



**Mark A. Pfister, MSES, LEHP**  
Executive Director

500 W. Winchester Road  
Libertyville, Illinois 60048  
Phone 847 377 8020

March 7, 2022

Dan Powell  
CHDS LLC  
1098 S. Milwaukee Ave.  
Wheeling, IL 60090

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7015 3010 0000 1061 6023

Re: Violation Notice L2022 LK410  
Site #0971505067 - Lake County  
CHDS LLC  
Compliance File

Dear Mr. Powell:

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 / inspection conducted of CHDS LLC Compost Facility on February 17, 2022 by a representative of the Lake County Health Department (LCHD). CHDS LLC is listed as the operator on Permit No. 2018-507-DE/OP.

The LCHD 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 LCHD believes may resolve the specified alleged violations. 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 LCHD, must be submitted via certified mail to the LCHD 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 or not 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, written response must also include proposed terms for the CCA that includes 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.

Page 2 of 2  
File # 0971505067 - Lake County  
CHDS LLC  
March 7, 2022

The LCHD 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 LCHD. If the LCHD sends a proposed CCA, you must respond in writing by either agreeing to and signing the proposed CCA or by notifying the LCHD 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 LCHD may proceed with referral to a prosecutorial authority.

Written communications should be directed to:  
Lake County Health Department  
Attn: Michael Adam  
500 W. Winchester Rd., Suite 102  
Libertyville, IL 60048

Please include the Violation Number L2021 LK410 and the Site Identification Number 0971505067 on all written communications.

The complete requirement 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 me at 847-377-8002.

Sincerely,



Michael Adam  
Deputy Director  
Environmental Health

Attachment

cc: IEPA/DLPC Des Plaines Office/Springfield Office  
Lake County State's Attorney's Office  
Village of Round Lake Beach



**Mark A. Pfister, MSES, LEHP**  
Executive Director

500 W. Winchester Road  
Libertyville, Illinois 60048  
Phone 847 377 8020

March 7, 2022

Village of Round Lake  
Attn: Steven Shields  
422 North Cedar Lake Road  
Round Lake, IL 60073

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7015 3010 0000 1061 6016

Re: Violation Notice L2022 LK411  
Site #0971505067 - Lake County  
CHDS LLC  
Compliance File

Dear Mr. Shields:

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 / inspection conducted of CHDS LLC Compost Facility on February 17, 2022 by a representative of the Lake County Health Department (LCHD). The Village of Round Lake is listed as the owner on Permit No. 2018-507-DE/OP.

The LCHD 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 LCHD believes may resolve the specified alleged violations. 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 LCHD, must be submitted via certified mail to the LCHD 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 or not 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, written response must also include proposed terms for the CCA that includes 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.

Page 2 of 2  
File # 0971505067 - Lake County  
CHDS LLC  
March 7, 2022

The LCHD 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 LCHD. If the LCHD sends a proposed CCA, you must respond in writing by either agreeing to and signing the proposed CCA or by notifying the LCHD 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 LCHD may proceed with referral to a prosecutorial authority.

Written communications should be directed to:  
Lake County Health Department  
Attn: Michael Adam  
500 W. Winchester Rd., Suite 102  
Libertyville, IL 60048

Please include the Violation Number L2021 LK411 and the Site Identification Number 0971505067 on all written communications.

The complete requirement 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 me at 847-377-8002.

Sincerely,



Michael Adam  
Deputy Director  
Environmental Health

Attachment

cc: IEPA/DLPC Des Plaines Office/Springfield Office  
Lake County State's Attorney's Office  
Dan Powell

ATTACHMENT

1. Pursuant to Section 21(d)(1) of the Environmental Protection Act 415 ILCS 5/21 (d)(1), no person shall conduct any waste-storage, waste-treatment, or waste-disposal operation: 1. Without a permit or in violation of permit conditions.

The facility is in apparent violation of Section 21(d)(1) of the Environmental Protection Act for the following reasons: (1) violation of Permit No. 2018-507 DE/OP, Modification No. 1 Log No. 2019-359 conditions.

2. Pursuant to Permit No. 2018-507 DE/OP, Modification No. 1 Log No. 2019-359, Page 5, II Operation

- #18 The operator shall provide annual training to employees on facility operating procedures for both normal and emergency situations. New employees shall be trained prior to participating in operations at the facility relevant to their employment. Employees shall sign an acknowledgment stating that they have received training in facility operating procedures and such acknowledgment shall be made a part of the records for the facility.

The facility is in apparent violation of permit condition for failure to provide personal training acknowledgment forms for each employee.

3. Pursuant to Permit No. 2018-507 DE/OP, Modification No. 1 Log No. 2019-359, Page 6, III Composting and Composting Monitoring

- #7 The oxygen level of each windrow of composting material shall be monitored at least weekly.

The facility is in apparent violation of permit condition for failure to measure oxygen level of each windrow of composting material at least weekly.

- #9, The operator shall monitor the temperature of each windrow of composting material at least weekly.

The facility is in apparent violation of permit condition for failure monitor the temperature of each windrow of composting material at least weekly.

