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STATE OF ILLINOIS  
Pollution Control Board

**BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS**

IN THE MATTER OF:

Adjusted Standard Petition of  
Hayden Wrecking Corporation,  
from 35 Ill. Adm. Code 620.410(a).

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)  
)  
)

AS 04-003  
(Adjusted Standard)

**NOTICE**

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
Chicago, IL 60601

Greensfelder, Hemker & Gale., P.C.  
Attn: Ms. Anna Chesser Smith, Esq.  
2000 Equitable Building  
10 S. Broadway  
St. Louis, MO 63102

PLEASE TAKE NOTICE that I have today filed with the office of the Clerk of the Pollution Control Board an AMENDED RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, copies of which are herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent



Kyle Wash Davis  
Assistant Counsel

Division of Legal Counsel  
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217/782-5544  
217/782-9143 (TDD)

Dated: September 3, 2004

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**BEFORE THE POLLUTION CONTROL BOARD  
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IN THE MATTER OF: )  
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Adjusted Standard Petition of ) AS 04-003  
Hayden Wrecking Corporation, ) (Adjusted Standard)  
from 35 Ill. Adm. Code 620.410(a). )

**AMENDED RECOMMENDATION TO  
AMENDED PETITION FOR ADJUSTED STANDARD**

NOW COMES the ENVIRONMENTAL PROTECTION AGENCY of the State of Illinois ("Illinois EPA"), by its counsel, Kyle N. Davis, and, pursuant to 35 Ill. Adm. Code 104.416 (2002), hereby submits this **Amended Recommendation** to the **Amended Petition For Adjusted Standard** ("Amended Petition") filed by the Petitioner, **HAYDEN WRECKING CORPORATION** ("Hayden/Petitioner"). In reply to the Amended Petition, as explained below, the Illinois EPA recommends that the **ILLINOIS POLLUTION CONTROL BOARD** ("Board") **GRANT** the Amended Petition and the requested Adjusted Standard from the requirements of 35 Ill. Adm. Code 620.410(a), subject to certain conditions and states as follows:

**I. INTRODUCTION**

The purpose of the Petition and Amended Petition filed by Hayden is to seek an Adjusted Standard from certain groundwater quality standards, which are applicable to Petitioner's permitted landfills. The site at issue is located at the intersection of Illinois Route 203 and Interstate 55/70 in Madison, St. Clair County, Illinois.

The matter before the Board proceeded as follows. On April 27, 2004, Hayden filed its initial Petition for Adjusted Standard ("Petition") with the Board. In reply, on May 21, 2004, the Illinois EPA filed its Recommendation with the Board recommending the petition be granted,

yet, noting deficiencies in information that was required by statute. The Board, on June 3, 2004, issued a ruling allowing Hayden the ability to amend its Petition to cure noted deficiencies. Also on June 3, 2004, Petitioner filed a Response to Illinois EPA Recommendation<sup>1</sup>. The June 3 Order expressly requests more detail be provided from Petitioner relative to the requirements of 35 Ill. Adm. Code 104.406 subsections (d), (e) and (g). On July 19, 2004, Petitioner filed its Amended Petition for Adjusted Standard.

The Recommendation of the Illinois EPA reviewing the Amended Petition will address, in order, the deficiencies noted in prior pleadings and expressly identified within the requirements of 35 Ill. Adm. Code 104.406(d), (e) and (g). The Illinois EPA incorporates the May 21, 2004, Recommendation and review of the initial Petition filed, because Petitioner merely amends the initial April 27, 2004, filing supplemental information and data for consideration.

**II. DESCRIPTION OF HAYDEN'S ACTIVITY.**  
**35 ILL. ADM. CODE 104.406(d)**

The Board identified several factors that the Petition failed to present information or analysis of, including: (1) identification of off-site properties and any existing or anticipated uses of groundwater from those properties; (2) location of potable water wells or public water supply wells within 2500 feet exist; (3) illustration of all water wells within 2500 feet of the site; and

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<sup>1</sup> The Board should be aware of the fact that, for two reasons, the Illinois EPA will not reply in this Recommendation to the Petitioner's June 3, 2004, Response. Initially, the Response was filed on the same date that the Board issued an Order requiring that either Petitioner amend its Petition or such would be denied. As such, the Response likely is not proper in a procedural context. Moreover, it is arguable that the Illinois EPA has no statutory authority to Reply to a Response without the Board granting approval.

