

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ADMINISTRATIVE CITATION

PERRY COUNTY)
 SOLID WASTE MANAGEMENT DEPT.,)
)
 Complainant,)
)
 Vs.)
)
 PERRY RIDGE LANDFILL,)
)
 Respondent.)

AC 10-17
 (PCSWMD No. 2010-1001: 1450105039)

RECEIVED
 CLERK'S OFFICE
 FEB 18 2010
 STATE OF ILLINOIS
 Pollution Control Board

ORIGINAL

NOTICE OF FILING

To: Mr. Mike Whitlock
 Perry Ridge Landfill
 6305 Sacred Heart Road
 DuQuoin, IL 62832

Stephanie Chodera, Registered Agent
 Perry Ridge Landfill
 290 South Main Place
 Carol Stream, IL 60188

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

Respectfully submitted,



 Jennifer Foutch, Assistant State's Attorney

Perry County State's Attorney's Office
 Perry County Courthouse
 1 Public Square
 Pinckneyville, IL 62274
 (618) 357-6221

DATED: February 11, 2010

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PERRY COUNTY)
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)
Complainant,) AC 10-17
) (PCSWMD No. 2010-1001: 1450105039)
Vs.)
)
PERRY RIDGE LANDFILL,)
)
Respondent.)

ORIGINAL

JURISDICTION

This Administrative Citation is issued pursuant to the authority vested in the Perry County Solid Waste Management Department, a delegated county of the Illinois Environmental Protection Agency by Section 31.1 of the Illinois Environmental Protection Act, 415 ILCS 5/31.1 (2006).

FACTS

1. That Respondent, Perry Ridge Landfill, is the permitted owner and operator of a facility located at 6305 Sacred Heart Road, DuQuoin, Perry County, Illinois.
2. That Mike Whitlock is the Certified Operator of the above-referenced facility.
3. That said facility is operated as a sanitary landfill, operating under Illinois Environmental Protection Agency Permit No. 2000-064-LF, and is designated with LPC No. 1450105039. The facility is commonly known to the Perry County Solid Waste Management Department as Perry Ridge Landfill.
4. That Respondents have owned and/or operated said facility at all times pertinent hereto.
5. That on January 14, 2010, Rebecca Tracy of the Perry County Solid Waste Management Department inspected the above-referenced facility. A copy of her inspection report setting forth the results of said inspection is attached hereto and made a part hereof.

6. That on February 11, 2010, Rebecca Tracy sent this Notice of Filing of the Administrative Citation via United States Postal Service certified mail Nos: 70090080000170850579 and 70090080000170850562.

VIOLATIONS

Based upon direct observations made by Rebecca Tracy during the course of her January 14, 2010 inspection of the above-referenced facility, the Perry County Solid Waste Management Department has determined that Respondents violated the Illinois Environmental Protection Act (hereinafter, the "Act") as follows:

- (1) That Respondents conducted a sanitary landfill operation in a manner which resulted in uncovered refuse remaining from a previous operating day, a violations of Section 21(o)(5) of the Act, 415 ILCS 5/21(o)(5) (2006); and,
- (2) That Respondents conducted a sanitary landfill operation in a manner which resulted in failure to collect and contain litter at the end of the operating day, a violation of Section 21(o)(12) of the Act, 415 ILCS 5/21(o)(12) (2006).

CIVIL PENALTY

Pursuant to Section 42(b)(4) of the Act, 415 ILCS 5/42(b)(4) (2006), Respondents are subject a civil penalty of Five Hundred Dollars (\$500.00) for each of the violations identified above, for a total of One Thousand Dollars (\$1,000.00). If Respondents elect not to petition the Illinois Pollution Control Board, the statutory civil penalty specified above shall be due and payable no later than June 1, 2010, unless otherwise provided by order of the Illinois Pollution Control Board.

If Respondent elects to contest this Administrative Citation by petitioning the Illinois Pollution Control Board in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2006), and if the Illinois Pollution Control Board issues a finding of violations(s) as alleged herein, after an adjudicatory hearing, Respondent shall be assessed the associated hearing costs incurred by the Macon County Solid Waste

Management Department and the Illinois Pollution Control Board. Those hearing costs shall be assessed in addition to the statutory civil penalty of One Thousand Dollars (\$1,000.00).

Pursuant to Section 31.1(d)(1) of the Act, 415 ILCS 5/31.1(d)(1) (2006), if Respondent fails to petition or elect not to petition the Illinois Pollution Control Board for review of this Administrative Citation within thirty-five (35) days of the date of service, the Illinois Pollution Control Board shall adopt a final order, which shall include this Administrative Citation and a finding of violation(s) as alleged herein, and shall impose the statutory civil penalty specified above.

When payment is made, Respondent's check shall be made payable to the Perry County Solid Waste Management Department and mailed to the attention of Rebecca Tracy, Perry County Solid Waste Management Department, 3764 State Route 13/127, Pinckneyville, Illinois 62274. Along with payment, Respondent shall complete and return the enclosed Remittance Form to ensure proper documentation of payment.

