

1 BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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5 IN THE MATTER OF:

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7 MUNICIPAL SOLID WASTE LANDFILLS - R98-28

8 NON-METHANE ORGANIC COMPOUNDS (Rulemaking-Air)

9 35 ILL. ADM. CODE 201.103, 201.146,

10 and PART 220

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14 Proceedings held on May 13, 1998 at 1:05 p.m., at

15 the Sangamon County Building, 200 South Ninth Street,

16 Springfield, Illinois, before the Honorable Catherine

17 F. Glenn, Hearing Officer.

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Reported by: Darlene M. Niemeyer, CSR, RPR
22 CSR License No.: 084-003677

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A P P E A R A N C E S

Board Member Ronald C. Flemal, Ph.D.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

BY: Rachel Doctors

Assistant Counsel

2200 Churchill Road

Springfield, Illinois 62794-9276

On behalf of the Illinois EPA.

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1 PROCEEDINGS

2 (May 13, 1998; 1:05 p.m.)

3 HEARING OFFICER GLENN: Good afternoon. My name
4 is Catherine Glenn. I am the hearing officer in this
5 proceeding entitled: In the Matter of Municipal Solid
6 Waste Landfills - Non-Methane Organic Compounds, 35
7 Illinois Administrative Code 201.103, 201.146, and
8 Part 220. Present today on behalf of the Illinois
9 Pollution Control Board, and seated to my left, is Dr.
10 Ronald Flegal.

11 As background for this proceeding today, Public
12 Act 90-489, which became effective on January 1st,
13 1998, requires the Board to request the Department of
14 Commerce and Community Affairs, or DCCA, to conduct an
15 Economic Impact Study, or ECIS, on certain proposed
16 rules prior to adoption of those rules. If DCCA
17 chooses to conduct an Economic Impact Study, DCCA has
18 30 to 45 days after such request to produce a study of
19 the economic impact of the proposed rules. The Board
20 must make the Economic Impact Study or DCCA's
21 explanation for not conducting the study available to
22 the public at least 20 days before public hearing on
23 the economic impact of the proposed rules.
24 The rulemaking that is the subject of this hearing
25 has been determined by the Board to be subject to

1 Public Act 90-489. In accordance with this public
2 act, the Board has requested by a letter dated March
3 20th, 1998, that DCCA conduct an Economic Impact Study
4 for the aforementioned rulemaking. In addition to
5 requesting that DCCA conduct an ECIS, the Board
6 requested that DCCA notify it within 10 days after
7 receipt of the request whether DCCA intended to
8 conduct the Economic Impact Study.

9 The Board further noted that if it did not receive
10 such notification, the Board would rely on the letter
11 from DCCA dated January 26, 1998, as the required
12 explanation for not conducting the Economic Impact
13 Study. The January 26, 1998 letter from DCCA notified
14 the Board that DCCA would not be conducting economic
15 impact studies on rules pending before the Board
16 during the remainder of the fiscal year of 1998
17 because DCCA lacked, among other things, the financial
18 resources to conduct such studies.

19 The 10 days for DCCA to notify the Board have
20 expired and the Board has not received any
21 notification from DCCA that it will conduct an
22 Economic Impact Study on the rulemaking today.
23 Accordingly, the Board has relied on the January 26,
24 1998 letter as DCCA's explanation for not producing
25 the study. DCCA's January 26, 1998 letter, as well as

1 the Board's letter to DCCA requesting that an Economic
2 Impact Study be conducted, are available for review at
3 the Board's Chicago office, Office of the Clerk, James
4 R. Thompson Center, 100 West Randolph, Suite 11-500,
5 Chicago, Illinois. Copies also have been placed at
6 the table in the front.

7 All hearings required by the Environmental
8 Protection Act except for the Section 27(b) ECIS
9 hearing will have been completed in this docket. The
10 Board holds this hearing for the public to comment on
11 DCCA's explanation for not conducting an ECIS in this
12 rulemaking and also for the purpose of presenting
13 testimony, documents, and comments by affected
14 entities and other interested parties. Like other
15 Board regulatory hearings, any person who testifies
16 will be sworn and subject to questioning. Moreover,
17 this hearing will be governed by the Board's
18 procedural rules for regulatory proceedings. All
19 information which is relevant and not repetitious or
20 privileged will be admitted.

21 Are there any questions regarding the procedures
22 that we will follow this afternoon? Seeing none, I
23 would ask Dr. Flemal if he has any comments that he
24 would like to make.

