



# 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) 782-9143

December 19, 2019

Rochelle Municipal Landfill #2  
Adam Lanning - Owner  
420 N 6th St  
Box 601  
Rochelle, IL 61068

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00350**  
LPC # 1418030020 - Ogle County  
Rochelle/Rochelle Municipal Landfill #2  
Compliance File

Dear Adam Lanning:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00350 and the Site Identification Number 1418030020 on all written communications.

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/PCBandIEPAEnvironmentalRegulations-Title35.asp>

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Rochelle Municipal 2 (“Respondent”) is a municipal solid waste landfill located at 6513 Mulford Road in Rochelle, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 48,340 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$107,314.80. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1418030020 – Ogle County  
Rochelle/Rochelle Municipal 2

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Rock River Disposal Service, Inc.  
Tom Hilbert - Operator  
5450 Wansford Way  
Suite 201 B  
Rockford, IL 61109

CERTIFIED MAIL #7018 1830 5280 3053  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00368**  
LPC # 1418030020 - Ogle County  
Rochelle/Rochelle Municipal Landfill #2  
Compliance File

Dear Mr. Hilbert

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00368 and the Site Identification Number 1418030020 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Rock River Disposal Service, Inc. (“Respondent”) operates Rochelle Municipal 2, which is a municipal solid waste landfill located at 6513 Mulford Road in Rochelle, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 48,340 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$107,314.80. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency*

LPC #1418030020 – Ogle County  
Rochelle/Rochelle Municipal 2

*Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Waste Management of Illinois, Inc.  
Joe Durako - Responsible Party  
601 Madison Road  
East St. Louis, IL 62201

CERTIFIED MAIL #7018 1830 5280 3091  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00372**  
LPC # 1630450001 - St Clair County  
East St Louis/Milam RDF  
Compliance File

Dear Mr. Durako

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00372 and the Site Identification Number 1630450001 on all written communications.

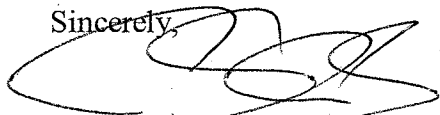
The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

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

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Waste Management of Illinois, Inc. (“Respondent”) operates Milam RDF, which is a municipal solid waste landfill located at 601 Madison Road in East St. Louis, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act were observed. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 369,346 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$819,948.12. Failure to remit these fees to the Illinois EPA violations Illinois law. See 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1630450001 – St. Clair County  
East St. Louis/Milam RDF

### **Suggested Resolutions**

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

1. Unpaid Fees. **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Incomplete Fee Exemption Records. **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Waste Management of Illinois, Inc.  
Earnest H. Dennison - Operator  
601 Madison Rd  
East St. Louis, IL 62201

CERTIFIED MAIL #7018 1830 5280 3084  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00371**  
LPC # 1630450001 - St Clair County  
East St Louis/Milam RDF  
Compliance File

Dear Mr. Dennison

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00371 and the Site Identification Number 1630450001 on all written communications.

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:

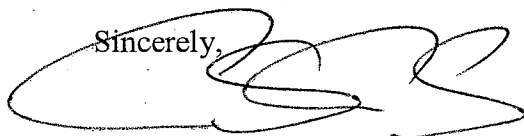
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Waste Management of Illinois, Inc. (“Respondent”) operates Milam RDF, which is a municipal solid waste landfill located at 601 Madison Road in East St. Louis, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act were observed. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 369,346 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$819,948.12. Failure to remit these fees to the Illinois EPA violations Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1630450001 – St. Clair County  
East St. Louis/Milam RDF

### **Suggested Resolutions**

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

1. Unpaid Fees. **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Incomplete Fee Exemption Records. **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Waste Management of Illinois  
Ian Johnson - Operator  
29755 S. Prairie View Dr.  
Wilmington, IL 60481

CERTIFIED MAIL #7018 1830 5280 3060  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00369**  
LPC # 1438165003 - Peoria County  
Peoria/Peoria/City-County Landfill 1 & 2  
Compliance File

Dear Mr. Johnson

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00369 and the Site Identification Number 1438165003 on all written communications.

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:

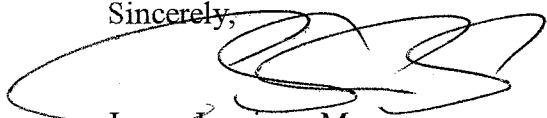
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Waste Management of Illinois, Inc. (“Respondent”) operates Peoria City/County Landfill 2, which is a municipal solid waste landfill located at 11501 West Cottonwood Road in Brimfield, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 15 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$33.30. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for the third quarter of calendar year 2016 and the first quarter of calendar year 2017 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1438165003 – Peoria County  
Brimfield/Peoria City/County Landfill 2

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Waste Management of Illinois  
Ian Johnson - Operator  
29755 S. Prairie View Dr.  
Wilmington, IL 60481

CERTIFIED MAIL #7018 1830 5280 3121  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00375**  
LPC # 1971105050 - Will County  
Wilmington/Prairie View Recycling & Disposal Facility  
Compliance File

Dear Mr. Johnson

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00375 and the Site Identification Number 1971105050 on all written communications.

