



SIERRA CLUB
FOUNDED 1892

Heart of Illinois Group *[Signature]* P.O. Box 3593, Peoria, IL 61614

2419 E. Reservoir
Peoria, IL 61614-8029
January 5, 2009

RECEIVED
CLERK'S OFFICE
JAN 06 2009
STATE OF ILLINOIS
Pollution Control Board

Clerk of the Board
Illinois Pollution Control Board
RE: Case Number. AS 08-10
100 W. Randolph Street, Suite 11-500
Chicago, IL 60601

PC#326

Additional Issues Regarding: Case AS 08-10

Peoria Disposal Company RCRA Delisting Adjusted Standard, Electric Arc Furnace Dust Waste

To the Members of the Illinois Pollution Control Board:

The December 29, 2008, and the December 17, 2008, letters of Mr. Thomas P. McCullough regarding the Peoria Disposal Company application for delisting of Electric Arc Furnace Dust waste have raised new and troubling issues regarding the PDC application. Heart of Illinois Group Sierra Club asks the Illinois Pollution Control Board to closely review the points raised by Mr. McCullough.

Mr. McCullough's question asking if PDC would be allowed to alter their proposed treatment reagents, if they were to receive approval, is of great concern to us. This point raises new and grave worries for Heart of Illinois Sierra Club, who already sees contamination of Indian Creek, next to the Hopedale Municipal Waste Landfill, and the Mackinaw River, in addition to area groundwater, major long-term impacts with this application. If PDC can alter their proposed treatment process, what testing will be required to insure that their claimed procedures work as they are supposed to? We are also greatly concerned that the full specter of unintended consequences could ensue, with municipal waste residues, organics, and other landfill mixtures impacting the secret treatment process PDC proposes. The fact that this delisting would allow PDC to off-ship their treated EAF waste to unsuspecting municipal waste landfills located anywhere in Illinois makes the issues in this delisting application of state-wide importance and impact. Questionable treatment processes are too great a risk.

We are also wondering if PDC is actually infringing on other patents, and if they receive delisting approval, will they have to find a different treatment process? Will they be allowed to off-ship treated EAF to municipal waste landfills in the interim? Will they have to submit a new delisting application and go through the filing process if they are indeed committing a patent infringement and have to change their planned treatment process?

Heart of Illinois Sierra Club urges that this delisting application be denied.

Sincerely,

Joyce Blumenshine
Joyce Blumenshine
Heart of Illinois Sierra

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FAX NUMBER: 312-814-3669

FROM:

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TOTAL PAGES BEING SENT: 2

DATE: Jan. 6, 2009