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

PROCEDURE FOR CONTESTING THIS ADMINISTRATIVE CITATION

Respondent has the right to contest this Administrative Citation pursuant to and in accordance with Section 31.1 of the Act, 415 ILCS 5/31.1 (2006). If Respondent elects to contest this Administrative Citation, then Respondent shall file a signed Petition for Review, including a Notice of Filing, Certificate of Service, and Notice of Appearance, with the Clerk of the Illinois Pollution Control Board, State of Illinois Center, 100 West Randolph, Suite 11-500, Chicago, Illinois 60601. A copy of said Petition for Review shall be filed with the Perry County State's Attorney, 1 Public Square, Pinckneyville, Illinois

62274. Section 31.1 of the Act provides that any Petition for Review shall be filed within thirty-five (35) days of the date of service of this Administrative Citation or the Illinois Pollution Control Board shall enter a default judgment against the Respondent.



Jennifer Foutch, Assistant State's Attorney
County of Perry

DATE: 2/10/10

Prepared by: Rebecca Tracy, Inspector
Perry County Solid Waste Management Department
3764 State Route 13/127
Pinckneyville, IL 62274
(618) 357-3267

COUNTY OF PERRY
AFFIDAVIT

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FEB 18 2010

STATE OF ILLINOIS
Pollution Control Board

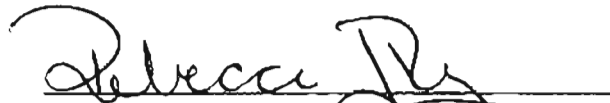
PERRY COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)
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Complainant,)
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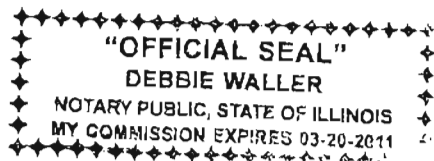
Affiant, Rebecca Tracy, being first duly sworn, voluntarily deposes and states as follows:

1. Affiant is a field inspector employed by the Perry County Solid Waste Management Department and has been so employed at all times pertinent hereto.
2. On January 14, 2010 between 2:54 p.m and 4:54 p.m., Affiant conducted an inspection of the Perry Ridge Landfill, located in Perry County, Illinois and known as the Perry Ridge Landfill by the Illinois Environmental Protection Agency. Said site has been assigned Site Code No. 1450105039.
3. Affiant inspected said Perry Ridge Landfill by an on-site inspection which included walking and photographing the site.
4. As a result of the activities referred to in Paragraph 3 above, Affiant completed the Inspection Checklist form attached hereto and made a part hereof, which, to the best of Affiant's knowledge and belief, is an accurate representation of Affiant's observations and factual conclusions with respect to the facility.


REBECCA TRACY

Subscribed and Sworn to before me this
8th day of February, 2010


Notary Public



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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
811 Solid Waste Landfill Inspection Checklist

STATE OF ILLINOIS
Pollution Control Board

County: Perry LPC#: 1450105039 Region: 7 - Marion
 Location/Site Name: DuQuoin/Perry Ridge Landfill
 Date: 01/14/2010 Time: From 2:54 p.m. To 4:54 p.m. Previous Inspection Date: 12/31/2009
 Inspector(s): R. Tracy Weather: 35 degrees, slight wind
 No. of Photos Taken: # 9 Samples Taken: Yes # No
 Interviewed: Mike Whitlock Facility Phone No.: 618-357-5599

Permitted Owner Mailing Address

GERE Properties, Inc.
290 South Main Place
Carol Stream, IL 60188

Permitted Operator Mailing Address

Perry Ridge Landfill, Inc.
290 South Main Place
Carol Stream, IL 60188

ORIGINAL

Chief Operator Mailing Address

Perry Ridge Landfill
6305 Sacred Heart Road
DuQuoin, IL 62832

Certified Operator Mailing Address

Mike Whitlock
6305 Sacred Heart Road
DuQuoin, IL 62832

AUTHORIZATION: Significant Modification Permit Initial: 2000-064-LF Latest Modification No. 16
OPERATIONAL STATUS: Operating Closed-Not Certified. Closed-Date Certified:
TYPE OF OPERATION: Existing Landfills 814-Subpart C 814-Subpart D
 New Landfills: 811-Putres./Chem.

