

Illinois Pollution Control Board
100 W. Randolph St.,
Suite 11-500
Chicago, IL. 60601

From: Tom Edwards
902 W. Moss Ave.
Peoria, IL. 61606
February 29, 2008

Amended Appeal of IEPA Proposed Permit to PDC

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MAR 03 2008

Tom Edwards, petitioner,

v.

PCB 08-42
(Third-Party Permit Appeal-RCRA)

STATE OF ILLINOIS
Pollution Control Board

Illinois Environmental
Protection Agency and
Peoria Disposal Company,
respondents

Statutory Authorization for Appeal

- Ill. Environmental Protection Act, 415 ILCS 5/40 (b) and (c)
- 35 Ill. Adm. Code 705.212(a), participated in the public hearing; filed comments (attached).
Appealing individually.
- 35 Ill. Adm. Code 101.400 (a) (1) "Individuals may appear on their own behalf"
- 35 Ill. Adm. Code 101.304 -- proof of service, attached.

Note: Motion not to include repeat filing of the bulky 197-page IEPA proposed new "RCRA Part B Permit" with the IPCB in this amended appeal, and service copies of that permit to above cited parties in that appeal, because:

- 1 -- The IPCB already had been provided a complete copy of above cited permit by appellant in his first filing;
- 2 -- The IEPA, being the author and distributor of that permit, has many copies;
- 3 -- The IEPA permit is singularly written for Peoria Disposal Co.'s toxic waste landfill, and IEPA distributed copies.

Succeeding pages include:

- Amended text for this appeal (pages 2 and 3);
- Copy of original testimony of this appellant at IEPA's public hearing Feb. 28, 2007, in Peoria on IEPA's proposed new permit to replace the present one issued in 1987. (This copy was submitted at the hearing; a second also mailed to insure inclusion.)
- Proof of Service

Tom Edwards

Amended Appeal of Proposed New Permit for Peoria Disposal Co.

1 -- Preserve limitations in the original permit:

A -- From its 1987 beginning PDC's permit was for 2.63 million cubic yards of toxic waste to be put on its hilltop disposal site. That limitation still stands. But both PDC and IEPA are saying that limit has not yet been reached after 20 years of dumping via what was originally a 10-year permit. That must be impossible. In tonnage, 2.63 million cubic yards of toxic waste, according to an expert, is equivalent to 900,000 tons, given the loose, even fluffy nature of much or most toxic waste. (It comes in trucks from up to 15 states.) Something is amiss. We need far better oversight.

B -- The much extended, and also modified permit, was last to expire in 2006. But EPA summarily extended that deadline to 2009. We need to focus on closure. PDC's landfill is the *only* one in the nation that sits directly over, *or* even close to a city's water supply aquifer -- and also immediately upwind of the air a city must breathe.

C -- The disposal area was originally permitted for 64 acres. That has been expanded by the EPA to 75 acres, *ignoring* the original cubic yard limitation.

D -- A height limitation is evidently still in effect. But PDC has requested permission to go up another 45 feet (5 stories) higher than the 4 to 5 stories high it already is. That would make it, *by far*, the highest hill in that area.

2 -- Overall, virtually all required data collection and reporting is left by the EPA for PDC to do itself, then send reports to EPA. EPA must take more direct responsibility.

3 -- Until now collection of test samples from the present 21 monitoring wells has been, nominally, done jointly by PDC with an EPA representative present on a quarterly basis. (There are 25 such well sites listed, but 4 are reported as never installed.)

However, it is PDC that tells EPA on what day to be there for drawing samples. EPA itself needs to better assure the representiveness of the sample contents.

4 -- Collection of samples from test wells, formerly done quarterly, are now to be collected semi-annually, *and* a number only annually. (Even EPA staffers protested this change.) Leaks into our aquifer could go on for half a year to a year without being detected under this arrangement. Continued quarterly monitoring is a vital safeguard.

5 -- EPA says an inspector regularly visits the landfill site. But those visits are only once, maybe twice, a month, and are only visual. This procedure is not spelled out in the permit. During city highway-sidewalk construction, inspectors are constantly present!

6 -- EPA firmly asserts there is no air pollution from the site. HOWEVER, EPA was totally unaware that PDC has vents on the site to release gaseous fumes to the air. In an unauthorized visit, I found such vents, smelled their extremely acrid emissions, and

reported their location to the EPA. (To his credit, when I told the EPA inspection manager he acknowledged he was unaware of the vents and asked me where they were.)

EPA has said there is some dust around where the waste hauling trucks unload, says it is captured, and that elsewhere on the site any dust pollution is inconsequential.

BUT new research elsewhere shows gaseous toxic air pollutants from such landfills are very consequential to unborn babies and older people.

7-- The EPA has the bulk of the test well samples analyzed by PDC's own laboratory, I have been advised. This is a rather incestuous arrangement. Independent testing is needed.

8 -- The federal EPA authorizes 843 toxic chemicals to be put in this landfill. Yet still another, unauthorized and worrisome PCBs, have been reported there, too. But just semi-annual checking for only 24 chemicals is mandated under the revised permit.

9 -- The 843 allowable hazardous chemicals are preponderantly volatile, i.e., will evaporate into the air, we are informed. We need better surveillance and controls.

10 -- Testing for highly toxic and very volatile mercury has not been included in EPA monitoring, though it is permitted in the landfill. Is this because it quickly volatilizes into the air? It needs to be banned. (Lead, too, is a concern; Europe's landfills ban it.)

