

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
)
)
)
Petition for Adjusted Standard) AS 08-003
from 35 Ill. ADM. CODE 620.420) (Adjusted Standard-Water)
For Nobel Risley's Landfill #2)

NOTICE OF FILING

To: Illinois Environmental Protection Agency
Mr. James Kropid
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that today I have filed with the Office of the Clerk of the Pollution Control Board a **CERTIFICATE OF PUBLICATION** in the above-titled matter. Copies of these documents are hereby served upon you.

Respectfully submitted,

Nobel Risley

By: LIVINGSTON LAW FIRM

/s/ Penni S. Livingston

DATED: September 12, 2007

PENNI S. LIVINGSTON #06196480
Attorney for the Petitioner
penni@livingstonlaw.biz
5701 Perrin Road
Fairview Heights, IL 62208
Telephone 618-628-7700
Fax 618-628-7710

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
 Petition for Adjusted Standard) **AS 08-003**
 from 35 Ill. ADM. CODE 620.420) **(Adjusted Standard-Water)**
 For Nobel Risley's Landfill #2)

CERTIFICATE OF PUBLICATION

Pursuant to 35 Ill. Adm. Code 104.410, Nobel Risley's Landfill #2 ("Risley"), by and through its attorney, Penni S. Livingston, of the Livingston Law Firm, files its certificate that the appropriate public notice was filed within 14 days of the filing of its Petition for Adjusted Standard. The Certificate of Publication issued by the Benton Evening News, a newspaper of general circulation in the Benton, Illinois, area, is attached hereto and incorporated herein as Exhibit A.

Respectfully submitted,

Nobel Risley

By: **LIVINGSTON LAW FIRM**

/s/ Penni S. Livingston

DATED: September 12, 2007

PENNI S. LIVINGSTON #06196480
Attorney for the Petitioner
penni@livingstonlaw.biz
5701 Perrin Road
Fairview Heights, IL 62208
Telephone 618-628-7700
Fax 618-628-7710

CERTIFICATE OF PUBLICATION

STATE OF ILLINOIS, Franklin County - SS.

NOTICE OF PETITION BY THE HISLEY LANDFILL #2 FOR AN ADJUSTED STANDARD BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
The Nobel Hisley Landfill #2 (9957 River Bend Road, Benton, Illinois 62812) filed a Petition for Adjusted Standard with the Illinois Pollution Control Board on September 5, 2007, which Petition is docketed as AS-09-003. This Petition seeks an adjusted standard from the Board's groundwater quality standards (35 Ill. Adm. Code

620.410) as they apply to levels of chloride in groundwater under the landfill. The footprint of the landfill is about eight acres with up to 20 feet of thickness of waste. The landfill stopped receiving non-hazardous municipal solid waste in 1988 and has completed its post-closure care period. Hisley has documented that levels of chloride in two of the monitoring wells were higher than the applicable groundwater quality standards but submits that the area groundwater is not capable of supporting sustained yield of water and is not suitable for use as potable water. Further, there are no on-site water wells located down gradient of the landfill. Treating the groundwater to meet the standards would be technically infeasible and economically unreasonable. Hisley is asking the Board to increase the groundwater quality standards so that the current levels are in compliance with the Board's regulations. Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should clearly indicate the docket number to the adjusted standard proceeding, as found in this notice, and must be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 17-500, Chicago, Illinois 60601. Published in the Benton Evening News on September 8, 2007.

Liberty Group Publishing, a corporation organized and existing under and by virtue of the law of the State of Illinois, does hereby certify that it is the publisher of the Benton Evening News.

That said Benton Evening News is a secular newspaper and has been published daily in the City of Benton, County of Franklin and State of Illinois, continuously for more than six months prior to, and on and since the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said County and State.

That a notice of which the annexed slip is a true copy, was published 1 times in said Benton Evening News, on the following dates, to-wit:

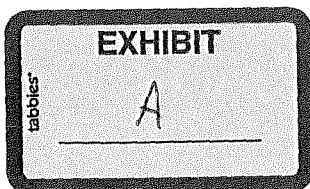
Sept-8 A.D. 20 07
_____ A.D. 20 _____
_____ A.D. 20 _____

In witness whereof, the undersigned, the said Benton Evening News Company, has caused this certificate to be signed by Terra Kerkemeyer, Publisher at Benton this 8 day of Sept. A.D. 20 07

BENTON EVENING NEWS

by Terra Kerkemeyer

Publication Fee \$ 65.63



BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
)
)
)
Petition for Adjusted Standard) **AS 08-003**
from 35 Ill. ADM. CODE 620.420) **(Adjusted Standard-Water)**
For Nobel Risley's Landfill #2)

PROOF OF SERVICE

I, Penni S. Livingston, an attorney, hereby certify that I caused the attached pleadings to be served upon all parties listed on the attached Notice of Filing to Mr. James Kropid, of Illinois Environmental Protection Agency, Division of Legal Counsel, via electronic mail to James.Kropid@illinois.gov on September 12, 2007.

Respectfully submitted,

Penni S. Livingston

/s/ Penni S. Livingston

DATED: September 12, 2007

PENNI S. LIVINGSTON #06196480

Attorney for the Petitioner

penni@livingstonlaw.biz

5701 Perrin Road

Fairview Heights, IL 62208

Telephone 618-628-7700

Fax 618-628-7710