25 BOARD MEMBER FLEMAL: Nothing other than to

1 welcome the participants of this hearing.

2 HEARING OFFICER GLENN: Also, I would like to add

3 at the table in the front there are copies of the

4 Hearing Officer orders and the Board's first notice

5 order if anyone is interested in those.

6 Would anyone present here today like to comment on

7 DCCA's explanation for not conducting an Economic

8 Impact Study for In the Matter of: Municipal Solid

9 Waste Landfills - Non-Methane Organic Compounds, 35

10 Illinois Administrative Code 201.103, 201.146, and

11 Part 220?

12 Seeing as no one would like to comment on DCCA's

13 explanation, is there anyone here who would like to

14 comment on the proposal in the above-referenced

15 matter?

16 MS. DOCTORS: Yes, I would.

17 HEARING OFFICER GLENN: Ms. Doctors, would you

18 like to make a statement?

19 MS. DOCTORS: Yes, I would like to respond to some

20 questions that were raised by the Board and the public

21 at the previous hearing. The first set of questions

22 were raised by Lyle Tripena (spelled phonetically) and

23 it concerned the testing criteria for removal of the

24 gas collection and control system as it appears in

25 Section 220.250(h)(4). Specifically he asked, can

1 only three emission tests be done or can more tests be
2 done.

3 The Agency would like to clarify its response.

4 The rule does not limit the number of emission tests
5 that an owner or operator may perform. However, under
6 the general authority of the Environmental Protection
7 Act and of the Pollution Control Board regulations to
8 include conditions in permits, the Agency routinely
9 includes the requirement that an owner or operator
10 notify the Agency at least 30 days prior to testing,
11 and the Agency routinely observes such testing.

12 Further, if a source elects to perform more than
13 the required number of tests, the Agency would require
14 an explanation as to why the test results that were
15 submitted are representative of normal operating
16 conditions. In addition, the Agency has the authority
17 to request that an owner or operator conduct an
18 emissions test at its own expense and to observe that
19 test, specifically, at Section 220.260(g)(1) and
20 201.282(a).

21 However, in looking at this I realized that the
22 Agency's proposal had a limitation in it. When we
23 asked -- when we required that the owner or operator
24 notify the Agency of tests, we limited it to
25 performance tests, and I believe that that is

1 inconsistent with our general grant of authority to
2 impose permit conditions. So we would request that
3 the word performance be struck to make it consistent
4 with our general authority.

5 The second issue he raised was did we have -- did
6 the Agency have any data on seasonal variation in
7 emissions from municipal solid waste landfills. As
8 indicated at the previous hearing, we did not conduct
9 our own survey of landfill emissions. Instead, we
10 relied on the U.S. EPA's technical background
11 information that served as a basis for promulgation of
12 the emission guidelines and new source performance
13 standards for municipal solid waste landfills.

14 The U.S. EPA, however, looked at the seasonal
15 variation of emissions and determined that the
16 testings that took into account the emissions from two
17 seasons was sufficient to determine whether emissions
18 were sufficiently low to allow the removal of the gas
19 collection and control system. This is in the
20 Agency's Exhibit 2 to its proposal at pages 24486
21 through 24487. It has a discussion of how the U.S.
22 EPA looked at the testing schedule, that you had to
23 test between 90 and 180 days, the scheduling of those
24 tests. So there is a brief discussion in there.

25 The Board then -- the second set of questions that

1 I would like to address is the Board's inquiry
2 regarding the proposed definition for "closed
3 landfill" creating a third definition of "closure."
4 The Agency agrees that the term "closed landfill" as
5 it is used in this rule could lead to confusion and is
6 proposing alternative language. The Agency's rule
7 uses the term "closed" landfill -- or the proposal.
8 The Agency's proposal uses the term "closed" landfill
9 to mean both landfills that are inactive, meaning that
10 they are no longer receiving waste, but they may not
11 have completed the closure process and landfills that
12 are, in fact, going through the closure process. The
13 term "closed landfill" as it is used in the proposal
14 is criterion for several types of reductions in
15 requirements for landfills.
16 For landfills that have collection and control
17 systems, if they stop receiving waste, and they have
18 three periods less than 500 ppm methane they can go
19 from quarterly monitoring to annual monitoring, which
20 would be a reduction in expense for them. Second, for
21 closed landfills that have always had emissions less
22 than 50 Mg but were above the 2.5 Mg thresholds they
23 had to get the cap permit. If they stop receiving
24 waste, they can discontinue filing the NMOC emissions
25 rate report, which is either due on a one year or a

1 five year schedule.

