

RECEIVED  
CLERK'S OFFICE

SEP 23 2004

STATE OF ILLINOIS  
Pollution Control Board

INFORMATIONAL NOTICE !!!

Ac 05-27

**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.**

SEP 23 2004

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, )  
) )  
v. )  
) )  
LEE COUNTY LANDFILL SC, LLC, and )  
DAVE GEIER, )  
) )  
Respondent. )

AC 05-27  
(IEPA No. 444-04-AC)

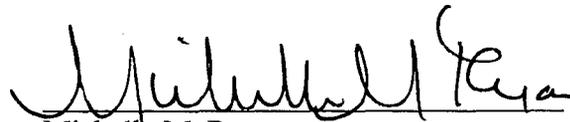
NOTICE OF FILING

To: Lee County Landfill SC, LLC  
CT Corporation System  
207 S. Lasalle, Suite 814  
Chicago, IL 60604

Dave Geier  
Lee County Landfill SC, LLC  
1214 South Bataan Road  
Dixon, IL 61021

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: September 21, 2004

RECEIVED  
CLERK'S OFFICE

SEP 23 2004

STATE OF ILLINOIS  
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
) )  
Complainant, )  
) )  
v. )  
) )  
LEE COUNTY LANDFILL SC, LLC, and )  
DAVE GEIER, )  
) )  
Respondents. )

AC 05-27  
(IEPA No. 444-04-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 Lee County Landfill SC, LLC is the permitted owner and operator and Dave Geier is the certified operator (collectively "Respondents") of a facility located at 1214 South Bataan Road, Dixon, Lee County, Illinois.
2. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 1997-261-LF, and is designated with Site Code No. 1030205110. The facility is commonly known to the Illinois Environmental Protection Agency as Lee County Landfill.
3. That Respondents have owned and/or operated said facility at all times pertinent hereto.

4. That on August 19, 2004, 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 August 19, 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).

#### 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 October 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  
Renee Cipriano, Director *hrc*  
Illinois Environmental Protection Agency

Date 9/21/04

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



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

AFFIDAVIT

IN THE MATTER OF: )  
 )  
Lee County Landfill SC, LLC )  
 )  
Respondent )

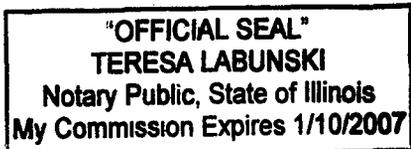
IEPA DOCKET NO.

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 Illinois Environmental Protection Agency and has been so employed at all times pertinent hereto.
2. On August 19, 2004, between 5:25 a.m. and 8:30 a.m., Affiant conducted an inspection of a permitted landfill located in Lee County, Illinois and known as Lee County Landfill SC, LLC by the Illinois Environmental Protection Agency. Said site has been assigned site code number LPC#1030205110 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.

Subscribed and Sworn to Before Me  
this 31 day of August, 2004

*Teresa Labunski*  
Notary Public



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

## 811 Solid Waste Landfill Inspection Checklist

County: Lee LPC#: 1030205110 Region: 1 - Rockford  
 Location/Site Name: Dixon/Lee County Landfill  
 Date: 08/19/2004 Time: From 0525 To 0830 Previous Inspection Date: 06/22/2004  
 Inspector(s): Kathy Geyer Weather: Dark becoming partly cloudy, 50° Fahrenheit, muddy, windy  
 No. of Photos Taken: # 10 Samples Taken: Yes # \_\_\_\_\_ No   
 Interviewed: Marcus Netz, Dave Geier Facility Phone No.: 815/288-4607

**Permitted Owner Mailing Address**

Lee County Landfill SC, LLC  
 Attn: Steve Smith  
 13832 South Kostner  
 Crestwood, IL 60445

**Permitted Operator Mailing Address**

(same as permitted owner)

RECEIVED

**Chief Operator Mailing Address**

Lee County Landfill SC, LLC  
 Attn: Roger Groen  
 13832 South Kostner  
 Crestwood, IL 60445

**Certified Operator Mailing Address**

Lee County Landfill SC, LLC  
 Attn: Dave Geier  
 1214 South Bataan Road  
 Dixon, IL 61021