(4) identification of data and results from groundwater samples, if such were taken, before calendar year 1991 or following calendar year 2001.

**Identification of Off-Site Properties and any Existing or Anticipated Uses of Groundwater from those Properties.**

The groundwater flow in the vicinity of the Hayden site is towards the southwest. Off-site properties down gradient of the site includes the southeast corner of property owned by Gateway Midstate Truck Plaza, the state-owned right-of-way for Route 203 and interstate 55-70, and the Gateway International Raceway property. (Amd. Pet. at 3)

The portion of the Gateway Midstate Truck Plaza down gradient from the property is used for a parking lot; therefore, there are no existing or anticipated uses of groundwater at that property. (Amd. Pet. at 3) There are no existing or anticipated uses of groundwater from the state owned right-of-way for either highway properties. Gateway International Raceway Property is more than 1000 feet down gradient from the Hayden site (Amd. Pet. at 3), and obtains its water supply form the Missouri Bottoms Water Company.

“The modeling runs ... demonstrated that all four inorganic constituents met the groundwater quality standards within 616 feet of Hayden’s site boundary to the south and southwest.” (Amd. Pet. at 3)

The Illinois EPA would note the following. According to information submitted, there are no public water supply wells within a 2,500-foot radius of this site. The nearest non-facility well is a groundwater monitoring well for the Milam Landfill, and is located approximately 1,300-feet north of the site, directly upgradient. Existing potable water supplies are not likely to be impacted by groundwater contamination at the site, the water supply for the area is provided by the Missouri

Bottoms Water Company.

The City of Madison, Illinois has issued a city ordinance prohibiting the use of groundwater in the area of the landfill. Groundwater use restriction has been placed on both the site property and the adjacent property. (Petition, Exh. H) A highway authority agreement to the south (down-gradient) of the site has been established by the Illinois Department of Transportation, and an environmental land use control (ELUC) will be established to the southeast. (Petition, Exh. I) There should be no future exploitation of the groundwater resource in the general vicinity of the site.

Because of the property and usage restriction place on the property, there is a lessened likelihood of potential receptor to be affected by contamination at the site.

#### **Location of Potable/Public Water Supply Wells**

The Board requested clarification as to whether there are any potable or public water supply wells with in 2500 feet of the site.

A search of the well databases of the Illinois State Geological Survey (“ISGS”) and an Illinois Water Well Report (also known as the Illinois State Water Survey) (“ISWS”) indicate that there is no potable or public water supply well located within 2,500 feet of the Hayden Site. (Amd. Pet. at 4) The only wells within 2,500 feet are site monitoring-wells for the Milam landfill, which are located up gradient from the Hayden site. (Amd. Pet. at 4)

The Illinois EPA would note that, according to the Amended Petition, the conclusion that there are no potable or public water supply wells located within 2,500 feet of the Hayden site is based upon a review records obtained from the ISGS and the ISWS. The information concerning the location of any private wells (potable water supply for private residences, existing or not existing)

that may not appear on these databases has not been taken into account. Thus, it may be prudent to request a physical survey of the site area to determine if any private water supply wells are present.

#### **Site Map – 35 IAC 104.406 (d)**

The Board requests a site map clearly identifying all water wells within 2500 feet of the site, all groundwater monitoring wells, the Milam Landfill, Gateway International Raceway, and all relevant down gradient properties.

Figure 1 of Exhibit 1 of the Amended Petition identifies the location of the Hayden Landfill property and all relevant surrounding features. Exhibit 1 also identifies “all” water wells within 2,500 feet of the site and all groundwater monitoring-wells on the site. As stated above, there are no potable or public water supply wells within 2500 feet of the site. (Amd. Pet. at 4)

The Illinois EPA would note that a review of Figure 1 of Exhibit 1 of the Amended Petition shows the location of the Hayden Landfill property in relation to the surrounding physical structures, including the Gateway International Raceway, the Midstate Truck Plaza, Interstate 55-70 and the City of Madison. Figure 2 shows the physical surface elevations, and the groundwater elevations from each well to the property boundary. Figure 3 shows the simulated manganese plume and the distance the plume is modeled to travel. Manganese was modeled as the constituent that has the greatest down gradient migration. Figure 4 shows the well location within a 2,500 foot radius.