2 The term is also used in the definition for
3 "design capacity" and in the construction permit
4 application requirement for when you are going to
5 install a collection and control system. In these
6 latter two cases the term "closed" is used in the
7 sense that the landfill has ceased operation and is
8 going or has gone through the Bureau of Land's closure
9 process.

10 However, in the latter two cases -- I mean, in the
11 first two, of surface monitoring and emissions
12 reporting, what is really at issue is when the
13 landfill is inactive as envisioned in the NSPS
14 requirement. The NSPS requires that the landfill no
15 longer receive waste and file a notification of
16 modification before receiving additional waste. The
17 Board's current rules do not contain a requirement to
18 file a notification of modification. However, an
19 equivalent requirement would be that the owner or
20 operator receive a federally enforceable permit
21 condition that prohibit the acceptance of additional
22 waste without having the permit amended or that the
23 landfill no longer had a permit, a land permit
24 pursuant to Section 21 of the Act to receive waste.

25 So, you know, in that case they would have to change

1 their permits in order to start receiving waste
2 again. So it would fulfill the spirit of the NSPS.
3 Therefore, the Agency is proposing that the
4 definition of "closed landfill" be deleted and a new
5 definition for inactive landfill be added that
6 includes the above concept. It is considered an
7 equivalent definition. We are just going to use a new
8 term. Please note that while a landfill may no longer
9 be receiving waste it still is required to comply with
10 most requirements of the proposal, especially in the
11 case of the landfill that is still in the collection
12 and control system operation. They still have to do
13 monitoring and reporting and record keeping and all of
14 the other requirements. It is just a slight
15 reduction. I can read the language in or we can
16 just --

17 HEARING OFFICER GLENN: Would you like to submit
18 the language perhaps as an exhibit when you are done
19 with your comments?

20 MS. DOCTORS: Yes, I would like to do that. I
21 went through and the comments I would submit shows
22 each place where I found that "closed landfill"
23 appears in the rule.

24 With regard to the use of "closed landfill," with
25 respect to design capacity, the definition references

1 the Subtitle G requirement of going through the formal
2 closure process, so no amendment would need to be
3 made. The Agency also believes that no change would
4 be needed for Section 220.280(c)(3), which is the
5 construction permit application which requires the
6 landfill owner or operator to indicate what the end
7 use of the landfill will be after it is closed. And
8 that seems the normal use of the term, so it does not
9 need to be defined differently. The third --

10 BOARD MEMBER FLEMAL: Ms. Doctors, I wonder if I
11 might, while we are on this topic, just ask a
12 question.

13 MS. DOCTORS: Okay.

14 BOARD MEMBER FLEMAL: Our concern arose here
15 because we were aware that the term "closed landfill"
16 has a definition within the landfill regulations, and
17 our concern here was that we were not inconsistent in
18 the air regulations with that definition in land.
19 What I don't know is whether "inactive landfill" might
20 also be defined in the land regulations. Do you have
21 any idea whether -- I don't know that it is. I am
22 just curious as to whether it might be.

23 MS. DOCTORS: I didn't see a definition. I didn't
24 see a definition either, though, for closed landfill.
25 They do have closure procedures, but they don't define

1 closed landfill either.

2 BOARD MEMBER FLEMAL: I see.

3 MS. DOCTORS: That is where I ran into the
4 original problem.

5 BOARD MEMBER FLEMAL: So the parallel, then, would
6 be is there a definition like inactivity in the land
7 regulations, rather than -- well, anyway --

8 MS. DOCTORS: I can take another look.

9 BOARD MEMBER FLEMAL: I would intend to look as
10 well. If you would look and alert the Board if the
11 term "inactive," and we hope, of course, that it
12 doesn't, might also have some of the same baggage
13 associated with it.

14 MS. DOCTORS: Okay. I will take a look.

15 BOARD MEMBER FLEMAL: Thank you.

16 MS. DOCTORS: The third issue that was raised was
17 could the reference to Sections 800 through 849 be
18 changed to just referencing Subject G, and we would
19 agree to that change. We think that's a good
20 suggestion. Also, we would like to note that -- we
21 would put the Board on notice that the landfill regs
22 apply to things that might not typically be thought of
23 just as solid waste landfills, for example, Superfund
24 sites. These regulations would apply to those. It
25 applies to sites that have accepted RCRA Subtitle C

1 and D nonhazardous waste. So some of that, when you
2 look through the definitions, is kind of -- it is in
3 there, too.