**EXPLANATION OF ACTIVITIES THAT MAY RESOLVE THE ALLEGED VIOLATIONS**

1. Provide the required response.
2. Procedures to ensure personal training acknowledgment forms for each employee will be provided annually.
3. Procedures to ensure the monitoring (temperature, oxygen, and moisture) of all windrows of composting material at least weekly.

**REQUIRED RESPONSE**

Within forty-five (45) calendar days of the receipt of this notice, you must submit in writing:

1. The reason for the alleged violations.
2. A description of the corrective action(s) that have been or will be taken to correct the alleged violations.
3. The time schedule for completion of the corrective action.
4. A proposal to ensure that the alleged violations will not recur.

# Illinois Environmental Protection Agency Delegated Agency Solid Waste Program On-Site/On-Site Commercial Compost Inspection

County: Lake BOL #: 0971505067 Region: 2 - Des Plaines  
 Site Name: CHDS LLC  
 Site Address: 25199 W. Il. Rte 120 City: Round lake IL 60073  
 Site Contact: Willard Laster / Dan Powell Phone: 815-322-3002 / 847-417-9946  
 Inspector: Giroux Email: stevecd@gmail.com  
danchds@gmail.com  
 Date/Times: 2/17/22 9:00 - 10:50 a.m. Interviewed: Records provided by Dan Powell  
 Weather: Office Record Review Complaint #: \_\_\_\_\_

**Owner Mailing Address**

Village of Round Lake  
 Attn: Steven Shields  
 422 North Cedar Lake Road  
 Round Lake, IL 60073

**Operator Mailing Address**

CHDS LLC  
 Attn: Dan Powell  
 1098 S. Milwaukee Ave.  
 Wheeling, IL 60090

**Chief Operator (conduct) Mailing Address (if applicable)**

\_\_\_\_\_

**Certified Operator (competency) Mailing Address (if applicable)**

\_\_\_\_\_

**Permit:**

DE: 2018-507 OP: \_\_\_\_\_ SigMod: \_\_\_\_\_ Current Mod or SP: \_\_\_\_\_  
 DE/OP

Expiration Date: May 31, 2024

Exempt per §21(d)(1)

**Operational Status (permitted and permit-exempt sites):**

Operating

Closed/Not Certified

Closed/Date Certified: \_\_\_\_\_

**Operational Status (unpermitted sites):**

Operating

Closed

**Summary of Apparent Violations (site in general compliance if no violations are listed)**

Status	Date	Violation	Explanation
V/C	10/13/21	21(d)	Conduct any waste-storage, waste-treatment, or waste-disposal operation:
		(1)	Without a permit or in violation of permit conditions

**Summary of Apparent Violations (site in general compliance if no violations are listed)**

Status	Date	Violation	Explanation
V	10/13/21	Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359	The permittee shall maintain the composting surface to allow diversion of run-on waters away from the composting area.
V	10/13/21	Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359	The permittee shall maintain the facility to prevent ponding of landscape waste leachate within the composting area or staging area. The facility shall be graded and maintained to promote and control runoff in accordance with the stormwater control plan contained in the Application Log No. 2018-507
V	10/13/21	Section 830.202(g)	The facility must be designed and constructed so that run-on is diverted around the composting area.
V	10/13/21	Section 830.204 (a)(b)	In addition to the leachate control requirements set forth in Section 830.202(g), all permitted landscape waste compost facilities must comply with the following:
V	10/13/21	(a)	a) Stormwater or other water which comes into contact with landscape waste received, stored, processed or composted or which mixes with landscape waste leachate, must be considered landscape waste leachate and must be collected and reused in the process, properly disposed of off-site or treated as necessary to discharge off-site to meet standards of 35 Ill. Adm. Code Section C.
V	10/13/21	(b)	Ponding of landscape waste leachate within the facility must be prevented.
V	12/01/21	Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359	Failure to develop the site in accordance with application Log No. 2019-359 as required by the permit.
	8/09/21	Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359	The maximum windrows dimensions shall not exceed 5 feet in height and 10 feet in width. The permittee shall maintain a minimum aisle spacing of 10 feet between windrows
V	2/17/22	Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359	The operator shall provide annual training to employees on facility operating procedures for both normal and emergency situations. New employees shall be trained prior to participating in operations at the facility relevant to their employment. Employees shall sign an acknowledgment stating that they have received training in facility operating procedures and such acknowledgment shall be made a part of the records for the facility.
V	2/17/22	Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359	The operator shall take measures to adjust the oxygen level within the windrow as necessary to promote aerobic composting. The oxygen level of each windrow of composting material shall be monitored at least weekly.

LAKE COUNTY HEALTH DEPARTMENT &  
COMMUNITY HEALTH CENTER  
Solid Waste Unit

DATE: February 17, 2022  
TO: File, CHDS, LLC  
FROM: Greg Giroux, Environmental Protection Specialist  
RE: Site #0971505067-Lake County, CHDS LLC Inspection

On Thursday, February 17, 2022 an in-office record review was conducted for the CHDS LLC site which included obtaining and reviewing information provided by CHDS LLC Operator Dan Powell.

