

**Illinois Environmental Protection Agency**  
**Bureau of Land – Field Operations Section**  
**RCRA Evaluation Report**

General Facility Information			
<b>BOL ID:</b>	1770200010	<b>Region:</b>	Rockford
<b>USEPA ID:</b>	ILD005172325	<b>County:</b>	Stephenson
<b>Site Name:</b>	Modern Plating Corporation	<b>Phone:</b>	815-235-3111
<b>Address:</b>	701 S. Hancock Avenue	<b>Latitude:</b>	42.29291
<b>City/State/Zip:</b>	Freeport, IL 61032	<b>Longitude:</b>	-89.59788
<b>Inspection Date:</b>	5/13/2020		

Facility Type		
<b>Most Recent Notification Date</b>	<b>Notified As</b>	<b>Regulated As</b>
3/1/2018	LQG	LQG, TSD

Evaluation Type
Response/Document Review

Inspection Participants		
<b>Participant</b>	<b>Agency/Bureau</b>	<b>Phone</b>
Rebecca DeMay	Rockford IEPA Field Operations Inspector	815/987-7760

Persons Interviewed		
<b>Person</b>	<b>Phone</b>	<b>Email</b>
Darrell Hill	815/235-3111	Not Listed

Owner	Operator
Modern Plating Corporation James Stenberg 701 S. Hancock Avenue PO Box 838 Freeport, IL 61032	Modern Plating Corporation James Stenberg 701 S. Hancock Avenue PO Box 838 Freeport, IL 61032

Part B Permit					
<b>Application Date</b>	<b>Expiration Date</b>	<b>Log #</b>	<b>Current Mod #</b>	<b>Issue Date</b>	<b>Mod Issue Date</b>
	7-7-2021	B-167R	12	6-9-2011	9-12-2019

Active Enforcement Orders					
<b>CACO</b>	<b>Consent Decree</b>	<b>CAFO</b>	<b>IPCB</b>	<b>Federal Court</b>	<b>State Court</b>

TSD Activity Summary				
<b>Activity Process</b>	<b>On Part B</b>	<b>Ever Done</b>	<b>Closed</b>	<b>Done During Inspection</b>
D80 - Landfill	Yes	Yes	Yes	No

IEPA - DIVISION OF RECORDS MANAGEMENT  
 RELEASABLE

APR 06 2021

REVIEWER: ~~JMR~~ <sup>MDB</sup> X

## Executive Summary

On 13 May 2020, I (Rebecca DeMay) completed a record review to evaluate data from samples I collected with technicians from PDC Laboratories, Inc. (PDC) during a groundwater sampling inspection in March 2019 at Modern Plating Corporation (MPC) in Freeport, Illinois. The scope of this review is limited to a comparison of the facility's sampling results and the Illinois Environmental Protection Agency's (Illinois EPA) sampling results. Additionally, this review was completed to determine the facility's compliance with the Illinois Environmental Protection Act, 35 Illinois Administrative Code Parts 620 and 724, and applicable sections of the Illinois EPA issued permit. No apparent violations were cited.

## Evaluation Narrative

Results from samples analyzed by the Illinois EPA's laboratory in Springfield, Illinois were sent to the facility in May of 2019. MPC's first quarter 2019 sampling data were submitted to the Illinois EPA in the prescribed electronic format with a narrative report by Foth Infrastructure and Development, LLC. (Foth).

The facility was only able to sample seven wells during this sampling event (March-June 2019) due to flooding issues. On 18 March 2019, I collected samples to be analyzed for volatile organic analytes and metals at three wells. However, the facility's permit specifies varying parameter/well combinations.

The facility reported the following concentrations of constituents above their respective Class I or Class II standards (35 Illinois Administrative Code Part 620). Results presented below in bold font are from the Agency's samples as both the facility's data and the Agency's data are available the Agency's database.

Sample Date	Well ID	Storet	Short Description	Flag Operand	Reported Value	Class I/II
3/19/2019	GA2S	1027	CADMIUM, TOTAL (UG/L AS CD)		60	50
3/18/2019	G05L	1027	CADMIUM, TOTAL (UG/L AS CD)		9.09	5
3/19/2019	G09S	1027	CADMIUM, TOTAL (UG/L AS CD)		430	50
3/18/2019	G05M	1034	CHROMIUM, TOTAL (UG/L AS CR)		350	100
3/18/2019	G05L	1034	CHROMIUM, TOTAL (UG/L AS CR)		2200	100
3/19/2019	GA0M	1034	CHROMIUM, TOTAL (UG/L AS CR)		210	100
3/18/2019	G05L	1034	CHROMIUM, TOTAL (UG/L AS CR)		1130	100
3/18/2019	G16M	1051	LEAD, TOTAL (UG/L AS PB)		20	7.5
3/18/2019	G05L	1067	NICKEL, TOTAL (UG/L AS NI)		760	100
3/18/2019	G05L	1067	NICKEL, TOTAL (UG/L AS NI)		453	100
3/18/2019	G05M	34475	TETRACHLOROETHYLENE TOTWUG/L		15	5
3/18/2019	G05M	34475	TETRACHLOROETHYLENE TOTWUG/L		14	5
3/18/2019	G05L	34475	TETRACHLOROETHYLENE TOTWUG/L		18	5

Reported concentrations of analytes within samples collected by the representatives from PDC are generally comparable to the concentrations identified within samples collected by the Illinois EPA. Two noted exceptions are the Illinois EPA's reported detection of lead at monitoring well G16M (6.51 ug/L), while the facility reported 20 ug/L, and the Illinois EPA's reported detection of cadmium at monitoring well G05L (9.09 ug/L) while the facility reported <1 ug/L.

Foth submitted the Spring 2019 Groundwater/Semiannual Report on behalf of MPC. This evaluation includes analytical data in tabular form and an evaluation of clean-up objectives. The above listed excursions for permitted parameters are also addressed in the 2019 report. The report includes summarized field data from PDC for the sampling event, along with a table of detected constituents that were not detected during the previous groundwater sampling event and a list of constituents showing progressive increases.

The most recent annual report was received on 27 February 2020. However, it does not identify the facility as a treater, storer, or disposer of hazardous waste. I contacted Hope Wright (Illinois EPA/Bureau of Land) and she planned to contact the facility to remedy this discrepancy.

Condition III.F.5 of RCRA Permit B-167R specifies that the groundwater flow rate and direction in the uppermost aquifer shall be determined annually. The most recent flow evaluation in the Illinois EPA's electronic database is from 2018. On 20 May 2020, I called MPC and spoke to Darrell Hill to inquire about the groundwater data from a second sampling event in 2019, as the data are not available in the Illinois EPA's database. He referred me to Kurt Stepping with PDC and I left a voicemail message for Mr. Stepping, who later emailed the data to me. In turn, I forwarded the email to Bur Filson (Illinois EPA/Bureau of Land) to be uploaded to the Illinois EPA's database. After this inquiry, Rick Panosh with Foth, sent an email explaining that the semi-annual report dated 17 January 2020 was previously sent to Kenn Smith with the Illinois EPA.

#### Summary of Apparent Violation(s)

Status	Date Cited	Violation	Narrative
No Violations			

#### Attachment Listing

ID	Type	Description
No Attachments		

Consent Order

2020 - CH - 7

1770200010  
compliance

**IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
STEPHENSON COUNTY, ILLINOIS  
CHANCERY DIVISION**

PEOPLE OF THE STATE OF ILLINOIS, )  
*ex rel.* KWAME RAOUL, Attorney )  
General of the State Illinois, )

Plaintiff, )

v. )

MODERN PLATING CORPORATION, )  
an Illinois corporation, )

Defendant. )

EFILED  
STEPHENSON COUNTY, IL  
10/26/2020 11:29 AM  
Nathan Luy,  
CLERK OF THE CIRCUIT COURT

No. 2020-CH-7

**CONSENT ORDER**

Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, *ex rel.* KWAME RAOUL, Attorney General of the State of Illinois, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), and Defendant, MODERN PLATING CORPORATION, (collectively "Parties to the Consent Order"), have agreed to the making of this Consent Order and submit it to this Court for approval.

**I. INTRODUCTION**

This stipulation of facts is made and agreed upon for purposes of settlement only and as a factual basis for the Court's entry of the Consent Order and issuance of any injunctive relief. None of the facts stipulated herein shall be introduced into evidence in any other proceeding regarding the violations of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/1 *et seq.* (2018), and the Illinois Pollution Control Board ("Board") regulations, alleged in the Complaint except as otherwise provided herein. It is the intent of the Parties to this Consent Order that it be a final judgment on the merits of this matter.

IEPA - DIVISION OF RECORDS MANAGEMENT  
RELEASABLE

NOV 24 2020

REVIEWER: JMR

**A. Parties**

1. On February 4, 2020, a Complaint was filed on behalf of the People of the State of Illinois by Kwame Raoul, Attorney General of the State of Illinois, on his own motion and upon the request of the Illinois EPA, pursuant to Sections 42(d) and (e), and 43(a) of the Act, 415 ILCS 5/42(d) and (e), and 43(a) (2018), against the Defendant.

2. The Illinois EPA is an administrative agency of the State of Illinois, created pursuant to Section 4 of the Act, 415 ILCS 5/4 (2018).

3. At all times relevant to the Complaint, Defendant Modern Plating Corporation was and is an Illinois corporation who owned and operated a metal plating and coating facility located at 701 South Hancock Avenue, Freeport, Stephenson County, Illinois ("Facility" or "Site").

**B. Allegations of Non-Compliance**

Plaintiff contends that the Defendant has violated the following provisions of the Act and Board regulations:

- **Count I: Substantial Danger to the Environment, Public Health and Welfare, in violation of Section 43(a) of the Act, 415 ILCS 5/43(a) (2018);**
- **Count II: Air Pollution, in violation of Section 9(a) of the Act, 415 ILCS 5/9(a) (2018), and Section 201.141 of the Board Air Pollution Regulations, 35 Ill. Adm. Code 201.141;**
- **Count III: Water Pollution, in violation of Section 12(a) of the Act, 415 ILCS 5/12(a) (2018);**
- **Count IV: Creating a Water Pollution Hazard, in violation of Section 12(d) of the Act, 415 ILCS 5/12(d) (2018);**
- **Count V: Conducting a Hazardous Waste Disposal Operation without a Permit, in violation of Section 21(f)(1) of the Act, 415 ILCS 5/21(f)(1) (2018); and**

- **Count VI: Open Dumping Resulting in Deposition of Waste in Standing or Flowing Waters, in violation of Sections 21(a) and 21(p)(4) of the Act, 415 ILCS 5/21(a) and 21(p)(4) (2018).**

**C. Non-Admission of Violations**

The Defendant represents that it has entered into this Consent Order for the purpose of settling and compromising disputed claims without having to incur the expense of contested litigation. By entering into this Consent Order and complying with its terms, the Defendant does not affirmatively admit the allegations of violation within the Complaint and referenced above, and this Consent Order shall not be interpreted as including such admission.

**D. Compliance Activities to Date**

---

The Defendant has performed the following work as stated in the Preventative Action Work Plan on Pages 5-8 of the April 6, 2020 Root Cause Analysis Report & Preventative Action Work Plan ("April 6, 2020 Report"), which was approved by Plaintiff on April 17, 2020:

1. On May 17, 2020, the Defendant completed removal of the temporary berm on the northern portion of the Site and re-seeded all areas with bare soil resulting from activities in response to the January 14, 2020 release of hydrochloric acid at the Facility;
2. On July 1, 2020, the Defendant completed selection of a new bulk tank appropriate for containing hydrochloric acid and completed design of the related piping system using best practice and guidance from several reference sources, including the OxyChem Hydrochloric Acid Handbook attached to the April 6, 2020 Report as Exhibit 2;
3. On July 1, 2020, the Defendant completed design of the scrubber and pressure relief system for the new tank system, ensuring all air scrubbers and tank pressure release vents were sized for tank system design and delivery processes;

4. On July 31, 2020, the Defendant completed design of a new containment system for the tank storage area of the Facility, ensuring the system is able to accommodate the hydrochloric acid tank with the larger of 110% capacity of the maximum storage volume of the single largest tank/container or 10% of the total volume being stored within the containment structure, plus six inches for precipitation; and

5. On August 24, 2020, the Defendant installed the containment system for the tank storage area of the Facility, which included the use of poured reinforced cement with water stops at all joints and best engineering practices used for chemical piping wall penetrations.

## II. APPLICABILITY

1. This Consent Order shall apply to and be binding upon the Parties to the Consent Order. The Defendant waives as a defense to any enforcement action taken pursuant to this Consent Order the failure of any of its officers, directors, agents, employees or successors or assigns to take such action as shall be required to comply with the provisions of this Consent Order. This Consent Order may be used against the Defendant in any subsequent enforcement action or permit proceeding as proof of a past adjudication of violation of the Act and the Board Regulations for all violations alleged in the Complaint in this matter, for purposes of Sections 39 and 42 of the Act, 415 ILCS 5/39 and 42 (2018).

2. The Defendant shall notify each contractor to be retained to perform work required in this Consent Order of each of the requirements of this Consent Order relevant to the activities to be performed by that contractor, including all relevant work schedules and reporting deadlines, and shall provide a copy of this Consent Order to each contractor already retained no later than thirty (30) calendar days after the date of entry of this Consent Order. In addition, the Defendant shall provide copies of all schedules for implementation of the provisions of this

Consent Order to the prime vendor(s) supplying the control technology systems and other equipment required by this Consent Order.