4 BOARD MEMBER FLEMAL: I guess I lost you on that
5 one. When you say "these regulations" apply to things
6 that are more broadly defined than one might think of
7 the landfills, you are talking about the proposal?

8 MS. DOCTORS: Yes. Because it says municipal
9 solid waste, but then when you read the NSPS and so
10 forth, they fully intend that if a CERCLA site has
11 accepted municipal solid waste that they would be
12 affected either by the NSPS or by the emission
13 guideline rules.

14 BOARD MEMBER FLEMAL: So landfills would fall
15 under more than one definition and, at least in part,
16 are covered here even though the reference is only to
17 municipal solid waste?

18 MS. DOCTORS: Yes.

19 BOARD MEMBER FLEMAL: Okay.

20 MS. DOCTORS: There was a question concerning
21 where the definitions for construction,
22 reconstruction, and modification appear. The
23 definition for construction is in the Board's rule,
24 Section 201.102. The definition for modification was
25 developed as part of the settlement of a lawsuit of

1 the Solid Waste Management Association. It is
2 included in Section 220.110. The definition for
3 reconstruction is in the definitions for New Source
4 Performance Standards at 40 CFR 60.15.

5 However, as indicated in Exhibit 7 of the Agency's
6 proposal, they discuss the issue of reconstruction and
7 modification and it came to a kind of an odd result.

8 With regard to reconstruction, the agreement states
9 that it cannot imagine a situation where a landfill
10 will be reconstructed; however, U.S. EPA elected to
11 retain the term with regard to the applicability of
12 the NSPS. So I would ask that given we have a section
13 that talks about when the NSPS applies, that it be
14 retained there also.

15 I want to look at something a second. I would
16 like to note -- yes, that is in -- at 220.200(a) is
17 where we are going to make the change, but the Board
18 retained it in 220.200(b). Therefore, with respect to
19 the -- however, with respect to the emission
20 guidelines in the rule, our rules, since we know of no
21 site to which the term reconstruction would apply, we
22 request that the word reconstruction just be stricken
23 since the definition is included there. Are there any
24 questions?

25 BOARD MEMBER FLEMAL: Maybe give me a moment on

1 that one. I believe I am fully with you on that, but
2 let me just take a moment to make sure. It would help
3 me if you could point me to the reference in Section
4 220.200(b).

5 MS. DOCTORS: Okay. 220.200(b), it is in the top
6 line, the seventh word. It is on page 19 of the
7 Board's --

8 BOARD MEMBER FLEMAL: Okay. That explains it. I
9 was in the wrong section. I was in 220.220.

10 MS. DOCTORS: Okay. Probably because I misstated
11 it earlier.

12 BOARD MEMBER FLEMAL: Yes, I see. Okay. Thank
13 you.

14 MS. DOCTORS: Okay. There was a question as to
15 the status of the three sources that have neither met
16 the -- that at the time of the proposal we did not
17 have information as to whether they had met the
18 proposed control requirements or whether they had
19 applied for a construction permit to come into
20 compliance and install the control equipment. One has
21 a gas collection and control system that is indeed
22 installed and operating, but it is awaiting final
23 permit approval from the Bureau of Land. One has a
24 permit to construct a gas collection and control
25 system, but has not yet constructed the system. The

1 third has neither installed the system nor applied for
2 a permit. So we have one source out there that is
3 going to have to do something.

4 BOARD MEMBER FLEMAL: We were talking at the last
5 hearing about three possible sites that neither had
6 nor were in the process of installing. Now we are
7 down to one; is that correct?

8 MS. DOCTORS: That's correct.

9 BOARD MEMBER FLEMAL: I don't recall in the last
10 record whether we identified what those landfills
11 were, the names of those landfills. Do you recall?

12 MS. DOCTORS: I don't think we did.

13 BOARD MEMBER FLEMAL: I think for the purposes of
14 our decision on this it might be useful to at least
15 identify the last landfill, the one that remains the
16 last landfill out that neither has nor is in the
17 process of installing a collection system.

18 MS. DOCTORS: Unless we feel like we would be
19 pointing the a finger at them, because they are not at
20 a point where they need to install the system yet.
21 They get 36 or 39 months, so they are not actually out
22 of compliance yet.

23 BOARD MEMBER FLEMAL: I understand that they would
24 not be. Just a suspicion perhaps that others may be
25 asking in terms of the cost, of who is involved in the

1 cost.