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

10.	21(o)	CONDUCT A SANITARY LANDFILL OPERATION WHICH RESULTS IN ANY OF THE FOLLOWING CONDITIONS:	
		(1)	Refuse in Standing or Flowing Water <input type="checkbox"/>
		(2)	Leachate Flows Entering Waters of the State <input type="checkbox"/>
		(3)	Leachate Flows Exiting the Landfill Confines <input type="checkbox"/>
		(4)	Open Burning of Refuse in Violation of Section 9 of the Act <input type="checkbox"/>
		(5)	Uncovered Refuse Remaining From Any Previous Operating Day or at the Conclusion of Any Operating Day <input checked="" type="checkbox"/>
		(6)	Failure to Provide Final Cover Within Time Limits <input type="checkbox"/>
		(7)	Acceptance of Wastes Without Necessary Permits <input type="checkbox"/>
		(8)	Scavenging as Defined by Board Regulations <input type="checkbox"/>
		(9)	Deposition of Refuse in Any Unpermitted Portion of the Landfill <input type="checkbox"/>
		(10)	Acceptance of Special Waste Without a Required Manifest <input type="checkbox"/>
		(11)	Failure to Submit Reports Required by Permits or Board Regulations <input type="checkbox"/>
		(12)	Failure to Collect and Contain Litter by the End of each Operating Day <input checked="" type="checkbox"/>
(13)	Failure to Submit Any Cost Estimate, Performance Bond or Other Security <input type="checkbox"/>		
11.	21(t)	CAUSE OR ALLOW A LATERAL EXPANSION OF A MUNICIPAL SOLID WASTE LANDFILL (MSWLF) UNIT WITHOUT A PERMIT MODIFICATION <input type="checkbox"/>	
12.	21.6(b)	ACCEPTANCE OF LIQUID USED OIL FOR FINAL DISPOSAL (EFFECTIVE JULY 1, 1996) <input type="checkbox"/>	
13.	22.01	FAILURE TO SUBMIT ANNUAL NONHAZARDOUS SPECIAL WASTE <input type="checkbox"/>	
14.	22.17	LANDFILL POST-CLOSURE CARE	
		(a)	Failure to Monitor Gas, Water, Settling <input type="checkbox"/>
	(b)	Failure to Take Remedial Action <input type="checkbox"/>	
15.	22.22(c)	ACCEPTANCE OF LANDSCAPE WASTE FOR FINAL DISPOSAL <input type="checkbox"/>	
16.	22.23(f)(2)	CAUSE OR ALLOW THE DISPOSAL OF ANY LEAD-ACID BATTERY <input type="checkbox"/>	
17.	22.28(b)	ACCEPTANCE OF WHITE GOODS FOR FINAL DISPOSAL <input type="checkbox"/>	
18.	55(b)(1)	ACCEPTANCE OF ANY USED OR WASTE TIRE FOR FINAL DISPOSAL (UNLESS LANDFILL MEETS EXEMPTION OF 55(b)(1)) <input type="checkbox"/>	
19.	55(k)	NO PERSON SHALL:	
		(1)	Cause or Allow Water to Accumulate in Used or Waste Tires <input type="checkbox"/>
	(4)	Transport Used or Waste Tires in Violation of the Registration and Placarding Requirements <input type="checkbox"/>	
20.	56.1(a)	CAUSE OR ALLOW THE DISPOSAL OF ANY POTENTIALLY INFECTIOUS MEDICAL WASTE <input type="checkbox"/>	
SOLID WASTE SITE OPERATOR CERTIFICATION LAW REQUIREMENTS			
21.	225 ILCS 230/1004	CAUSING OF ALLOWING OPERATION OF A LANDFILL WITHOUT PROPER COMPETENCY CERTIFICATE <input type="checkbox"/>	
35 ILLINOIS ADMINISTRATIVE CODE REQUIREMENTS SUBTITLE G			
PRIOR CONDUCT CERTIFICATION REQUIREMENTS			

22.	745.181	CHIEF OPERATOR REQUIREMENTS	<input type="checkbox"/>
23.	745.201	PRIOR CONDUCT CERTIFICATION PROHIBITIONS	<input type="checkbox"/>
SPECIAL WASTE HAULING REQUIREMENTS			
24.	809.301	REQUIREMENTS FOR DELIVERY OF SPECIAL WASTE TO HAULERS	<input type="checkbox"/>
25.	809.302(a)	REQUIREMENTS FOR ACCEPTANCE OF SPECIAL WASTE FROM HAULERS	<input type="checkbox"/>
26.	809.501	MANIFESTS, RECORDS, ACCESS TO RECORDS, REPORTING REQUIREMENTS AND FORMS	
	(a)	Delivery of Special Waste to Hauler	<input type="checkbox"/>
	(g)	Retention of Special Waste Manifests	<input type="checkbox"/>
NEW SOLID WASTE LANDFILL REQUIREMENTS			
	PART 811 SUBPART	GENERAL STANDARDS FOR ALL LANDFILLS	
27.	811.103	SURFACE WATER DRAINAGE	
	(a)	Runoff from Disturbed Areas	<input type="checkbox"/>
	(b)	Diversion of Runoff from Undisturbed Areas	<input type="checkbox"/>
28.	811.104	SURVEY CONTROL	
	(a)	Boundaries Surveyed and Marked	<input type="checkbox"/>
	(b)	Stakes and Monuments Marked	<input type="checkbox"/>
	(c)	Stakes and Monuments Inspected	<input type="checkbox"/>
	(d)	Control Monument Established and Maintained	<input type="checkbox"/>
29.	811.105	COMPACTION	<input type="checkbox"/>
30.	811.106	DAILY COVER	
	(a)	Six Inches Soil	<input checked="" type="checkbox"/>
	(b)	Alternative Daily Cover	<input checked="" type="checkbox"/>
31.	811.107	OPERATING STANDARDS	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Work Face Size and Slope	<input type="checkbox"/>
	(c)	Equipment	<input type="checkbox"/>
	(d)	Utilities	<input type="checkbox"/>
	(e)	Maintenance	<input type="checkbox"/>
	(f)	Open Burning	<input type="checkbox"/>
	(g)	Dust Control	<input type="checkbox"/>
	(h)	Noise Control	<input type="checkbox"/>
	(i)	Vector Control	<input type="checkbox"/>
	(j)	Fire Protection	<input type="checkbox"/>
	(k)	Litter Control	<input checked="" type="checkbox"/>
	(l)	Mud Tracking	<input type="checkbox"/>
	(m)	Liquid Restrictions for MSWLF Units	<input type="checkbox"/>
32.	811.108	SALVAGING	