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:

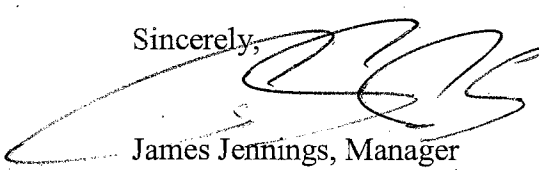
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Waste Management of Illinois (“Respondent”) operates Prairie View RDF, which is a municipal solid waste landfill located at 29755 South Prairie View Drive in Wilmington, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency (“Illinois EPA”) regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 98,607 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$218,907.54. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1971105050 – Will County  
Wilmington/Prairie View RDF

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Envotech-Illinois LLC  
Nicholas Bauer - Owner  
PO Box 97  
2782 Landfill Trl  
Litchfield, IL 62056

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00348**  
LPC # 1358150007 - Montgomery County  
Litchfield/Envotech-Illinois LLC  
Compliance File

Dear Nicholas Bauer:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00348 and the Site Identification Number 1358150007 on all written communications.

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:

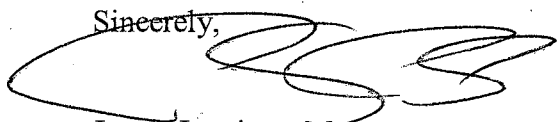
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Envotech-Illinois, LLC (“Respondent”) is a municipal solid waste landfill located at Litchfield Quarry Road in Litchfield, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 405 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$899.10. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1358150007 – Montgomery County  
Litchfield/Envotech-Illinois, LLC

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Roxana Landfill-Republic Services  
Joshua Allen - Operator  
4601 Cahokia Creek Road  
Edwardsville, IL 62025

CERTIFIED MAIL #7018 1830 5280 3046  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00367**  
LPC # 1358150007 - Montgomery County  
Litchfield/Envotech-Illinois LLC  
Compliance File

Dear Mr. Allen

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00367 and the Site Identification Number 1358150007 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Republic Services (“Respondent”) owns Roxana Landfill, which is a municipal solid waste landfill located at 4601 Cahokia Creek Road in Edwardsville, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 337,516 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$749,285.52. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency*

LPC #1190900002 – Madison County  
Edwardsville/Roxana Landfill, LLC

*Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Sangamon Valley Landfill Inc  
David Farley - Owner  
2931 N Dirksen Pkwy  
Springfield, IL 62702

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00355**  
LPC # 1678220037 - Sangamon County  
Springfield/Sangamon Valley Landfill Inc  
Compliance File

Dear David Farley:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00355 and the Site Identification Number 1678220037 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Sangamon Valley Landfill (“Respondent”) is a municipal solid waste landfill located at 2565 Sandhill Road in Springfield, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 26,595 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$59,040.90. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1678220037 – Sangamon County  
Springfield/Sangamon Valley Landfill

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

American Disposal Services of Illinois, Inc.  
Ms. Cassidy Luebbering - Operator  
175605 Moreau River Access Rd.  
Jefferson City, MO 65101

CERTIFIED MAIL #7018 1830 5280 3107  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00373**  
LPC # 1678220037 - Sangamon County  
Springfield/Sangamon Valley Landfill Inc  
Compliance File

Dear Ms. Luebbering

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00373 and the Site Identification Number 1678220037 on all written communications.

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:

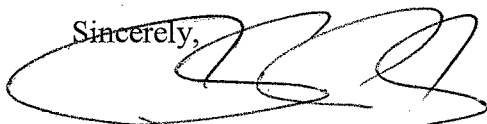
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

American Disposal Services of Illinois, Inc. (“Respondent”) operates Sangamon Valley Landfill, which is a municipal solid waste landfill located at 2565 Sandhill Road in Springfield, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 26,595 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$59,040.90. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency*

LPC #1678220037 – Sangamon County  
Springfield/Sangamon Valley Landfill

*Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Winnebago Landfill  
Pete Lyons - Owner  
5450 Wansford Way Ste 201  
Rockford, IL 61109

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00360**  
LPC # 2018080001 - Winnebago County  
Rockford/Winnebago Landfill  
Compliance File

Dear Pete Lyons:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00360 and the Site Identification Number 2018080001 on all written communications.

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:

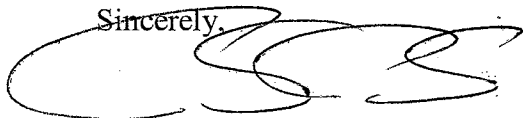
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Winnebago Landfill (“Respondent”) is a municipal solid waste landfill located at 8403 Lindenwood Road in Rockford, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act were observed. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 347,212 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$770,81.64. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #2018080001 – Winnebago County  
Rockford/Winnebago Landfill

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Rock River Disposal Service, Inc.  
Tom Hilbert - Operator  
5450 Wansford Way  
Suite 201 B  
Rockford, IL 61109

CERTIFIED MAIL #7018 1830 5280 3138  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00376**  
LPC # 2018080001 - Winnebago County  
Rockford/Winnebago Landfill  
Compliance File

Dear Mr. Hilbert

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00376 and the Site Identification Number 2018080001 on all written communications.