3. No change in ownership, corporate status or operator of the facility shall in any way alter the responsibilities of the Defendant under this Consent Order. In the event that the Defendant proposes to sell or transfer any real property or operations subject to this Consent Order, the Defendant shall notify the Plaintiff thirty (30) calendar days prior to the conveyance of title, ownership or other interest, including a leasehold interest in the facility or a portion thereof. The Defendant shall make as a condition of any such sale or transfer, that the purchaser or successor provide to Defendant site access and all cooperation necessary for Defendant to perform to completion any compliance obligation(s) required by this Consent Order. The Defendant shall provide a copy of this Consent Order to any such successor in interest and the Defendant shall continue to be bound by and remain liable for performance of all obligations under this Consent Order. In appropriate circumstances, however, the Defendant and a proposed purchaser or operator of the facility may jointly request, and the Plaintiff, in its discretion, may consider modification of this Consent Order to obligate the proposed purchaser or operator to carry out future requirements of this Consent Order in place of, or in addition to, the Defendant. This provision does not relieve the Defendant from compliance with any regulatory requirement regarding notice and transfer of applicable facility permits.

### III. JUDGMENT ORDER

This Court has jurisdiction of the subject matter herein and of the Parties to the Consent Order and, having considered the stipulated facts and being advised in the premises, finds the following relief appropriate:

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED:****A. Civil Penalty**

1. The Defendant shall pay a civil penalty of Twenty Thousand Dollars (\$20,000.00). Payment shall be tendered at time of entry of the Consent Order.
2. The civil penalty payment shall be made by certified check or money order payable to the Illinois EPA for deposit into the Environmental Protection Trust Fund ("EPTF").
3. The case name and case number shall appear on the face of the certified check or money order.

**B. Stipulated Penalties, Interest and Default**

1. If the Defendant fails to complete any activity or fails to comply with any response or reporting requirement by the date specified in this Consent Order, the Defendant shall provide notice to the Plaintiff of each failure to comply with this Consent Order and shall pay stipulated penalties in the amount of \$400.00 per day per violation for up to the first fifteen (15) days of violation, \$500.00 per day per violation for the next fifteen (15) days of violation, and \$1,000.00 per day per violation thereafter until such time that compliance is achieved. The Plaintiff may make a demand for stipulated penalties upon the Defendant for its noncompliance with this Consent Order. However, failure by the Plaintiff to make this demand shall not relieve the Defendant of the obligation to pay stipulated penalties. All stipulated penalties shall be payable within thirty (30) calendar days of the date the Defendant knows or should have known of its noncompliance with any provision of this Consent Order.
2. If the Defendant fails to make any payment required by this Consent Order on or before the date upon which the payment is due, the Defendant shall be in default and the remaining unpaid balance of the penalty, plus any accrued interest, shall be due and owing

immediately. In the event of default, the Plaintiff shall be entitled to reasonable costs of collection, including reasonable attorney's fees.

3. Pursuant to Section 42(g) of the Act, interest shall accrue on any penalty amount owed by the Defendant not paid within the time prescribed herein. Interest on unpaid penalties shall begin to accrue from the date such are due and continue to accrue to the date full payment is received. Where partial payment is made on any penalty amount that is due, such partial payment shall be first applied to any interest on unpaid penalties then owing.

4. The stipulated penalties shall be enforceable by the Plaintiff and shall be in addition to, and shall not preclude the use of, any other remedies or sanctions arising from the failure to comply with this Consent Order.

**C. Stipulated Penalty and Interest Payment Procedures**

1. All payments required by Section III.B of this Consent Order shall be made by certified check or money order payable to the Illinois EPA for deposit into the EPTF. Payments shall be sent by first class mail and delivered to:

Illinois Environmental Protection Agency  
Fiscal Services  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

2. The case name and case number shall appear on the face of the certified check or money order. A copy of the certified check or money order and any transmittal letter shall be sent to:

Daniel Robertson  
Assistant Attorney General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602

**D. Future Compliance**

**I. The Defendant shall perform all work set forth in the Preventative Action Work Plan on Pages 5-8 of the April 6, 2020 Report, including the following:**

- a. On or before October 24, 2020, coat the concrete containment structure with acid-resistant coating to protect the concrete from degradation;**
- b. On or before December 15, 2020, install the bulk tank and scrubber system using supplier recommendations and best engineering practices, including the Assmann Corporation of America Tank Installation & Use Guidelines for Bulk Storage Tanks, attached to the April 6, 2020 Report as Exhibit 5;**
- c. On or before December 15, 2020, post weather-resistant signage next to the locked tank fill line of the bulk tank system with the following messages:**
  - (a) Hydrochloric Acid (HCl) Fill Connection;**
  - (b) Contact the Lab Chemist in the WWT building for authorization to unload the product;**
  - (c) Complete Checklist prior to unlocking fill line cap and connecting product line to tank fill line (The Checklist is attached to the Preventative Action Work Plan as Exhibit 4, and the Defendant shall include a copy in the signage);**
  - (d) Never apply more than 7psi pressure (or new design criteria) to the delivery/tank system;**
  - (e) Delivery driver must stay with the truck during the chemical transfer process; and**

- (f) Immediately contact Lab Chemist or other site personnel to inform them of any spill or release to ground or containment;
- d. On or before December 15, 2020, establish a tank inspection process, including monthly inspections for cracking, coating deterioration, and other physical conditions indicating the structural integrity of the system is being compromised;
- e. On or before December 15, 2020, establish a containment inspection process, including monthly inspections for cracking, coating deterioration, and other physical conditions indicating the structural integrity of the system is being compromised;
- f. On or before December 15, 2020, establish a process for removing rainwater from the containment structure, including testing of any accumulated precipitation for pH and removing such precipitation promptly from the containment structure;
- g. Within seven (7) days after completion of all the work described in paragraphs III.D.1.a-f of this Consent Order, the Defendant shall notify the Plaintiff to allow the Plaintiff, at its sole discretion, an opportunity to conduct an inspection of the work or other activity to determine that it was completed in accordance with the approved Preventative Action Work Plan in the April 6, 2020 Report; and
- h. Within fourteen (14) days after completion of all the work described in paragraphs III.D.1.a-f of this Consent Order, the Defendant shall submit to the

Plaintiff a Final Report describing all work performed, including final designs of the hydrochloric acid tank system and containment structure.

2. The Defendant shall continue to implement the tank inspection, containment inspection, and rainwater removal process established pursuant to III.D.1.d-f above.

3. The Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, shall have the right of entry into and upon the Defendant's Facility (or Site) which is the subject of this Consent Order, at all reasonable times for the purposes of conducting inspections and evaluating compliance status. In conducting such inspections, the Illinois EPA, its employees and representatives, and the Attorney General, his employees and representatives, may take photographs, samples, and collect information, as they deem necessary.

4. This Consent Order in no way affects the responsibilities of the Defendant to comply with any other federal, state or local laws or regulations, including but not limited to the Act and the Board Regulations.

5. The Defendant shall cease and desist from future violations of the Act and Board Regulations that were the subject matter of the Complaint.

**E. *Force Majeure***

1. *Force majeure* is an event arising solely beyond the control of the Defendant, which prevents the timely performance of any of the requirements of this Consent Order and shall include, but is not limited to, events such as floods, fires, tornadoes, other natural disasters, and labor disputes beyond the reasonable control of the Defendant. An increase in costs associated with implementing any requirement of this Consent Order shall not, by itself, excuse the Defendant for a failure to comply with such a requirement.

2. When a *force majeure* event occurs which causes or may cause a delay in the performance of any of the requirements of this Consent Order, the Defendant shall orally notify the Illinois EPA (Dave Reizlaff, 815-987-7414) within forty-eight (48) hours of the occurrence. Written notice shall be given to the Plaintiff's representatives as listed in Section III.H of this Consent Order as soon as practicable, but no later than ten (10) calendar days after the claimed occurrence. This section shall be of no effect as to the particular event involved if the Defendant fails to comply with these notice requirements.

3. Within ten (10) calendar days of receipt of any written *force majeure* notice, the Plaintiff shall respond in writing regarding the Defendant's claim of a delay or impediment to performance. If the Plaintiff agrees that the delay or impediment to performance has been or will be caused by circumstances beyond the control of the Defendant and that the Defendant could not have prevented the delay by the exercise of due diligence, the parties shall stipulate to an extension of the required deadline(s) for all requirement(s) affected by the delay, by a period equivalent to the delay actually caused by such circumstances. Such stipulation may be filed as a modification to this Consent Order. The Defendant shall not be liable for stipulated penalties for the period of any such stipulated extension.

4. If the Plaintiff does not accept the Defendant's claim of a *force majeure* event, the Defendant must file a petition with the Court within twenty (20) calendar days of receipt of the Plaintiff's determination in order to contest the imposition of stipulated penalties. The Plaintiff shall have twenty (20) calendar days to file its response to said petition. The burden of proof of establishing that a *force majeure* event prevented the timely performance shall be upon the Defendant. If this Court determines that the delay or impediment to performance has been or will be caused by circumstances solely beyond the control of the Defendant and that the Defendant

could not have prevented the delay by the exercise of due diligence, the Defendant shall be excused as to that event (including any imposition of stipulated penalties), for all requirements affected by the delay, for a period of time equivalent to the delay or such other period as may be determined by this Court.

**F. Enforcement and Modification of Consent Order**

1. This Consent Order is a binding and enforceable order of this Court. This Court shall retain jurisdiction of this matter and shall consider any motion by any party for the purposes of interpreting and enforcing the terms and conditions of this Consent Order. The Defendant agrees that notice of any subsequent proceeding to enforce this Consent Order may be made by mail and waives any requirement of service of process.

2. The Parties to the Consent Order may, by mutual written consent, extend any compliance dates or modify the terms of this Consent Order without leave of this Court. A request for any modification shall be made in writing and submitted to the representatives designated in Section III.H of this Consent Order. Any such request shall be made by separate document, and shall not be submitted within any other report or submittal required by this Consent Order. Any such agreed modification shall be in writing and signed by authorized representatives of each party, for filing and incorporation by reference into this Consent Order.

**G. Dispute Resolution**

1. Except as provided herein, the Parties to the Consent Order may seek to informally resolve disputes arising under this Consent Order, including but not limited to the Illinois EPA's decision regarding appropriate or necessary response activity, approval or denial of any report, plan or remediation objective, or the Plaintiff's rejection of a request for modification or termination of the Consent Order. The Plaintiff reserves the right to seek

enforcement by the Court where the Defendant has failed to satisfy any compliance deadline within this Consent Order. The following are also not subject to the dispute resolution procedures provided by this section: a claim of *force majeure*, a failure to make any required payment and any circumstances posing a substantial danger to the environment or to the public health or welfare of persons.

2. The dispute resolution procedure must be invoked by a party through a written notice describing the nature of the dispute and the party's position with regard to such dispute. The other party shall acknowledge receipt of the notice and schedule a meeting to discuss the dispute informally not later than fourteen (14) calendar days from the receipt of such notice.

These informal negotiations shall be concluded within thirty (30) calendar days from the date of the first meeting between the parties, unless the parties agree, in writing, to shorten or extend this period. The invocation of dispute resolution, in and of itself, shall not excuse compliance with any requirement, obligation or deadline contained herein, and stipulated penalties may be assessed for failure or noncompliance during the period of dispute resolution. As part of the resolution of any dispute, the Parties to the Consent Order, by agreement or by order of this Court, may extend or modify the schedule for completion of work under this Consent Order to account for the delay in the work that occurred as a result of dispute resolution.

3. In the event that the parties are unable to reach agreement during the informal negotiation period, the Plaintiff shall provide the Defendant with a written summary of its position regarding the dispute. The position advanced by the Plaintiff shall be considered binding unless, within twenty (20) calendar days of the Defendant's receipt of the written summary of the Plaintiff's position, the Defendant files a petition with this Court seeking judicial resolution of the dispute. The Plaintiff shall respond to the petition by filing the administrative record of the

dispute and any argument responsive to the petition within twenty (20) calendar days of service of Defendant's petition. The administrative record of the dispute shall include the written notice of the dispute, any responsive submittals, the Plaintiff's written summary of its position, the Defendant's petition before the Court and the Plaintiff's response to the petition. The Plaintiff's position shall be affirmed unless, based upon the administrative record, it is against the manifest weight of the evidence.

