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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD MAR 05 2008

STATE OF ILLINOIS
Pollution Control Board

JOYCE FARMS RECYCLING, INC.,)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
Respondent.)

PCB 08- 49
(LUST Appeal – Ninety Day
Extension)

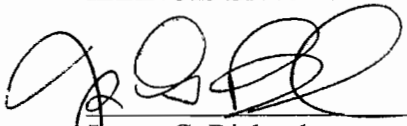
NOTICE

John Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Claire A. Manning
Brown, Hay & Stephens LLP
205 South Fifth Street, Suite 700
P.O. Box 2549
Springfield, Illinois 62705

PLEASE TAKE NOTICE that I have today caused to be filed a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson
Assistant Counsel

Dated: March 3, 2008
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

MAR 05 2008

STATE OF ILLINOIS
Pollution Control Board

JOYCE FARMS RECYCLING, INC.,)
 Petitioner,)
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ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
 Respondent.)

PCB No. 08- **49**
(LUST Appeal – Ninety Day Extension)

REQUEST FOR NINETY DAY EXTENSION
OF APPEAL PERIOD

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, James G. Richardson, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to June 2, 2008, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

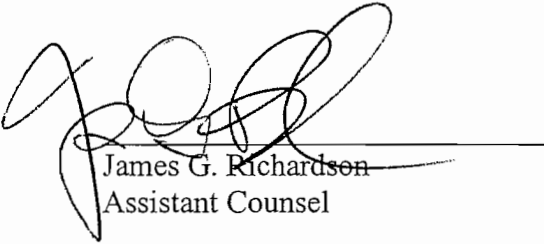
1. On January 28, 2008, the Illinois EPA issued a final decision to the Petitioner.
2. On February 27, 2008, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five day period for filing a petition by ninety days. Upon information and belief the Petitioner did receive the final decision on January 29, 2008.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson
Assistant Counsel

Dated: March 3, 2008

1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
217/782-9143 (TDD)

THIS FILING IS SUBMITTED ON RECYCLED PAPER

DCR



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 - (217) 782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601 - (312) 814-6026

217/524-3300

ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

January 28, 2008

Certified Mail 7004 2510 0001 8624 9911
7004 2510 0001 8624 9928

OWNER

Home Star Bank
Home Star Bank Land Trust #883
Attn: Ms. Tamra J. Legacy
222 North Industrial Drive
Bradley, Illinois 60915

OPERATOR

Joyce Farms Recycling, Inc.
Attn: Mr. Patrick J. Joyce
P.O. Box 129
Essex, Illinois 60935

Re: 0910355001—Kankakee County
Joyce Farms Recycling, Inc.
Permit No. 2000-138-DE/OP
Modification No. 9
Log Nos. 2007-429 and 2007-450
Expiration Date: July 31, 2009
State Permit File

Dear Ms. Legacy and Mr. Joyce:

Permit is hereby granted to Home Star Bank, Trust #883 as owner and Joyce Farms Recycling, Inc. as operator approving modification of an existing landscape waste compost facility consisting of 13.62 acres in Section 24, Township 31 North, Range 9 East of the Third Principal Meridian, Kankakee County, Illinois, all in accordance with the applications and plans signed and sealed by Sean C. Chisek, P.E., dated October 15, 2007. Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified on the records of the Illinois Environmental Protection Agency ("Illinois EPA"), Bureau of Land, Division of Land Pollution Control by the permit number and log number designated in the heading above.

The applications approved by this permit consists of the following documents:

<u>DOCUMENT</u>	<u>DATED</u>	<u>DATE RECEIVED</u>
Application Log No. 2007-427	October 15, 2007	October 15, 2007
Supplemental Information	January 11, 2008	January 11, 2008
Application Log No. 2007-450	October 30, 2007	October 30, 2007
Supplemental Information	December 5, 2007	December 6, 2007

Specifically, Modification No. 9 to Permit No. 2000-138-DE/OP, changes the sampling deadline date for the outlet pipe of the facility's underdrain system as requested in its application Log No. 2007-477. This permit has been renewed in response to the renewal request in application Log No. 2007-450.