	(a)	Salvaging Interferes with Operation	<input type="checkbox"/>
	(b)	Safe and Sanitary Manner	<input type="checkbox"/>
	(c)	Management of Salvagable Materials	<input type="checkbox"/>
33.	811.109	BOUNDARY CONTROL	
	(a)	Access Restricted	<input type="checkbox"/>
	(b)	Proper Sign Posted	<input type="checkbox"/>
34.	811.110	CLOSURE AND WRITTEN CLOSURE PLAN	
	(a)	Final Slopes and Contours	<input type="checkbox"/>
	(b)	Drainage Ways and Swales	<input type="checkbox"/>
	(c)	Final Configuration	<input type="checkbox"/>
	(d)	Written Closure Plan	<input type="checkbox"/>
	(e)	Initiation of Closure Activities at MSWLF Units	<input type="checkbox"/>
	(f)	Completion of Closure Activities at MSWLF Units	<input type="checkbox"/>
	(g)	Deed Notation for MSWLF Units	<input type="checkbox"/>
35.	811.111	POST-CLOSURE MAINTENANCE	
	(a)	Procedures After Receipt of Final Volume of Waste	<input type="checkbox"/>
	(b)	Remove All Equipment of Structures	<input type="checkbox"/>
	(c)	Maintenance and Inspection of the Final Cover and Vegetation	<input type="checkbox"/>
	(d)	Planned Uses of Property at MSWLF Units	<input type="checkbox"/>
36.	811.112	RECORDKEEPING REQUIREMENTS FOR MSWLF UNITS	
	(a)	Location Restriction Demonstration	<input type="checkbox"/>
	(b)	Load Checking Requirements	<input type="checkbox"/>
	(c)	Gas Monitoring Records	<input type="checkbox"/>
	(d)	MSWLF Liquid Restriction Records	<input type="checkbox"/>
	(e)	Groundwater Monitoring Program Requirements	<input type="checkbox"/>
	(f)	Closure and Post Closure Care Requirements	<input type="checkbox"/>
	(g)	Cost Estimates and Financial Assurance Requirements	<input type="checkbox"/>
	PART 811 SUBPART C	PUTRESCIBLE AND CHEMICAL WASTE LANDFILLS	
37.	811.302	FACILITY LOCATION	
	(c)	Site Screening (Does Not Apply To Part 814-Subpart D Sites)	<input type="checkbox"/>
38.	811.309	LEACHATE TREATMENT AND DISPOSAL SYSTEM	
	(a)	General Requirements	<input type="checkbox"/>
	(c)	Standards for On-Site Treatment and Pretreatment	<input type="checkbox"/>
	(d)	Standards for Leachate Storage System	<input type="checkbox"/>
	(e)	Standards for Discharge to Off-Site Treatment	<input type="checkbox"/>
	(f)	Standards for Leachate Recycling Systems	<input type="checkbox"/>
	(g)	Standards for Leachate Monitoring Systems	<input type="checkbox"/>
39.	811.310	LANDFILL GAS MONITORING (FOR SITES ACCEPTING PUTRESCIBLE WASTE)	
	(b)	Location and Design of Gas Monitoring Wells	<input type="checkbox"/>
	(c)	Monitoring Frequency for Landfill Gas	<input type="checkbox"/>
	(d)	Monitoring Parameters	<input type="checkbox"/>

