

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
PETITION OF BRICKYARD DISPOSAL) AS 13 - 04
& RECYCLING, INC.)
PURSUANT TO 35 Ill. Adm. Code)
814.402 (b)(3)) (Adjusted Standard-Land)

To: Pollution Control Board, Attn: Clerk Division of Legal Counsel
100 West Randolph Street Illinois Environmental Protection Agency
James R. Thompson Center, Suite 11-500 1021 North Grand Avenue, East
Chicago, Illinois 60601-3218 P.O. Box 19276
Springfield, Illinois 62794-9276

NOTICE OF FILING

PLEASE TAKE NOTICE that on Thursday, June 13, 2013, I have filed with the Clerk of the Pollution Control Board the Notice of Publication in this matter pursuant to 35 Ill. Adm. Code 104.408 and 104.410, a copy of which is attached hereto and served upon you.

Respectfully submitted,

BRICKYARD DISPOSAL & RECYCLING, INC.

By: /s/William D. Ingersoll
One of Its Attorneys

Dated: June 13, 2013

BROWN, HAY & STEPHENS, LLP

Claire A. Manning
Registration No. 3124724
William D. Ingersoll
Registration No. 6186363
205 S. Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705-2459
(217) 544-8491

NOTICE OF PUBLICATION

Brickyard Disposal & Recycling, Inc., through its attorneys, Brown, Hay & Stephens, LLP, hereby files the attached Certificate of Publication of the “Notice of Brickyard Disposal & Recycling, Inc., (hereinafter “Brickyard”) for an Adjusted Standard before the Illinois Pollution Control Board” (Exhibit A), which appeared in COMMERCIAL-NEWS, a daily newspaper of general circulation printed and published in Danville, Illinois, on June 4, 2013.

Pursuant to 35 Ill. Adm. Code 104.408 Brickyard Disposal & Recycling, Inc. was required to cause the publication of its Notice of Petition for an Adjusted Standard before June 14, 2013. The timely notice was published on June 4, 2013. Pursuant to 35 Ill. Adm. Code 104.410, proof of that publication is required by filing a certificate of publication within 30 days of the filing of the petition, and this filing timely satisfies that requirement.

Respectfully submitted,

BRICKYARD DISPOSAL AND RECYCLING, INC.

By: /s/William D. Ingersoll
One of Its Attorneys

Dated: June 13, 2013

BROWN, HAY & STEPHENS, LLP

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STATE OF ILLINOIS)
County of Vermilion) ss.
City of Danville)

14322167

NEWSPAPER HOLDINGS INC., DBA THE COMMERCIAL-NEWS, a corporation, organized and existing under and pursuant to the laws of the State of Illinois, HEREBY CERTIFIES.

That it is the PUBLISHER of the COMMERCIAL-NEWS, and the COMMERCIAL-NEWS is a secular newspaper of general circulation in Vermilion County, Illinois, printed and published in the City of Danville, Vermilion County, Illinois:

That a notice, of which the annexed is a true copy, has been regularly published, in said newspaper one time each day/week for 1 successive days/weeks/times.

That the first of such publications was on the 4 day of June 20 13, and the last publication was on the 4 day of June 20 13.

That the COMMERCIAL-NEWS has been regularly published for at least six (6) months prior to the first publication of said notice: that the face of the type in which such publication was made is the same as the body type used in the classified advertising in the newspaper in which such publication was made.

That Beverly Joyce has been duly appointed as agent of said company and authorized to certify all certificates of publication required to be made on account of publications made in the COMMERCIAL-NEWS, and that such appointment is still in full force and effect.

IN WITNESS WHEREOF, the said NEWSPAPER HOLDINGS INC., DBA THE COMMERCIAL-NEWS, PUBLISHER, aforesaid, has caused its corporate name to be hereinto affixed, and this certificate executed by Beverly Joyce its authorized Agent, on this 4 day of June, A.D. 20 13.

Printer's Fee \$ 117.⁶⁰

NEWSPAPER HOLDINGS INC.,
D.B.A. COMMERCIAL-NEWS

Date Paid _____ 20 ____ .

By: Beverly Joyce
Authorized Agent

LEGAL NOTICE

Notice of Petition by Brickyard Disposal & Recycling, Inc., (hereinafter "Brickyard") for Adjusted Standard before the Illinois Pollution Control Board. On May 31, 2013, Brickyard filed with the Illinois Pollution Control Board (hereinafter "Board") a Petition for an Adjusted Standard pursuant to Section 28.1 of the Environmental Protection Act and the Board regulation at 35 Ill. Adm. Code 814.402(b)(3) (Docket AS 2013-004). Brickyard is located at 601 Brickyard Road, Danville, Illinois. Brickyard operates a solid waste landfill at this location consisting of two units. Unit 1 no longer receives waste and, in order to achieve effective closure, seeks an adjustment of the groundwater monitoring points of compliance, particularly as they relate to the location of the zone of attenuation. The adjustment is provided for in Section 814.402(b)(3) and seeks an alternative standard, subject to permitting, than that required in 35 Ill. Adm. Code 811.318(b)(3), 811.318(b)(5) and 811.320(c). Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Board within 21 days after the date of publication of this notice. The hearing request should clearly indicate the docket number for the adjusted standard 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.

CERTIFICATE OF SERVICE

I, the undersigned certifies that service of the Notice of Publication on behalf of
Brickyard Disposal & Recycling, Inc. were made, as indicated below, to:

Clerk, Illinois Pollution Control Board
100 West Randolph Street
James T. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218
(Via Electronic Filing)

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
(Via Email and First Class Mail)

/s/William D. Ingersoll

Dated: June 13, 2013

BROWN, HAY & STEPHENS, LLP

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