Only the portion of the application identified in the Agency's records as Log No. 2007-450 application that requests to modify Permit Special Condition III.6, III.7, I.2, II.1, V.4 and II.1 (as contained within the Supplemental Information dated December 5, 2007) is denied.

The applicant has failed to provide proof that granting this permit would not result in violations of the Illinois Environmental Protection Act (Act). Section 39(m) of the Act (415 ILCS 5/1 et seq.) requires the Illinois EPA to provide the applicant with specific reasons for the denial of the permit.

1. In accordance with 35 Illinois Administrative Code (IAC) 831.105, the portion of Log No. 2007-450 submitted on December 5, 2007, requesting the modification to the permit special conditions did not contain the required signatures of the owner, operator and engineer.
2. In accordance with 35 IAC 831.108, the application has not provided an updated site plan map that identified and provides the dimensions of the expanded screened cover area and all locations and areas of all staging and stockpiling areas for landscape waste, end-product compost, windrow bulking agents and additives as proposed in the application Log No. 2007-450.
3. The request to modify Condition Number III.6 by removing the limitations on the windrow size and aisle spacing would result in excessively long windrows, with odors being generated by a failure to properly aerate the windrows due to their size, and difficulty performing maintenance due to inadequate aisle spacing. This would result in a violation of 35 IAC 830.206(g)(4)(C) because of the failure to form windrows and other piles into a size and shape favorable to minimize odors, and a violation of 35 IAC 830.205(b)(1)(B) because inadequate aisle spacing will prevent the operator from performing maintenance to allow diversity of run-on, management of runoff and landscape waste leachate, and operation during all weather conditions.
4. The request to modify Condition Number III.7 by removing the requirement to store screen ovens in windrows not to exceed 6 ft. 4 inches in height and 12 feet in width, with a minimum aisle spacing of 8 feet would result in excessively large screened over piles that would not be properly aerated, generating odors. This is a violation of 35 IAC 830.202(c)(g) and (h) because the screened overs pile will generate odors, interfere with the diversion of run-on from the composting area, and the failure to maintain adequate aisle spacing will interfere with the housekeeping observations, visual inspections of piping areas and firefighting operations.

5. The request for a renewal period of five (5) years is denied under 35 IAC 832.106, the Agency may impose such conditions as may be necessary to accomplish the purpose of the Act. Issuance of the permit for 18 months will allow the operator to operate through one full composting season and allow the operator to demonstrate that the permit conditions comply with Section 39(m)(5) and, if necessary, submit revisions to the permit condition with the renewal application.

Because of the deficiencies described above, issuance of this permit would result in violations of 35 Ill. Adm. Code Sections 831.105 and 831.108, and Sections 39(a) and 39(c) of the Act.

Within 35 days after notification of the final permit decision the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal.

Pursuant to Section 39(a) of the Illinois Environmental Protection Act (Act) this permit is issued subject to the development, operating and reporting requirements for Compost Facilities in 35 IAC, Parts 830 through 832, the standard conditions attached hereto, and the following special conditions. Condition No. I-1 and Condition 24 of Attachment A have been revised.

Except for the differences described above, the special conditions of the permit letter for Modification No. 9 to Permit No. 2000-138-DE/OP are identical to the special conditions of Modification No. 8 to Permit No. 2000-138-DE/OP issued June 28, 2007.

I. DEVELOPMENT

1. This permit shall expire July 31, 2009. For operation to continue, application for permit renewal must be submitted at least ninety (90) days prior to the expiration date.
2. The operator shall reposition the corner stakes of the facility by September 30, 2006. The permittee shall locate and install the corner stakes to comply with the site development plan measurements dated June 1, 2000 of Application Log No. 2000-138. Upon completion, the permittee shall maintain the corner stakes and records of the survey or GPS readings of the repositioned corner posts and calculated footage measurements between posts based on these GPS readings. These records shall be included in the operating record and made available for inspection.
3. The operator shall maintain a minimum elevation of at least 92.0 feet relative to the site benchmark elevation of 100.00 feet, along the north side of the facility within the facility boundaries from 3,327 Easting to 2,830 Easting. The operator shall maintain a minimum elevation of at least 92.5 feet relative to the site benchmark of 100.00 feet along the west side of the facility, within the facility boundaries from 4,843 Northing to 5,300 Northing