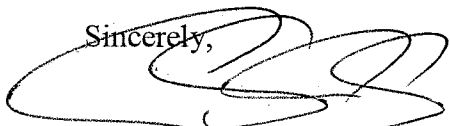
The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

<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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Rock River Disposal Service, Inc. (“Respondent”) operates Winnebago Landfill, which is a municipal solid waste landfill located at 8403 Lindenwood Road in Rockford, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act were observed. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 347,212 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$770,81.64. Failure to remit these fees to the Illinois EPA violates Illinois law. See 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency*

LPC #2018080001 – Winnebago County  
Rockford/Winnebago Landfill

*Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Advanced Disposal Services Orchard Hills Landfill Inc      CERTIFIED MAIL #7018 1830  
0000 5280

Bruce Knapp - Owner  
8290 Rte 251 S  
Davis Junction, IL 61020

RETURN RECEIPT REQUESTED

Re:    **Violation Notice L-2019-00349**  
      LPC # 1410175005 - Ogle County  
      Davis Junction/Advanced Disposal Services Orchard Hills Landfill Inc  
      Compliance File

Dear Bruce Knapp:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00349 and the Site Identification Number 1410175005 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Advance Disposal Services-Orchard Hills Landfill (“Respondent”) is a municipal solid waste landfill located at 8290 Route 251 in Davis Junction, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 1,562,112 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$3,467,888.64. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1410175005 – Ogle County  
Davis Junction/Advance Disposal Services Orchard Hills Landfill

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN**, Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

North Milam RDF  
Earnest H. Dennison - Owner  
601 Madison Rd  
East St Louis, IL 62201

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00347**  
LPC # 1194655050 - Madison County  
East St Louis/North Milam RDF  
Compliance File

Dear Earnest H. Dennison:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00347 and the Site Identification Number 1194655050 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

North Milam RDF (“Respondent”) is a municipal solid waste landfill located at 601 Madison Road in East St. Louis, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 303,127 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$672,941.94. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Countryside Landfill/Waste Mgmt  
Chris Rubak - Owner  
31725 N Rte 83  
Grayslake, IL 60030

CERTIFIED MAIL #7018 1830 0000 5280 2797  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00341**  
LPC # 0970250003 - Lake County  
Grayslake/Countryside Landfill/Waste Mgmt  
Compliance File

Dear Chris Rubak:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00341 and the Site Identification Number 0970250003 on all written communications.

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:

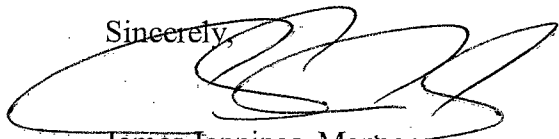
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Countryside Landfill (“Respondent”) is a municipal solid waste landfill located at 31725 North Route 83 in Grayslake, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency (“Illinois EPA”) regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that, between January 1, 2016 and December 31, 2018, Respondent did not remit fees for:

- 192,917 tons of waste used as alternative daily cover or roadbase at the subject property; and
- 71,270 cubic yards of waste used as alternative daily cover or roadbase at the subject property.

The unpaid fees totaled \$503,180.51. Failure to remit these fees to the Illinois EPA violates Illinois law. See 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid

LPC #0970250003 – Lake County  
Grayslake/Countryside Landfill, Inc.

Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Southern Illinois Regional Landfill  
Dave Vasbinder - Owner  
1540 Landfill Rd  
Desoto, IL 62924

CERTIFIED MAIL #7018 1830 0000 5280 2773  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00339**  
LPC # 0770200002 - Jackson County  
Desoto/Southern Illinois Regional Landfill  
Compliance File

Dear Dave Vasbinder:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00339 and the Site Identification Number 0770200002 on all written communications.

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:

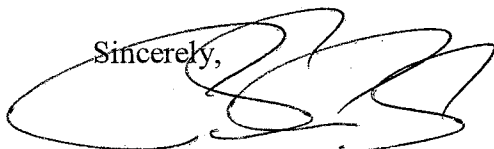
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Southern Illinois Regional Landfill (“Respondent”) is a municipal solid waste landfill located at 1540 Landfill Road in Desoto, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 2,299 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$5,103.78. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for the following quarters did not include information related to landfill tipping fee exemptions claimed at the subject property:

- Each quarter of calendar year 2016; and
- First quarter and second quarter of calendar year 2017.

