

Entry Date	Narrative
11/8/2007	<p>At approximately 11:45a, while out of the office attending a meeting, I received a call from Solid Waste Coordinantor, Marlin Hartman (MH) (out of state at the time) informing me that he had checked his voice mail to find a handful of messages left this morning from residents along Budd and Highpoint Roads, concerning an alleged "over application" of ground yard waste on, and loose litter believed to be coming from, the Don Hanmman (DH) yard waste land application operation. Requests for inspections were made by several callers. Being out of town at the time, MH asked if a representative of the EH Unit could perform an inspection of the site (bordering Rt. 71 to the south, Budd Rd. to the north - hereafter referred to as "the site") to make and document our own obseravtions first hand. I elected to leave my meeting and travel to the site immediately. Enroute I checked my office voice mail; I too received simialr messages from the same callers leaving messages on MH's phone. Messages were left in the following order and all carried the same theme; alleged "thick" applications of yard waste, litter, and a request for inspection: Mrs. Pobol, 10:30a; Mrs. Gilbert, 11:16a; Ray Corn (sp?) of 20 Cottswold, 11:16a; Todd Miller, 10:45a. Mrs. Pobol had called a second time, at 10:45a, to inform us that DH's staff was now plowing the yard waste into the ground (and out of site).</p> <p>12:00p, while enroute to the site, I called each complainant, reaching none, but leaving a detailed message on answering machines stating the health department was on its way to investigate activity at the site, and asking for calls back in an effort to gain consent, access and a vantage point from anyone or all of the caller's properties. I also called IEPA field compliance officer, Gino Bruni (GB), to no avail, leaving him a voice mail describing the calls/complaints, and requesting a return call to discuss possible scenarios and strategies as they might pertain to the IEPA's in-process Notice of Violation (NOV). Receiving no calls back, I continued to the site, specifically the material drop off/grinding/processing area accessible via the Rt. 71 main entrance. I also called EH Unit sanitation, Aaron Rybski (AR), stationed in the office at the time, asking that he meet me at the site with a digital camera. Once AR arrived, at 12:15p, together, we entered the site. We were met instantly by DH associate, Larry Cooper (LC), who was working the chisel plow over an area of freshly applied ground yard waste. A small pile of yard waste, approximatley 30 yards or one semi truck load, that appeared to consist mostly of tree leaves and branches, was observed near the grinder (over the course of our two hour visit, AR and I observed 4 trucks/loads of yard waste material, predominantly leaves, being dropped off; this material was observed to be picked by laborers for gross litter and inorganic debris (which was deposited in a roll-off container), ground, and deposited into a specially fitted dump truck for ground application.). Mr. Cooper stated he was unaware of any complaints receievd on this day, explained that he was in the process of chisel plowing a land application of leaves, and elected to call DH (who happened to be plowing as well, in the NW section of the site), informing him of our presence. Within minutes, DH arrived at the processing area and joined us in discussion.</p> <p>DH assured AR and me that he was properly applying ground leaves. I asked DH and LC if any form of weighing/measuring of incoming and/or ground material was performed (based on the earlier direction/advice of IEPA Gary Cima to DH) to determine an appropriate application rate. Again, DH assure us that the applications were proper. Again I asked for proof of assurance and was explained no weighing or measuring had been performed. I then asked to see an area of the site freshly applied to, first hand, and/or to have a "pass" of the dump truck made in front of us. DH offered to take AR and me to several areas that had just been applied to. We had little choice but to have DH drive us to said sites as neither of our personal vehicles are designed or intended to travel across vast stretches of plowed farmland.</p> <p>DH drove us to several locations throughout the site, each time stopping his truck to allow us to get out and measure application thickness. At each location, the results were the same; according to our measuring tape, thickness of the ground leaves, which yielded little to no odor, earthy at that, ranged anywhere from 3/4" to 5". The reason for the inconsistency in thickness appeared to be due in large part to the undulating terrain. A fair amount of litter and debris was present in the material, however several laborers were observed walking abreast along the rows of application actively picking up and bagging the litter (according to DH, these laborers perform a second pick up of the same passes after chisle plowing takes place. Additionally, numerous refused bags filled with litter were observed in the roll-off dumpster stationed at the processing area.) I took the opportunity to express to DH the importance of routine and effective litter pick up and removal.</p> <p>DH then asked if he could tour us through application sites south of Rt. 71 for a view of post-application conditions, and to provide us with a "heads-up" on a bio-solids land application in process on neighboring Ag property owned by Gary Bretthauer that DH believed might generate complaints against him (fearing complainants possibly believing the property and activity belonging to him). We did not object to the tour, and the opportunity to access and see portions of DH's property typically not accessible by our staff. At no time did we observe any issues with reference to DH property located south of Rt. 71. We then returned to our initial meeting location and, before leaving the site, AR and I took the opportunity to again watch all steps of the process on foot and from a vantage point of high elevation. The process appeared to be running relatively seamless; product receieved, product picked of large inorganic debris, material ground and conveyed into dump trucks, dump trucks applying material to fresh ground and in a rows (speed of vehicles difficult to determine), litter pick-up over applied rows, chisel plowing of rows, a second litter pick up performed, disk plowing, and, according to DH but not observed in the time we had, a moboard plowing of areas applied to was to be performed by day's end).</p> <p>At issue; there remains the need for a formal, scientific based, IEPA produced and/or supported method for determining exceedances of maximum allowable application rates (i.e. 20 tons/acre/yr). Inconsistencies in the topography and terrain make difficult measuring thickness of applications with any consistency or accuracy (i.e., does one average the highs and lows?) Due to this lack of an official protocol, subscribed to by all parties involved, Mr. Hamman was not told nor was he considered (with any certainty) to be in violation of a county ordinance or court order at the time of this inspection. We await further word from the IEPA on the status of their impending NOV, and will offer today's observations to their agency for their review and to be included in their</p>