with tie in to the west end of the detention pond berm. Elevations shall be checked along the north and west facility perimeters, yearly, each April, on 100 foot intervals. A record of this conventional or GPS survey and the corresponding elevations placed in the facility operating records and made available for inspection. Within 7 days of discovery, elevations found to be lower than the above minimum specified elevation, shall be brought up to the minimum elevation using a compacted soil berm.

4. As specified at 35 IAC 830.102, the permittee shall submit an application for permit modification to the Illinois EPA and receive authorization before implementing any modification to the facility.
5. The permittee shall notify the Illinois EPA of any changes from the information submitted to the Illinois EPA in its application for a development and operating permit for this site. Permittee shall notify the Illinois EPA of any changes in the names or addresses of both beneficial and legal titleholders to the herein-permitted site. Such notification shall be made in writing within fifteen (15) days of such change and shall include the name or names of any parties in interest and the address of their place of abode; or, if a corporation, the name and address of its registered agent.
6. The permittee shall mark the limits of the facility for visual reference by placing and maintaining stakes at the corners of the 13.62 acre permitted facility consistent with condition I.2 above and as described in the site plan sheet of the facility, dated June 1, 2000, provided in Application Log No. 2000-138. Except along the east side of the facility where existing vegetation prevents a direct line of sight, the operator shall maintain a clear, straight line of sight between facility boundary markers at all times.
7. The operator shall install and maintain drain tiles located and placed under the composting area as shown in Plan Sheet No. 1 of the addendum dated June 2, 2000, to Application Log No. 2000-138. Drain tiles shall be placed at not less than 5 feet (5 ft.) below ground surface to the top of drain pipe at all locations within the composting area.

II. OPERATION

1. Landscape waste may be received at this site from 6:00 am to 6:30 pm, Monday through Friday and from 6:00am to noon on Saturday. Machinery, trucks and equipment may only be operated at the facility during these specified operating hours. If it becomes necessary to accept waste or operate outside of the above schedule in response to an emergency situation, documentation of the nature of the emergency shall be made and verbal notice of the activity shall be provided to the Kankakee Planning Department (815/937-2940) or Illinois EPA, Des Plaines Regional Office (847/294-4000) on the same day or if not possible on the next business day. Written notification of the emergency shall be provided to the Illinois EPA and Kankakee County Planning Department within 7 days of the incident.

2. The operator shall post a permanent sign at each entrance, the text of which specifies in letters not less than three inches high:
 - a. The name and mailing address of the operation;
 - b. The operating hours;
 - c. Materials which can be accepted; and
 - d. The statement, "COMPLAINTS CONCERNING THIS FACILITY CAN BE MADE TO THE FOLLOWING PERSONS," followed by the name and telephone number of the operator, and the name and telephone number of the Bureau of Land, Illinois Environmental Protection Agency, Springfield, Illinois (217/524-3300).
3. For every odor complaint received, the operator shall record and report to the Kankakee County Planning Department (815/937-2940) or Illinois EPA's Des Plaines Regional Office (847/294-4000) within 24 hours after receiving the complaint, the date and time received, the name, address and phone number of the complainant, if known, and the name of the person receiving the complaint. Within seven days after the complaint, the operator shall file a written report to the Illinois EPA, Des Plaines Regional Office and Kankakee County Planning Department on the date, time and nature of any action taken in response to an odor complaint.
4. The permittee shall insure that utilities necessary for safe operation are available during operation of the facility, including communications equipment, electric service and lights when necessary. The permittee shall also insure that water is available for compost operations and dust control.
5. If a breakdown of equipment occurs, the permittee shall provide standby equipment or insure additional equipment will be brought on-site to comply with the requirements of this permit, in accordance with Section 3 of the Operating Plan (February 2006) of Application Log No. 2005-219.
6. The permittee shall take measures to ensure that the waste does not become wind strewn or ignited and that no other provisions of the Act are violated.
7. The permittee shall maintain an accessible clear space between windrows of composting material. These aisles shall be a minimum of 8 feet wide and suitable for housekeeping operations, visual inspection of windrow areas and fire fighting operations.
8. The permittee shall provide fire extinguishers on all loaders and grinders used at the facility.