40.	811.311	LANDFILL GAS MANAGEMENT SYSTEM (FOR CHEMICAL AND PUTRESCIBLE LANDFILLS)	
	(a)	Conditions for Installation of Gas Management System	<input type="checkbox"/>
	(b)	Notification and Implementation Requirements	<input type="checkbox"/>
	(c)	Standards for Gas Venting	<input type="checkbox"/>
	(d)	Standards for Gas Collection	<input type="checkbox"/>
41.	811.312	LANDFILL GAS PROCESS AND DISPOSAL SYSTEM	
	(c)	No Unpermitted Gas Discharge	<input type="checkbox"/>
	(d)	Gas Flow Rate Measurements into Treatment of Combustion Device	<input type="checkbox"/>
	(e)	Standards for Gas Flares	<input type="checkbox"/>
	(f)	Standards for On-Site Combustion of Landfill Gas Using Devices Other Than Flares	<input type="checkbox"/>
	(g)	Gas Transported Off-Site	<input type="checkbox"/>
42.	811.313	INTERMEDIATE COVER	
	(a)	Requirements for the Application for Intermediate Cover	<input type="checkbox"/>
	(b)	Runoff and Infiltration Control	<input type="checkbox"/>
	(c)	Maintenance of Intermediate Cover	<input type="checkbox"/>
43.	811.314	FINAL COVER SYSTEM (DOES NOT APPLY TO PART 814 SITES THAT HAVE CLOSED, COVERED AND VEGETATED PRIOR TO SEPTEMBER 18, 1990)	
	(a)	General Requirements	<input type="checkbox"/>
	(b)	Standards for Low Permeability Layer	<input type="checkbox"/>
	(c)	Standards for Final Protective Layer	<input type="checkbox"/>
44.	811.316	PLUGGING AND SEALING OF DRILL HOLES	<input type="checkbox"/>
45.	811.321	WASTE PLACEMENT	
	(a)	Phasing of Operations	<input type="checkbox"/>
	(b)	Initial Waste Placement	<input type="checkbox"/>
46.	811.322	FINAL SLOPE AND STABILIZATION	
	(a)	Grade Capable of Supporting Vegetation and Minimizing Erosion	<input type="checkbox"/>
	(b)	Slopes Required to Drain	<input type="checkbox"/>
	(c)	Vegetation	<input type="checkbox"/>
	(d)	Structures Built over the Unit	<input type="checkbox"/>
47.	811.323	LOAD CHECKING PROGRAM	
	(a)	Load Checking Program Implemented	<input type="checkbox"/>
	(b)	Load Checking Program for PCB's at MSWLF Units	<input type="checkbox"/>
	(c)	Load Checking Program Components	<input type="checkbox"/>
	(d)	Handling Regulated Hazardous Wastes	<input type="checkbox"/>
	PART 811 SUBPART D	MANAGEMENT OF SPECIAL WASTES AT LANDFILLS	
48.	811.402	NOTICE TO GENERATORS AND TRANSPORTERS	<input type="checkbox"/>
49.	811.403	SPECIAL WASTE MANIFESTS REQUIREMENTS	<input type="checkbox"/>
50.	811.404	IDENTIFICATION RECORD	

	(a)	Special Waste Profile Identification Sheet	<input type="checkbox"/>
	(b)	Special Waste Recertification	<input type="checkbox"/>
51.	811.405	RECORDKEEPING REQUIREMENTS	<input type="checkbox"/>
52.	811.406	PROCEDURES FOR EXCLUDING REGULATED HAZARDOUS WASTES	<input type="checkbox"/>
	PART 811 SUBPART G	FINANCIAL ASSURANCE	
53.	811.700	COMPLY WITH FINANCIAL ASSURANCE REQUIREMENTS OF PART 811, SUBPART G	<input type="checkbox"/>
54.	811.701	UPGRADING FINANCIAL ASSURANCE	<input type="checkbox"/>
55.	811.704	CLOSURE AND POST-CLOSURE CARE COST ESTIMATES	<input type="checkbox"/>
56.	811.705	REVISION OF COST ESTIMATE	<input type="checkbox"/>
SOLID WASTE FEE SYSTEM REQUIREMENTS			
57.	Part 858 Subpart B	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS WEIGHED (LIST SPECIFIC SECTION MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES	<input type="checkbox"/>
58.	Part 858 Subpart C	MAINTAINED, RETAINED & SUBMITTED DAILY & MONTHLY SOLID WASTE RECORDS AND QUARTERLY SOLID WASTE SUMMARIES WHERE INCOMING WASTE IS NOT WEIGHED (LIST SPECIFIC	<input type="checkbox"/>
OTHER REQUIREMENTS			
59.	OTHER:	APPARENT VIOLATION OF: (<input type="checkbox"/>) PCB; (<input type="checkbox"/>) CIRCUIT COURT CASE NUMBER: ORDER ENTERED ON:	<input type="checkbox"/>
60.			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Informational Notes

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

**INSPECTION REPORT NARRATIVE
PERRY RIDGE LANDFILL**

DATE OF INSPECTION: 01/14/2010

INSPECTOR(S): Rebecca Tracy (PCSW)

SITE ID: 1450105039

COUNTY: Perry

VIOLATION NOTICE: 2010-1001

LOCATION: DUQUOIN / PERRY RIDGE LANDFILL TIME: 2:54 p.m. – 4:54 p.m.

GENERAL REMARKS

During the above date and time, an inspection of the Perry Ridge Landfill was conducted. Weather conditions were approximately 35 degrees with a slight wind. The inspection was conducted by Becky Tracy, Perry County Solid Waste.

I arrived at the scale house at 2:54 p.m. and checked in.

