

ILLINOIS POLLUTION CONTROL BOARD
February 4, 1993

In the matter of:)
)
Petition of Peoria Disposal) AS 91-3
Company for Adjusted Standard) (RCRA Delisting)
from 35 Ill. Adm. Code 721)
Subpart D.)

ORDER OF THE BOARD (by J. Anderson):

This Order grants an adjusted standard to Peoria Disposal Company (PDC). This action is taken in light of the Board's January 21, 1993 grant of the January 14, 1993 joint motion (joint motion) for expedited decision of Peoria Disposal Company and the Illinois Environmental Protection Agency (Agency). The Board's time and resource constraints have resulted in a delay in perfecting the supporting opinion. The Board intends to adopt the supporting opinion at its February 25, 1993 Board meeting.

ORDER

The Board hereby grants to Peoria Disposal Company (PDC) an adjusted standard from 35 Ill. Adm Code 721 Subpart D subject to the following conditions:

1. This adjusted standard becomes effective on February 4, 1993.
2. This adjusted standard is provided only for F006 wastes treated using PDC's mechanical mixer, and only for total annual waste disposal volumes of F006 treatment residues up to 50,000 cubic yards. Peoria Disposal Company's treated F006 residues generated by the PDC F006 waste stabilization process described in their amended petition filed March 2, 1992 are non-hazardous as defined in 35 Ill. Adm. Code 721. The treatment residues must meet the verification and testing requirements prescribed in paragraph 3 listed below to ensure that hazardous constituents are not present in the treatment residues at levels of regulatory concern. The treatment residues will no longer be subject to regulation under 35 Ill. Adm. Code. Parts 722-728 and the permitting standards of 35 Ill. Adm. Code 703. Such wastes shall be disposed of pursuant to the Board's non-hazardous landfill regulations found at 35 Ill. Adm. Code 810-815.
3. Verification and Testing.
 - a) Treatability Testing. PDC shall verify through bench-scale treatability testing that each waste stream received by PDC for chemical stabilization can be treated to meet the delisting levels of paragraph 4

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prior to the operation of full-scale treatment of that waste stream. PDC shall submit a report of the treatability testing to the Agency within 7 days of the completion of such testing.

- b) Testing of Treatment Residues for Inorganic Parameters. PDC shall collect representative grab samples of each treated batch of the F006 treatment residue and composite the grab samples to produce a daily composite sample. This sample shall be analyzed for TCLP leachate concentrations for all the constituents listed in paragraphs 4(a) and 4(b) prior to disposal of the treated batch.
 - c) Testing of Treatment Residues for Organic Parameters. PDC shall collect a representative grab sample of each treated batch of the F006 treatment residue daily and this sample shall be analyzed for TCLP leachate concentrations for all the constituents listed in paragraph 4(c).
 - d) Additional testing. PDC shall collect a representative grab sample from each daily grab sample of F006 treatment residue each month and prepare a monthly composite sample. This monthly sample shall be analyzed for the TCLP leachate concentrations for all the constituents listed at 40 C.F.R. Part 423 Appendix A (1991) except those numbered 089-113, 116 and 129. Any compound which is found to be below detection limits for six months of continuous monthly testing shall be deleted from the monthly testing parameter list and shall instead be tested semi-annually. If the compound is detected in the semi-annual tests, it will again be tested monthly for six months as described above.
 - e) All analyses shall be performed according to SW-846 methodologies incorporated by reference in 35 Ill. Adm. Code 720.111. The analytical data shall be compiled and maintained on site for a minimum of three years. These data must be furnished upon request and made available for inspection by any employee or representative of the State of Illinois.
4. Delisting Levels.
- a) Metals. The metal concentration in TCLP leachate from the F006 treatment residue must not exceed the values shown below, otherwise such wastes shall be managed and disposed in accordance with 35 Ill. Adm. Code 703 and 722-728.

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Parameter	Delisting Level (mg/l)
Cadmium	0.066
Chromium	1.9
Lead	0.29
Nickel	0.32
Silver	0.072

- b) Cyanide. Total leachable cyanide in distilled water extractions from F006 treatment residue must not exceed 3.8 mg/kg, otherwise such wastes shall be managed and disposed in accordance with 35 Ill. Adm Code 703 and 722-728.
- c) Organic Parameters. The organic constituent concentration in TCLP leachate from the F006 treatment residue will be compared with the delisting levels shown below. If the delisting levels for a batch are exceeded, a second composite sample of the same batch shall be prepared and analyzed within five days of the observed exceedance. If a second subsequent exceedance occurs, the batch shall be managed and disposed of in accordance with 35 Ill. Adm. Code 703 and 722-728.

Parameter	Delisting Level (mg/l)
Acetone	76
Bis (2-ethylhexyl)phthalate	0.057
Chloroform	0.114
Ethylbenzene	13.3
Naphthalene	1.9
N-nitrosodiphenylamine	0.133
Styrene	1.9
Total xylenes	190

5. Data Submittal. All data must be submitted to the Manager of the Permit Section, Division of Land Pollution Control, Illinois Environmental Protection Agency, 2200 Churchill Road, P.O. Box 19276, Springfield, Illinois 62794-9276 within the time period specified. At the Agency's request, PDC must submit any other analytical data obtained pursuant to paragraph C within the time period specified by the Agency. Failure to submit the required data will be considered a failure to comply with the adjusted standard adopted herein and subject PDC to an enforcement action initiated by the Agency. All data must be accompanied with the following certification statement:

Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions

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of the Illinois Environmental Protection Act), I certify that the information contained in or accompanying this document is true, accurate and complete.

In the event that any of this information is determined by the Board in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to Peoria Disposal Company, I recognize that this exclusion of wastes will be void as if it never had effect to the extent directed by the Board and that Peoria Disposal Company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion.

(Name of certifying person)

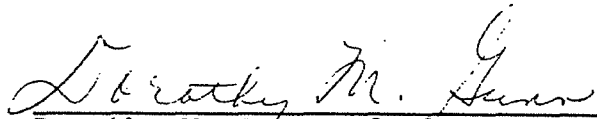
(Title of certifying person)

Date _____

Section 41 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1041) provides for the appeal of final orders of the Board within 35 days. The Rules of the Supreme Court of Illinois establish filing requirements. (But see also 35 Ill. Adm. Code 101.246, Motion for Reconsideration, and Castenada v. Illinois Human Rights Commission (1989), 132 Ill.2d 304, 547 N.E.2d 437.)

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 44 day of February, 1993, by a vote of 6-6.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

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