**H. Notice and Submittals**

Except for payments, the submittal of any notice, reports or other documents required under this Consent Order, shall be delivered to the following designated representatives:

**As to the Plaintiff**

Daniel Robertson  
Karen W. Howard  
Assistant Attorneys General  
Environmental Bureau  
Illinois Attorney General's Office  
69 W. Washington Street, Suite 1800  
Chicago, Illinois 60602  
(312) 814-3532  
(312) 814-5361  
drobertson@atg.state.il.us  
khoward@atg.state.il.us  
(By electronic mail)

Michelle Ryan  
Assistant Counsel, Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 783-9817  
Michelle.Ryan@Illinois.gov  
(By electronic mail)

**Dave Retzlaff**  
Illinois Environmental Protection Agency  
Rockford Regional Office  
4302 North Main Street  
Rockford, Illinois 61103  
(815) 987-7414  
Dave.Retzlaff@Illinois.gov  
(By electronic mail)

**As to the Defendant**

**Lawrence Falbe**  
Miller Canfield Paddock and Stone, PLC  
225 W. Washington Street  
Suite 2600  
Chicago, Illinois 60606  
(312) 460-4266  
falbe@millercanfield.com  
(By electronic mail)

**James R. Stenberg**  
President & CEO  
Modern Plating Corporation  
701 S. Hancock  
Freeport, Illinois 61035-0838

**I. Release from Liability**

In consideration of the Defendant's payment of a \$20,000.00 penalty, its commitment to cease and desist as contained in Section III.D.5 above, and completion of all activities required hereunder, the Plaintiff releases, waives and discharges the Defendant from any further liability or penalties for the violations of the Act and Board Regulations that were the subject matter of the Complaint herein. The release set forth above does not extend to any matters other than those expressly specified in Plaintiff's Complaint filed on February 4, 2020. The Plaintiff reserves, and this Consent Order is without prejudice to, all rights of the State of Illinois against the Defendant with respect to all other matters, including but not limited to the following:

- a. criminal liability;

- b. liability for future violations;
- c. liability for natural resources damage arising out of the alleged violations; and
- d. the Defendant's failure to satisfy the requirements of this Consent Order.

Nothing in this Consent Order is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the State of Illinois may have against any person, as defined by Section 3.315 of the Act, 415 ILCS 5/3.315 (2018), other than the Defendant.

**J. Termination**

1. The Defendant may request that this Consent Order terminate no sooner than thirty-six (36) months after the Defendant has completed all actions required of the Defendant in the Consent Order, provided that the Defendant has been in continuous compliance with the terms of the Consent Order for the thirty-six (36) months preceding the request. Any such request must be made by notice to the Plaintiff and include a statement that the Defendant has completed all actions required by this Consent Order and has been in continuous compliance with the terms of the Consent Order for the thirty-six (36) months preceding the request and the following certification by a responsible corporate official of the Defendant:

I certify under penalty of law that this statement was prepared under my direction or supervision, and that the information submitted in or accompanying this statement of final compliance is to the best of my knowledge true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and or imprisonment for knowing violations.

The Plaintiff shall notify the Defendant of its decision on the request within forty-five (45) calendar days of the Plaintiff's receipt of the request. If the Plaintiff agrees to terminate this Consent Order, the Plaintiff and the Defendant shall jointly file a notice with the Court that the Consent Order is terminated. If the Plaintiff does not agree to terminate this Consent Order, the

Plaintiff shall provide the Defendant written notification stating the reasons why this Consent Order should not be terminated and the Defendant may then invoke the Dispute Resolution provisions. The Consent Order shall remain in effect pending resolution of any dispute by the parties or the Court concerning whether the Defendant has completed its obligations under this Consent Order and is in compliance with the terms of the Consent Order. The provisions of Sections III.D.5 (Cease and Desist) and III.I (Release from Liability) of this Consent Order shall survive and shall not be subject to and are not affected by the termination of any other provision of this Consent Order.

**K. Execution and Entry of Consent Order**

---

This Order shall become effective only when executed by all Parties to the Consent Order and the Court. This Order may be executed by the parties in one or more counterparts, all of which taken together shall constitute one and the same instrument. The undersigned representatives for each party certify that they are fully authorized by the party whom they represent to enter into the terms and conditions of this Consent Order and to legally bind them to it.

---

WHEREFORE, the parties, by their representatives, enter into this Consent Order and submit it to this Court that it may be approved and entered.

AGREED:

FOR THE PLAINTIFF:

PEOPLE OF THE STATE OF ILLINOIS  
ex rel. KWAME RAOUL, Attorney General  
of the State of Illinois

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
Asbestos Litigation Division

JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY: Elizabeth Wallace  
ELIZABETH WALLACE, Chief  
Assistant Attorney General  
Environmental Bureau

BY: Charles W. Gunnarson  
CHARLES W. GUNNARSON  
Chief Legal Counsel

DATE: 10/26/20

DATE: 10/21/2020

FOR THE DEFENDANT:

MODERN PLATING CORPORATION

BY: \_\_\_\_\_

Its: \_\_\_\_\_  
(title of signatory)

DATE: \_\_\_\_\_

ENTERED:

John J. Kim  
JUDGE

DATE: 10/26/2020

WHEREFORE, the parties, by their representatives, enter into this Consent Order and submit it to this Court that it may be approved and entered.

AGREED:

FOR THE PLAINTIFF:

PEOPLE OF THE STATE OF ILLINOIS  
ex rel. KWAME RAOUL, Attorney General  
of the State of Illinois

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

MATTHEW J. DUNN, Chief  
Environmental Enforcement/  
Asbestos Litigation Division

JOHN J. KIM, Director  
Illinois Environmental Protection Agency

BY: \_\_\_\_\_  
ELIZABETH WALLACE, Chief  
Assistant Attorney General  
Environmental Bureau

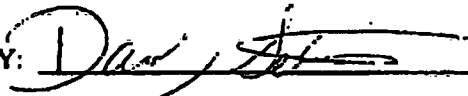
BY: \_\_\_\_\_  
CHARLES W. GUNNARSON  
Chief Legal Counsel

DATE: \_\_\_\_\_

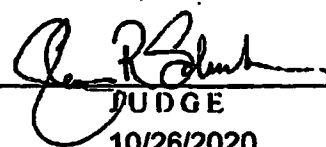
DATE: \_\_\_\_\_

FOR THE DEFENDANT:

MODERN PLATING CORPORATION

BY:   
His: OWNER  
[title of signatory]

DATE: 10/16/2020

ENTERED:  
  
JUDGE  
DATE: 10/26/2020

# Illinois Environmental Protection Agency

Bureau of Land – Field Operations Section

## Evaluation Report

General Facility Information			
<b>BOL ID</b>	1770200010	<b>Region</b>	Rockford
<b>USEPA ID</b>	ILD005172325	<b>County</b>	Stephenson
<b>Site Name</b>	Modern Plating Corporation	<b>Phone</b>	815-235-3111
<b>Address</b>	701 S. Hancock Ave	<b>Latitude</b>	42.2924
<b>City/State/Zip</b>	Freeport, IL 61032	<b>Longitude</b>	-89.3555
<b>Permit No(s)</b>	RCRA: 1770200010		
<b>Regulated As</b>	RCRA Hazardous Waste LQG; OER Incident H-2020-0033		
<b>Operational Status</b>	Active		

Owner	Operator
Modern Plating Corporation Dave Servatius 701 S. Hancock Ave PO Box 838 Freeport, IL 61032	Modern Plating Corporation Dave Servatius 701 S. Hancock Ave PO Box 838 Freeport, IL 61032

Evaluation Details	
<b>Evaluation Type</b>	OER Incident Follow-Up
<b>Evaluation Date</b>	1/6/2021
<b>Inspector(s)</b>	Newell, Shaun
<b>Person(s) Interviewed</b>	Dave Servatius; Pete Servatius
<b>Previous Inspection Date</b>	1/15/2020

Observations	
<b>Time</b>	9:25AM-10:00AM
<b>Weather Conditions (Description)</b>	Cloudy, Freezing Fog
<b>Temperature (°F)</b>	25
<b>Samples Collected (Yes/No)</b>	No
<b>Number of Samples Collected (Count)</b>	N/A
<b>Photos Taken (Yes/No)</b>	Yes
<b>Amount of Waste (Cubic Yards)</b>	0
<b>Number of Tires (Count)</b>	0
<b>Complaint Id</b>	OER incident H-2020-0033

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY  
 DIVISION OF RECORDS MANAGEMENT  
 RELEASEABLE

MAR 15 2021

REVIEWER: MLK

### Executive Summary

I (Shaun Newell) conducted a follow-up inspection at Modern Plating Corporation in Freeport, Illinois on 6 January 2021. The site is a metal plater that had a Hydrochloric Acid (HCl) release resulting in Office of Emergency Response (OER) incident H-2020-0033. An estimated 5,000 gallons of 31 percent HCl breached a poly tank and overflowed a secondary containment system on January 14, 2020. The purpose of the follow-up inspection was to determine if the facility has met all conditions of Consent Order 2020-CH-7. Consent Order 2020-CH-7 was recommended by the Illinois Attorney General Office (IAGO) and Illinois Environmental Protection Agency (IEPA) and entered in agreement with the facility on October 26, 2020. I interviewed owner, Dave Servatius and his son/employee, Pete Servatius. No apparent violations were observed. All conditions of Consent Order 2020-CH-7 have been met.

### Evaluation Narrative

Upon arriving on site at 9:25 A.M. the weather was cold, cloudy with freezing fog and temperatures near 25 degrees. Agency Covid-19 Protocols were met. The purpose of the inspection was to determine if all the conditions of the Consent Order 2020-CH-7 were met. IAGO and DLC attorney, Michelle Ryan requested the follow-up inspection to determine the status of OER incident H-2020-0033 that occurred on January 14, 2020. Approximately 5,000 gallons of 31 percent HCl breached an HCl poly tank as a tanker truck was filling the tank. The HCl tank over pressurized and the tank ruptured. HCl acid overflowed a secondary containment, flowed across a parking lot, and entered a low-lying swale. No HCl entered neighboring property or adjacent Pecatonica River. There was a resulting vapor cloud that caused minimal damage to a neighboring property. Environmental Contractor, HEPACO treated the acid by neutralizing it with agricultural lime that was readily available in the area. An earthen berm was constructed to prevent acid flow to the Pecatonica River.

I walked into the office and signed in as a visitor. I was asked to fill out a Covid-19 questionnaire and the receptionist took my temperature. I was met by owner, Dave Servatius and his son/employee, Pete Servatius in the lobby. I informed both men that I had reviewed the Completion of All Preventative Action Work notice and Final Report prepared by environmental consultant, Fehr-Graham of Freeport, Illinois dated December 15, 2020. Based upon my review, it would appear the facility has met the conditions listed in Consent Order-2020-CH-7. I informed them that I wanted a brief summary of the work completed and I would take some photographs to document the improvements.

There was a brief discussion regarding steps taken to meet the conditions of the Consent Order-2020-CH-7. A new poly HCl tank was installed on December 10, 2020. Mr. Servatius stated the tank must be tested using water, but cold weather has prevented the testing. No HCl has been added to the tank. A new secondary containment was installed, and a surface coating added that is resistant to HCl. Proper placarding was found on the tank and signage was displayed that will be completed as HCl is added to the tank. An adjacent tank was also upgraded by the facility but was not required by the Consent Order. Two photographs were taken to document the changes. Photo #1 shows the upgraded tank and the HCl poly tank in the secondary containment. Photo #2 shows a close-up of the HCl poly tank, placarding, secondary containment, and off-loading signage and safety sheets prominently displayed in front of the tank.

I then requested that both men accompany me to the area impacted by the HCl acid breach. There was a 10-inch snow cover in the area. Mr. Servatius pointed out the swale leading from the parking lot. Existing monitoring wells were found in the low-lying impact area. These monitoring wells were apparently tested, and no contaminants were found. Monitoring wells were visible and appear to be in good condition. The earthen berm constructed by HEPACO was removed. Two photographs were taken

to document the area impacted by the HCI. Photo #3 faces north showing the swale impacted by the HCI. Photo #4 faces north showing the removal of the earthen berm and existing monitoring wells in the background. Our Rockford Region Office groundwater unit tests the wells annually.

I left the facility at 10:00 A.M.

See table below to check violation status.

Summary of Apparent Violation(s)			
Status	Date Cited	Violation	Narrative
Resolved	10/21/2020	21(f)(1)	Conduct any hazardous waste storage, treatment, or disposal operation without or in violation of a RCRA permit
Resolved	10/21/2020	21(f)(2)	Conduct any hazardous waste storage, treatment, or disposal operation in violation of IPCB regulations or standards
Resolved	10/21/2020	PC: B-167R, Condition III.J.2	B-167R, Condition III.J.2
Resolved	10/21/2020	703.121(a)	Hazardous waste storage, treatment, or disposal operation conducted without or in violation of RCRA permit
Resolved	1/15/2020	12(a)	Cause or threaten or allow discharge of any contaminants into the environment.
Resolved	1/15/2020	12(d)	Deposit any contaminants upon the land in such place or manner that creates a water pollution hazard.
Resolved	1/15/2020	21(a)	Cause or allow the open dumping of any waste.
Resolved	1/15/2020	21(f)(1)	Conduct any hazardous waste-storage, hazardous waste-treatment or hazardous waste-disposal operation without a RCRA permit.
Resolved	1/15/2020	21(p)(1)	Open dumping of a waste that results in litter.
Resolved	1/15/2020	21(p)(4)	Cause or allow the open dumping of waste that results in standing or flowing water.

Attachment Listing		
ID	Type	Description
No Attachments		

Digital Photographs

Site: Modern Plating Corporation (1770200010)  
Stephenson County

Photo ID: 1  
Photo Date: 1/6/2021  
Photo Time: 9:35AM  
Direction: Southeast  
Taken By: Shaun Newell

Photo #1 shows the new HCl poly tank and upgraded chlorine tank.