SEP 02 2004  
IEPA-DLPC

**AUTHORIZATION:** Significant Modification Permit Initial: 1997-261-LF Latest Mod. #42

**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
<b>ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS</b>			
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"/>

LPC #: 1030205110

Inspection Date: August 19, 2004

10.	21(o)	<b>CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:</b>	
	(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	<input type="checkbox"/>
11.	21(t)	<b>CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION</b>	<input type="checkbox"/>
12.	21.6(b)	<b>ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996)</b>	<input type="checkbox"/>
13.	22.01	<b>FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE</b>	<input type="checkbox"/>
14.	22.17	<b>LANDFILL POST-CLOSURE CARE</b>	
	(a)	Failure to Monitor Gas, Water, Settling	<input type="checkbox"/>
	(b)	Failure to Take Remedial Action	<input type="checkbox"/>
15.	22.22(c)	<b>ACCEPTANCE OF LANDSCAPE WASTE FOR FINAL DISPOSAL</b>	<input type="checkbox"/>
16.	22.23(f)(2)	<b>CAUSE OR ALLOW THE DISPOSAL OF ANY LEAD-ACID BATTERY</b>	<input type="checkbox"/>
17.	22.28(b)	<b>ACCEPTANCE OF WHITE GOODS FOR FINAL DISPOSAL</b>	<input type="checkbox"/>
18.	55(b)(1)	<b>ACCEPTANCE OF ANY USED OR WASTE TIRE FOR FINAL DISPOSAL (UNLESS LANDFILL MEETS EXEMPTION OF 55(b)(1))</b>	<input type="checkbox"/>
19.	56.1(a)	<b>CAUSE OR ALLOW THE DISPOSAL OF ANY POTENTIALLY INFECTIOUS MEDICAL WASTE</b>	<input type="checkbox"/>
<b>SOLID WASTE SITE OPERATOR CERTIFICATION LAW REQUIREMENTS</b>			
20.	225 ILCS 230/1004	<b>CAUSING OF ALLOWING OPERATION OF A LANDFILL WITHOUT PROPER COMPETENCY CERTIFICATE</b>	<input type="checkbox"/>
<b>35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G</b>			
<b>PRIOR CONDUCT CERTIFICATION REQUIREMENTS</b>			
21.	745.181	<b>CHIEF OPERATOR REQUIREMENTS</b>	<input type="checkbox"/>
22.	745.201	<b>PRIOR CONDUCT CERTIFICATION PROHIBITIONS</b>	<input type="checkbox"/>
<b>SPECIAL WASTE HAULING REQUIREMENTS</b>			
23.	809.301	<b>REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS</b>	<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"/>
<b>NEW SOLID WASTE LANDFILL REQUIREMENTS</b>			
	<b>PART 811 SUBPART</b>	<b>GENERAL STANDARDS FOR ALL LANDFILLS</b>	
26.	811.103	<b>SURFACE WATER DRAINAGE</b>	
	(a)	Runoff from Disturbed Areas	<input type="checkbox"/>
	(b)	Diversion of Runoff from Undisturbed Areas	<input type="checkbox"/>
27.	811.104	<b>SURVEY CONTROL</b>	
	(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	<b>COMPACTION</b>	<input type="checkbox"/>
29.	811.106	<b>DAILY COVER</b>	
	(a)	Six Inches Soil	<input type="checkbox"/>
	(b)	Alternative Daily Cover	<input type="checkbox"/>
30.	811.107	<b>OPERATING STANDARDS</b>	
	(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	<b>SALVAGING</b>	
	(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	<b>BOUNDARY CONTROL</b>	
	(a)	Access Restricted	<input type="checkbox"/>
	(b)	Proper Sign Posted	<input type="checkbox"/>

<b>33.</b>	<b>811.110</b>	<b>CLOSURE AND WRITTEN CLOSURE PLAN</b>	
	(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"/>
<b>34.</b>	<b>811.111</b>	<b>POST-CLOSURE MAINTENANCE</b>	
	(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"/>
<b>35.</b>	<b>811.112</b>	<b>RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS</b>	
	(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"/>
	<b>PART 811 SUBPART C</b>	<b>PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS</b>	
<b>36.</b>	<b>811.302</b>	<b>FACILITY LOCATION</b>	
	(c)	Site Screening (Does Not Apply To Part 814-Subpart D Sites)	<input type="checkbox"/>
<b>37.</b>	<b>811.309</b>	<b>LEACHATE TREATMENT AND DISPOSAL SYSTEM</b>	
	(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"/>
<b>38.</b>	<b>811.310</b>	<b>LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE)</b>	
	(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"/>
<b>39.</b>	<b>811.311</b>	<b>LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)</b>	
	(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"/>