2 MS. DOCTORS: The one that we have identified is

3 Litchfield-Hillsboro, the Litchfield-Hillsboro

4 Landfill.

5 BOARD MEMBER FLEMAL: And just, again, to refresh

6 my own memory, this is an active landfill, is it?

7 MS. DOCTORS: I would have to ask Mr. Mahajan. I

8 guess he needs to be sworn in if he is going to

9 answer.

10 BOARD MEMBER FLEMAL: He was previously sworn in

11 at the last hearing.

12 MS. DOCTORS: Okay. You were sworn in. Do you

13 know whether it is active?

14 MR. MAHAJAN: Yes, I think it is active.

15 BOARD MEMBER FLEMAL: I think we identified that

16 all three of the question mark landfills were active,

17 and I am kind of trying to refresh my memory that the

18 Litchfield-Hillsboro site was one of those.

19 MR. MAHAJAN: Yes, I am pretty sure that they are

20 active.

21 MS. DOCTORS: Then I am going to ask a couple of

22 economic questions of Mr. Mahajan. It was his

23 information that helped us. Number six is where we

24 are at. There was a question concerning the estimated

25 control costs based on 1992 dollars and what the cost

1 would be in terms of 1998.

2 MR. MAHAJAN: The Agency's member who is very much
3 familiar with the economics aspect of it, he looked
4 into it and he downloaded the information and he found
5 out that the producer price index would be the best to
6 be used for converting 1992 dollars to 1998 dollars.
7 And according to him, if you multiply the 1992 dollars
8 by 1.06 you will get a figure for 1998 dollars. And
9 based on that control, the cost effectiveness of the
10 control is \$1,216.00 instead of -- I mean, compared to
11 the \$11,470.00 in 1992.

12 BOARD MEMBER FLEMAL: That's a good figure to
13 have. It will be of good use to us.

14 MS. DOCTORS: There was also a question with
15 reference to the \$1.30 number we used as the
16 additional cost to a landfill to cover the
17 installation of controls. What was the percent
18 increase to the base current cost?

19 MR. MAHAJAN: I talked to the person at the U.S.
20 EPA, Michelle Laur, and she helped to develop the
21 federal MSW landfill rule. She told me that affected
22 landfills, the cost of waste disposal ranges from
23 \$11.00 to \$20.00 per Mg of waste. So since the cost,
24 the average cost ordered in my previous testimony we
25 took the average cost of waste disposal which is

1 \$15.50 per Mg and, therefore, the increase in the cost
2 of waste disposal will be an 8 percent increase above
3 the base waste disposal cost.

4 MS. DOCTORS: The Board also inquired what we
5 thought of BFI's comment that requiring annual
6 reporting of NMOC emissions instead of five year
7 reporting by owners and operators using Tier 2 and
8 Tier 3. I took another look. I looked at their
9 comment, and I took a second look at the U.S. EPA's
10 proposed and final federal registers, and I still
11 believe that the NSPS requires annual reporting, at
12 Section 40 CFR 60.757. It is in Exhibit 1, is where
13 that could be found.

14 What it sets up, is it says annual reporting shall
15 be resumed. In addition, I went back and I looked at
16 the preamble to see if there was a discussion as to
17 why they would think that more frequent reporting
18 should be used for Tier 1 -- I mean, Tier 2 and Tier 3
19 and not Tier 1. What they said in Exhibit 2, which
20 was the proposed rule, at page 25595, is that they
21 believe that NMOC concentrations may increase
22 significantly over relatively short periods.
23 Therefore, this annual reporting is warranted when a
24 landfill's emissions increase towards the regulatory
25 cutoff.

1 I guess I should give a little more explanation.
2 The Tier 1 test uses constant numbers. They give you
3 the number. I have forgotten the correct term, but
4 they give you the number in Tier 1. They give you the
5 number. You get the factors to use. In Tier 1 they
6 give you the numbers to use. So it is set. So it
7 greatly overestimates the emissions of the landfill.
8 It is a very, very conservative estimate versus the
9 equations for Tier 2 and Tier 3 that are based on
10 actuals. So that means that someone who is bounced
11 out of Tier 1 because they are over 50, so they are
12 going to do their own site testing to show that they
13 are below, it means that they are getting very close
14 to that 50 Mg cut off and could bump the limit and,
15 therefore, a five year estimate, in the Agency's
16 opinion, is not appropriate.
17 What BFI is correct about, and the Agency agrees
18 and interprets the rule this way, is that Tier 2 does
19 not require a site to retest annually, only to use the
20 site specific numbers that they got to recalculate
21 based on their waste acceptance rate on this annual
22 basis just to keep track of what is going on.
23 Therefore, the Agency is recommending no change to the
24 annual reporting requirements, and would ask that the
25 Board not amend the requirements in response to this

1 comment. This is in order to maintain consistency
2 with the NSPS requirements along with what it believes
3 is appropriate.