9. Open burning is prohibited at this facility, except as permitted in accordance with 35 Ill. Adm. Code, Parts 200-245.
10. The operator shall implement as necessary methods for controlling dust so as not to cause or contribute to a violation of the Act. Dust control procedures shall be conducted in accordance with the Operating Plan, Sections 7 and 8 and the Contingency Plan in Section 13, of Application Log No. 2005-219, including:
 - a. The operator shall apply calcium chloride, tar and chip, recycled asphalt pavement or equivalent additives to the incoming driveway of the facility as necessary to control dust.
 - b. Each week during May through October, the operator shall assess the condition of the driveway to determine if the surface coating is adequate to control dust and record the inspection and resulting action in the operating records of the facility. The operator shall also apply water to the road surface each day if needed to control dust.
 - c. During dry periods, the operator shall apply water to aisles between windrows sufficient to prevent off-site migration of dust.
 - d. The operator shall apply water to windrows during windrow turning as necessary to control dust generated during turning.
 - e. The operator shall take measures to prevent dust or migration of dust off-site from incoming traffic or equipment operating at the facility.
11. The permittee shall control insects, rodents and other vectors so as not to cause or contribute to disease and nuisance conditions, including:
 - a. The operator shall take preventative measures to disrupt the life cycle of flies to prevent fly breeding locations and to control nuisance conditions including:
 1. At least three Fly Traps shall be placed across the facility and monitored weekly during April through October;
 2. Fly Trap counts shall be made and recorded weekly; and
 3. Based on weekly Fly Trap counts and noted conditions at this facility during April through October, actions shall be taken to reduce noted increasing fly populations, by turning all windrows at least once every 5 days, covering windrows with sufficient wood chips to prevent fly breeding or use of a fly insecticide in addition to the use of Fly Traps.

- b. The operator shall record Fly Trap weekly counts and the specific control measures taken each week based on these counts.
 - c. These records shall be maintained as part of the operating records at the facility ticket office.
12. The operator shall control litter at the facility by patrolling the facility daily and collecting litter. Aisles between windrows shall be scraped, vacuumed or picked clean of debris and litter after windrow formation or turning. Visible litter shall be removed from windrowed material each operating day. The operator shall install movable fencing, down wind, on at least two sides of the grinder and its output piles and the trommel screen and its output piles during operation and the operator shall move and clean this fencing as necessary to contain litter and aid in collection. Any litter from facility operations strewn beyond the confines of the facility shall be collected and properly disposed. The operator shall not operate the grinder or trommel screen during windy conditions if litter from the operation cannot be contained within the processing area. The operator shall maintain the tipping area clean of landscape waste and litter during operations by scraping up all landscape waste from around the grinder, trommel screen and the tipping area each day of operation.
13. Non-compostable wastes shall be removed from incoming landscape waste on the receiving pad and from composting material in accordance with Sections 3.1 and 3.2 of the Operating Plan of Application Log No. 2005-219. The permittee shall store non-compostable waste and collected litter in covered trash containers for periodic disposal at an off-site permitted facility. The operator shall provide sufficient trash container capacity on-site to contain waste volumes. Each load of landscape waste shall be inspected and visible non-landscape waste materials shall be removed during unloading. After unloading, the landscape waste shall be turned with a loader or similar equipment to assist in exposing and removing any non-landscape waste material. Mechanical equipment shall be available and used as necessary to spread out each load to facilitate litter removal prior to processing. The permittee shall reject any load of landscape waste that contains extensive contamination or take the actions described in Section 6 of the Operating Plan, to prevent further delivery of contaminated loads from the customer and remove the contamination from the load, prior to grinding.
14. The permittee shall maintain mufflers in good condition on all operating equipment at the facility and shall implement appropriate noise control measures such as constructing sound barriers and limiting times of operation of equipment as necessary to prevent off-site nuisance conditions.
15. The operator shall prevent delivery and hauling vehicles from tracking mud onto public roadways.