LPC #0770200002 – Jackson County  
Desoto/Southern Illinois Regional Landfill

Failure to submit this information to the Illinois EPA violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Cottonwood Hills RDF  
Earnest H. Dennison - Owner  
601 Madison Rd  
East St Louis, IL 62201

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00354**  
LPC # 1630755017 - St Clair County  
East St Louis/Cottonwood Hills RDF  
Compliance File

Dear Earnest H. Dennison:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00354 and the Site Identification Number 1630755017 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Cottonwood Hills RDF (“Respondent”) is a municipal solid waste landfill located at 10400 Hillstown Road-B in Marissa, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency (“Illinois EPA”) regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 29 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$64.38. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that Respondent’s Quarterly Solid Waste Fee Summary for the fourth quarter of calendar year 2017 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Lee County Landfill  
Timothy Gray  
1214 South Bataan Road  
Dixon, Illinois 61021

CERTIFIED MAIL #70172680000102087377  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00359**  
LPC # 1030205110 - Lee County  
Dixon/Lee County Landfill  
Compliance File

Dear Mr. Gray

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00359 and the Site Identification Number 1030205110 on all written communications.

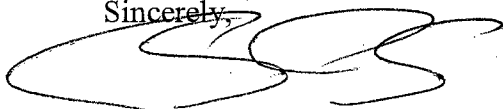
The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

<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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Lee County Landfill (“Respondent”) is a municipal solid waste landfill located at 1214 South Bataan Road in Dixon, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 67,585 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$150,038.70. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1030205110 – Lee County  
Dixon/Lee County Landfill

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Lee County Landfill  
Khalid Umer  
26W580 Schick Road  
Hanover Park, Illinois 60133

CERTIFIED MAIL #70172680000102087360  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00351**  
LPC # 1030205110 - Lee County  
Dixon/Lee County Landfill  
Compliance File

Dear Mr. Umer

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00351 and the Site Identification Number 1030205110 on all written communications.

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:

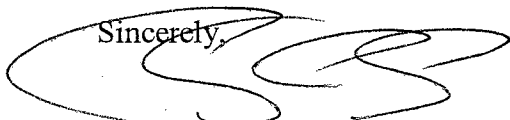
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Lee County Landfill (“Respondent”) is a municipal solid waste landfill located at 1214 South Bataan Road in Dixon, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 67,585 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$150,038.70. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1030205110 -- Lee County  
Dixon/Lee County Landfill

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice ("VN"),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Prairie Hill RDF  
Peter Petrowsky - Owner  
200 E Knox St  
Morrison, IL 61270

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00357**  
LPC # 1950350014 - Whiteside County  
Morrison/Prairie Hill RDF  
Compliance File

Dear Peter Petrowsky:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00357 and the Site Identification Number 1950350014 on all written communications.

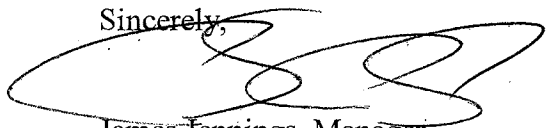
The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

<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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Prairie Hill RDF ("Respondent") is a municipal solid waste landfill located at 18762 Lincoln Road in Morrison, Illinois ("the subject property"). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 14,655 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$32,534.10. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent's Quarterly Solid Waste Summaries for the following quarters did not include information related to landfill tipping fee exemptions claimed at the subject property:

- Third quarter and fourth quarter of calendar year 2016;
- Each quarter of calendar year 2017; and
- Each quarter of calendar year 2018.

LPC #1950350014 – Whiteside County  
Morrison/Prairie Hill RDF

Failure to submit this information to the Illinois EPA violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Waste Management of Illinois, Inc.  
Mike Wiersema - Operator  
18762 Lincoln Road  
Morrison, IL 61270-9587

CERTIFIED MAIL #7018 1830 5280 3114  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00374**  
LPC # 1950350014 - Whiteside County  
Morrison/Prairie Hill RDF  
Compliance File

Dear Mr. Wiersema

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00374 and the Site Identification Number 1950350014 on all written communications.

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:

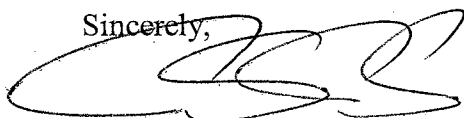
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Waste Management of Illinois, Inc. (“Respondent”) operates Prairie Hill RDF, which is a municipal solid waste landfill located at 18762 Lincoln Road in Morrison, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 14,655 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$32,534.10. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for the following quarters did not include information related to landfill tipping fee exemptions claimed at the subject property:

- Third quarter and fourth quarter of calendar year 2016;
- Each quarter of calendar year 2017; and

LPC #1950350014 – Whiteside County  
Morrison/Prairie Hill RDF

- Each quarter of calendar year 2018.

Failure to submit this information to the Illinois EPA violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Milam RDF  
Kevin Frate - Owner  
601 Madison Rd  
East St Louis, IL 62201

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00353**  
LPC # 1630450001 - St Clair County  
East St Louis/Milam RDF  
Compliance File

Dear Kevin Frate:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00353 and the Site Identification Number 1630450001 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Milam RDF (“Respondent”) is a municipal solid waste landfill located at 601 Madison Road in East St. Louis, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act were observed. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 369,346 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$819,948.12. Failure to remit these fees to the Illinois EPA violates Illinois law. See 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

LPC #1630450001 – St. Clair County  
East St. Louis/Milam RDF

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Waste Management of Illinois, Inc.  
Mike Wiersema - Operator  
18762 Lincoln Road  
Morrison, IL 61270-9587

CERTIFIED MAIL #7018 1830 5280 3114  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00374**  
LPC # 1950350014 - Whiteside County  
Morrison/Prairie Hill RDF  
Compliance File

Dear Mr. Wiersema

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00374 and the Site Identification Number 1950350014 on all written communications.