I went to the office for the records inspection. Mike Whitlock, General Manager was present for the records inspection. There had been no special waste since the last inspection of 12/31/2009. The 01/12/2010 Monthly Site Inspection report indicated that they were working on the area near the tipper and recovering it with dirt. The Alternate Daily Cover records indicated that tarps were used on 01/09 thru 01/13; that some construction/demolition debris was used on 01/06 thru 01/08; tarps were used on 01/04 thru 01/05; and, some construction/demolition debris was used on 01/02. The leachate system records indicated some problems with the pipes freezing on 01/ 8, 9, 11, 12 and indicated that work was being done on those days to work to unfreeze the pipes. The records indicated that 1,809 million gallons of leachate was hauled in 2009. The leachate, leachate transport, load check, alternate daily cover and dally operations records were reviewed and appeared in order and up to date.

As I arrived at the leachate tanks, I observed a Big Dawg roll off truck and a trash dump truck leaving the facility. I arrived at the leachate tanks at 3:22 p.m. The level indicator was at approximately 21 feet (Photo 001).

I proceeded to the leachate pump box. The pump was set to "auto" and the green light indicating that the pump was engaged was on. The level was 14.9 inches and decreasing. At about 12 inches the pump kicked off and the level began to rise again.

I arrived at the active area at 3:33 p.m.

Photo 002 depicts the new cell. Per Mike Whitlock, the liner has been installed since Oct/Nov and they are awaiting sand. I have noted very little progress on the new cell in the past couple of months. When the sand application has been completed they will have to conduct new testing on the liner because of the weather conditions since the liner was installed.

Photo 003 depicts the tipper area. The area contains scattered litter and construction/ demolition debris that does not meet the standards of the permit. The scattered litter is not from the current operating day and has been in this location repeatedly. Photo 004 depicts the slope north of the tipper area. Photo 005 depicts the active area. A dozer and compactor were working the area to move and compact the refuse. They appeared to be operating in the prescribed manner.

As I observed operations, I noted that a dozer was moving around at the top of the north slope moving soil for daily cover. At 3:41 p.m. a Panther city Hauling trash truck arrived to dispose of refuse. At 3:48 p.m. another unidentified trash truck arrived to dispose of refuse. The dozer and compactor worked to move and compact the newly deposited refuse.

I continued to observe the operations, and at 4:02 p.m. employees unloaded several boxes of new tarps. These tarps were taken to the top slope via a dozer. At 4:09 p.m. four (4) employees began unrolling tarps for alternate daily cover. The dozer was still working at the top of the slope moving soil for daily cover. At 4:24 p.m. Mike Whitlock arrived and took another dozer to the top to help with soil cover. They were working to cover the area around the tipper with soil. Photo 006 depicts the area east of the tipper being covered with soil.

Photo 007 depicts tarps being applied to the active area. Photo 008 depicts a portion of the active area partially covered with tarps, the very bottom portion and the very top portion have refuse which is not yet covered; however, the dozer was still working at the top of the slope to cover uncovered refuse. Photo 009 depicts the area around the tipper and the dozer working to cover the area with soil.

I left the site at 4:54 p.m.

APPARENT PERMIT VIOLATIONS (Permit No. 2000-064-LF, Log No. 2009-237, Modification 16)

- 1. Pursuant to condition #3(e), Page 7, uncovered refuse remaining from any previous operating day or at the conclusion of any operating day, unless authorized by permit.**
- 2. Pursuant to condition #3(l), Page 7, failure to collect and contain litter from the site by the end of each operating day.**
- 3. Pursuant to condition #5(a), Page 8, at the end of each day of operation all exposed waste shall be covered with: a. Clean soil at least six (6) inches thick; or b. An alternate cover**

VIOLATIONS:

ILLINOIS ENVIRONMENTAL PROTECTION ACT REQUIREMENTS

Section 21 (d)(1) No Person Shall Conduct any Waste-Storage, Waste-Treatment, or Waste-Disposal Operation: without a Permit or in Violation of Any Conditions of a Permit. (See Permit Provisions)

Section 21 (d)(2) No Person Shall Conduct Any Waste-Storage, Waste-Treatment, or Waste-Disposal Operation: In Violation of Any Regulations or Standards Adopted by the Board.

Section 21(e) No Person Shall Dispose, Treat, Store, Or Abandon any Waste, or Transport any Waste into the State at/to Sites Not Meeting Requirements of Act and Regulations.

Section 21(o)(5) There Shall be No Uncovered Refuse Remaining From Any Previous Operating Day or at the Conclusion of Any Operating Day.

Section 21 (o)(12) No Person Shall Conduct a Sanitary Landfill Operation Which Results in Any of the Following Conditions: Failure to Collect and Contain Litter by the End of Each Operating Day.

