailing Address

Richard Diehl
Waste Management
18370 Somonauk Rd.
Dekalb, IL 60115

Certified Operator Mailing Address

Dale Hoekstra
Settler's Hill R.D.F.
1031 E. Fabyan Parkway
Batavia, IL 60510

EPA/BOL

AUTHORIZATION:

Significant Modification Permit
Initial: 1996-247-LFM
Latest Mod. #46

OPERATIONAL STATUS:

Operating
Closed-Not
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 type="checkbox"/>
9.	21(f)(1)	CONDUCT ANY HAZARDOUS WASTE-STORAGE, TREATMENT OR DISPOSAL OPERATION WITHOUT A RCRA PERMIT.	<input type="checkbox"/>

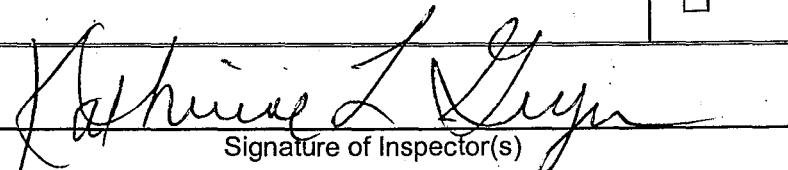
10.	21(o)	CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:	
	(1)	Refuse in Standing or Flowing Water	<input type="checkbox"/>
	(2)	Leachate Flows Entering Waters of the State	<input type="checkbox"/>
	(3)	Leachate Flows Exiting the Landfill Confines	<input type="checkbox"/>
	(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 type="checkbox"/>
	(13)	Failure to Submit Any Cost Estimate, Performance Bond or Other Security for	<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			
	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/>
	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"/>

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 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"/>
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	
			<input type="checkbox"/>

52.	811.700	COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G	
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	<input type="checkbox"/>
57.	Part 858 Subpart C	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES	<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 (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.

RECEIVED

APR 21 2005

IEPA/BOL

General Remarks

On March 22, 2005, the writer, Kathy Geyer, inspected DeKalb County Landfill. I arrived at the office at 7:17 a.m. This landfill opens for business at 8:00 a.m. at the present time. Upon arrival, I found that a janitorial service was present in the office/scalehouse, but Debi Hetlund, the office employee, was not present yet. The weather was sunny, windy from the northeast, and 32° Fahrenheit.

I proceeded to drive to the active area of the landfill. I noted an area, running down a slope south of the "turn around" area, full of uncovered wood, wires, metal, garbage bags, toys and other unrecognizable items. It appeared to go down the slope approximately 75' and was approximately 50' wide. Also, near the top of this area, there was a pile (consisting of approximately 4 cubic yards) of soil with refuse protruding from the sides. I took photographs and then returned to the office.

When I returned to the office, Richard Diehl, a landfill employee, was present. He accompanied me during the remainder of the inspection.

We returned to the active area of the landfill. I asked Mr. Diehl about the previously described area. He explained that the area was a "wet weather" area, which was used during a recent muddy time period. It is allowed by the permit to have a wet weather area, however, Section 13.11.1 of the Permit application for permit #1996-247-LFM states,

"The primary access road is designed as an all-weather road. Secondary access roads are constructed of gravel or materials consisting of wood, broken concrete, asphalt, clean demolition material, tire chips, etc. and any general road building materials. These materials are also stockpiled on the landfill for use as needed. Secondary access roads will be incorporated into the landfill and covered as development progresses. Access roads are maintained for all-weather usage. Drainage measures are provided so that disposal operations can continue during periods of inclement weather. These measures include the utilization of temporary berms to drain and direct precipitation and runoff within the active area away from the working face. All areas disturbed during wet weather will be regarded as necessary."

I was concerned that the refuse did not meet the construction requirements of the statement in the application. Specifically, it did not appear that the wet weather area consisted of "clean wood," or "clean demolition material." At the time of the inspection, I was unsure of the wording of this portion of the application, so I did not mention my concerns to Mr. Diehl.

Mr. Diehl pointed out the previous day's active face, which was well covered with soil. It consisted of a small slope on the west edge of the current lift. Also, there were temporary, movable litter fences present, as required by the permit.