Figure 3 shows that migration of manganese (as modeled for MW-7) extend 165.37 meters beyond the property boundary (down gradient) until the concentrations falls below Class I Groundwater Standards. This is the greatest distance beyond the property boundary that any contaminant is modeled to have migrated. The provided and revised Figures are adequate.

It is also notable that the Amended Petition, Exhibit 1, Figure 3, may not be correct in detail.

The approximate scale provided (in the upper right corner) when used on the map does not provide the results identified. For example, when the 600-foot scale is used, the lines from MW8 extend beyond Illinois Rt. 203. Additionally, MW7 would likewise extend past Illinois Rt. 203.

#### **Groundwater Monitoring Information 35 IAC 104.406(d)**

The Board requests that Hayden clarify if groundwater was monitored at the site before 1991 or after 2001.

Hayden has not monitored groundwater before 1991 or after 2001. All available groundwater monitoring results are included in the initial Petition for Adjusted Standards. (Amd. Pet. at 4/5)

The Illinois EPA notes that the groundwater analytical data that was included in Exhibit C of the Petition corresponds with the groundwater analytical data that is present in the Illinois EPA files.

#### **III. COMPLIANCE ALTERNATIVES.** **35 ILL. ADM. CODE 104.406(e)**

The Board requested information on cost of compliance alternatives to the adjusted standards.

As stated throughout the petition for the adjusted standard, Hayden is not the source of the groundwater exceeding the Class I groundwater quality standards. The groundwater is originating from an off-site up gradient source. Therefore, it is difficult for Hayden to attempt to qualify what would be necessary for Hayden to comply with 35 IAC 620.410 (a) unless and until the source of the groundwater exceedences is addressed. According to the Petitioner, the Illinois EPA also recognized this and stated in its Recommendation that the lack of cost information did not affect its decision to recommend that the Board grant the adjusted standard. (Amd. Pet. at 5)

In the Amended Petition, Petitioner identifies two possible options to address Section 104.406(e). One option is to install a hydraulic barrier either up gradient of the site or around the

entire Hayden site. (Amd. Pet. at 5) The other option is to pump and treat the groundwater to meet the Class I groundwater quality standards. (Amd. Pet. at 6)

According to the Amended Petition, a hydraulic barrier is technically impractical because of the location of the site to the Mississippi Bottoms area, and the stratigraphy of the area consists of very sandy soils. It is estimated that a barrier would have to be constructed at least 80 to 100 feet deep to effectively control groundwater flow in such sandy soils and that such a barrier within sandy soils and to that depth is not feasible and/or would be prohibitively expensive. The hydraulic barrier may minimize any potential groundwater impacts directly down gradient of the Hayden site, but would have no impact on the up gradient sources or contaminants. (Amd. Pet. at 6)

Relative to the pump and treat option, Petitioner offers that the option is prohibitively expensive. The Amended Petition states that estimated capital costs involved in designing and installing a pump and treat system would be approximately \$330,000 and the annual operation and maintenance cost would be approximately \$225,000 per year. Petitioner estimates that operation and maintenance costs for 15 years would be over \$3.5 million. Because the source(s) of the inorganic constituents in the groundwater are located off-site, remediation of impacted groundwater at the Hayden site by a pump and treat system would not address the problem of contamination migrating on to the site and then off-site. Petitioner opines that there are no guarantees of remediation, or could such be reasonably anticipated. Further, the groundwater pump and treat system could disrupt the transportation and parking structure (paved parking lot) that Gateway International Raceway has proposed to construct on site (after purchase of the property). (Amd. Pet. at 6)

The Illinois EPA would note that Petitioner has stated that the groundwater at the site is not currently exploited as a resource. There are no potable water supplies located at the site or within



2,500 feet down gradient of the site (based on IASG and ISWS databases). Potable water supplies for the area is provided by the Missouri Bottoms Water Company. Because institutional controls are to be (or have been) implemented to prevent the development of groundwater as a resource at the site and affected down gradient properties, there will be no impact to future water supplies.

Illinois EPA would agree that construction of a hydraulic barrier within the alluvium of the American Bottoms would be problematic to construct because of the quantity of sand and gravel in the area and because of the volume of groundwater and the hydraulic conductivity of the sediment aquifer. The construction of a hydraulic barrier would, in fact, reduce or eliminate the groundwater impacts that are added to by the facility, but the overall quality of groundwater in the area would not be significantly improved. The Amended Petition, once again, did not provide any type of rough cost estimate for construction of a hydraulic barrier, so the Illinois EPA cannot provide an evaluation.