35 Illinois Administrative Code Requirements Subtitle G

811.106(a) Daily Cover – Six Inches Soil

811.106(b) Alternative Daily Cover

811.107(k) Operating Standards – Litter Control



DIGITAL PHOTOGRAPHS



Date: 01/14/2010
Time: 3:22 p.m.
Direction: West
Photo by: R. Tracy
Exposure #: 001
**Comments: leachate
tank level indicator**



Date: 01/14/2010
Time: 3:33 p.m.
Direction: West
Photo by: R. Tracy
Exposure #: 002
Comments: new cell



DIGITAL PHOTOGRAPHS



**Date: 01/14/2010
Time: 3:34 p.m.
Direction: Southeast
Photo by: R. Tracy
Exposure #: 003
Comments: tipper area**



**Date: 01/14/2010
Time: 3:35 p.m.
Direction: North
Photo by: R. Tracy
Exposure #: 004
Comments: slope to the
north of tipper area**



DIGITAL PHOTOGRAPHS



**Date: 01/14/2010
Time: 3:36 p.m.
Direction: North
Photo by: R. Tracy
Exposure #: 005
Comments: active area**



**Date: 01/14/2010
Time: 4:30 p.m.
Direction: East
Photo by: R. Tracy
Exposure #: 006
Comments: dirt being
applied to area east
of tipper**



DIGITAL PHOTOGRAPHS



Date: 01/14/2010
Time: 4:53 p.m.
Direction: North
Photo by: R. Tracy
Exposure #: 007
**Comments: active area
being covered with
tarps**



Date: 01/14/2010
Time: 4:53 p.m.
Direction: Northwest
Photo by: R. Tracy
Exposure #: 008
**Comments: active area
partially covered
with tarps**



DIGITAL PHOTOGRAPHS



Date: 01/14/2010

Time: 4:53 p.m.