16. No salvaging shall be conducted at this facility. Landscape waste received at this facility may not be transferred. All landscape waste received at this facility shall be composted to end-product compost prior to distribution or use out-side the facility.
17. The operator shall implement controls at the facility to limit unauthorized access, prevent random dumping and ensure safety.
18. The operator shall have available at the ticket office a written Operating Plan that addressès the activities specified in 35 IAC 830.206 (a) through (n). The Operating Plan shall be made available and explained to facility employees.
19. The operator shall provide annual training to employees on facility operating procedures for both normal and emergency situations. New employees shall be trained prior to participating in operations at the facility relevant to their employment. Employees shall sign an acknowledgment stating that they have received training in facility operating procedures and such acknowledgment shall be made a part of the records for the facility.
20. Any special waste, as defined in Section 3.457 of the Act received at the facility shall be immediately contained, collected and hauled to a properly permitted facility.
21. The permittee shall implement the Contingency Plan in Section 13 of Application Log No. 2005-219, as necessary to address any contingency described in 35 IAC 830.202(c) and 830.212(a) which occurs at the facility. The permittee shall maintain a copy of the facility contingency plan at the facility ticket office.
22. This facility is subject to the groundwater monitoring program approved by Permit No. 2000-138-DE/OP and the conditions contained in Attachment A of this permit modification.

III. COMPOSTING AND COMPOST MONITORING

1. The type(s) of waste that may be received and composted at this facility shall be limited to landscape waste as defined in 35 IAC 830.102. The permittee shall not accept more than 170,000 cubic yards of landscape waste per year at this facility.
2. The types of additives used in the composting process at this facility shall be limited to innoculant bacteria, fruit and vegetable waste and water. Fruit and vegetable waste is limited to fresh cut fruits and vegetables from Del Monte Fresh Produce, 12 Stuart Drive, Kankakee, Illinois. The operator shall conduct operations as follows:
 - a. The permittee may only receive fruit and vegetable waste during the operating hours specified in Special Condition II.1 of this Permit.

- b. The operator shall assure that fruit and vegetable waste additive is transported to the compost facility in a water tight container or vehicle that assures no leakage of the waste during transport. The operator shall inspect each container or vehicle delivering fruit and vegetable waste additive to the compost facility at the ticket office for any leakage. Any leakage from the vehicle shall be recorded in the records of the facility and the truck or container shall be refused, not allowed to unload and banned from further delivery to the facility until all leaks are repaired and verified by the ticket office in the records of the compost facility.
 - c. The permittee shall prevent excess liquids from fruit and vegetable waste delivery containers from contacting or contaminating the asphalt receiving pad area or surrounding soils by providing sufficient absorbent material on the pad prior to unloading fruit and vegetable waste, unloading fruit and vegetable waste additive onto the absorbent material and removal of all wetted materials from the pad as soon as possible after unloading.
 - d. Fruit and vegetable waste additive shall not exceed 10% total additives by volume of the landscape waste composting material.
 - e. The permittee shall not receive fruit and vegetable waste if sufficient volume of landscape waste is not available the same day for blending so as not to exceed 10% total additives by volume of the landscape waste.
 - f. The permittee shall incorporate fruit and vegetable waste additive into windrows of landscape waste under proper conditions for aerobic composting as soon as possible upon receipt, but no later than the end of the day received.
 - g. Windrows containing fruit and vegetable waste additive shall be covered with a compost cover tarp or layer of carbon source material or bulking agent material by the end of the operating day. Cover material shall be applied and maintained thick enough to discourage foraging. Except during windrow maintenance, cover shall be maintained until the raw material is no longer attractive to foragers.
3. Within 24 hours of the time of receipt, the operator shall process landscape waste received at the facility into windrows providing proper conditions for aerobic composting.
4. The permittee shall not construct windrows of composting material that exceed 6ft. 4 inches in height and 12 ft., in width. Within 24 hours after constructing windrows of composting material the permittee shall process the windrow with a windrow turner or other equipment to comply with the above maximum dimensions.

