

**RECEIVED**  
CLERK'S OFFICE

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

AUG 18 2005

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF	)	
	)	
PETITION OF WASTE MANAGEMENT OF	)	AS 05-07
ILLINOIS, INC. FOR AN ADJUSTED	)	(Adjusted Standard – Land)
STANDARD FROM SUBPART D OF	)	
35 ILL. ADM. CODE 721 AND FOR RCRA	)	
WASTE DELISTING UNDER 35 ILL. ADM.	)	
CODE 720.122 FOR TREATMENT RESIDUAL	)	
OF CID RECYCLING AND DISPOSAL	)	
FACILITY BIOLOGICAL LIQUID	)	
TREATMENT CENTER	)	

**NOTICE OF FILING**

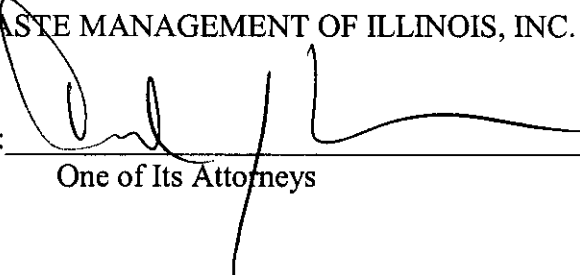
TO: USEPA  
Office of Solid Waste and  
Emergency Response  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

USEPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

John J. Kim  
Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that on August 18, 2005, we filed with the Illinois Pollution Control Board, an original and nine copies of the attached **MOTION FOR LEAVE TO SUBMIT AND SUBSTITUTE SIGNATURE PAGE** by Waste Management of Illinois, Inc.

WASTE MANAGEMENT OF ILLINOIS, INC.

By:   
One of Its Attorneys

Donald J. Moran  
PEDERSEN & HOUP  
161 North Clark Street, Suite 3100  
Chicago, Illinois 60601  
(312) 641-6888  
Attorney Registration No. 1953923

**CERTIFICATE OF SERVICE**

Char Phoulavan, a non-attorney, on oath states that she served the foregoing **MOTION FOR LEAVE TO SUBMIT AND SUBSTITUTE SIGNATURE PAGE** by placing true and correct copies in properly sealed and addressed envelopes to the following parties as listed below and by depositing same in the U.S. mail located at 161 N. Clark St., Chicago, Illinois 60601, on or before 5:00 p.m. on this 18th day of August, 2005:

USEPA  
Office of Solid Waste and Emergency Response  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

USEPA, Region 5  
77 West Jackson Boulevard  
Chicago, Illinois 60604

John J. Kim  
Assistant Counsel  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276



---

Char Phoulavan

AUG 18 2005

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF )  
)  
PETITION OF WASTE MANAGEMENT OF ) AS 05- 07  
ILLINOIS, INC. FOR AN ADJUSTED ) (Adjusted Standard – Land)  
STANDARD FROM SUBPART D OF )  
35 ILL. ADM. CODE 721 AND FOR RCRA )  
WASTE DELISTING UNDER 35 ILL. ADM. )  
CODE 720.122 FOR TREATMENT RESIDUAL )  
OF CID RECYCLING AND DISPOSAL )  
FACILITY BIOLOGICAL LIQUID )  
TREATMENT CENTER )

**MOTION FOR LEAVE TO SUBMIT EXECUTED SIGNATURE PAGE**

Waste Management of Illinois, Inc. ("WMII"), by its attorneys Pedersen & Houpt, P.C., requests leave to submit the executed signature page to the Petition for Adjusted Standard, which was originally filed with the Board in Case No. AS 05-03 and incorporated by reference in the RCRA Delisting Adjusted Standard Petition filed in this matter. In support of its motion, WMII states as follows:

1. On January 28, 2005, WMII filed a RCRA Delisting Adjusted Standard Petition ("1/28/05 Petition") with the Board, seeking an adjusted standard delisting the lime-conditioned filter cake that results from treatment at the CID Recycling and Disposal Facility's Biological Liquid Treatment Center ("BLTC").

2. The 1/28/05 Petition included a Certification Statement by Kurt R. Nebel, Jr. in the Preliminary Information Submittal at No. 2.0.7 - Administrative Information, Page 4. However, the Certification Statement submitted contained the typed, not the actual signature of Mr. Nebel. The omission of the actual signature page was inadvertent.

3. It was WMII's intention to submit the 1/28/05 Petition with a signed copy of the Signed Certification Statement as above referenced and as required by 35 Ill. Adm. Code 720.122(i)(12). A copy of the executed Signed Certification Statement is attached hereto.

4. The granting of this motion will not modify the Petition or prejudice any party.

WHEREFORE, WMII requests that the Board grant leave to file the executed signature page referenced above and attached hereto.

Respectfully submitted,

WASTE MANAGEMENT OF ILLINOIS, INC.

By: 

Its Attorney

Donald J. Moran  
Pedersen & Houpt  
161 North Clark Street  
Suite 3100  
Chicago, Illinois 60601  
312.641.6888  
312.641.6895 (facsimile)

6. Provide a statement of the need and justification for the proposed action.

CID seeks a more resource efficient means of managing the solid treatment residual from the BLTC, in light of the actual characteristics of the material. The treatment residual does not exhibit characteristics of a hazardous waste, and has levels of other constituents greatly below the treatment standards and therefore does not pose the toxicity concerns, which were the basis for the residual being initially listed.

7. Signed Certification Statement

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this demonstration and all attached documents, and that, based on my inquiry of those individuals immediately responsible for getting the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for sending false information, including the possibility of fine and imprisonment.

Signed by Authorized representative,



Typed Name: Kurt R. Nebel, Jr.

Title: District Manager

### 3.0 DELISTING WASTE AND WASTE MANAGEMENT INFORMATION

This section provides information on the basis for listing the petitioned waste, the history and volume of waste generation, and the history of waste management as indicated in the EPA Delisting Framework (**EPA RCRA DELISTING PROGRAM: GUIDANCE MANUAL FOR THE PETITIONER**, United States Environmental Protection Agency, March 23, 2000.).

#### **EPA DELISTING PETITION FRAMEWORK PART 2: DELISTING WASTE AND WASTE MANAGEMENT INFORMATION**

##### **BASIS FOR THE WASTE LISTING**

1. Which of the following scenarios best describes the petitioned waste? (Choose the most appropriate scenario and provide the information requested for the chosen scenario.)
  - a. Petitioned waste is not a mixture of two or more listed hazardous wastes.

Common name of petitioned waste: \_\_\_\_\_