Information provided by Mr. Powell included daily load inspection forms, windrow monitoring records for the landscape waste received by the facility from May 26, - December 1, 2021. Windrow monitoring records included % moisture and temperature readings. Based on the weekly windrow monitoring records provided the operator did not measure the percent (%) oxygen readings as required by the permit application Log No 2018-507 DE/OP.

According to the daily load inspection forms provided by CHDS LLC the facility accepted landscape waste between May 26 to December 1, 2021. Windrow monitoring records provided indicate windrow monitoring began on July 12, 2021. Between May 26 to July 11, 2021 the facility accepted at least 1,083 cubic yards of landscape waste with no windrow monitoring being conducted during this time period.

Verification that requisite personnel training has been done, in accordance with Section 830.210. Attached is a copy of the Personnel Initial Training Log /Refresher Training Log from the facilities permit application Log No. 2018-507 DE/OP. Personal Training Acknowledgment Forms for each employee were not provided.

Please provide dated copies of the compost analyses as required required pursuant to Section 830. 504. sampling and testing as well as any end-product shipment logs.

No photos or site map are included with this report.

**Violations Cited in VN L2022 LK410:**

- 1) Violation of Section 21(d)(1)(2) of the Environmental Protection Act 415 ILCS 5/21(d)(1)(2), No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation: 1. Without a permit or in violation of any condition imposed by such permit.
- 2) Violation of Permit No. 2018-507 DE/OP Modification No. 1, Log No. 2019-359 II Operation, page 5, Condition #18: The operator shall provide annual training to employees on facility operating procedures for both normal and emergency situations.



New employees shall be trained prior to participating in operations at the facility relevant to their employment. Employees shall sign an acknowledgment stating that they have received training in facility operating procedures and such acknowledgment shall be made a part of the records for the facility.

- 3) Violation of Permit No. 2018-507 DE/OP Modification No. 1, Log No. 2019-359, III Composting and Compost Monitoring, page 7, Condition #7, The oxygen level of each windrow of composting material shall be monitored at least weekly. Condition #9, The operator shall monitor the temperature of each windrow of composting material at least weekly.

**Unresolved Violation:**

Violation of Permit No. 2018-507 DE/OP Modification No. 1, Log No. 2019-359 Page 6,

III Composting and Compost Monitoring

(3) The maximum windrows dimensions shall not exceed 5 feet in height and 10 feet in width. The permittee shall maintain a minimum aisle spacing of 10 feet between windrows.

**Continuing Violations:**

Violation of Section 21(d)(1)

No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation:

1) Without a permit or in violation of permit conditions.

Violation of Permit No. 2018-507 DE/OP Modification No. 1, Log No. 2019-359 Page 8, IV Surface Water Management

(1) The permittee shall maintain the composting surface to allow diversion of run-on waters away from the composting area.

(3) The permittee shall maintain the facility to prevent ponding of landscape waste leachate within the composting area or staging area. The facility shall be graded and maintained to promote and control runoff in accordance with the stormwater control plan contained in the Application Log No. 2018-507

Section 830.202 Minimum Performance Standards and Reporting Requirements for Landscape waste Compost Facilities:

(g) The facility must be designed and constructed so that run-on is diverted around the composting area.

Section 830.204 Additional Stormwater and Landscape Waste Leachate Controls at Permitted Landscape Waste Compost Facilities:

In addition to the leachate control requirements set forth in Section 830.202(g), all permitted landscape waste compost facilities must comply with the following:

(a) Stormwater or other water which comes into contact with landscape waste received, stored, processed or composted or which mixes with landscape waste leachate, must be

considered landscape waste leachate and must be collected and reused in the process, properly disposed of off-site or treated as necessary to discharge off-site to meet standards of 35 Ill. Adm. Code Section C.

- (b) Ponding of landscape waste leachate within the facility must be prevented.

**Developmental Violation:**

Violation of Section 21(d)(1)

No person shall conduct any waste-storage, waste-treatment, or waste-disposal operation:

- 1) Without a permit or in violation of permit condition.

Log No. 2018-507 DE/OP is incorporated into the application Log No, 2019-359.

Failure to develop the site in accordance with application Log No. 2019-359 as required by the permit.

**35 IAC 830.206(e): Traffic Control**

Per 35 IAC 830.205(a)(1)(D), the landscape waste staging area must be adequate in size and design to facilitate unobstructed vehicle/equipment movement and unloading operations. Road-legal trucks will enter/exit via the main entrance off of Wilson Road. The drive, though not formally paved, consists of compacted gravel and recycled asphalt (i.e., not a dirt roadway). The drive connects the entrance to a 600-ft x 300-ft gravel pad to be built in the center-center east of the facility. The gravel pad is sufficiently large to accommodate vehicle and equipment traffic, as well as inspection and unloading of landscape waste into preliminary stockpiles. From the temporary "raw material" stockpiles, landscape waste will be distributed to stockpiles/windrows for active composting by facility equipment. After unloading, vehicles will leave by the main entrance.