Site: Modern Plating Corporation (1770200010)  
Stephenson County

Photo ID: 2  
Photo Date: 1/6/2021  
Photo Time: 9:40AM  
Direction: South  
Taken By: Shaun Newell

Photo #2 shows the new HCl poly tank, secondary containment, and posted signage.

Site: Modern Plating Corporation (1770200010)  
Stephenson County

Photo ID: 3  
Photo Date: 1/6/2021  
Photo Time: 9:45AM  
Direction: North  
Taken By: Shaun Newell

Photo #3 shows the area impacted by HCl poly tank breach.

Site: Modern Plating Corporation (1770200010)  
Stephenson County

Photo ID: 4  
Photo Date: 1/6/2021  
Photo Time: 9:50AM  
Direction: North  
Taken By: Shaun Newell

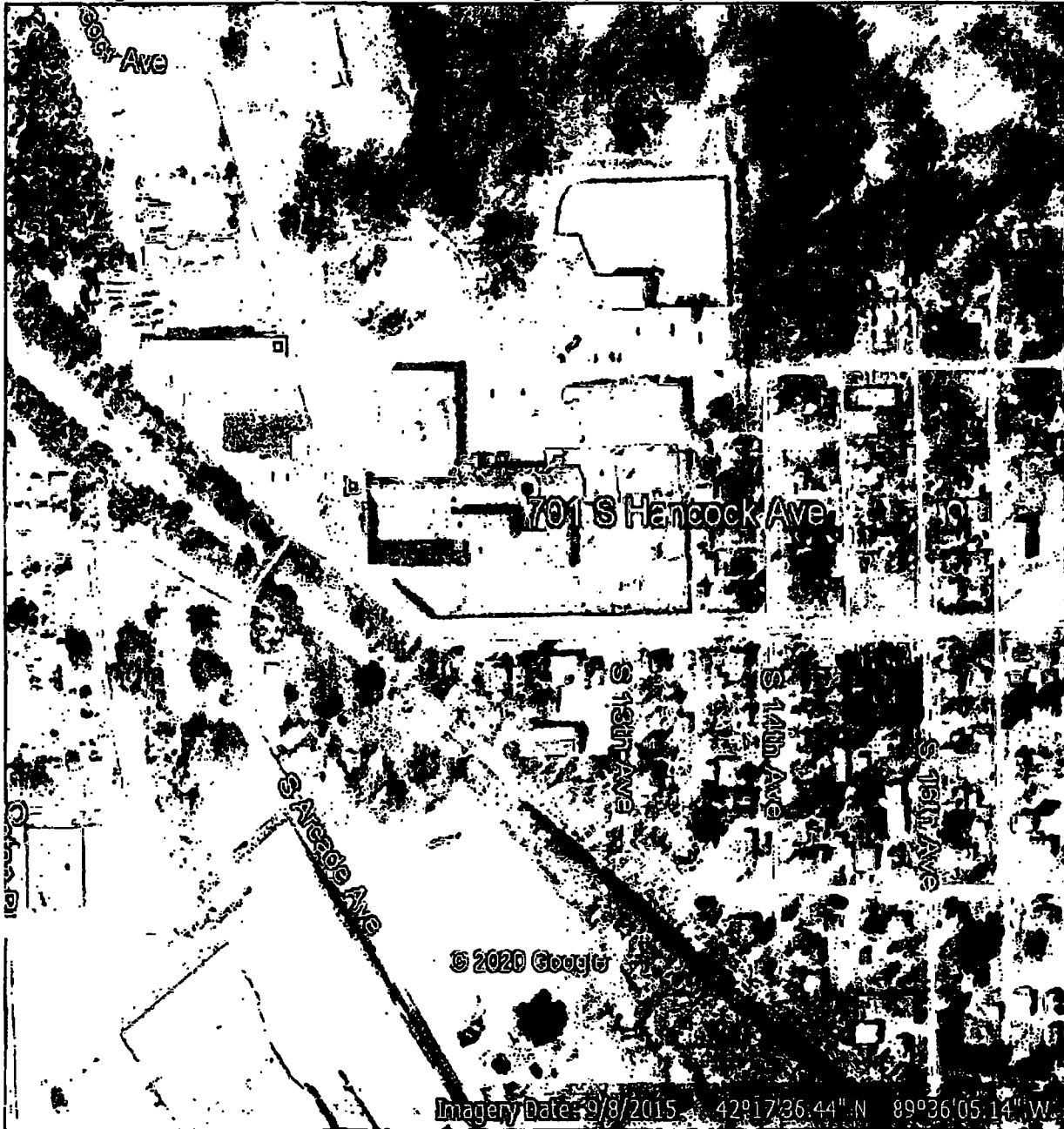
Photo #4 shows the removal of the earthen berm and existing monitoring wells in the background.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Site Diagram(s)

Site Diagram 1: January 6, 2021 • Modern Plating Corporation (1770200010) • Stephenson County



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



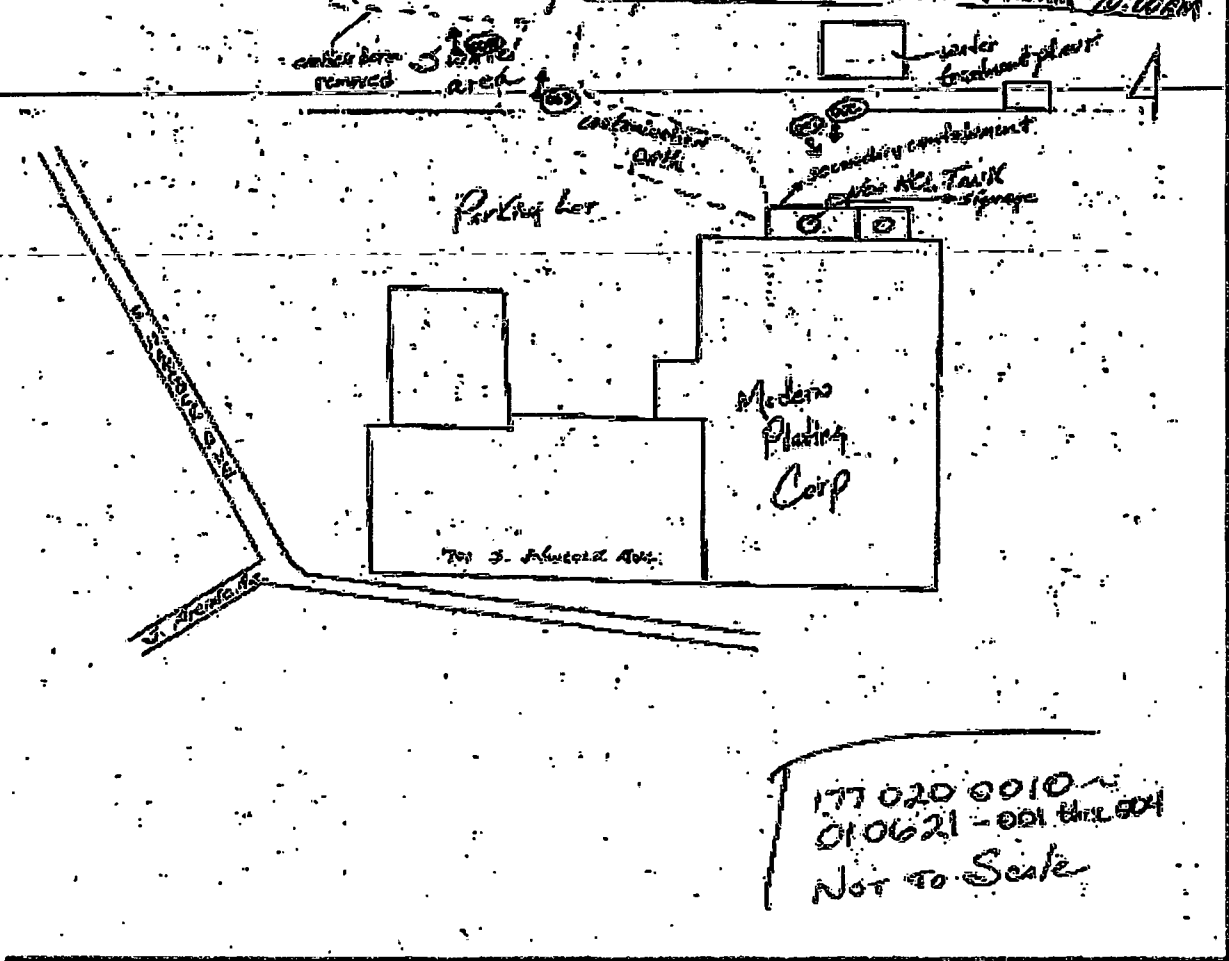
## Site Diagram(s)

Site Diagram 2: January 6, 2021 • Modern Plating Corporation (1770200010) • Stephenson County

STATE OF ILLINOIS  
ENVIRONMENTAL PROTECTION AGENCY

### SIZE SKETCH

Date of Inspection: 01-06-21 Inspector: Newell  
 Site Code: 1770200010 County: Stephenson  
 Site Name: Modern Plating Corp. Time: 9:25 AM - 10:00 AM



177 020 0010  
 010621 - 001 thru 004  
 Not to Scale

**Illinois Environmental Protection Agency**  
 Bureau of Land – Field Operations Section  
**RCRA Inspection Report**

**General Facility Information**

<b>BOL ID</b>	1770200010	<b>Evaluation Date</b>	8/4/2023
<b>USEPA ID</b>	ILD005172325	<b>Region</b>	Rockford
<b>Site Name</b>	Modern Plating Corporation	<b>County</b>	Stephenson
<b>Address</b>	701 S Hancock Avenue	<b>Phone</b>	815-235-3111
<b>City/State/Zip</b>	Freeport, IL 61032	<b>EJ Status</b>	Low-income
<b>Limited English</b>	<input type="checkbox"/>	<b>Primary Language</b>	English

**Facility Type**

<b>Most Recent Notification Date</b>	<b>Notified As</b>	<b>Regulated As</b>
2/22/2023	LQG, TSD	LQG, TSD

**Observations**

<b>Time</b>	9:35-10:25
<b>Weather Conditions</b>	Sunny
<b>Temperature</b>	75-87° Fahrenheit
<b>Photos Taken</b>	Yes
<b>Samples Collected</b>	No

**Evaluation Type**

RCRA Program - Compliance Evaluation Inspection

**Owner**

Modern Plating Corporation  
 Attention: Brandon Smith  
 701 S Hancock Avenue  
 Freeport, IL 61032

**Operator**

Modern Plating Corporation  
 Attention: Brandon Smith  
 701 S Hancock Avenue  
 Freeport, IL 61032

**Inspection Participants**

<b>Person</b>	<b>Affiliation</b>	<b>Phone</b>
Rebecca DeMay	IEPA FOS Primary Inspector	(815) 987-7272
Erica Toledo	IEPA FOS Secondary Inspector	(815) 987-7414

**Persons Interviewed**

<b>Person</b>	<b>Phone</b>	<b>E-Mail</b>
Brandon Smith	815-235-3111	
Pete Servatius	815-235-3111	
Darrell Hill	815-235-3111	

### RCRA Permit Information

<u>Application Date</u>	<u>Log #</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Mod/Sp #</u>	<u>Mod/Sp Date</u>
1/8/2021	RCRA: B-167	6/9/2011	7/7/2021	12	9/12/2019
6/6/2019	RCRA: B-167R	1/30/2020		CA-4	8/30/2022

### Active Enforcement Orders

<u>CACO</u>	<u>Consent Decree</u>	<u>CAFO</u>	<u>IPCB</u>	<u>Federal Court</u>	<u>State Court</u>
NONE					

### TSD Activity Summary

<u>Activity Process</u>	<u>On Part B</u>	<u>Ever Done</u>	<u>Closed</u>	<u>Done During Inspection</u>
D80 - Landfill	Yes	Yes	Yes	No

### Executive Summary

On 4 August 2023, I (Rebecca DeMay) conducted a RCRA Compliance Evaluation Inspection (CEI) at Modern Plating Corporation (MPC) as part of the Illinois EPA RCRA workplan with U.S. EPA. Erica Toledo (Illinois EPA/BOL-Rockford) also participated in this inspection. The purpose of this CEI is to evaluate the facility's compliance with the Illinois Environmental Protection Act, applicable sections of Illinois Administrative Code, Title 35, Parts 703, 722 and 724 and applicable sections of RCRA Permit Number B-167. I interviewed Pete Servatius, Brandon Smith, and Darrell Hill, all with MPC. I observed violations pertaining to hazardous waste management.

### Evaluation Narrative

Modern Plating corporation has been in operation since 1936. In 1999, A groundwater-monitoring zone (GMZ) was established at the site. During the summer of 2000, a Corrective Action Management Unit (CAMU) was constructed in the locations of lagoon numbers two and three. Previous reports detail historical events at the facility. Information on the hydrogeology at the site is also included in previous groundwater inspection reports. Shaun Newell (Illinois EPA//BOL-Rockford) responded to Office of Emergency Response incident number H-2020-0033 on 15 January 2020 at MPC regarding a release of more than 4800 gallons of muriatic acid from a ruptured tank. In March of 2022, I completed a RCRA Operation and Maintenance Inspection to evaluate the groundwater monitoring program included within RCRA Permit Number B-167. A modification to the facility's corrective-action program was issued on 30 August 2022, under log number B-167R-CA4. Application log numbers B-167R-CA2, B-167R-M13, M14, M15, M16 and R2 are listed as currently under review in the RCRA permit database.