<b>40.</b>	<b>811.312</b>	<b>LANDFILL GAS PROCESS AND DISPOSAL SYSTEM</b>	
	(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 Flares	<input type="checkbox"/>
	(g)	Gas Transported Off-Site	<input type="checkbox"/>
<b>41.</b>	<b>811.313</b>	<b>INTERMEDIATE COVER</b>	
	(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"/>
<b>42.</b>	<b>811.314</b>	<b>FINAL COVER SYSTEM (DOES NOT APPLY TO PART 814 SITES THAT HAVE CLOSED, COVERED AND VEGETATED PRIOR TO SEPTEMBER 18, 1990)</b>	
	(a)	General Requirements	<input type="checkbox"/>
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/>
	(c)	Standards for Final Protective Layer	<input type="checkbox"/>
<b>43.</b>	<b>811.316</b>	<b>PLUGGING AND SEALING OF DRILL HOLES</b>	<input type="checkbox"/>
<b>44.</b>	<b>811.321</b>	<b>WASTE PLACEMENT</b>	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
<b>45.</b>	<b>811.322</b>	<b>FINAL SLOPE AND STABILIZATION</b>	
	(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"/>
<b>46.</b>	<b>811.323</b>	<b>LOAD CHECKING PROGRAM</b>	
	(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"/>
	<b>PART 811 SUBPART D</b>	<b>MANAGEMENT OF SPECIAL WASTES AT LANDFILLS</b>	
<b>47.</b>	<b>811.402</b>	<b>NOTICE TO GENERATORS AND TRANSPORTERS</b>	<input type="checkbox"/>
<b>48.</b>	<b>811.403</b>	<b>SPECIAL WASTE MANIFESTS REQUIREMENTS</b>	<input type="checkbox"/>
<b>49.</b>	<b>811.404</b>	<b>IDENTIFICATION RECORD</b>	
	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/>
	(b)	Special Waste Recertification	<input type="checkbox"/>
<b>50.</b>	<b>811.405</b>	<b>RECORDKEEPING REQUIREMENTS</b>	<input type="checkbox"/>
<b>51.</b>	<b>811.406</b>	<b>PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES</b>	<input type="checkbox"/>

	<b>PART 811 SUBPART G</b>	<b>FINANCIAL ASSURANCE</b>	
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"/>
<b>SOLID WASTE FEE SYSTEM REQUIREMENTS</b>			
56.	Part 858 Subpart B	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS WEIGHED (LIST SPECIFIC SECTION	<input type="checkbox"/>
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"/>
<b>OTHER REQUIREMENTS</b>			
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"/>

*Katherine L. Geyer*

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  
SEP 08 2004

ICPA-DLPC

### Narrative

On August 19, 2004, the writer, Kathy Geyer, inspected the above referenced facility. I arrived at 5:25 a.m. It was (before sunrise) partly cloudy, 50° Fahrenheit, breezy and muddy in spots. On the previous day, August 18, 2004, there was 0.02 inches of rain reported during the day, in the early afternoon. Then, also on 18<sup>th</sup>, it started raining around 6:00 p.m. (after closing time), and rained during the night, ending sometime in the early morning hours. I quickly went to the office, where Marcus Netz, the operations Manager, was present. I advised him that I was going directly to the active face of the landfill, and he directed me to the location, at approximately the west edge of Cell 12. I asked him if there was a second active face for small trucks, he told me that there was not. He directed me to get to the active area from the west, driving across Cell 11.

While driving to the office, I found that approximately 20 semi trailers were waiting for the scalehouse to open. They were in line behind the scalehouse, on the landfill property.

