

**Larry M. Clark**

Attorney At Law

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August 20, 2010

Illinois PCB, Attn: Clerk John Therriaj  
James R. Thompson Center  
100 W. Randolph, Suite 11-500  
Chicago, IL 60601

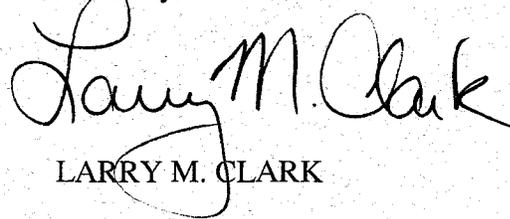
Re: Permit Denial by IEPA  
0978105010 - Lake County  
Van Zelst Landscape Compost Facility  
Log No. 2010-107  
03T Compost

Dear Mr. Therriaj:

Please consider this letter as a request to extend the time for filing an appeal to the Illinois Pollution Control Board to 90 days from the decision of the Illinois Environmental Protection Agency dated July 22, 2010, a copy of which is attached hereto.

I look forward to your response. Thank you.

Sincerely,



LARRY M. CLARK

encl  
cc Van Zelst  
LMC/sr



## 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

July 22, 2010

Certified Mail

7008 1830 0001 4713 3525

Van Zelst Landscape Compost Facility  
39400 North Highway 41  
Wadsworth, Illinois 60083

Re: 0978105010 – Lake County  
Van Zelst Landscape Compost Facility  
Log No. 2010-107  
03T Compost  
Permit Denial

Dear Mr. Van Zelst:

This will acknowledge receipt of your Application for Permit to develop and operate a landscape waste compost facility, dated March 10, 2010 and received by the Illinois EPA on March 24, 2010.

Your permit application to develop and operate a landscape waste compost facility 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 reason(s) are given:

1. The proposed facility does not meet the required setback of an 1/8 of a mile from the nearest residence as required, pursuant to 35 IAC 830.203(a)(3).

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.

Should you wish to reapply or have any questions regarding this application, please contact Derek Rompot at 217/524-3262.

Sincerely,

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

SFN:DCR:mIs/101622.doc

cc: Christopher Martell, P.E., CDM

Rockford • 4302 N. Main St., Rockford, IL 61103 • (815) 987-7760

Elgin • 595 S. State, Elgin, IL 60123 • (847) 608-3131

Bureau of Land – Peoria • 7620 N. University St., Peoria, IL 61614 • (309) 693-5462

Collinsville • 2009 Mall Street, Collinsville, IL 62234 • (618) 346-5120

Des Plaines • 9511 W. Harrison St., Des Plaines, IL 60016 • (847) 294-4000

Peoria • 5415 N. University St., Peoria, IL 61614 • (309) 693-5463

Champaign • 2125 S. First St., Champaign, IL 61820 • (217) 278-5800

Marion • 2309 W. Main St., Suite 116, Marion, IL 62959 • (618) 993-7200