### ON-SITE EVALUATION

On 4 August 2023, I conducted an unannounced RCRA CEI at Modern Plating Corporation as part of the Illinois EPA RCRA workplan with the US EPA for federal fiscal year 2023. Erica Toledo also participated in this inspection. The site is notified on US EPA form 8700-12 "RCRA Subtitle C Site Identification Form" as both a large quantity generator of hazardous waste (LQG) and a Treater, Storer or Disposer of Hazardous Waste (TSD). There are 200 or fewer employees at this facility and specialties include; Electroplated Zinc and Zinc alloys and Doerken and Geomet coatings (<https://www.linkedin.com/company/modern-plating-corporation>).

Photographs from this inspection are included below. The location of each photograph taken during this inspection is indicated on the attached facility image.

Upon arrival at the facility, we checked in at the office. We met Pete Servatius and Brandon Smith. We also spoke to Darrell Hill, with MPC, at the wastewater treatment plant (WWTP). We interviewed personnel and observed facility operations during a tour of the CAMU. We observed the CAMU, and I reviewed relevant conditions identified in RCRA Permit Number B-167. Darrell Hill said the CAMU had been mowed approximately one month before this inspection. Fire extinguishers, an emergency flotation device and a telephone were accessible in the WWTP. There is a communication network on-site, with the ability to page employees at the facility.

Due to an employee absence, not all of the facility's operating record was available. Darrell Hill said he completed all of the inspections we discussed pursuant to the permit. The facility representatives said they would send copies of records pertaining to the CAMU. On 8 August 2023, Pete Servatius sent copies of the post-closure inspection log and also recent semi-annual pump house inspection reports, which are included as an attachment to this report. The reports document inspections that are completed both monthly and semi-annually pursuant to RCRA Permit Number B-167. However, the permit application states that pumping data from the Leachate Collection System will be collected monthly after closure. Records were not available to show the pumping data from the Leachate Collection System had been evaluated monthly.

We discussed the facility's safety training program and training records. I reviewed records on-site, which showed that RCRA, Department of Transportation and Contingency and Emergency Response Training was completed by Gerald Reed for twelve employees on 12 October 2022. This training documentation includes signed "waste handlers training records." I reviewed a binder with the Hazardous Waste Contingency Plan and Related Documents for the CAMU dated 2021 (photograph number one). It was prepared by Foth & VanDyke, updated by Fehr Graham in 2021 and includes; the names and 24-hour contact numbers of Emergency Coordinators, a contingency plan quick reference guide, a table which lists six hazardous wastes and their associated hazards, a facility map with evacuation routes, and a map labeled "Tier II Site Map" with the locations of chemicals on-site.

Prior to the inspection, I accessed the site's information in the US EPA RCRAInfo online inventory system of hazardous waste handlers, but none of the recently available manifests describe the disposal of leachate from the CAMU. The facility representatives said no leachate had been generated from the CAMU during the past ten years. Records are available in the Illinois EPA files for both the Leachate Collection System and the Leachate Detection System from 2001 through May of 2003 and indicate that leachate was not detected at the CAMU in May of 2003. Furthermore, annual leachate sampling reports are available from 2021, 2022 and 2023. All three reports attest that no leachate had been pumped and hence none was available for sampling. Aside from these data, nothing further is available regarding leachate measurements at the CAMU.

The CAMU is shown in photograph numbers two, three and four. Due to a power issue, the pump house was not operational. The site representatives did not know the duration of the power outage or how long the pump house had been inoperable. The pump house is shown in photograph number two and the interior of the pump house is shown in photograph number five, while the gauges on the west side of the pump house are shown in photograph number seven. Exterior tubing at the pump house was partially disconnected (photograph number six). Monitoring wells GA2S, GA2M and G09s are shown in photograph numbers eight and nine.

#### **RECORD REVIEW**

On 8 June 2023, I completed a Program (RCRA) - Response/Document Review to evaluate semi-annual monitoring reports and data since the 2022 OAM. The 8 June 2023 review report was submitted separately. Condition III.A.1 of RCRA Permit Number B-167 includes the following: the construction of the CAMU which serves as the corrective action and subsequently basis for the establishment of the Groundwater Management Zone (GMZ). On 16 October 2021, the Illinois EPA approved the 2020 GMZ re-evaluation after the original 2019 GMZ re-evaluation was not approved, in part because, as listed in Item 3 of RCRA log number B-167R-CA-1, "it appears the current selected corrective action, the CAMU, is not effective in remediating the groundwater contamination and as a result several wells indicate increasing trends and several monitoring wells at the property boundary are above the approved 35 Illinois Administrative Code 620, Groundwater Quality Standards, indicating off-site contamination or the potential for off-site contamination." Conversely, a recent groundwater report dated 14 April 2023, identifies that "the construction of the CAMU landfill is completed, and the entire CAMU landfill has received final cover and is closed. It is expected that groundwater quality will improve over time because the CAMU construction has isolated and prevents waste material contact with groundwater." Similar statements have been included in semi-annual groundwater reports since 2001.

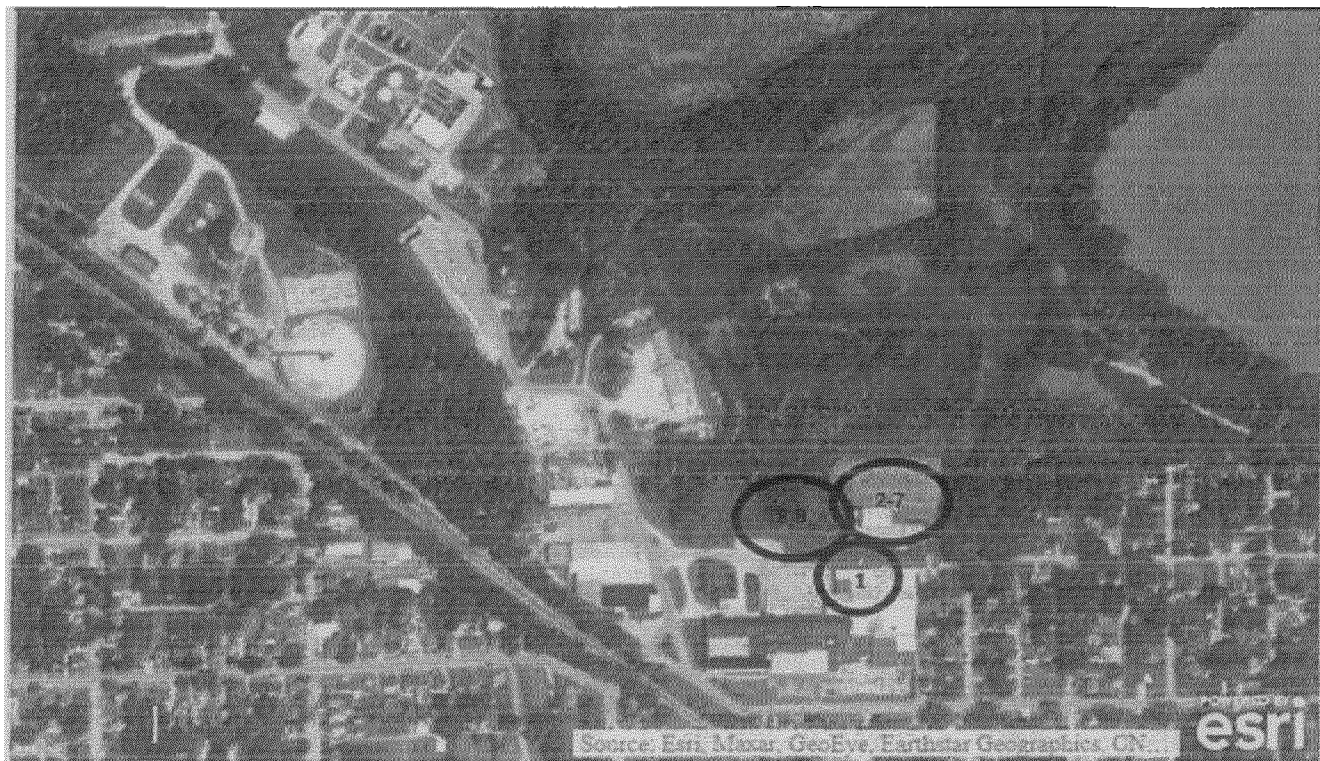
<b>Waste Disposition Form</b>								
<b>Facility Name:</b>	Modern Plating Corporation					<b>USEPA ID:</b>	ILD005172325	
<b>Inspection Date:</b>	8/4/2023					<b>IEPA ID:</b>	1770200010	
<b>Waste Name</b>	<b>Generating Process</b>	<b>Waste Determination</b>	<b>Waste Type</b>	<b>HW Annual Report</b>	<b>Amount On-Site</b>	<b>Generation Rate</b>	<b>Last Ship Date</b>	<b>Destination</b>
NO LEACHATE RECORDS								

<b>Summary of Apparent Violation(s)</b>			
<b>Status</b>	<b>Date</b>	<b>Violation</b>	<b>Narrative</b>
New	8/4/2023	21(f)(1)	Conduct any hazardous waste storage, treatment, or disposal operation without or in violation of a RCRA permit
New	8/4/2023	21(f)(2)	Conduct any hazardous waste storage, treatment, or disposal operation in violation of IPCB regulations or standards
New	8/4/2023	703.121(a)	Hazardous waste storage, treatment, or disposal operation conducted without or in violation of RCRA permit
New	8/4/2023	PC: II.C.3	The Permittee shall maintain the components, structures, and equipment at the site in accordance with the maintenance plan in Attachment B of this permit.
New	8/4/2023	PC: II.C.6.e	The leachate collection and removal system for the CAMU has not been maintained.
New	8/4/2023	PC: II.C.6.f	The leachate collection system pumps for the CAMU have not been maintained.
New	8/4/2023	PC: II.C.6.g	The leachate collection system for the CAMU has not been maintained.
New	8/4/2023	PC: V.5	The Permittee has not complied with all conditions of this permit except for the extent and for the duration such noncompliance is authorized by an emergency permit.
New	8/4/2023	PC: V.10	The Permittee has not properly operated and maintained all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit
New	8/4/2023	35 IAC 702.141	The permittee must comply with all conditions of its permit. Any permit noncompliance constitutes a violation of the Illinois Environmental Protection Act and is grounds for one or more of the following actions: for an enforcement action, for permit revocation or modification, or for denial of a permit renewal application
New	8/4/2023	35 IAC 702.145	Proper Operation and Maintenance.

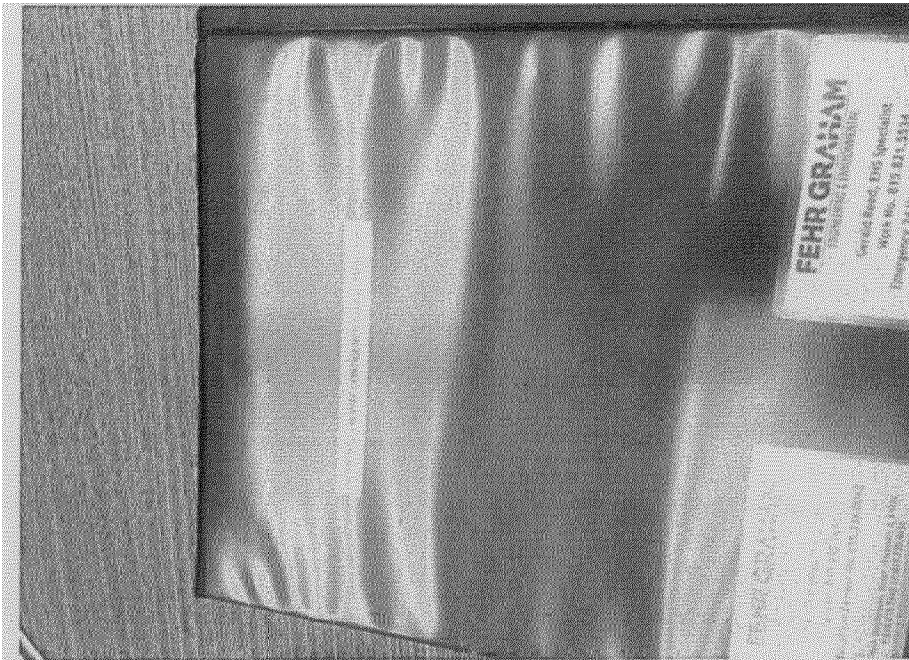
### **Attachment Listing**

<b>Type</b>	<b>Description</b>
Document	MPC - Post Closure and Inspection Log
Document	MPC – Leachate Pump House Semi-Annual Inspections

Site Diagram



**Digital Photographs**



**Bureau Id: 1770200010**  
**Photo No.: 1**  
**Photo Date: 8/4/2023**  
**Photo Time: 9:59:05 AM**  
**Direction: down**  
**Taken By: Rebecca DeMay**