When we were leaving the active area, I noted a pile of gravel frozen into large "boulders." Mr. Diehl stated that this was stored to use on the secondary road, but was frozen at the present time. I checked the permit, and this is allowed by Condition #II.16 as long as it is managed pursuant to Section 811.108(c)(1), which is being accomplished.

When we returned to the office, Debi Hetlund had arrived. I asked her if the landfill receives any manifested industrial waste. She told me that there is only one waste stream that the landfill receives with a manifest at this time, from Seymour of Sycamore. It consists of non-hazardous paint filter dust. The landfill receives approximately one truckload a year of approximately 40 – 55 gal. Drums. I examined Waste Management's profile #000603 and the manifest for this waste, which was most recently dated January 19, 2005. It appeared to be completed correctly and in compliance.

As a result of the wet weather area's not containing clean wood and/or clean demolition debris, and the fact that it was left uncovered, the facility appeared to be in violation of sections:

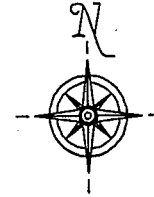
1. **21(d)(1) of the Environmental Protection Act;** Conducting a waste disposal operation in violation of any conditions of a permit:
 - a. Permit #1996-247-LFM; modification #46, condition #ii.3.e, page 6, "The operator of this solid waste facility shall not conduct the operation in a manner which results in any of the following: uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by the permit."
 - b. Permit #1996-247-LFM; modification #46, condition #II.5.a and b, page 7, "At the end of each day of operation all exposed waste shall be covered with: a. Clean soil at least six inches thick (i.e.conventional daily cover); or b. An alternate cover as described below."
2. **21(d)(2) of the Environmental Protection Act;** Conducting a waste disposal operation in violation of any regulations or standards adopted by the Board;
3. **21(o)(5) of the Environmental Protection Act;** Conducting a sanitary landfill operation which results in uncovered refuse remaining from any previous day or at the conclusion of any operating day;

Six photographs were taken. They are all stored in digital file #0378020001~03222005.