First I drove around the west side of the landfill on the main haul road to observe the active face of the landfill. The haul road for the active area leading to the tippers was all the way across the top of cell 11, from the west side of the landfill. The road across cell 11 was covered with wood chips to protect against muddy conditions, as allowed by the permit. When I arrived at the active face, at 5:30 a.m., two large compactors were starting their engines, and had not arrived at the active face yet. Two other compactors were fueling from a fuel truck.

I parked my vehicle and walked in between the two tippers, which were placed approximately 50' apart, set to dump toward the east, presumably to be pushed to the active face, approximately 75' beyond (to the east). I noted large amount of uncovered refuse at the dumping end of each tipper. This is documented in photographs #001 (the "south" tipper), and #002 (the "north" tipper)\* I also noticed uncovered refuse from the end of the tippers, all the way toward the east to the active face, approximately 75' away. This is documented with photographs #003, 004, and 005, placed together for a panoramic view. The active face from the previous day was approximately 20' high and 200' across. It was covered with 6 or 7 tarps. Two of the tarps had blown over toward the east, so that the lower part of the active face near the blown tarps was uncovered. This is also documented in photographs #003, 004, and 005, but because of the darkness at the time, it is not visible in the photographs.

Next, I observed as two compactors approached the active face and began removing the tarps and dragging them away for later use. There was also uncovered refuse located in the space between the tippers, as documented in photographs #006 and 007. The compactors began pushing loose refuse from the east end of the "south" tipper toward the active face, as documented in photograph #008.

I noted a large pile of demolition debris located approximately 35' northwest of the north end of the active face, allowed by the permit to be stockpiled. The pile is documented in photograph #009.

Next, I waited for the first few transfer trailers to arrive at the active face. The first one arrived at 6:05 a.m., and the second one arrived at 6:07 a.m. I took photograph #010 and proceeded back to the office, driving around the west, north, and east sides of the landfill. I noted that temporary, movable litter fences were visible near the north side of the active area, as required by the permit. I arrived at the office at 6:20 a.m.

Shortly after my arrival at the office, Dave Geier, the Certified Operator, arrived. I advised both Mr. Geier and Mr. Netz that the daily cover was inadequate. I then showed them the

\* NOTE: all photographs are filed in digital file #1030205110~08192004.

photographs I had taken, from the screen on my digital camera, and reminded them that the lack of daily cover on the previous day's refuse was a permit violation. Mr. Netz mentioned that an attempt was made to cover the area from the tippers to the active face using ground up demolition debris, as allowed by the permit, but that it obviously was not enough.

Next, together, the three of us proceeded back to the active area, where I showed Mr. Geier and Mr. Netz the areas of concern. We then looked at cell #13 for a pre-operational inspection, which is documented on a separate, internal report.

Then, we returned to the office. I left at 8:30 a.m.