5. The permittee may temporarily store brush, tree limbs and woodchips for use as bulking agent in the composting process at the facility in the designated woodchip/leaves storage area identified on the facility plan sheet in Attachment 1 of the Operating Plan (February 2006) to Application Log No. 2005-219. Incoming brush and woody landscape waste to be stored as bulking agent shall be processed as necessary and placed into the designated storage area within 24 hours after receipt. Paper bags containing brush shall be broken open prior to storage of the brush. The designated woody landscape waste storage area shall be operated so as not to cause a nuisance, harbor vectors, cause litter, leachate, malodors or create an unsightly appearance. Brush and branch storage piles shall be limited to the ¼ acre designated woodchip/leaves storage area. Brush and limbs shall not be stored for longer than 6 months before being processed into woodchips. Woodchip storage piles shall be constructed and managed to reduce pile heating and the potential for fires.
6. Leaves may be temporarily stored in the designated leaf storage areas or in the composting area for use as a carbon source in the composting process, in windrows not exceeding 6 ft. 4 inches in height and 12 ft. in width. Aisle spacing in the designated carbon source leaf storage areas shall not be less than 8 ft. wide. Carbon source leaves stored in windrows in the composting area shall have aisles that are a minimum of 8 ft wide. Incoming leaves to be stored as carbon source material, shall be processed as necessary and placed into the designated storage areas within 24 hours after receipt. Paper bags containing leaves shall be broken open prior to storage of the leaves. All leaves stored for use as a carbon source, shall be incorporated into composting material within 9 months of their receipt.
7. All screen overs generated from the screening of landscape waste or end-product compost, shall be stored in the 0.5 acre designated screen overs storage area as shown in Figure 1, of Application Log No. 2005-219, received February 9, 2006, until used in the composting process or removed from the site. Storage of screen overs shall be in windrows not exceeding 6 ft. 4 inches in height and 12 ft. in width. Aisle spacing between windrows in the designated screen overs storage area shall not be less than 8 feet wide. The operator shall contain screen overs and prevent wind blown litter from the stored screen overs. The windrows of screen overs shall be covered with end-product compost, a compost cover fabric or wood chips as necessary to control litter dispersal from the stored material. To prevent blowing litter during these operations, moveable fencing shall be provided and positioned down wind of operations each time screen overs in the storage area are removed or processed.
8. The operator shall conduct operations to minimize odors by:
 - a. Rejecting odorous loads likely to cause a nuisance to surrounding properties;
 - b. Load checking all incoming landscape waste and rejecting bad loads;

- c. Avoiding anaerobic conditions in the composting material, bulking agent and carbon source materials and quickly taking corrective actions to turn or aerate any windrow or pile if monitoring indicates an out of normal range temperature or low oxygen levels;
 - d. Processing all landscape waste received in a timely manner into windrows providing proper conditions for aerobic composting;
 - e. Mixing or covering incoming odorous loads with bulking agents or end-product compost, if processing will be delayed;
 - f. Covering windrows as necessary to control odors;
 - g. Considering the time of day, wind direction and wind speed prior to turning or moving material;
 - h. Forming of windrows into a size and shape favorable to minimizing odors, and
 - i. Implementing the odor control measures specified in Section 8 of the Operating Plan and in the Contingency Plan in Section 13 of the Operating Plan provided in Application Log No. 2005-219.
9. The operator shall take measures to adjust the oxygen level within the windrow as necessary to promote aerobic composting. The oxygen level of each windrow of composting material shall be monitored at least weekly.
 10. The operator shall take measures to maintain the moisture level of the composting material within a range of 40% to 60% on an as is basis. Except for January through February the permittee shall monitor the moisture level in each windrow of composting material at least once per week. During January and February moisture measurements may be suspended if windrows are frozen but must be conducted once every two weeks if windrows are not frozen. If a "Hand Test" method is used, for every 20th hand test, a sample shall also be dried and weighed to confirm moisture measurements taken by the hand test method.
 11. The operator shall monitor the temperature of each windrow of composting material at the 18 inch and 48 inch depth levels once each operating day, during March through December. During January and February the permittee shall monitor the temperature of each windrow of composting material once per week or document that the windrows are frozen and temperature monitoring could not be conducted.
 12. The permittee shall not mix landscape waste or composting material with end-product compost once the end-product compost has been designated as ready to be sold or offered

for use off-site. Only end-product compost which has been processed to maturity and meets all the applicable performance standards of 35 IAC 830.503 for General Use Compost, may be sold or offered for use off-site.