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:

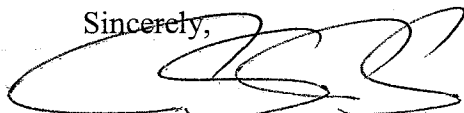
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Waste Management of Illinois, Inc. (“Respondent”) operates Prairie Hill RDF, which is a municipal solid waste landfill located at 18762 Lincoln Road in Morrison, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 14,655 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$32,534.10. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for the following quarters did not include information related to landfill tipping fee exemptions claimed at the subject property:

- Third quarter and fourth quarter of calendar year 2016;
- Each quarter of calendar year 2017; and

LPC #1950350014 – Whiteside County  
Morrison/Prairie Hill RDF

- Each quarter of calendar year 2018.

Failure to submit this information to the Illinois EPA violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Clinton Landfill Inc  
Ronald J. Welk - Owner  
4700 N Sterling Ave  
PO Box 9071  
Peoria, IL 61612-9071

CERTIFIED MAIL #7018 1830 0000 5280 2766  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00338**  
LPC # 0390055036 - DeWitt County  
Peoria/Clinton Landfill Inc  
Compliance File

Dear Ronald J. Welk:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00338 and the Site Identification Number 0390055036 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Clinton Landfill 3 (“Respondent”) is a municipal solid waste landfill located at 9550 Heritage Road in Clinton, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 6,536 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$14,509.92. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #0390055036 – DeWitt County  
Clinton/Clinton Landfill 3

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Peoria Disposal Company  
David Bryant - Operator  
9550 Heritage Road  
Clinton, IL 61727-2819

CERTIFIED MAIL #7018 1830 5280 2940  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00361**  
LPC # 0390055036 - DeWitt County  
Clinton/Clinton Landfill Inc  
Compliance File

Dear Mr. Bryant

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00361 and the Site Identification Number 0390055036 on all written communications.

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:

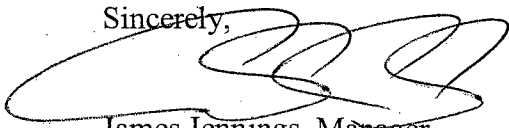
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Peoria Disposal Company (“Respondent”) operates Clinton Landfill 3, which is a municipal solid waste landfill located at 9550 Heritage Road in Clinton, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 6,536 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$14,509.92. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency*

LPC #0390055036 – DeWitt County  
Clinton/Clinton Landfill 3

*Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Laraway RDF  
Ian Johnson - Owner  
21233 W Laraway Rd  
Joliet, IL 60436

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00358**  
LPC # 1970450002 - Will County  
Joliet/Laraway RDF  
Compliance File

Dear Ian Johnson:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00358 and the Site Identification Number 1970450002 on all written communications.

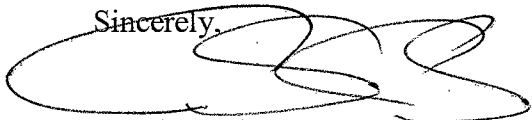
The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

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

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,

A handwritten signature in black ink, appearing to be 'J. Jennings', written over the word 'Sincerely,'.

James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Laraway RDF (“Respondent”) is a municipal solid waste landfill located at 21233 West Laraway Road in Joliet, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency (“Illinois EPA”) regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

In addition, the Illinois EPA may grant fee exemptions to wastes that meet the following criteria:

- the waste is non-putrescible and homogeneous and does not contain free liquids;
- combustion of the waste would not provide practical energy recovery or practical reduction in volume; and
- the applicant of the exemption demonstrates that it is not technologically or economically reasonable to recycle or reuse the waste.

415 ILCS 5/22.16; 415 ILCS 5/22.46.

The record review revealed that, between January 1, 2016 and December 31, 2018, Respondent did not remit fees for:

LPC #1970450002 – Will County  
Joliet/Laraway RDF

- 1,625,586 tons of waste used as alternative daily cover or roadbase at the subject property; and
- 193,682 tons of waste for which no fee exemption was granted for the subject property, in accordance with 415 ILCS 5/22.16 and 415 ILCS 5/22.46.

The unpaid fees totaled \$4,038,774.96. Failure to remit these fees to the Illinois EPA violates Illinois law. See 415 ILCS 5/21(k).