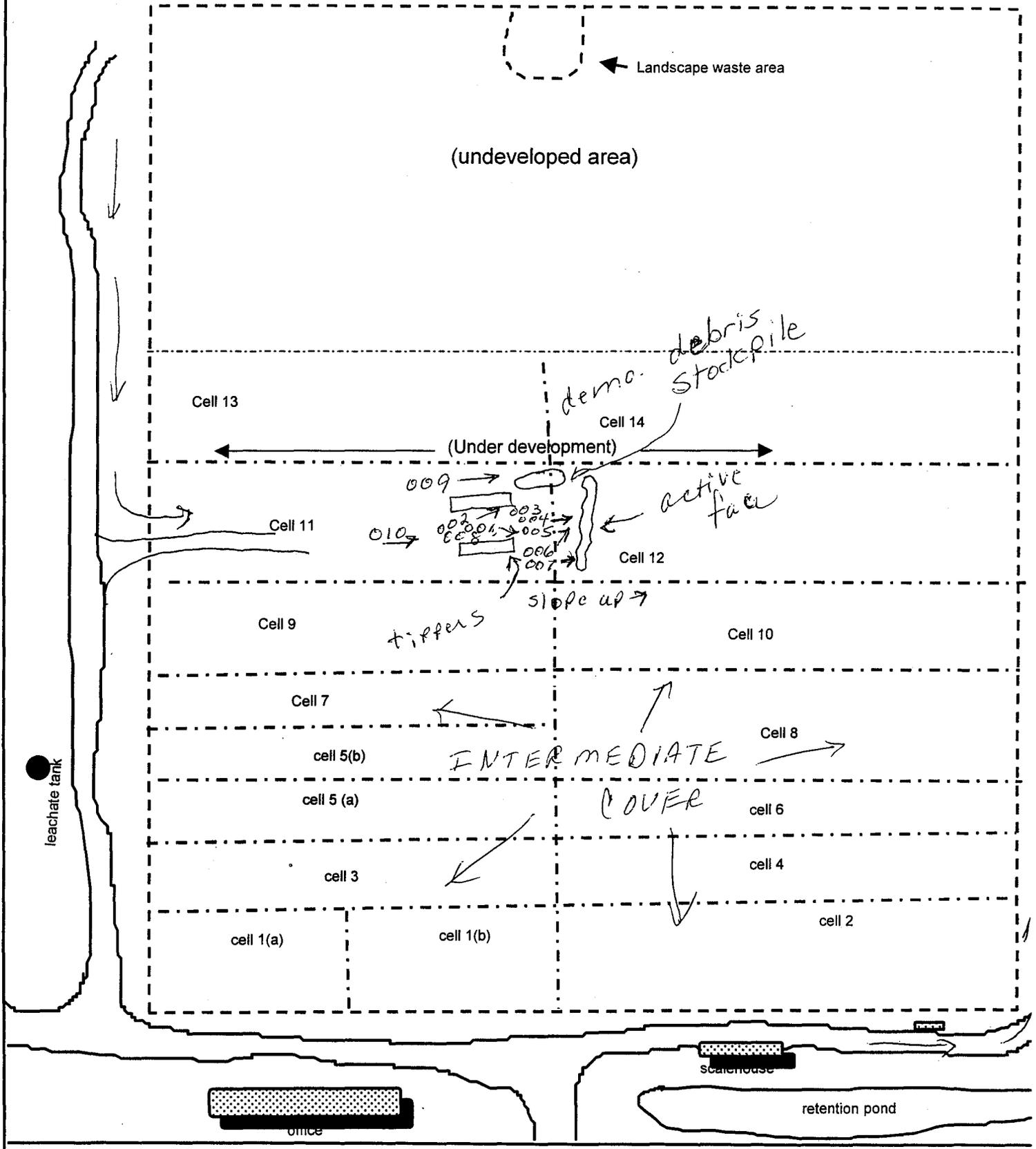
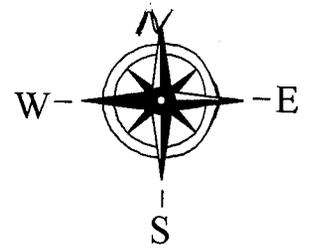
The facility appears to be in violation of:

1. Section 21(d)(1) of the Environmental Protection Act, operation of a waste disposal facility in violation of an Agency issued permit, specifically, condition #'s II.2.e, page 6, and II.4, page 6.
2. Section 21(d)(2) of the Environmental Protection Act, operation of a waste disposal facility in violation of any regulations or standards adopted by the Board; and;
3. Section 21(o)(5) of the Environmental Protection Act, conducting a sanitary landfill operation which results in uncovered refuse remaining from any previous operating day.

# 1030205110--Lee County Lee County Landfill

Date of Inspection: August 19, 2004

Time of Inspection: 0525-0830



South Bataan Rd.

→ photos

(not to scale)

LPC #1030205110—Lee County  
Lee County Landfill  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** August 19, 2004  
**TIME:** 0535  
**DIRECTION:** southeast  
**PHOTO by:** Kathy Geyer  
**PHOTO FILE NAME:**  
1030205110-08192004-001  
**COMMENTS:** east end of south tipper



**DATE:** August 19, 2004  
**TIME:** 0536  
**DIRECTION:** northeast  
**PHOTO by:** Kathy Geyer  
**PHOTO FILE NAME:**  
1030205110-08192004-002  
**COMMENTS:** east end of north tipper



LPC #1030205110—Lee County  
Lee County Landfill  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** August 19, 2004