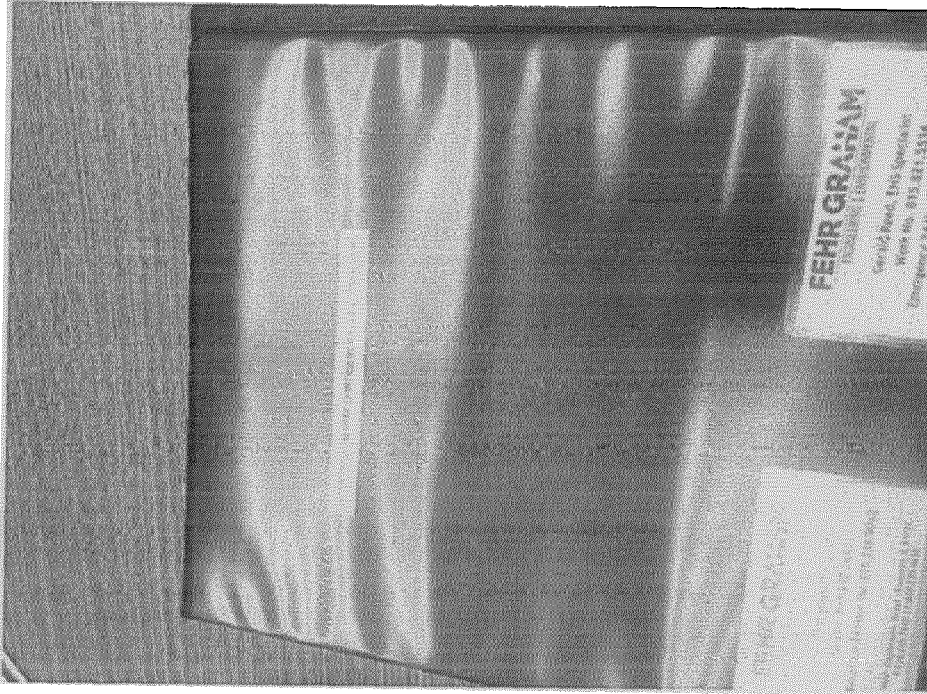
**Hazardous Waste Contingency Plan  
CAMU 2021**



**Bureau Id: 1770200010**  
**Photo No.: 2**  
**Photo Date: 8/4/2023**  
**Photo Time: 10:07:22 AM**  
**Direction: N**  
**Taken By: Rebecca DeMay**

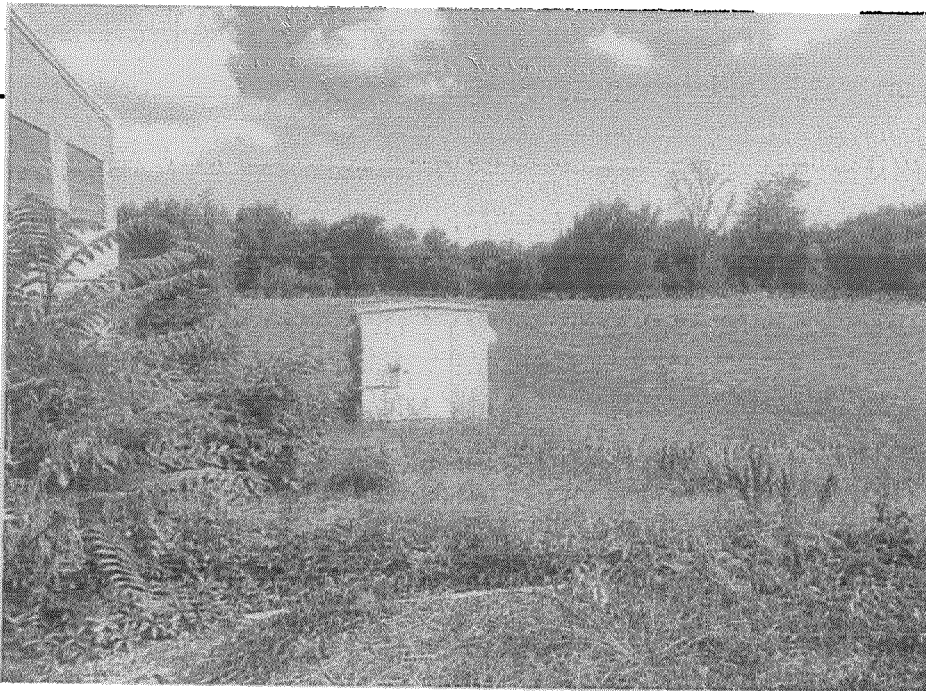
**Pump House and CAMU**

Digital Photographs



Bureau Id: 1770200010  
Photo No.: 1  
Photo Date: 8/4/2023  
Photo Time: 9:59:05 AM  
Direction: down  
Taken By: Rebecca DeMay

Hazardous Waste Contingency Plan  
CAMU 2021



Bureau Id: 1770200010  
Photo No.: 2  
Photo Date: 8/4/2023  
Photo Time: 10:07:22 AM  
Direction: N  
Taken By: Rebecca DeMay

Pump House and CAMU



**Bureau Id: 1770200010**  
**Photo No.: 3**  
**Photo Date: 8/4/2023**  
**Photo Time: 10:09:40 AM**  
**Direction: N**  
**Taken By: Rebecca DeMay**

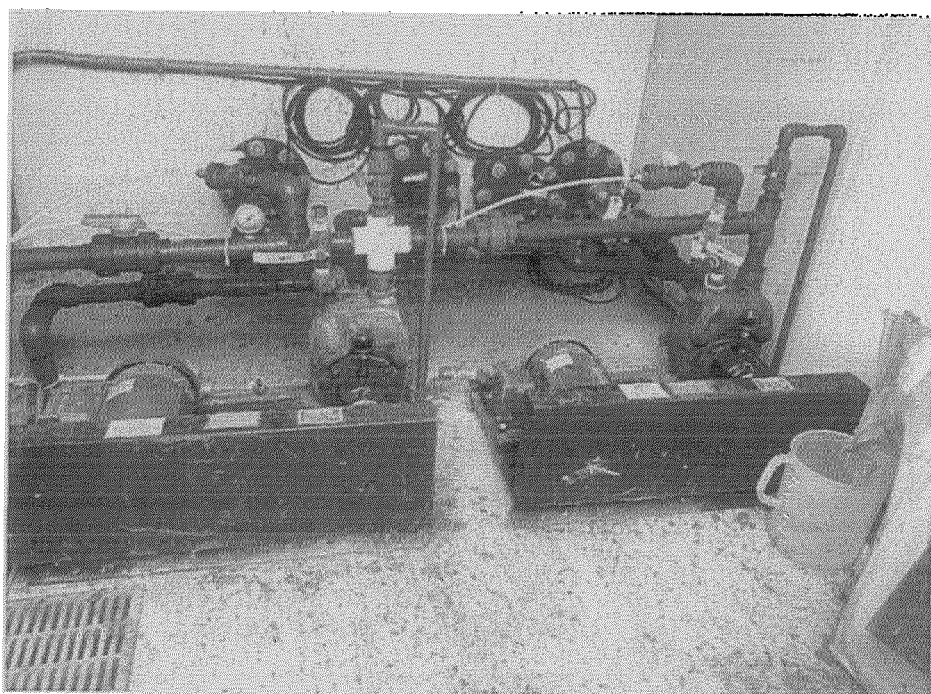
**CAMU**



**Bureau Id: 1770200010**  
**Photo No.: 4**  
**Photo Date: 8/4/2023**  
**Photo Time: 10:11:44 AM**  
**Direction: NW**  
**Taken By: Rebecca DeMay**

**CAMU**





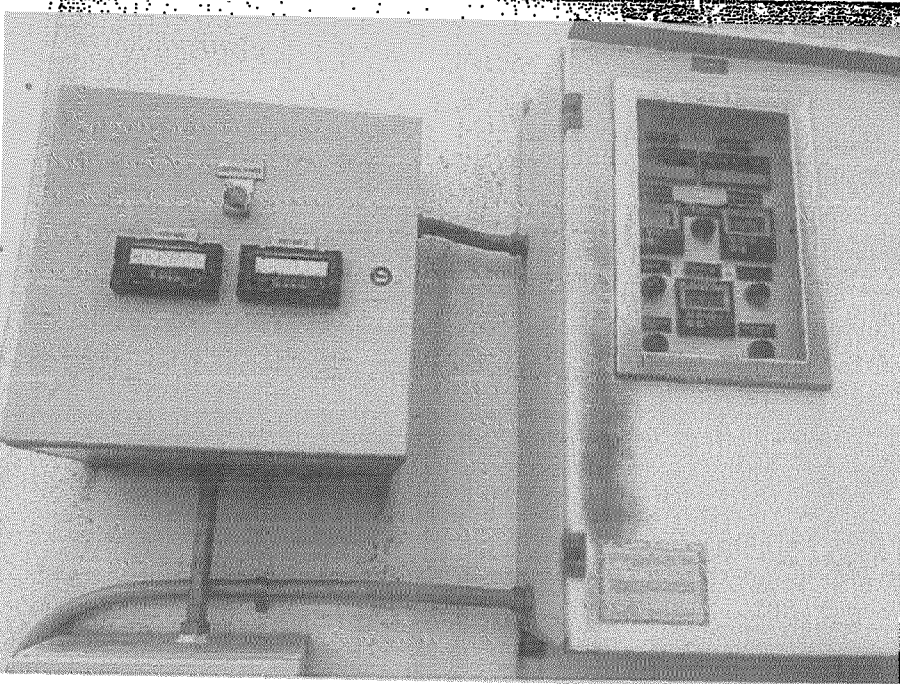
Bureau Id: 1770200010  
Photo No.: 5  
Photo Date: 8/4/2023  
Photo Time: 10:12:23 AM  
Direction: N  
Taken By: Rebecca DeMay

Pump House



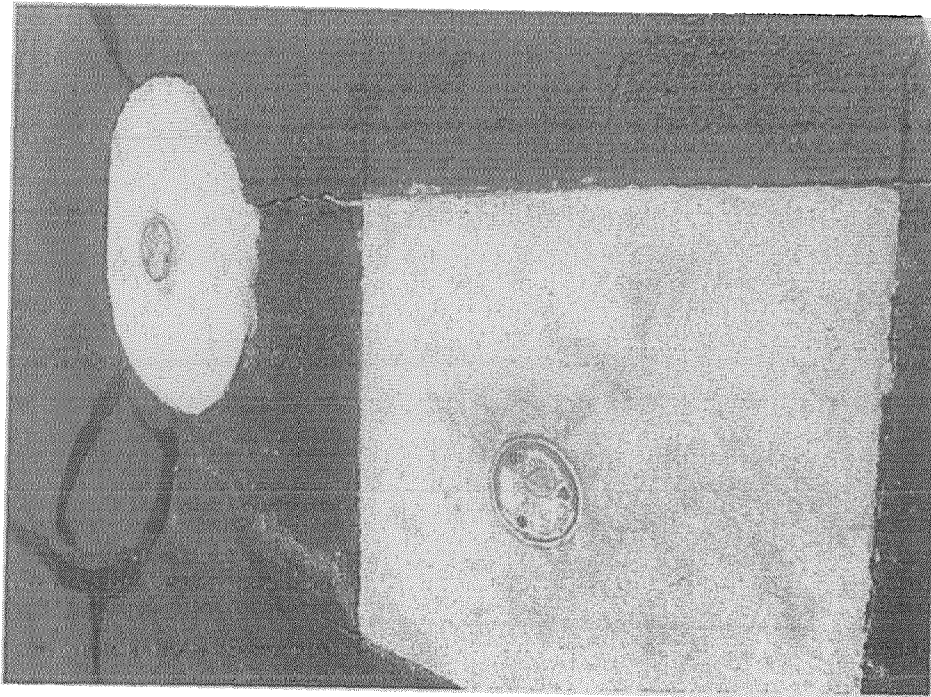
Bureau Id: 1770200010  
Photo No.: 6  
Photo Date: 8/4/2023  
Photo Time: 10:12:54 AM  
Direction: SE  
Taken By: Rebecca DeMay

Pump House



Bureau Id: 1770200010  
Photo No.: 7  
Photo Date: 8/4/2023  
Photo Time: 10:13:01 AM  
Direction: E  
Taken By: Rebecca DeMay

Pump House



Bureau Id: 1770200010  
Photo No.: 8  
Photo Date: 8/4/2023  
Photo Time: 10:21:42 AM  
Direction: down  
Taken By: Rebecca DeMay

Monitoring Wells



Bureau Id: 1770200010  
Photo No.: 9  
Photo Date: 8/4/2023  
Photo Time: 10:22:08 AM  
Direction: NW  
Taken By: Rebecca DeMay

Monitoring Well

*do they audit  
+ was to  
ensure to  
not be  
Rubber Stamp?*

1770200010 - Modern Plating Corporation  
8-4-2023 CEI Report  
FOS File

Modern Plating Corp  
Leachate Pump House Semi-Annual-PM

Name Mike Davis/Phil Beacher

Date 5/10/22

- Lights work properly
- Heater works properly
- Blower vent works properly
- Test West leachate pump to ensure it pumps properly
- Check oil in West pump sight glass. (Use 30 weight non-detergent to fill.)
- Test East leachate pump to ensure it pumps properly
- Check oil in East pump sight glass. (Use 30 weight non-detergent to fill.)
- Grease zerks in both pumps
- Check and adjust V-Belts in both pumps

Problems Noted: Had to pry entry door open - framing seems solid but door is tight on bottom knob side.