2. Inadequate Fee Exemption Records

During the record review, the Illinois EPA determined that each of Respondent's Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice ("VN"), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** Within 45 calendar days of receipt of this VN, Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** Within 45 calendar days of receipt of this VN, Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Roxana Landfill Inc  
Doug Ticer - Owner  
4601 Cahokia Creek Rd  
Edwardsville, IL 62025

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00346**  
LPC # 1190900002 - Madison County  
Edwardsville/Roxana Landfill Inc  
Compliance File

Dear Doug Ticer:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00346 and the Site Identification Number 1190900002 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Roxana Landfill, LLC (“Respondent”) is a municipal solid waste landfill located at 4601 Cahokia Creek Road in Edwardsville, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 337,516 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$749,285.52. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1190900002 – Madison County  
Edwardsville/Roxana Landfill, LLC

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Roxana Landfill-Republic Services  
Jeff Kintzle - Responsible Party  
4601 Cahokia Creek Road  
Edwardsville, IL 62025

CERTIFIED MAIL #7018 1830 5280 3039  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00366**  
LPC # 1190900002 - Madison County  
Edwardsville/Roxana Landfill Inc  
Compliance File

Dear Mr. Kintzle

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00366 and the Site Identification Number 1190900002 on all written communications.

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:

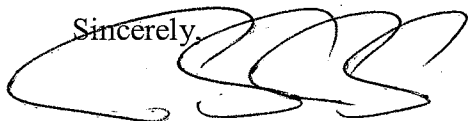
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Republic Services (“Respondent”) owns Roxana Landfill, which is a municipal solid waste landfill located at 4601 Cahokia Creek Road in Edwardsville, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 337,516 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$749,285.52. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency*

LPC #1190900002 – Madison County  
Edwardsville/Roxana Landfill, LLC

*Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Upper Rock Island County Landfill  
David Geier - Owner  
17201 20th Ave  
East Moline, IL 61244

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00352**  
LPC # 1618100014 - Rock Island County  
East Moline/Upper Rock Island County Landfill  
Compliance File

Dear David Geier:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00352 and the Site Identification Number 1618100014 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Upper Rock Island County Landfill (“Respondent”) is a municipal solid waste landfill located at 17201 20<sup>th</sup> Avenue North in East Moline, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 6,220 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$13,808.40. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1618100014 – Rock Island County  
East Moline/Upper Rock Island County Landfill

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



## 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) 782-9143

December 19, 2019

Lee County Landfill  
Khalid Umer - Operator  
26W580 Schick Road  
Hanover Park, IL 60133

CERTIFIED MAIL #7018 1830 5280 3077  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00370**  
LPC # 1618100014 - Rock Island County  
East Moline/Upper Rock Island County Landfill  
Compliance File

Dear Mr. Umer

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00370 and the Site Identification Number 1618100014 on all written communications.

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:

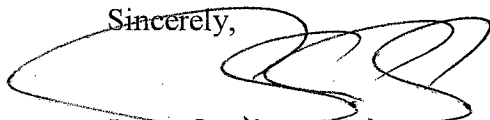
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Upper Rock Island County Landfill (“Respondent”) is a municipal solid waste landfill located at 17201 20<sup>th</sup> Avenue North in East Moline, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 6,220 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$13,808.40. Failure to remit these fees to the Illinois EPA violates Illinois law. See 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** Within 45 calendar days of receipt of this Violation Notice (“VN”), Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1618100014 – Rock Island County  
East Moline/Upper Rock Island County Landfill

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Brickyard Disposal and Recycling, Inc.  
Kenny Samet - Owner  
601 East Brickyard Road  
Danville, IL 61834-0985

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00336**  
LPC # 1830450029 - Vermilion County  
Danville/Brickyard Disposal and Recycling  
Compliance File

Dear Mr. Samet:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00336 and the Site Identification Number 1830450009 on all written communications.

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:

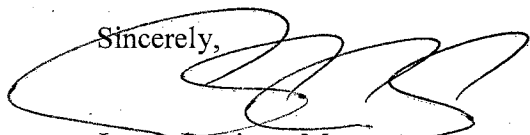
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Brickyard Disposal and Recycling, Inc. (“Respondent”) is a municipal solid waste landfill located at 601 East Brickyard Road in Danville, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 8,119 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$18,024.18. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1838040029 – Vermilion County  
Danville / Brickyard Disposal & Recycling, Inc.

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Brickyard Disposal and Recycling, Inc.  
Joshua Allen - Owner  
601 East Brickyard Road  
Danville, IL 61834-0985

CERTIFIED MAIL #7018 1830 0000 5280  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00356**  
LPC # 1830450029 - Vermilion County  
Danville/Brickyard Disposal and Recycling  
Compliance File

Dear Mr. Allen:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00336 and the Site Identification Number 1830450009 on all written communications.

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:

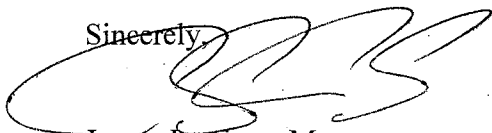
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Brickyard Disposal and Recycling, Inc. (“Respondent”) is a municipal solid waste landfill located at 601 East Brickyard Road in Danville, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 8,119 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$18,024.18. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #1838040029 – Vermilion County  
Danville / Brickyard Disposal & Recycling, Inc.