Direction: Southeast

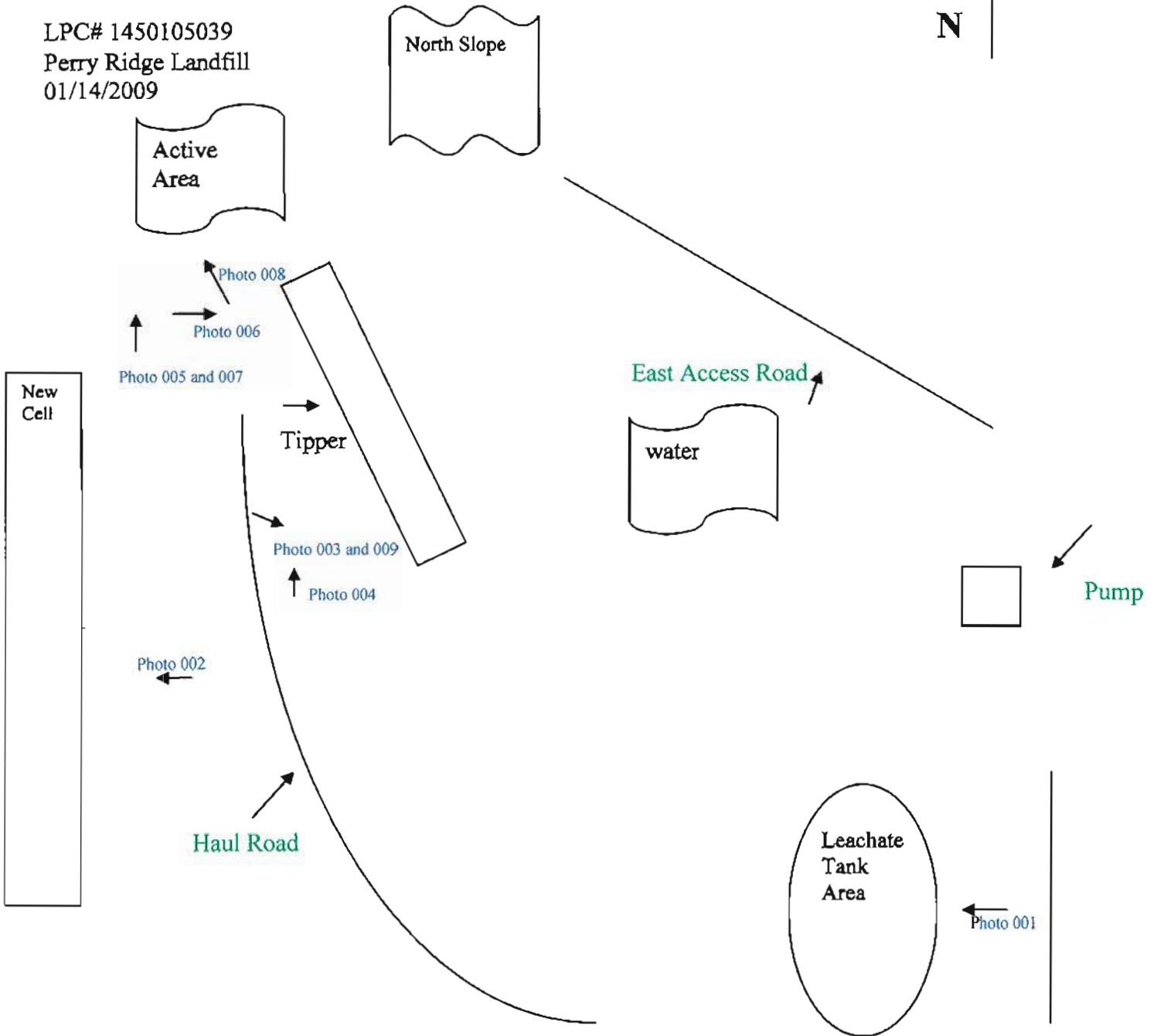
Photo by: R. Tracy

Exposure #: 009

Comments: area

**around tipper being
covered with soil**

LPC# 1450105039
Perry Ridge Landfill
01/14/2009



Not Drawn to Scale / All Location Approx. / photo direction →

REMITTANCE FORM

PERRY COUNTY)
SOLID WASTE MANAGEMENT DEPT.,)
)
Complainant,) AC _____
) (PCSWMD No. 2010-1001: 1450105039)
Vs.)
)
PERRY RIDGE LANDFILL,)
)
Respondent.)

FACILITY: Perry Ridge Landfill
LPC # 1450105039

COUNTY: Perry CIVIL PENALTY: \$1,000.00

DATE OF INSPECTION: January 14, 2010

DATE REMITTED: _____

SS/FEIN NUMBER: _____

SIGNATURE: _____

NOTE

Please enter the date of your remittance, your Social Security Number (SS) if an individual or Federal Employer Identification Number (FEIN) if a corporation, and sign this Remittance Form. Be sure your check is enclosed and mailed, along with the Remittance Form, to the Perry County Solid Waste Department, Attention: Rebecca Tracy, 3764 State Route 13/127, Pinckneyville, Illinois 62274

RECEIVED
CLERK'S OFFICE

FEB 18 2010

STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE

I, JENNIFER FOUTCH, Assistant State's Attorney of Perry County, Illinois do hereby certify that on February 11, 2010, I did send by certified mail, return receipt requested, with postage thereon fully prepaid, by depositing in a United States post office box, a true and correct copy of the following instruments(s) entitled ADMINISTRATIVE CITATION, AFFIDAVIT, AND 811 SOLID WASTE LANDFILL INSPECTION CHECKLIST

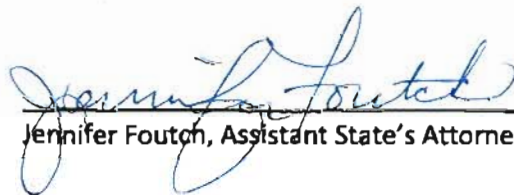
To: Mr. Mike Whitlock
Perry Ridge Landfill
6305 Sacred Heart Road
DuQuoin, IL 62832

Stephanie Chodera, Registered Agent
Perry Ridge Landfill
290 South Main Place
Carol Stream, IL 60188

ORIGINAL

And the original and nine (9) true and correct copies of the same foregoing instruments on the same date by certified mail return receipt requested, with postage thereon fully prepaid

To: John Therriault
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, IL 60601-3218


Jennifer Foutch, Assistant State's Attorney

Perry County State's Attorney's Office
Perry County Courthouse
1 Public Square
Pinckneyville, IL 62274
(618)357-6221

DATED: February 11, 2010

OFFICE OF
PERRY COUNTY STATE'S ATTORNEY

Perry County Courthouse • One Public Square
Pinckneyville, IL 62274

State's Attorney
David N. Stanton

Telephone (618) 357-6221
FAX (618) 357-3923

Assistant State's Attorney
Jennifer Foutch

February 11, 2010

Mr. John Terriault, Asst. Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, IL 60601-3218

ORIGINAL

AC10-17

RECEIVED
CLERK'S OFFICE
FEB 18 2010
STATE OF ILLINOIS
Pollution Control Board

RE: County of Perry v. Perry Ridge Landfill
Perry County Solid Waste Management Department No. 2010-1001: 1450105039

Dear Mr. Therriault:

Enclosed for filing with the Illinois Pollution Control Board, please find the original and nine true and correct copies of the Administrative Citation Package, including the Notice of Filing, inspector's Affidavit, Administrative Citation, Remittance Form, Proof of Service, inspector's Illinois Environmental Protection Agency 811 Solid Waste Landfill Inspection Checklist with attached narrative report, photos and site sketch, issued to the above-referenced respondents.

On this date, a copy of the Administrative Citation Package was sent to the Respondents via certified mail. As soon as I receive the return receipt, I will promptly file a copy with you, so that the Illinois Pollution Control Board may calculate the thirty-five (35) day appeal period for purposes of entering a default judgment in the event the Respondent(s) fails or elects not to file a petition for review contesting the Administrative Citation.

If you have any questions or concerns, please do not hesitate to contact me at the number above. Thank you for your cooperation.

Sincerely,



Jennifer Foutch,
Assistant State's Attorney

Enclosures

cc: Rebecca Tracy, Perry County Solid Waste
Sheila Williams, IEPA Marion Regional Office
Ellen Robinson, IEPA Springfield