The Illinois EPA agrees that a pump and treat system for groundwater in the site area will not result in significant improvement of groundwater quality. Because there are contaminant sources located up gradient of the facility, remediation of impacted groundwater on site would not address the off-site sources. The provided cost estimate for a pump and treat system was listed at \$330,000 for installation of the system, and \$3,375,000 operation and maintenance cost over 15 years. The cost estimate lists prices for system design, extraction wells, pumps, treatment system, buildings, piping, and discharge permit for capital items needed for a system. The operation and maintenance cost include line item for maintenance, replacement parts, sampling and reporting, and utility fees. Yet, though the dollar figures provided are significant, without at very least a rough estimation of the number of extraction wells, it cannot be determined if the cost estimate is adequate.

**IV. IMPACT ON THE ENVIRONMENT.**  
**35 ILL. ADM. CODE 104.406(g)**

The Board requested additional information regarding the off-site environmental impacts of arsenic, iron, lead and manganese from the Hayden site of groundwater with levels above the Class I Groundwater Standard. The increased levels of the four inorganic constituents do not originate from Hayden's property. The concentrations have been modeled to show the potential off-site impacts of arsenic, iron, and manganese based upon groundwater flow to the southwest.

The constituents that exceed Class I Groundwater Standards in the 2001 monitoring event include arsenic, iron, lead, and manganese. To address the off-site environmental impact of these parameters, a simulation of down gradient concentrations were "calculated using the TACO Plus! Software package (ATR, 2001) and Equation R-26, pursuant to 35 IAC 742,810. R-26 provides a very conservative solution for groundwater transport of these inorganic constituents of concern." "The simulations are "considered conservative because the model does not include retardation, degradation or attenuation factors." (Amd. Pet., Exh. 1 at 1) Modeling input parameters for the model included the use of default values from the program and site-specific input parameter that involved the hydraulic gradient, distance from each modeled well to the "compliance point" and source width. The source width was set at the midpoint between the well and the site boundary (perpendicular to groundwater flow). For up gradient monitoring wells the "compliance point" was the site boundary. For down gradient monitoring wells, the distance to the "compliance point" was arbitrarily set at 100 meters. A compliance point, even hypothetical, was needed to run the model.

Default input parameters, presumably from the for the RBCA Equation R-26 model are published with the model documentation by U.S. EPA, for the physical conditions at the site were

used from the model default value for surface or subsurface soils. The values are as follows:

Soil Bulk Density of 1.5 g/cm<sup>3</sup>,  
Moisture Content of 0.1,  
Organic Carbon Content of 0.002,  
Total Soil Porosity of 0.43 (subsurface and surface),  
Air Filled Soil Porosity of 0.28 for surface soils and 0.13 for subsurface soils.  
Water Filled Soil Porosity of 0.15 for surface soils and 0.30 for subsurface soils.

Results of the modeling show the following. Arsenic, which was found in the up gradient wells only in 2001, met the Class I Standard within the distance to the site boundary, therefore arsenic does not have any environmental impact on off-site properties based on the modeling results.

All other up gradient constituents, with the exception of manganese, also met the Class I Standard at the site boundary. (Amd. Pet., Exh. 1 at 3)

For wells located at the down gradient site boundary the greatest migration distance was for manganese for MW-8 at 187.75 meters or 616 feet. (Amd. Pet., Exh. 1 at 7) According to Illinois EPA review, therefore, the greatest distance of manganese contamination beyond the site boundary is from MW7 at 165.37 meters or approximately 543 feet. The simulated migration plumes for manganese in groundwater from down gradient monitoring wells is depicted on Figure 3, which shows that migration of manganese. Based upon the migration distances, impacted groundwater (iron, lead, and manganese) has potentially migrated onto the adjacent properties south and southwest of the site.

The Illinois EPA would note that groundwater quality review of the site data has previously identified the contaminants of concerns as being arsenic, iron, lead, and manganese. The Amended Petition uses the TACO model and the Equation R-26 (RBCA), which is not typically used for landfill contaminant transport modeling. This model used equations that are designed for situation where the source of contamination has been removed. In the case of landfills, this would not be an

accurate assumption. However, with regard to review of Hayden's Amended Petition, and in particular because up gradient wells also show the contaminants of concern are also present in off-site sources, the model may be justified since a specific time frame will show the estimated migration rate of the concentration at that specific time.