PB 5/10/22

# Modern Plating Corp Leachate Pump House Semi-Annual PM

Name Phil B.

Date 11/10/22

- Lights work properly
- Heater works properly
- Blower vent works properly
- Test West leachate pump to ensure it pumps properly
- Check oil in West pump sight glass. (Use 30 weight non-detergent to fill.)
- Test East leachate pump to ensure it pumps properly
- Check oil in East pump sight glass. (Use 30 weight non-detergent to fill.)
- Grease zerks in both pumps
- Check and adjust V-Belts in both pumps

Problems Noted: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Modern Plating Corp Leachate Pump House Semi-Annual PM

Name Phil B.

Date 4/17/23

- Lights work properly
- Heater works properly
- Blower vent works properly
- Test West leachate pump to ensure it pumps properly
- Check oil in West pump sight glass. (Use 30 weight non-detergent to fill.)
- Test East leachate pump to ensure it pumps properly
- Check oil in East pump sight glass. (Use 30 weight non-detergent to fill.)
- Grease zerks in both pumps
- Check and adjust V-Belts in both pumps

Problems Noted: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Post-Closure Inspection Schedule & Log

Modern Plating Co. CAMU

1770200010 - Modern Plating Corporation  
 8-4-2023 CEI Report  
 FOS File

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks. 2. Check for settlement, slumping or sloughing. 3. Check for erosion and bare sod areas.	Semiannually Semiannually Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).			Walk final cover semi-annually. Check site rain gauge.
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting. 2. Ditches-inspect for siltation and/or erosion. 3. Erosion bales or silt fencing-inspect for washout or undercutting. 4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	2-10-23 " " "	11:25 A " " "	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping. 2. Inspect pond bottom for build-up of sediment. 3. Inspect inlet and outlet for erosion and sedimentation. 4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	2-10-23 " " "	11:45 A " " "	Inspect after rainfall event greater than 1/2 inch.
Final Cover Surface	Vegetation	1. Inspection for growth and overall health. 2. Evidence of stress. 3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	2-10-23 " "	11:45 A " "	Inspect after rainfall event greater than 1/2 inch.
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	2-10-23	11:45 A	Inspect after rainfall event

**Post-Closure Inspection Schedule & Log**  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	11 11 11	11:45 AM 11 11	greater than 1/2 inch.  <i>ma</i>
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years. 2. Report elevation of the bottom of each monitoring well (Storet 72020).	Every five (5) years. Annually			Report during second quarter sampling event.

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

2-27-23 11:00 AM


**Post-Closure Inspection Schedule & Log**  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks. 2. Check for settlement, slumping or sloughing. 3. Check for erosion and bare sod areas.	Semiannually Semiannually Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	2-27-23	11:00 AM	Walk final cover semi-annually. Check site rain gauge. <i>mu</i>
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting. 2. Ditches-inspect for siltation and/or erosion. 3. Erosion bales or silt fencing-inspect for washout or undercutting. 4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	2-27-23	11:00 AM	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch. " " " " " " " " <i>mu</i>
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping. 2. Inspect pond bottom for build-up of sediment. 3. Inspect inlet and outlet for erosion and sedimentation. 4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	2-27-23	11:00 AM	Inspect after rainfall event greater than 1/2 inch. " " " " " " <i>mu</i>
Final Cover Surface	Vegetation	1. Inspection for growth and overall health. 2. Evidence of stress. 3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	2-27-23	11:00 AM	Inspect after rainfall event greater than 1/2 inch. " " " " <i>mu</i>
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	2-27-23	11:00 AM	Inspect after rainfall event

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Page B-3 of B-5

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event.  Quarterly and after each major rainfall event.	" " "	11/02/03 " "	greater than 1/2 inch.  
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			


<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks.	Semiannually			Walk final cover semi-annually.
		2. Check for settlement, slumping or sloughing.	Semiannually			Check site rain gauge.
		3. Check for erosion and bare sod areas.	Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	3-6-23	1:30p	<i>[Signature]</i>
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting.	Quarterly and after each major rainfall event.	3-6-23	1:30p	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.
		2. Ditches-inspect for siltation and/or erosion.	Quarterly and after each major rainfall event.	"	"	
		3. Erosion bales or silt fencing-inspect for washout or undercutting.	Quarterly and after each major rainfall event.	"	"	<i>[Signature]</i>
		4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event.	"	"	
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping.	Quarterly and after each major rainfall event.	3-6-23	1:30p	Inspect after rainfall event greater than 1/2 inch.
		2. Inspect pond bottom for build-up of sediment.	Quarterly and after each major rainfall event.	"	"	
		3. Inspect inlet and outlet for erosion and sedimentation.	Quarterly and after each major rainfall event.	"	"	
		4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event.	"	"	<i>[Signature]</i>
Final Cover Surface	Vegetation	1. Inspection for growth and overall health.	Quarterly and after each major rainfall event.	3-6-23	1:30p	Inspect after rainfall event greater than 1/2 inch.
		2. Evidence of stress.	Quarterly and after each major rainfall event.	"	"	
		3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event.	"	"	<i>[Signature]</i>
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	3-6-23	1:30p	Inspect after rainfall event

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event.  Quarterly and after each major rainfall event.	" " "	" " "	greater than 1/2 inch  
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

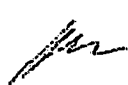
<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks. 2. Check for settlement, slumping or sloughing. 3. Check for erosion and bare sod areas.	Semiannually	3.27.23	1:00 PM	Walk final cover semi-annually.
			Semiannually	"	"	
			Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	3-27-23	1:45 PM	Check site rain gauge. <i>ML</i>
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting. 2. Ditches-inspect for siltation and/or erosion. 3. Erosion bales or silt fencing-inspect for washout or undercutting. 4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event.	3.27.23	1:45 PM	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.
			Quarterly and after each major rainfall event.	"	"	
			Quarterly and after each major rainfall event.	"	"	
			Quarterly and after each major rainfall event.	"	"	<i>ML</i>
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping. 2. Inspect pond bottom for build-up of sediment. 3. Inspect inlet and outlet for erosion and sedimentation. 4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event.	3-27-23	1:45 PM	Inspect after rainfall event greater than 1/2 inch.
			Quarterly and after each major rainfall event.	"	"	
			Quarterly and after each major rainfall event.	"	"	
			Quarterly and after each major rainfall event.	"	"	<i>ML</i>
Final Cover Surface	Vegetation	1. Inspection for growth and overall health. 2. Evidence of stress. 3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event.	3.27.23	1:00 PM	Inspect after rainfall event greater than 1/2 inch.
			Quarterly and after each major rainfall event.	"	"	<i>ML</i>
			Quarterly and after each major rainfall event.	"	"	
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	3-27-23	1:00 PM	Inspect after rainfall event

1770200010 ..  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	" " "	" " "	greater than 1/2 inch  
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually	3-27-75	1:45 P	
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually	3-27-75	1:45 P	
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.


Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks. 2. Check for settlement, slumping or sloughing. 3. Check for erosion and bare sod areas.	Semiannually Semiannually Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	4-17-23	1:00p	Walk final cover semi-annually. Check site rain gauge. <i>ML</i>
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting. 2. Ditches-inspect for siltation and/or erosion. 3. Erosion bales or silt fencing-inspect for washout or undercutting. 4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	4-17-23 " " "	1:00p " " "	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch. <i>ML</i>
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping. 2. Inspect pond bottom for build-up of sediment. 3. Inspect inlet and outlet for erosion and sedimentation. 4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	4-17-23 " " "	1:00p " " "	Inspect after rainfall event greater than 1/2 inch. <i>ML</i>
Final Cover Surface	Vegetation	1. Inspection for growth and overall health. 2. Evidence of stress. 3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	4-17-23 " "	1:00p " "	Inspect after rainfall event greater than 1/2 inch. <i>ML</i>
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	4-17-23	1:00p	Inspect after rainfall event

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Page B-3 of B-5

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event.  Quarterly and after each major rainfall event.	"	"	greater than 1/2 inch  
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.


Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks.	Semiannually	5.8.23	10:00A	Walk final cover semi-annually.  Check site rain gauge.  <i>llh</i>
		2. Check for settlement, slumping or sloughing.	Semiannually			
Run-on and Run-Off Control	Erosion Control Devices	3. Check for erosion and bare sod areas.	Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).			
		1. Riprap-inspection for washout or undercutting.	Quarterly and after each major rainfall event.	5.8.23	10:00A	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.  <i>llh</i>
		2. Ditches-inspect for siltation and/or erosion.	Quarterly and after each major rainfall event.	"	"	
		3. Erosion bales or silt fencing-inspect for washout or undercutting.	Quarterly and after each major rainfall event.	"	"	
4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event.	"	"			
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping.	Quarterly and after each major rainfall event.	5.8.23	10:00A	Inspect after rainfall event greater than 1/2 inch.  <i>llh</i>
		2. Inspect pond bottom for build-up of sediment.	Quarterly and after each major rainfall event.	"	"	
		3. Inspect inlet and outlet for erosion and sedimentation.	Quarterly and after each major rainfall event.	"	"	
		4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event.	"	"	
Final Cover Surface	Vegetation	1. Inspection for growth and overall health.	Quarterly and after each major rainfall event.	5.8.23	10:00A	Inspect after rainfall event greater than 1/2 inch.  <i>llh</i>
		2. Evidence of stress.	Quarterly and after each major rainfall event.	"	"	
		3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event.	"	"	
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	5.8.23	10:00A	Inspect after rainfall event

1770200010 ..  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Page B-3 of B-5

**Post-Closure Inspection Schedule & Log**  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	"	"	greater than 1/2 inch.  
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

1770200010 :  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks. 2. Check for settlement, slumping or sloughing. 3. Check for erosion and bare sod areas.	Semiannually Semiannually Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	6.26.23	2:00p	Walk final cover semi-annually. Check site rain gauge.
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting. 2. Ditches-inspect for siltation and/or erosion. 3. Erosion bales or silt fencing-inspect for washout or undercutting. 4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	6.26.23	2:00p	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping. 2. Inspect pond bottom for build-up of sediment. 3. Inspect inlet and outlet for erosion and sedimentation. 4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	6.26.23	2:00p	Inspect after rainfall event greater than 1/2 inch.
Final Cover Surface	Vegetation	1. Inspection for growth and overall health. 2. Evidence of stress. 3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	6.26.23	2:00p	Inspect after rainfall event greater than 1/2 inch.
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	6.26.23	2:00p	Inspect after rainfall event

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks.	Semiannually	7-13-23	2:15p	Walk final cover semi-annually.  Check site rain gauge. <i>ML</i>
		2. Check for settlement, slumping or sloughing.	Semiannually			
Run-on and Run-Off Control	Erosion Control Devices	3. Check for erosion and bare sod areas.	Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).			
		1. Riprap-inspection for washout or undercutting.	Quarterly and after each major rainfall event.	7-13-23	2:15p	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.  <i>ML</i>
		2. Ditches-inspect for siltation and/or erosion.	Quarterly and after each major rainfall event.	"	"	
		3. Erosion bales or silt fencing-inspect for washout or undercutting.	Quarterly and after each major rainfall event.	"	"	
4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event.	"	"			
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping.	Quarterly and after each major rainfall event.	7-13-23	2:15p	Inspect after rainfall event greater than 1/2 inch.  <i>ML</i>
		2. Inspect pond bottom for build-up of sediment.	Quarterly and after each major rainfall event.	"	"	
		3. Inspect inlet and outlet for erosion and sedimentation.	Quarterly and after each major rainfall event.	"	"	
		4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event.	"	"	
Final Cover Surface	Vegetation	1. Inspection for growth and overall health.	Quarterly and after each major rainfall event.	7-13-23	2:15p	Inspect after rainfall event greater than 1/2 inch.  <i>ML</i>
		2. Evidence of stress.	Quarterly and after each major rainfall event.	"	"	
		3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event.	"	"	
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	7-13-23	2:15p	Inspect after rainfall event

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Page B-3 of B-5

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	"	"	greater than 1/2 inch  <i>ML</i>
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops Well	1. Inspect protective tops and seal for integrity and function. 2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually Semiannually			Record results of annual well inspection.
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years. 2. Report elevation of the bottom of each monitoring well (Storet 72020).	Every five (5) years. Annually			Report during second quarter sampling event.

