

THE LAW OFFICES OF
LAROSE & BOSCO, LTD.

MARK A. LAROSE*
JOSEPH A. BOSCO*
DAVID KOPPELMAN
JUSTIN E. BURTNETT
DAVID J. BERAULT
CHARISSE LOGARTA
ANDREW T. SPERRY

200 N. LASALLE STREET
SUITE 2810
CHICAGO, IL 60601
(312) 642-4414
FAX (312) 642-0434
www.laroseandbosco.com

OF COUNSEL
HON. ANTHONY J. BOSCO (1928-2008)
JOSEPH G. ALIOTO**
CLARISSA Y. CUTLER*

February 22, 2010

135 S. WHITTAKER
NEW BUFFALO, MI 49117
(269) 469-8440
FAX (269) 469-8442

*ADMITTED IN MICHIGAN ALSO
**ADMITTED IN WISCONSIN ONLY

BY HAND DELIVERY

Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
Attention: Mr. John Theriault, Clerk

PCB 10-64

**RE: 0630600001 – Grundy County
Community Landfill – Parcel B
Permit No. 2000-155-LFM
Log No. 2009-425
Permit Landfill 811 File
Permit Denial**

**0630600001 – Grundy County
Community Landfill – Parcel A
Permit No. 2000-155-LFM
Log No. 2009-424
Permit Landfill 811
Permit Denial**

Dear Mr. Theriault:

This firm represents Community Landfill Co. (CLC) and we are in receipt of the Illinois Environmental Protection Agency's letters dated January 11, 2010 denying CLC's application for a permit for significant modification to modify a solid waste management site (Log No. 2009-425 and 2009-424) as referenced above. Copies of the IEPA's permit denial letters are attached.

On behalf of CLC and pursuant to 415 ILCS 5/40(a)(1) and 35 Ill. Adm. Code § 105.208, enclosed are letters signed by the Agency constituting joint written notice of extension of time for 90 days (to April 12, 2010) for CLC to file its petition for hearing before the Illinois Pollution Control Board in the above-referenced matters. This notice is timely made.

Illinois Pollution Control Board
Attention: Mr. John Theriault, Clerk
February 22, 2010
Page 2 of 2

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Mark A. LaRose

MAL/mk
Enclosures

cc: Community Landfill Co. (by U.S. Mail)
Mr. Stephen Nightingale (by fax (217) 524-3291 & U.S. Mail)
Ms. Christine Roque (by fax (217) 524-3291 & U.S. Mail)
Ms. Clarissa Y. Cutler (by U.S. Mail)
Mr. Scott M. Belt (by U.S. Mail)
City of Morris, Mayor Kopczick (by U.S. Mail)

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BY FAX (217) 524-3291
Mr. Stephen F. Nightingale, P.E.
Manager, Permit Section – Bureau of Land
Illinois Environmental Protection Agency
1021 North Grand Avenue
P. O. Box 19276
Springfield, IL 62794-9276

**RE: 0630600001 – Grundy County
Community Landfill – Parcel A
Permit No. 2000-155-LFM
Log No. 2009-424
Permit Landfill 811
Permit Denial**

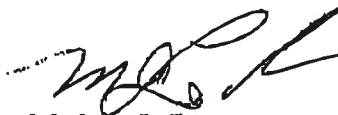
Dear Mr. Nightingale:

We are in receipt of the permit denial for the above-referenced matter that your office faxed to us today. Thank you for forwarding same to my attention. We respectfully request that the Agency provide its joint written notice of a 90-day extension for Community Landfill Co. to file its petition for hearing with the Illinois Pollution Control Board (until April 12, 2010) by signing where indicating below and faxing a copy to my attention by the end of today.

February 22, 2010
Page 2 of 2

Please contact me immediately if you have any questions or if the Agency does not intend to jointly agree to this extension. Thank you for your prompt attention to this matter.

Very truly yours,



Mark A. LaRose

MAL/mk
Enclosures

**THIS CONSTITUTES THE AGENCY'S
AGREEMENT TO PROVIDE JOINT NOTICE
OF A 90-DAY EXTENSION FOR
COMMUNITY LANDFILL CO. TO FILE ITS
PETITION FOR HEARING WITH THE
ILLINOIS POLLUTION CONTROL
BOARD (UNTIL APRIL 12, 2010)**

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By Christian J. Liebman 2/22/2010
Date

MAL/mk
Enclosures

cc: Community Landfill Co. (by U.S. Mail)
Ms. Clarissa Y. Cutler (by U.S. Mail)
Ms. Christine Roque (by fax (217) 524-3291)
Mr. Scott M. Belt (by U.S. Mail)
City of Morris, Mayor Kopczick (by U.S. Mail)