0378020001--DeKalb County DeKalb County Landfill

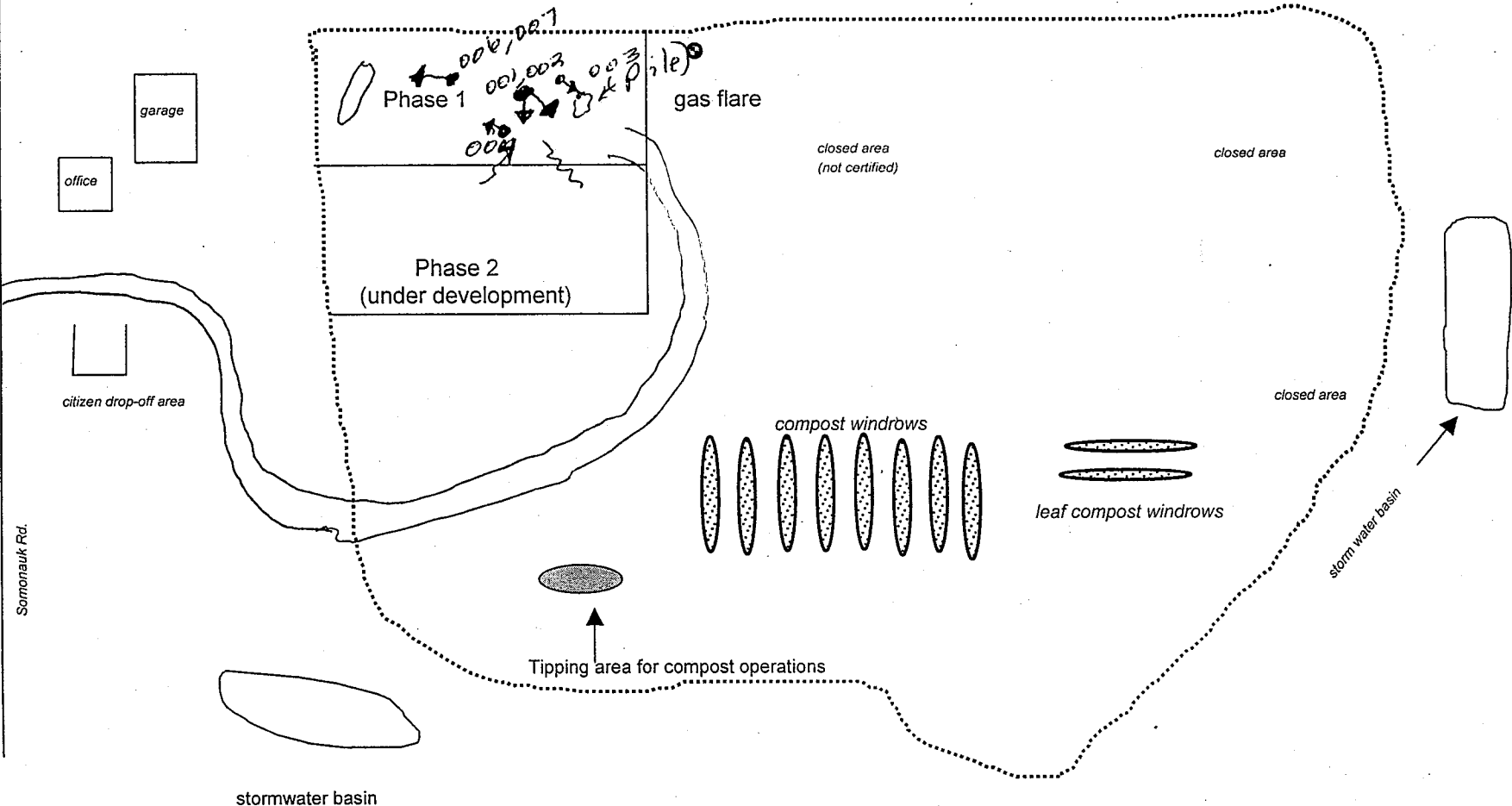
March 22, 2005

Time: 0717-0830



Cortland 2 miles

Interstate 88



(no scale)

LPC #0378020001--DeKalb County
DeKalb/DeKalb County Landfill
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: March 22, 2005

TIME: 0720

DIRECTION: south

PHOTO by: Kathy Geyer

PHOTO FILE NAME:

0378020001~03222005-001E002E

COMMENTS: "wet weather" area



LPC #0378020001--DeKalb County
DeKalb/DeKalb County Landfill
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: March 22, 2005

TIME: 0722

DIRECTION: southeast

PHOTO by: Kathy Geyer

PHOTO FILE NAME:

0378020001~03222005-003

COMMENTS: Pile of soil with visible refuse.



DATE: March 22, 2005

TIME: 0740

DIRECTION: west

PHOTO by: Kathy Geyer

PHOTO FILE NAME:

0378020001~03222005-004

COMMENTS: continuation of the "wet weather" area.



LPC #0378020001--DeKalb County
DeKalb/DeKalb County Landfill
FOS File

DIGITAL PHOTOGRAPH PHOTOCOPIES

DATE: March 22, 2005

TIME: 0741

DIRECTION: northwest

PHOTO by: Kathy Geyer

PHOTO FILE NAME:

0378020001-03222005-005E006E

COMMENTS: wet weather area (and wood) in the foreground, previous day's active area in the background.



PROOF OF SERVICE

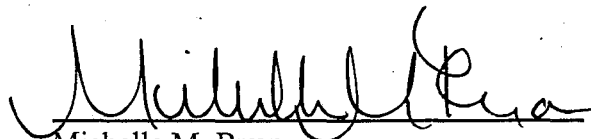
I hereby certify that I did on the 5th day of May 2005, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST

To: Waste Management of Illinois, Inc. Michael Wiersema
Attn: Mr. Dale Hoekstra 18370 Somonauk Road
18370 Somonauk Road Dekalb, Illinois 60115
Dekalb, Illinois 60115

CT Corporation System
208 S. LaSalle Street, Suite 814
Chicago, Illinois 60604-1101

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