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	" " "	" { ?	greater than 1/2 inch  <i>ML</i>
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

Post-Closure Inspection Schedule & Log  
Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	<ol style="list-style-type: none"> <li>1. Check for wet spots and leaks.</li> <li>2. Check for settlement, slumping or sloughing.</li> <li>3. Check for erosion and bare sod areas.</li> </ol>	<p>Semiannually Semiannually</p> <p>Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).</p>	7-27-23	1:30p	<p>Walk final cover semi-annually.</p> <p>Check site rain gauge.</p> <p><i>ML</i></p>
Run-on and Run-Off Control	Erosion Control Devices	<ol style="list-style-type: none"> <li>1. Riprap-inspection for washout or undercutting.</li> <li>2. Ditches-inspect for siltation and/or erosion.</li> <li>3. Erosion bales or silt fencing-inspect for washout or undercutting.</li> <li>4. Culverts-inspect for washout/siltation at inlet and outlet.</li> </ol>	<p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p>	7-27-23	1:30p	<p>Walk ditches and sedimentation basin after rainfall greater than 1/2 inch.</p> <p><i>ML</i></p>
	Sedimentation Basins	<ol style="list-style-type: none"> <li>1. Inspect berms for erosion, scouring and slumping.</li> <li>2. Inspect pond bottom for build-up of sediment.</li> <li>3. Inspect inlet and outlet for erosion and sedimentation.</li> <li>4. Inspect trash rack and rock filter.</li> </ol>	<p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p>	7-27-23	1:30p	<p>Inspect after rainfall event greater than 1/2 inch.</p> <p><i>ML</i></p>
Final Cover Surface	Vegetation	<ol style="list-style-type: none"> <li>1. Inspection for growth and overall health.</li> <li>2. Evidence of stress.</li> <li>3. Bare spots from erosion, washout or die-offs, etc.</li> </ol>	<p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p> <p>Quarterly and after each major rainfall event.</p>	7-27-23	1:30p	<p>Inspect after rainfall event greater than 1/2 inch.</p> <p><i>ML</i></p>
	Final Cover	<ol style="list-style-type: none"> <li>1. Erosion resulting in rills, gullies or</li> </ol>	Quarterly and after each major	7-27-23	1:30p	Inspect after rainfall event

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

**Post-Closure Inspection Schedule & Log**  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	" " "	" " "	greater than 1/2 inch.  <i>DM</i>
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			





<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

Post-Closure Inspection Schedule & Log  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	1. Check for wet spots and leaks. 2. Check for settlement, slumping or sloughing. 3. Check for erosion and bare sod areas.	Semiannually Semiannually Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	7.28.23	1:00	Walk final cover semi-annually. Check site rain gauge. <i>ML</i>
Run-on and Run-Off Control	Erosion Control Devices	1. Riprap-inspection for washout or undercutting. 2. Ditches-inspect for siltation and/or erosion. 3. Erosion bales or silt fencing-inspect for washout or undercutting. 4. Culverts-inspect for washout/siltation at inlet and outlet.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	7.28.23	1:00p	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch. " " " " " " <i>ML</i>
	Sedimentation Basins	1. Inspect berms for erosion, scouring and slumping. 2. Inspect pond bottom for build-up of sediment. 3. Inspect inlet and outlet for erosion and sedimentation. 4. Inspect trash rack and rock filter.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	7.28.23	1:00p	Inspect after rainfall event greater than 1/2 inch. " " " " " " <i>ML</i>
Final Cover Surface	Vegetation	1. Inspection for growth and overall health. 2. Evidence of stress. 3. Bare spots from erosion, washout or die-offs, etc.	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	7.28.23	1:00p	Inspect after rainfall event greater than 1/2 inch. " " " " <i>ML</i>
	Final Cover	1. Erosion resulting in rills, gullies or	Quarterly and after each major	7.28.23	1:00p	Inspect after rainfall event


Post-Closure Inspection Schedule & Log

Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
Exterior of CAMU Landfill	Berms	<ol style="list-style-type: none"> <li>1. Check for wet spots and leaks.</li> <li>2. Check for settlement, slumping or sloughing.</li> <li>3. Check for erosion and bare sod areas.</li> </ol>	Semiannually Semiannually Semiannually and after each major rainfall event (i.e., greater than 1/2 inch).	7-31-23	1:45p	Walk final cover semi-annually. Check site rain gauge. 
Run-on and Run-Off Control	Erosion Control Devices	<ol style="list-style-type: none"> <li>1. Riprap-inspection for washout or undercutting.</li> <li>2. Ditches-inspect for siltation and/or erosion.</li> <li>3. Erosion bales or silt fencing-inspect for washout or undercutting.</li> <li>4. Culverts-inspect for washout/siltation at inlet and outlet.</li> </ol>	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	7-31-23	1:45p	Walk ditches and sedimentation basin after rainfall greater than 1/2 inch. 
	Sedimentation Basins	<ol style="list-style-type: none"> <li>1. Inspect berms for erosion, scouring and slumping.</li> <li>2. Inspect pond bottom for build-up of sediment.</li> <li>3. Inspect inlet and outlet for erosion and sedimentation.</li> <li>4. Inspect trash rack and rock filter.</li> </ol>	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	7-31-23	1:45p	Inspect after rainfall event greater than 1/2 inch. 
Final Cover Surface	Vegetation	<ol style="list-style-type: none"> <li>1. Inspection for growth and overall health.</li> <li>2. Evidence of stress.</li> <li>3. Bare spots from erosion, washout or die-offs, etc.</li> </ol>	Quarterly and after each major rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	7-31-23	1:45p	Inspect after rainfall event greater than 1/2 inch. 
	Final Cover	<ol style="list-style-type: none"> <li>1. Erosion resulting in rills, gullies or</li> </ol>	Quarterly and after each major	7-31-23	1:45p	Inspect after rainfall event

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

**Post-Closure Inspection Schedule & Log**  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	" " "	" " "	greater than 1/2 inch  
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.

1770200010  
 Modern Plating Corp.  
 RCRA Log No. B-167R

Page B-3 of B-5

**Post-Closure Inspection Schedule & Log**  
 Modern Plating Co. CAMU

Equipment or Area	Description	Activity Description	Frequency	Date	Time	Comments
		bare soil. 2. Settlement resulting in loss of grade and/or water standing on the final cover. 3. Slumping or sloughing of final cover.	rainfall event. Quarterly and after each major rainfall event. Quarterly and after each major rainfall event.	" " (i	" " (i	greater than 1/2 inch  <i>M</i>
Security Control Devices	Fences, Gates and Locks	1. Inspection for proper function. 2. Replace and repair as required.	Semiannually			
Gas Venting System	Risers	1. Inspect for plugging.	Semiannually			
Groundwater Monitoring Wells	Protective Tops	1. Inspect protective tops and seal for integrity and function.	Semiannually			Record results of annual well inspection.
	Well	2. Record well condition, including well depth, siltation, water depth, well pipe condition and water quality.	Semiannually			
Horizontal and Vertical Control	Benchmarks	1. Check for disturbance and remark (i.e., flag and/or paint).	Annually			
Groundwater Monitoring Wells	Survey	1. Survey stick-up once every five (5) years.	Every five (5) years.			Report during second quarter sampling event.
		2. Report elevation of the bottom of each monitoring well (Storet 72020).	Annually			

<sup>1</sup> To be compared with the action leakage rate of 2,434 gal/day per phase.



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

(217)524-3300  
TDD 217/524-2891

CERTIFIED MAIL # 7022 1670 0001 4386 4690  
RETURN RECEIPT REQUESTED

November 02, 2023

Modern Plating Corp  
Attn: Brandon Smith  
701 S Hancock Avenue  
Freeport, Illinois 61032

Re: Violation Notice L-2023-00363  
BOL #1770200010 - Stephenson County  
Freeport/Modern Plating Corp  
Compliance File

Dear Brandon Smith:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act, 415 ILCS 5/31(a)(1), and is based on an inspection completed on August 04, 2023 by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in the attachment to this notice. The attachment includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this notice. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether you wish to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If you wish to enter into a CCA, the written response must also include proposed terms for the CCA, including dates for achieving each commitment, and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

The Illinois EPA will review the proposed terms for a CCA provided by you and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, you must respond in writing either by

2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120  
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

agreeing to and signing the proposed CCA or by notifying the Illinois EPA that you reject the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois Environmental Protection Agency  
Attn: Victoria Slayton  
Bureau of Land # 24  
1021 North Grand Ave. East  
Springfield, Illinois 62794-9276

Please include the Violation Notice Number L-2023-00363 and the Site Identification Number 1770200010 on all written communications and supporting documents.

The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

<http://www.ipcb.state.il.us/SLR/IPCBandIEPAEnvironmentalRegulations-Title35.asp>

If you have questions regarding this matter, please contact FOS Inspector Rebecca DeMay at the following email address: [Rebecca.DeMay@Illinois.gov](mailto:Rebecca.DeMay@Illinois.gov) or at FOS Inspector phone number (815)987-7272.

Sincerely,



Victoria Slayton, MPA  
Deputy Section Manager  
Materials Management and Compliance Section  
Illinois EPA

Enclosure: Violation Notice Attachment

BOL # 1770200010 – Stephenson County  
Freeport / Modern Plating Corporation

## **Violation Notice Attachment**

Modern Plating Corporation (“Respondent”) owns and operates the business located at 701 South Hancock Avenue in Freeport, Illinois (“the subject property”). On August 4, 2023, the Illinois EPA inspected the subject property. During the inspection, apparent violations of the Illinois Environmental Protection Act, Illinois Pollution Control Board (“Board”) Regulations, and RCRA Permit No. B-167 (the “Permit”) were observed. These apparent violations are discussed in further detail below.

### **1. Applicable Authorities**

- i) Illinois law prohibits any person from:
  - a) Conducting any hazardous waste storage, treatment, or disposal operation without or in violation of a RCRA permit. *See* 415 ILCS 5/21(f)(1).
  - b) Conducting any hazardous waste storage, treatment, or disposal operation in violation of Board regulations or standards. *See* 415 ILCS 5/21(f)(2).

---

- ii) Board Regulations state that:
  - a) The permittee must comply with all conditions of its permit. Any permit noncompliance constitutes a violation of the Illinois Environmental Protection Act and is grounds for one or more of the following actions: for an enforcement action, for permit revocation or modification, or for denial of a permit renewal application. *See* 35 Ill. Adm. Code 702.141.
  - b) The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of its permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. *See* 35 Ill. Adm. Code 702.145.
  - c) No person may conduct any hazardous waste storage, treatment, or disposal operation without a RCRA permit or in violation of any condition imposed by a RCRA permit. *See* 35 Ill. Adm. Code 703.121(a).

BOL # 1770200010 – Stephenson County  
Freeport / Modern Plating Corporation

- ii) The Permit requires:
- a) The Permittee shall maintain the components, structures, and equipment at the site in accordance with the maintenance plan in Attachment B of this permit. *See Permit Condition II.C.3.*
  - b) The leachate collection and removal system for the CAMU shall be operated and maintained such that the depth of leachate over the liner in Phase 1 and Phase 2 of the CAMU does not exceed more than 1 foot (30 cm). *See Permit Condition II.C.6.e.*
  - c) The leachate collection system pumps for the CAMU shall be operated and maintained such that they automatically turn on if leachate in the Phase 1 or Phase 2 sumps reaches an elevation of 757.0 feet as indicated on Drawing 11 in the approved permit application. *See Permit Condition II.C.6.f.*
  - d) The leachate collection system for the CAMU shall be operated and maintained such that the leachate pump alarms in Phase 1 and Phase 2 of the CAMU are activated if the leachate in either of the sumps reaches an elevation of 758.0 feet. *See Permit Condition II.C.6.g.*
  - e) The Permittee shall comply with all conditions of this permit except for the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance constitutes a violation of the Environmental Protection Act and is grounds for enforcement action; permit revocation or modification; or for denial of a permit renewal application. *See Permit Condition V.5.*
  - f) The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory, and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. (35 Ill. Adm. Code 702.145). *See Permit Condition V.10.*

BOL # 1770200010 – Stephenson County  
Freeport / Modern Plating Corporation

2. **Alleged Violations**

- i) The Illinois EPA inspector observed the pump house for the Corrective Action Management Unit (“CAMU”) being inoperable for an indeterminate amount of time, which violates Illinois law, Board regulations, and the Permit. *See* 415 ILCS 5/21(f)(1); 415 ILCS 5/21(f)(2); 35 Ill. Adm. Code 702.141; 35 Ill. Adm. Code 702.145; 35 Ill. Adm. Code 703.121(a); Permit Condition II.C.3; Permit Condition II.C.6.e; Permit Condition II.C.6.f; Permit Condition II.C.6.g; Permit Condition V.5; Permit Condition V.10.

3. **Suggested Resolutions**

Respondent should take remedial action to address the above-referenced violations, including:

- i) **Immediately upon receipt of this Violation Notice (“VN”),** comply with the requirements for the CAMU as specified in RCRA Permit Number B-167R-M-2.
- ii) **Immediately upon receipt of this VN,** maintain the leachate collection and removal system for the CAMU in accordance with RCRA Permit Number B-167R-M-2.
- iii) **Immediately upon receipt of this VN,** maintain the leachate collection system pumps for the CAMU in accordance with RCRA Permit Number B-167R-M-2.
- iv) **Immediately upon receipt of this VN,** maintain leachate pumping records for the CAMU in accordance with RCRA Permit Number B-167R-M-2.
- v) **Within 60 calendar days of this VN,** provide an explanation for the power outage, including the duration of the inoperable pump house.
- vi) **Recordkeeping. Within 60 calendar days of receipt of this VN,** the Respondent shall submit copies of records reflecting remedial actions undertaken to address the above-referenced violations, including but not limited to the explanation and photographs reflecting the completion of the suggested resolutions identified above, to:

*Illinois EPA Rockford Regional Office  
Attn: Erica Toledo  
4302 North Main Street  
Rockford, Illinois 61103*