**TIME:** 0537

**DIRECTION:** east

**PHOTO by:** Kathy Geyer

**PHOTO FILE NAME:**

1030205110-08192004-003E004E005E

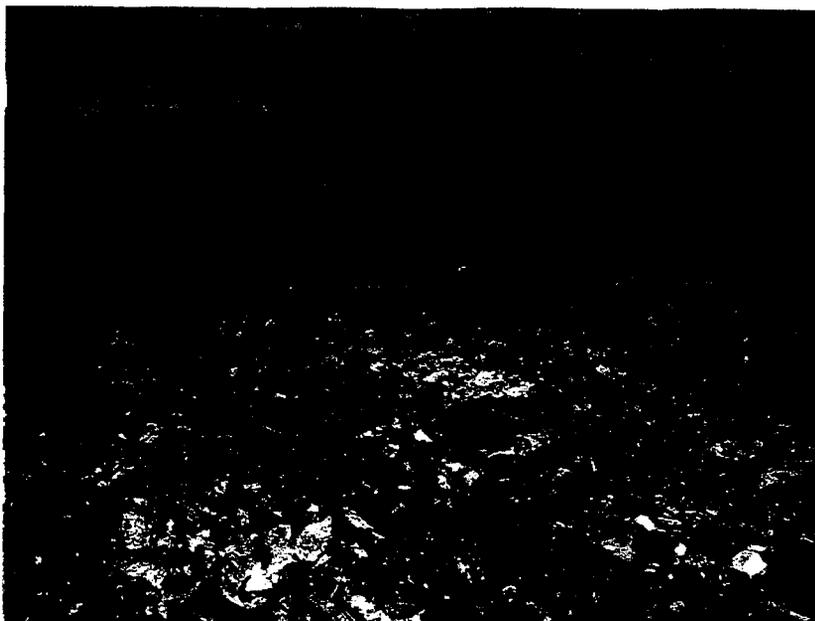
**COMMENTS:** panoramic view of the area between the tippers all the way to the active face (three photos have been placed together and slightly lightened).



LPC #1030205110—Lee County  
Lee County Landfill  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** August 19, 2004  
**TIME:** 0540  
**DIRECTION:** northeast  
**PHOTO by:** Kathy Geyer  
**PHOTO FILE NAME:**  
1030205110-08192004006  
**COMMENTS:** on the ground between the  
tippers.



**DATE:** August 19, 2004  
**TIME:** 0540  
**DIRECTION:** east  
**PHOTO by:** Kathy Geyer  
**PHOTO FILE NAME:**  
1030205110-08192004-007  
**COMMENTS:** on the ground between the  
tippers. In the background a compactor is  
pulling a tarp off of the active face.



LPC #1030205110—Lee County  
Lee County Landfill  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** August 19, 2004

**TIME:** 0545

**DIRECTION:** southeast

**PHOTO by:** Kathy Geyer

**PHOTO FILE NAME:**

1030205110~08192004-008

**COMMENTS:** compactor spreading  
refuse from the east end of the "south"  
tipper.



**DATE:** August 19, 2004

**TIME:** 0556

**DIRECTION:** east

**PHOTO by:** Kathy Geyer

**PHOTO FILE NAME:**

1030205110~08192004-009

**COMMENTS:** stockpiled demolition  
debris for use on roads.



LPC #1030205110—Lee County  
Lee County Landfill  
FOS File

**DIGITAL PHOTOGRAPH PHOTOCOPIES**

**DATE:** August 19, 2004

**TIME:** 0610

**DIRECTION:** east

**PHOTO by:** Kathy Geyer

**PHOTO FILE NAME:**

1030205110-08192004-010

**COMMENTS:** trucks in tippers just after  
opening hour.



## PROOF OF SERVICE

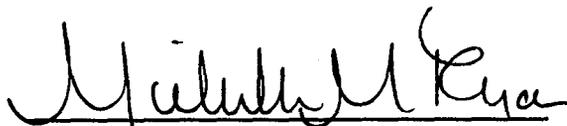
I hereby certify that I did on the 21st day of September 2004, send by Certified Mail, Return Receipt Requested, with postage thereon fully prepaid, by depositing in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, and OPEN DUMP INSPECTION CHECKLIST

To: Lee County Landfill SC, LLC  
CT Corporation System  
207 S. Lasalle, Suite 814  
Chicago, IL 60604

Dave Geier  
Lee County Landfill SC, LLC  
1214 South Bataan Road  
Dixon, IL 61021

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