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Knox Landfill 3  
Rodney Clear - Owner  
996 Knox Rd 2150N  
Oneida, IL 61467

CERTIFIED MAIL #7018 1830 0000 5280 2780  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00340**  
LPC # 0958160003 - Knox County  
Oneida/Knox Landfill 3  
Compliance File

Dear Rodney Clear:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00340 and the Site Identification Number 0958160003 on all written communications.

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/PCBandIEPAEnvironmentalRegulations-Title35.asp>

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Knox County Landfill 3 (“Respondent”) is a municipal solid waste landfill located at 996 Knox Road 2150N in Oneida, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 9,265 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$20,568.30. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2*

LPC #0958160003 – Knox County  
Oneida/Knox County Landfill 3

*1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Advanced Disposal Services Zion Landfill Inc  
2803

CERTIFIED MAIL #7018 1830 0000 5280

James A Lewis - Owner  
701 Green Bay Rd  
Zion, IL 60099

RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00342**  
LPC # 0978020002 - Lake County  
Zion/Advanced Disposal Services Zion Landfill Inc  
Compliance File

Dear James A Lewis:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00342 and the Site Identification Number 0978020002 on all written communications.

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:

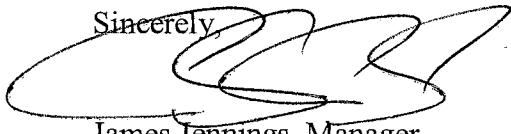
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Advance Disposal Services-Zion Landfill (“Respondent”) is a municipal solid waste landfill located at 701 Green Bay Road East in Zion, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 114,498 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$254,185.56. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

LandComp Corp  
Jose Palomo - Operator  
2840 E. 13th Rd.  
Ottawa, IL 61350

CERTIFIED MAIL #7018 1830 5280 3008  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00363**  
LPC # 0990808103 - LaSalle County  
Ottawa/Landcomp Landfill Corp  
Compliance File

Dear Mr. Palomo

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00363 and the Site Identification Number 0990808103 on all written communications.

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:

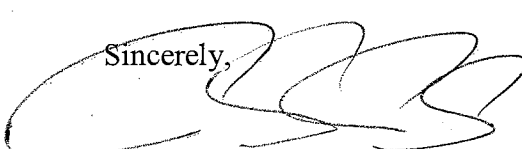
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Landcomp Landfill ("Respondent") is a municipal solid waste landfill located at 2840 East 13<sup>th</sup> Road in Ottawa, Illinois ("the subject property"). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency ("Illinois EPA") regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 3,641 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$8,083.02. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent's Quarterly Solid Waste Summaries for the second and third quarters of calendar year 2016; the third quarter of calendar year 2017; and the first, second, and fourth quarters of calendar year 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. Unpaid Fees. **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Landcomp Landfill Corp  
Eric Dippon - Owner  
26 W 580 Schick Rd  
Hanover Park, IL 60133

CERTIFIED MAIL #7018 1830 0000 5280 2810  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00343**  
LPC # 0990808103 - LaSalle County  
Hanover Park/Landcomp Landfill Corp  
Compliance File

Dear Eric Dippon:

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00343 and the Site Identification Number 0990808103 on all written communications.

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:

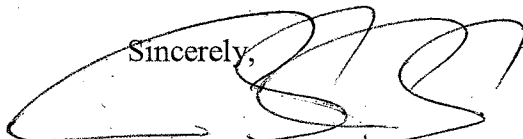
<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

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

If you have questions regarding this matter, please contact James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Landcomp Landfill (“Respondent”) is a municipal solid waste landfill located at 2840 East 13<sup>th</sup> Road in Ottawa, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency (“Illinois EPA”) regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 3,641 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$8,083.02. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for the second and third quarters of calendar year 2016; the third quarter of calendar year 2017; and the first, second, and fourth quarters of calendar year 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Landcomp Landfill, Corp  
James Allen - Responsible Party  
1511 BOEGER AVE  
WESTCHESTER, IL 60154

CERTIFIED MAIL #7018 1830 5280 2995  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00362**  
LPC # 0990808103 - LaSalle County  
Ottawa/Landcomp Landfill Corp  
Compliance File

Dear Mr. Allen

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 a record review completed on December 9, 2019 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

4302 N. Main Street, Rockford, IL 61103 (815) 987-7760  
595 S. State Street, Elgin, IL 60123 (847) 608-3131  
2125 S. First Street, Champaign, IL 61820 (217) 278-5800  
2009 Mall Street Collinsville, IL 62234 (618) 346-5120

9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000  
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022  
2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200  
100 W. Randolph Street, Suite 4-500, Chicago, IL 60601

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00362 and the Site Identification Number 0990808103 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Landcomp Landfill (“Respondent”) is a municipal solid waste landfill located at 2840 East 13<sup>th</sup> Road in Ottawa, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act and Illinois Environmental Protection Agency (“Illinois EPA”) regulations. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 3,641 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$8,083.02. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for the second and third quarters of calendar year 2016; the third quarter pf calendar year 2017; and the first, second, and fourth quarters of calendar year 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. Unpaid Fees. **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. Future Operations. **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Livingston Landfill  
Bill Janes - Operator  
14206 E. 2100 N. Road  
Pontiac, IL 61764

CERTIFIED MAIL #7018 1830 5280 3015  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00364**  
LPC # 1058210002 - Livingston County  
Pontiac/Livingston Landfill  
Compliance File

Dear Mr. Janes

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00364 and the Site Identification Number 1058210002 on all written communications.