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

217/524-3300

January 11, 2010

CERTIFIED MAIL

7004 2510 0001 8615 9425

7004 2510 0001 8615 9432

OWNER

City of Morris
Attn: Mayor Richard Kopczick
320 Wauponsee Street
Morris, Illinois 60450

OPERATOR

Community Landfill Company
Attn: Mr. Robert J. Pruim
1501 S. Ashley Road
Morris, Illinois 60450

Re: 0630600001 -- Grundy County
Community Landfill -- Parcel A
Permit No. 2000-155-LFM
Log No. 2009-424
Permit Landfill 811 File
Permit Denial

Dear Mayor Kopczick and Mr. Pruim:

This will acknowledge receipt of your Application for Permit for a significant modification to modify a solid waste management site, dated August 17, 2009 and October 9, 2009, and received by the Illinois EPA on August 18, 2009 and October 13, 2009, respectively.

Your permit application (Log No. 2009-424) proposes to reduce the closure/post-closure care and corrective action cost estimates for Morris Community Landfill Parcel A from \$12,357,756.00 to \$3,374,999.00. This permit application is denied.

You have failed to provide proof that granting this permit would not result in violations of the Illinois Environmental Protection Act (Act). Section 39(a) of the Act [415 ILCS 5/39(a)] requires the Illinois EPA to provide the applicant with specific reasons for the denial of permit. The following reasons are given:

1. Morris Community Landfill Parcel A is an existing permitted municipal solid waste landfill unit, which is subject to the requirements of 35 IAC Section 814 Subpart C. As such, the owner/operator must provide cost estimates for closure/post-closure care and corrective action for the landfill, per 35 IAC Subsections 811.704 and 812.115. These cost estimates are needed to determine the amount of financial assurance that the owner/operator must post to cover the cost of closure/post-closure care and corrective action, per 35 IAC 811.700 and 811.706 and Section 21.1 of the Act. The cost estimates, proposed in Log No. 2009-424, may underestimate the cost of closure/post-closure care and corrective action and may,

Page 2

therefore, violate the aforementioned regulatory and statutory citations for the following reasons:

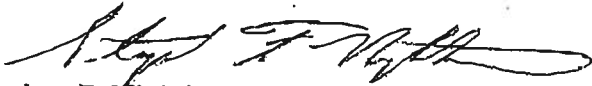
- a. The application provides a cost estimate for constructing an inert waste landfill final cover system (35 IAC 811.202), rather than the appropriate, and more costly, putrescible waste landfill final cover system (35 IAC 811.314).
 - b. The cost estimate assumes that final cover has been applied to a portion of the site, referencing a "Landfill Cover Characterization and Verification of Thickness Report" dated November 2007. However, this report is not included in the application. [Note: Documentation of construction of final cover is subject to the permitting process described in 35 IAC 813.203].
 - c. No cost is provided for the groundwater remediation plan.
 - d. No justification is provided for the unit costs, that were used to calculate the cost estimates. Furthermore, the cost estimates for earthwork, including stormwater features and final cover certification, need to be broken down into tasks, labor, and materials.
 - e. No justification is provided for the cost estimate proposed for final cover and vegetation maintenance during the post-closure care period.
 - f. The cost estimate for leachate monitoring is based on fewer monitoring points and less frequent testing than what is required by the landfill's permit.
 - g. The application does not include documentation of leachate generation rates. This is needed to accurately estimate the cost of leachate collection and management.
2. Pursuant to Section 39(i)(2) of the Act [415 ILCS 5/39(i)(2)], the Illinois EPA may deny a permit if the owner or operator has a history of conviction of a felony in federal court. In accordance with Section 39(i) of the Act, the Illinois EPA conducted an evaluation of Community Landfill Corporation's prior experience in waste management operations. Based on the felony conviction of Robert J. Prum, which is directly related to the management of waste in Illinois, the Illinois EPA, by the authority granted in Section 39(i) of the Act is denying this permit. Mr. Robert J. Prum was convicted in federal court of a felony in the case of U.S.A. v. Prum, et al., No. 93-CR-682 (Dist. Ct. N-IL).

Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

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Should you wish to reapply or have any questions regarding this application, please contact Christine Roque at 217/524-3299.

Sincerely,



Stephen F. Nightingale, P.E.
Manager, Permit Section
Bureau of Land

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CSL CMR

cc: Jesse P. Varsho, P.E. - Shaw Environmental, Inc.