



KANKAKEE COUNTY HEALTH DEPARTMENT

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STATE OF ILLINOIS
Pollution Control Board

May 20, 2004

J. Philip Novak, Chairman
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph, Suite 11-500
Chicago, IL 60601

PC 16

Dear Chairman Novak:

RE: PCB Case 03-235

I am writing this letter to voice my concern regarding United Disposal of Bradley, Inc.'s transfer station permit modification request.

In my capacity as Illinois EPA Delegated Authority in Kankakee County, I am very familiar with the rules and regulations governing pollution control facilities. It is clearly stated in the Illinois Environmental Protection Act that **“any person conducting a waste storage, waste treatment, waste disposal, waste transfer or waste incineration operation for wastes generated by such person’s own activities, when such wastes are stored, treated, disposed of, transferred or incinerated within the site or facility owned, controlled, or operated by such person or when such wastes are transported within or between sites or facilities owned, controlled or operated by such person”** is not subject to local siting as a pollution control facility.

However, in this case, United Disposal would not be generating waste due to his own activity. United Disposal would be collecting and transferring waste from sites outside the Village of Bradley, owned by other people, with wastes generated by other people’s activities. The facility would then become a pollution control facility by definition once it takes wastes outside of Bradley, Illinois. Such amendment to its service area without going through local siting is a clear violation of law, and granting this permit modification request would set an undesirable precedent for other pollution control facilities to follow.

As the delegated inspector for Kankakee County, I and the Des Plaines Regional Office of the IEPA are aware of apparent violations at the site for which enforcement is being pursued.

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While various appeals on the siting of two pollution control facilities (municipal solid waste landfills) within Kankakee County are pending and there is uncertainty as to the future plan for solid waste disposal within this County, this does not take away from the fact that United Disposal must go through local siting approval before receiving any permit to expand operations.

It is my recommendation to deny the consideration to deviate from the original conditions of the permit without going through the proper process of siting and hearings for the public's interest and concerns.

Thank you in advance for the Board's consideration of my comments.

Sincerely,



John J. Bevis
IEPA Delegated Inspector
Kankakee County Health Department

JJB:scv

Cc: Ed Smith, State's Attorney Ofc.
Mike Van Mill, Kankakee Co. Planning & Zoning