This said, the Illinois EPA reasons that the petition incorrectly states that the R-26 Equation does not consider attenuation and degradation within the model construction. The RBCA R-26 Equation does have the capability to consider these factors. However, the Amended Petition did not provide complete data sheets or input files for the Illinois EPA to duplicate their calculations, or to make a determination if attenuation or degradation was used in the model set up. The Amended Petition should have provided documentation as to the input parameters for the model to the Illinois EPA for review.

Additionally, review of the model results showed the predicted concentration at the site boundary or at 100 meters down gradient of the specific well location. The model showed that several parameters from multiple wells exceed Class I Groundwater Quality Standard off site. Manganese concentrations from up gradient wells MW-1, MW-2, and MW-4 all extend beyond the property boundary. In the table below, the parameters and distance the model predicts contamination will migrate until it reaches the Class I Groundwater Standard, beyond that well is presented.

Wells	Parameter	Distance from Well Location to the Class I Groundwater Standard	
		Meters	Feet
MW-1 (upgradient)	Iron	82.42	270.4
	Lead	27.33	89.6
	Manganese	198.63*	651.7
MW-2 (upgradient)	Arsenic	23.28	76.4
	Iron	145.57	477.6

	Lead	17.11	56.1
	Manganese	229.57*	753.2
MW-3 (upgradient)	Iron	21.43	70.3
	Manganese	144.58*	474.3
MW-4 (upgradient)	Iron	19.13	62.7
	Manganese	234.22*	768.4
MW-5	Manganese	64.29*	210.9
MW-6	Iron	39.77*	130.5
	Lead	29.65*	97.3
	Manganese	127.15*	417.2
MW-7	Manganese	165.37*	542.6
MW-8	Iron	28.25*	92.8
	Lead	26.40*	86.6
	Manganese	187.75*	616.0

\* Parameters that exceed the Class I Groundwater Standard off-site.

The model used for this document was the U.S.EPA RBCA R-26 Equation for contaminant transport. Default input values were stated at being used in the RBCA Equation. The only variables were the contaminant concentrations per well and the distance from that well to the property boundary. This is adequate.

It is also important to note that the model did not use the highest, most conservative concentrations as the source concentrations for the model inputs. As presented in the Amended Petition, only the most recent data set, 2001 concentrations were used in the model. (Amd. Pet., Exh. 1 at 1) In Exhibit 2(b)(2) of the Petition, higher concentrations were present in either the 2000 or 1999 data sets. For example, on September 9, 1999 MW3 recorded a high lead concentration level of .220 mg/l, while on April 17-18, 2001 lead concentrations were below .005 mg/l for that same well. This result would indicate that concentrations are present in the groundwater at the facility. More importantly, the modeled distances from the site boundary may not necessarily be the furthest extent that the contaminants will migrate off-site. The Petition as proposed was based upon the highest concentrations present from the 1999, 2000, and 2001

analytical results. As a result of this modification to the proposal for Adjusted Standard, the data may not be adequate on its own; for, at very least, a consistent application of values should be required, and should reflect the concentrations found within sample results that yielded the highest concentrations.

Petitioner also provides information entitled “**Proposed Adjusted Standard 35 IAC 104.406(f)**.” The Illinois EPA raises the following for review.

In the Petition, Petitioner notes that eight monitoring wells were installed and sampled (M-1 through MW-8). Of those 8 monitoring wells, MW-5, MW-6 and MW-7 were believed to be located on the southern edge of the Hayden property. In preparing its report for this Amended Petition, Petitioner apparently noticed that the site boundaries as delineated were actually the highway right-of-way south and parallel to the southern property boundary along a fence line. (Amd. Pet. at 7) A revised site boundary map was provided which shows the correct site boundary and the right of way fence line. (Amd. Pet. Exh. 2)

According to Petitioner, this information only affects one portion of Hayden’s request for Adjusted Standard. Hayden requests the alternate, adjusted levels for arsenic, iron, lead and manganese based upon the highest concentrations for each inorganic constituents previously found on Hayden’s site. The requested alternate, adjusted levels of iron and manganese were previously found at MW-5 through MW-7, which are not believed to be off-site wells. (Amd. Pet. at 7) Therefore, based on the highest concentrations of iron and manganese previously found on-site in MW1 through MW4 and MW8, the following changes are made to the adjusted standard.