4 Then there was one final comment that you received
5 from a member of the public asking why emission
6 requirements for landfills were different from
7 municipal solid waste waste-to energy plants. I guess
8 the easiest way to explain why, there is two different
9 bases for this. Landfills and incinerators are
10 addressed by different provisions of the Clean Air
11 Act. In Section 111, which is the section that covers
12 the proposed landfill regulations, the U.S. EPA is
13 required to promulgate regulations based on
14 best-demonstrated technology. Incinerators, on the
15 other hand, are subject to Section 129. That requires
16 regulations based on Maximum Achievable Control
17 Technology. This difference in treatment is
18 reasonable considering the vastly different nature of
19 emissions and how they are generated from these two
20 types of facilities.

21 That concludes the Agency's response.

22 HEARING OFFICER GLENN: Thank you, Ms. Doctors.

23 Are there any further comments or questions?

24 Seeing none, that would conclude our hearing

25 today. The transcript from the hearing should be

1 ready on Monday. If anyone would like a copy of
2 today's transcript, please speak to the court reporter
3 directly. Right now our transcripts are not on our
4 web page, so if you need a copy and you can't get it
5 from our web page please contact the Clerk of the
6 Board and we will see that you get a copy of the
7 transcript.

8 We anticipate then that the transcript will be
9 available Monday, May 18th. The record will close 14
10 days after receipt of the transcript, probably then
11 June 1st. That would be contingent on the Agency not
12 requesting that the third hearing be held in this
13 matter. Anyone wishing to submit comments must do so
14 within 14 days then of receipt of the transcript.

15 Yes, Ms. Doctors?

16 MS. DOCTORS: I would just like to be on the
17 record that the Agency at this point is not requesting
18 a third hearing.

19 HEARING OFFICER GLENN: Okay. Then the dates will
20 probably be as told then. Thank you. The record will
21 close 14 days after the transcript is ready on
22 Monday. So it will be closed June 1st. So please
23 submit your comments within 14 days of the closing of
24 the record. The mailbox rule will not apply in this
25 case. So please submit your comments by June 1st so

1 that we can get to second notice in a timely fashion.

2 Are there any other matters that need to be
3 addressed at this time? Seeing that there are no
4 further matters, thank you very much for your
5 attendance and your cooperation in this hearing

6 (Discussion off the record.)

7 HEARING OFFICER GLENN: Let's go back on the
8 record.

9 Ms. Doctors, we are back on the record. Would you
10 like to make a motion to submit an exhibit?

11 MS. DOCTORS: Yes, I would like to make a motion
12 to submit my "Response to Questions Asked at First
13 Hearing."

14 HEARING OFFICER GLENN: Are there any objections
15 to this motion?

16 All right. Seeing none, Exhibit 1 will be marked
17 as "Response to Questions Asked at First Hearing."
18 Thank you.

19 (Whereupon said document was duly marked for
20 purposes of identification as Hearing Exhibit 1
21 and entered into the record as of this date.

22 Hearing Exhibit 1 was retained by Hearing Officer
23 Glenn.)

24

25

1 STATE OF ILLINOIS)
) SS
2 COUNTY OF MONTGOMERY)

3 C E R T I F I C A T E

4

5 I, DARLENE M. NIEMEYER, a Notary Public in and for
6 the County of Montgomery, State of Illinois, DO HEREBY
7 CERTIFY that the foregoing pages comprise a true,
8 complete and correct transcript of the proceedings
9 held on the 13th of May A.D., 1998, at 200 South Ninth
10 Street, Springfield, Illinois, In the Matter of:

11 Municipal Solid Waste Landfills - Non-Methane Organic
12 Compounds, 35 Ill. Adm. Code 201.103, 201.146, and
13 Part 220, in proceedings held before the Honorable
14 Catherine F. Glenn, Hearing Officer, and recorded in
15 machine shorthand by me.

16 IN WITNESS WHEREOF I have hereunto set my hand and
17 affixed my Notarial Seal this 14th day of May A.D.,
18 1998.

19

20

21 Notary Public and
 Certified Shorthand Reporter and
22 Registered Professional Reporter

23 CSR License No. 084-003677
 My Commission Expires: 03-02-99

24

25