11 -- The "barrel trench," i.e., toxic waste buried in 1,000s of metal barrels: It is highly unlikely that not one barrel isn't disintegrating from rust, which has or will leave 50,000 tons of toxic waste free in the soil just above the aquifer (as is the rest of the landfill) from which the Peoria area pumps most of its water.

12 -- All of the 5 barrel trench monitoring wells are listed in EPA's original permit as "upgradient." Doesn't this mean the groundwater is monitored going into the barrel trench rather than *after* it goes through? EPA says it now will require a "downgradient" well to be installed. When? Will this test for groundwater traveling *through* the barrel trench into the city's drinking water sources? Is one enough? Who will do the testing?

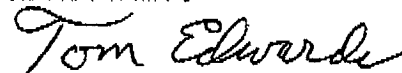
13 -- EPA says the flow rate of groundwater through the aquifer's porous sand and gravelly soil is only 6 feet per year! It doesn't give the source of that statistic. New and better data is direly needed from independent sources.

The Illinois State Water Survey has pointed out that the "cone of depression" of the water table reaches far from the municipal wells from which it is drawn. So great has usage drawn down and lowered the groundwater table here that the former Hiram Walker distillery in Peoria had to extensively artificially recharge the aquifer by pumping river water into "recharge basins" for its own plant needs. And even very deep excavations, as for the Civic Center building, find only dry sand.

Under pumpage the underground flow of water is greatly accelerated!

Thank you for your vital attention to these matters,

Tom Edwards



Photocopy of original

PDC'S TOXIC WASTE LANDFILL -- Testimony at EPA's Public Hearing

There is one thing, I believe, that everybody at this hearing tonight (2/28/07) agrees on, whether publicly, or privately in their minds: That is: Peoria Disposal Co.'s toxic waste landfill on the west city limit is in a very wrong place, a dangerous location for the "forever" health and welfare of the people of the greater Peoria area. It needs to be safely closed with means for perpetual monitoring and maintenance. Because:

1) It sits right over the sand-gravel aquifer from which most of the Peoria area's drinking water is pumped. Contamination is unavoidable.

2) It is immediately upwind of Peoria. And in just the last 5 years air pollution in the vicinity of such landfills in Europe, New Jersey and New York state has been linked to higher rates of birth defects, premature births, and adult strokes

And Illinois EPA's present permit allows 843 of the nation's most toxic chemicals, (most are volatile), to come into the landfill from anywhere in the U.S., but requires only cursory quarterly water pollution checks for just 20.

And that permit does not require monitoring for air pollutants!

But the IEPA is here tonight to take comments on its proposed new permit for Peoria Disposal Co. to continue dumping toxic waste for 10 more years, at least, on its hilltop "landfill" on Rt. 8. It would replace EPA's present "10-year" permit, issued 20 years ago (1987) and which still remains in effect, EPA says.

However, that permit is due to expire shortly. Moreover, it sets a precise volume limit which PDC is near if not at. And the Peoria County Board voted in May to deny PDC a new permit. PDC is appealing that decision to the Illinois Pollution Control Bd., which has, however, a history of rejecting 90 to 95% of such appeals.

To say "yes or no" to a landfill permit request is the only authority state law gives local governments over the EPA. So if the county's rejection is upheld, regardless if EPA issues a new permit, PDC must soon begin closing its landfill.

PDC wants a permit to add 2.2 million tons of toxic waste to the top of its landfill from as many as 15 states (enough to fill 175 of one of Peoria's Twin Towers). That would triple the volume of what PDC says is already there, and would add 45 feet, that is 5 stories, to that 40-acre hilltop, on top of an equal amount already there.

The new waste would not be "buried" per se, but piled on top of the hill and encased in manmade dirt walls lined with plastic membrane to, hopefully, keep it from leaching into our groundwater supply, though bulldozers daily pack down the dumpings.

The EPA is not monitoring for air pollutants at the landfill because they didn't think it was a concern there, an official said. It was not aware of the above new findings.

However, this writer discovered, in a back area of the landfill, several large vents emitting acrid fumes, and reported this to the EPA. It had not been aware of them!

And primarily due to this landfill, according to the 2002 federal Toxic Release Inventory, Peoria has by far the highest TRI in the state, and was 16th in the nation.

In short, PDC's toxic waste landfill is evidently a hazard to the health of the Peoria area. River Rescue's petitions last year, which received over 7,000 signatures, called for closure of the landfill, and for the federal EPA to find means to detoxify and recycle hazardous waste to beneficial uses. Even if buried it remains a menace.

*** The county board took the first vital step when it voted to deny PDC a new operating permit. It deserves and needs our support -- and the EPA's support.

Tom Edwards, River Rescue, 637-1979

Tom Edwards

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STATE OF ILLINOIS
Pollution Control Board

PROOF OF SERVICE and NOTICE OF FILING

I hereby certify that on this morning of March 1, 2008, I did send by U.S. Mail with prepaid first class postage, by depositing at the main U.S. Post Office in Peoria full and true copies of 1) Amended Appeal of Proposed New Permit for Peoria Disposal Co., and 2) PDC's Toxic Waste Landfill -- Testimony at EPA's Public Hearing, to:

John Therriault, Acting Clerk
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James Thompson Center
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Brian Meginnes
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plus also an electronic filing of the same above documents on this same morning to:

John Therriault, Acting Clerk
Ill. Pollution Control Board
James Thompson Center
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Tom Edwards

Tom Edwards, petitioner
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*Subscribed and Sworn to
on March 1, 2008*

before me by TOM EDWARDS

Robert G Day Jr