<b>Arsenic:</b>	<b>0.082 mg/L is unchanged</b>
<b>Iron:</b>	<b>373 mg/L has been revised from 735 mg/L</b>
<b>Lead:</b>	<b>0.220 mg/L is unchanged</b>
<b>Manganese:</b>	<b>9.12 mg/L has been revised from 24.2 mg/L</b>

The Illinois EPA would note that the Amended Petition did not provide any documentation that the site boundary stops at the Highway Right of Way ("ROW"). In general, a ROW does not include fee simple to the property. In this case, there is no way of determining the on-site versus off-site status of wells since the Amended Petition did not such information.

#### V. RECOMMENDATION AND RATIONALE.

In sum, the Illinois EPA notes more issues with the Amended Petition than with the Petition.

The Illinois EPA would suggest that the Board consider the following:

1. The transport model did not use the highest, most conservative concentrations presented in the petition, only the most recent data set as concentrations input values. In exhibit 2(b)(2) of the original petition higher concentrations were present in either the 2000 or 1999 data sets. This indicates that these concentrations are present at the facility and that the modeled distances from the site boundary are not necessarily the furthest extent that the contaminants will migrate off site. The Adjusted Standards as initially proposed was based upon the highest concentrations present from the 1999, 2000, and 2001 analytical results. In this light, the model provided in the Amended Petition may not be adequate for what it purports to demonstrate; a consistent application of these values may be required.
2. The Amended Petition failed to provide data sheets or input files for the Illinois EPA's review so that the Illinois EPA may duplicate the calculations.
3. A physical survey of the site area may be appropriate to determine if any private water supply wells are present within 2,500 feet of the Hayden site.
4. The Amended Petition did not provide any documentation that the site boundary stops at the Highway Right of Way ("ROW"). Typically, ROWs do not include fee simple title.
5. The Amended Petition did not provide any type of rough cost estimate for construction of a hydraulic barrier, so the Illinois EPA cannot provide an evaluation.
6. The Amended Petition provided a cost estimate for a pump and treat system for groundwater in the site area at a total cost of \$3,705,000 for capital costs and 15 years of operation of the system. The petition did not provide at least a rough estimation of the number of extraction wells in such a system, as such, the Illinois EPA cannot provide an evaluation if the cost estimate is adequate.

Certain requirements and/or information of an Adjusted Standard petition, pursuant to 35 Ill. Adm. Code 104.406(a) - (j), may still be lacking. Those omissions aside, Hayden has otherwise adequately presented the Board with a sufficient Petition to substantiate its request for an Adjusted Standard. The Illinois EPA can determine that contaminants are migrating from off-site to Hayden's property and beyond. Furthermore, the highest concentrations of contaminants found in all monitoring wells (MW1 – MW8) (even those alleged to be off-site) are consistent with contamination levels that would be expected from those found up gradient. In addition, the contaminants of concern will attenuate over distance and reach levels below applicable standards within a short distance down gradient from the Hayden site and within the area of the ELUC and the Restricted Use Ordinance. Thus, it is the Illinois EPA's opinion that if changes were made to the transport model the attenuation of the contaminants of concern will occur within the areas controlled by the ELUC and the Restricted Use Ordinance. Based upon the forgoing, in this case, conditioned upon the specific conditions within the Illinois EPA's Recommendation, the Illinois EPA files this Amended Recommendation and suggests that the proposed Adjusted Standard be granted.

Respectfully submitted,  
**ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY**

By 

Kyle N. Davis, Esquire  
Division of Legal Counsel

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62794-9276  
(217) 782-5544

Dated: September 3, 2004



**CERTIFICATE OF SERVICE**

I, the undersigned attorney at law, hereby certify that on September 3, 2004 I served true and correct copies of an AMENDED RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, by placing true and correct copies in properly sealed and addressed envelopes and by depositing said sealed envelopes in a U.S. mail drop box located within Springfield, Illinois, with sufficient Certified Mail postage affixed thereto, upon the following named persons:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph Street  
Suite 11-500  
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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,  
Respondent

  
\_\_\_\_\_  
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