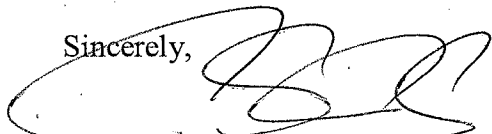
The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

<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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Livingston Landfill (“Respondent”) is a municipal solid waste landfill located at 14206 East 2100 North Road in Pontiac, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois. 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 22,200 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$49,284.00. Failure to remit these fees to the Illinois EPA violates Illinois law. *See* 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. *See* 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.



# 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) 782-9143

December 19, 2019

Livingston Landfill  
Eric Dippon - Owner  
26 W 580 Schick Rd  
PO Box 646  
Pontiac, IL 61764

CERTIFIED MAIL #7018 1830 0000 5280 2827  
RETURN RECEIPT REQUESTED

Re: **Violation Notice L-2019-00344**  
LPC # 1058210002 - Livingston County  
Pontiac/Livingston Landfill  
Compliance File

Dear Eric Dippon:

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 a record review completed on December 9, 2019 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

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 EPA – Bureau of Land  
Attn: James Jennings  
1021 North Grand Ave. East  
Springfield, Illinois 62794

Please include the Violation Notice Number L-2019-00344 and the Site Identification Number 1058210002 on all written communications.

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 James Jennings at (217) 524-1852.

Sincerely,



James Jennings, Manager  
Waste Reduction and Compliance Section  
Bureau of Land  
Illinois EPA

Enclosure: ATTACHMENT

## **ATTACHMENT**

Livingston Landfill (“Respondent”) is a municipal solid waste landfill located at 14206 East 2100 North Road in Pontiac, Illinois (“the subject property”). On December 9, 2019, the Illinois EPA concluded its review of records relating to tipping fees paid for waste accepted at the subject property for disposal. The record review revealed apparent violations of the Illinois Environmental Protection Act. These apparent violations are discussed in further detail below.

### **Alleged Violations**

#### **1. Unpaid Landfill Tipping Fees**

Illinois law establishes fees on solid wastes disposed of in landfills in Illinois: 415 ILCS 5/22.15; 415 ILCS 5/22.44. Landfills that accept 150,000 cubic yards of solid waste or less are assessed a flat annual fee; landfills that accept more than 150,000 cubic yards of solid waste are assessed a fee of \$1.051 per cubic yard, or \$2.22 per ton, of waste accepted for disposal. Certain wastes are specifically exempted from fees. Those wastes are:

- hazardous waste;
- pollution control waste;
- certain waste from recycling, reclamation or reuse processes, provided that the process renders at least 50% of the waste reusable;
- non-hazardous waste received at a sanitary landfill and composted or recycled; and
- waste accepted at a landfill only permitted to receive demolition or construction debris or landscape waste.

415 ILCS 5/22.15(k); 415 ILCS 5/22.44(c).

The record review revealed that Respondent did not remit fees for 22,200 tons of waste used as alternative daily cover or roadbase at the subject property between January 1, 2016 and December 31, 2018. The records did not indicate these wastes were exempt from fees. The unpaid fees totaled \$49,284.00. Failure to remit these fees to the Illinois EPA violates Illinois law. See 415 ILCS 5/21(k).

#### **2. Inadequate Fee Exemption Records**

During the record review, the Illinois EPA determined that each of Respondent’s Quarterly Solid Waste Summaries for calendar years 2016 through 2018 did not include information related to landfill tipping fee exemptions claimed at the subject property, which violates Illinois law and Illinois EPA regulations. See 415 ILCS 5/22.16a(e); 415 ILCS 5/22.46(e); 35 Ill. Adm. Code 858.207(a)(3).

### **Suggested Resolutions**

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

1. **Unpaid Fees.** **Within 45 calendar days of receipt of this Violation Notice (“VN”),** Respondent should remit to the Illinois EPA any unpaid fees required by the Illinois Environmental Protection Act, including the unpaid fees identified above. Fee payments may be made to:

*Illinois Environmental Protection Agency  
Attn: Fiscal Services – Mail Code 2  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

2. **Incomplete Fee Exemption Records.** **Within 45 calendar days of receipt of this VN,** Respondent should submit corrected copies of the incomplete Quarterly Solid Waste Fee Summaries identified above to:

*Illinois Environmental Protection Agency  
Attn: Becky Jayne – Mail Code 24  
1021 North Grand Avenue East  
Springfield, Illinois 62702*

3. **Future Operations.** **Within 45 calendar days of receipt of this VN,** Respondent should initiate protocols to ensure fees on waste streams for which payment is required are remitted to the Illinois EPA in accordance with applicable law and Illinois EPA regulations.