

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

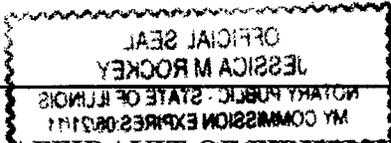
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CLERK'S OFFICE

APR 30 2008

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF

RCRA DELISTING ADJUSTED STANDARD ) AS 08-010  
PETITION OF PEORIA DISPOSAL COMPANY ) (Adjusted Standard – Land)  
) (RCRA Delisting)



AFFIDAVIT OF FILING BY FEDERAL EXPRESS and  
SERVICE BY U.S. MAIL, FIRST CLASS

The undersigned attorney hereby certifies that she has caused to be filed and served the following documents in the above-captioned matter in accordance with the Illinois Environmental Protection Act and regulations, by causing the original and nine copies of each document to be sent by Federal Express for overnight delivery to the Clerk of the Illinois Pollution Control Board on the 29th day of April, 2008:

- a) a Certificate of Publication from the Peoria Journal Star, Inc.; and
- b) this Affidavit of Filing and Service.

One copy of each of the foregoing documents was served by placing same in the U.S.

Mail, First Class postage prepaid, addressed as follows:

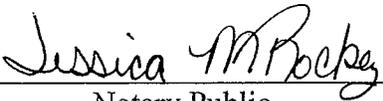
United States Environmental Protection Agency  
Office of Solid Waste and Emergency Response  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

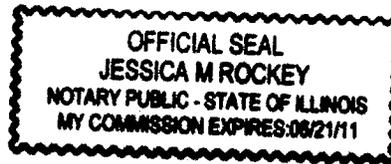
United States Environmental Protection Agency, Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604

Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62794-9276

  
Janaki Nair

Subscribed and sworn to before me  
this 29th day of April, 2008

  
Notary Public



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# Certificate of Publication

STATE OF ILLINOIS,

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County of Peoria.

The Peoria Journal Star, Inc. (which is incorporated and doing business under and by virtue of the Laws of the State of Illinois) HEREBY CERTIFIES that it is the printer and publisher of the Journal Star, which is a public secular newspaper of general circulation printed and published daily in the City of Peoria, County of Peoria and State of Illinois, and that said newspaper has been regularly published in said City for at least one (1) year prior to the first publication of the notice hereto attached.

Said Corporation further certifies that the said notice entitled:

**"NOTICE OF PETITION BY PEORIA DISPOSAL COMPANY FOR AN ADJUSTED STAND"**

hereto attached has been published **1 time(s)** in the Peoria Journal Star, on the following respective dates:

The 28th day of April A.D., 2008

IN WITNESS WHEREOF, the said Corporation has caused this Certificate to be signed in its name on its behalf by **Judy Little** this **28th** day of **April** A.D., **2008**.

The Peoria Journal Star, Inc.

By: Judy Little

**REGULATORY  
NOTICE OF PETITION  
BY PEORIA DISPOSAL  
COMPANY FOR AN  
ADJUSTED STANDARD  
BEFORE THE ILLINOIS  
POLLUTION  
CONTROL BOARD**

This notice is published pursuant to 415 ILCS 5/28.1 and 35 Ill. Adm. Code 104.308 to inform the public of the submittal by Peoria Disposal Company ("PDC"), 4349 W. Southport Rd., Peoria, Illinois 61615, of a RCRA delisting adjusted standard petition to the Illinois Pollution Control Board (the "Board") on April 25, 2008, docketed as Case No. AS08-10.

In the petition, PDC seeks the delisting of residues from the treatment of electric arc furnace ("EAF") dust created by steel mills, which residues are generated at PDC's waste stabilization facility located at 4349 W. Southport Rd., Peoria, Illinois 61615. The electric arc furnace dust is a listed hazardous waste designated as hazardous waste code K061, identified in 35 Ill. Adm. Code 721.132. The residue that PDC generated from the treatment of K061 EAF dust is classified as a K061 hazardous waste by virtue of the "derived from" rule in 35 Ill. Adm. Code 721.103(e), because it is generated from the treatment of a listed hazardous waste.

Under the proposed adjusted standard, up to 95,000 cubic yards per year of residue generated at the PDC waste stabilization facility from treatment of K061 EAF dust ("EAF dust stabilized residues") will be excluded from the list of hazardous wastes contained in Subpart D of 35 Ill. Adm. Code 721. The EAF dust stabilized residues must meet rigorous verification and batch testing requirements to ensure that hazardous constituents are not present in the EAF dust stabilized residues at levels that pose a risk to human health or the environment. The EAF dust stabilized residues will no longer be subject to regulation under 35 Ill. Adm. Code Parts 722-728 and the permitting standards of 35 Ill. Adm. Code 703. The EAF dust stabilized residues shall be disposed in a lined landfill with leachate collection and all necessary authorizations pursuant to the Board's non-hazardous landfill regulations found at 35 Ill. Adm. Code 810-815. The landfill used for disposal shall be located in the State of Illinois.

Any person may cause a public hearing to be held in the above-described delisting proceeding by filing a hearing request with the Board within 21 days after the date of the publication of this notice. The hearing request should clearly indicate the docket number for the delisting proceeding, as found in this notice, and must be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601.