13. Any additive, or combination of additives, other than water, must not exceed 10 percent, by volume, of the composting material. Prior to use of any additive other than inoculant bacteria, fruit or vegetable waste from Del Monte Fresh Produce and water, the operator shall obtain written authorization from the Illinois EPA.
14. The operator shall turn each windrow at least four times per year and not less than once every six months.
15. The permittee shall test End-product Compost derived from landscape waste for the parameters set forth in 35 IAC 830.503 (a-f). The permittee shall conduct this testing at a frequency of:
 - a. Once every 5000 cubic yards of end-product compost transported off-site, or
 - b. Once per year, if less than 5000 cubic yards of end-product compost are transported off-site per year.
16. To meet the definition of "general use compost" the end product of the composting process:
 - a. Must be free of any materials that pose a definite hazard to human health due to physical characteristics, such as glass or metal shards;
 - b. Must not contain manmade materials larger than four millimeters in size exceeding one percent of the end-product compost, on a dry weight basis;
 - c. Must have a pH between 6.5 and 8.5;
 - d. Must have reached stability, as demonstrated by one of the methods prescribed in 35 Ill. Adm. Code 830, Appendix B or stability of the compost is measured using respiration rate and has an oxygen utilization respiration rate under conditions appropriate for microbial growth of $\leq 20\text{mgO}_2/\text{Kg}$ compost dry solids / hr.;
 - e. Must not contain fecal coliform populations that exceed 1000 MPN per gram of total solids (dry weight basis), or Salmonella species populations that exceed three (3) MPN per four grams of total solids (dry weight basis); and
 - f. Must not exceed, on a dry weight basis, the inorganic chemical concentrations set forth below:

<u>Parameter</u>	<u>mg/kg (dry weight basis)</u>
Arsenic	41
Cadmium	21
Chromium	1200
Copper	1500
Lead	300
Mercury	17
Nickel	420
Selenium	36
Zinc	2800

17. The permittee shall manage end-product compost that does not qualify as “General Use End-product Compost” as “Designated Use Compost”. The use of Designated Use Compost off-site is limited to daily cover or vegetative amendment in the final layer of a landfill if authorization from Illinois EPA has been granted to the landfill to use Designated Use Compost. End-product compost used as daily cover or vegetative amendment in the final layer of the landfill is exempt from the performance standards of 35 IAC 830, Subpart E.
18. The permittee shall conduct sample collection, preservation and analysis in accordance with methods set forth in 35 IAC 830.507 and the approved test methods in Special Condition III.16.

IV. SURFACE WATER MANAGEMENT

1. The permittee shall maintain the grade of the composting surface to allow diversion of run-on waters away from the composting area, control runoff from the facility and facility operation during all weather conditions. After each precipitation event or snow melt, the operator shall inspect the facility for ponded water within operational areas and remove ponded water by blading, pumping, adsorption or filling and compacting any depressed area within 48 hours after each precipitation event. Within 48 hours after the end of a precipitation event or snow melt, the permittee shall re-grade to prevent further water accumulation. Site design grades as shown in Figure 1, of Application Log No. 2005-219, received November 23, 2005, shall be maintained and any ruts filled to prevent water accumulation. The operator shall maintain aggregate or a dry stockpile of soil for filling low areas discovered within the facility.
2. The permittee shall allow soil surfaces used for windrow composting to dry periodically to promote aerobic conditions in the soil subsurface. The permittee shall maintain a compacted surface in the compost area sufficient to support the loads imposed by material and equipment without rutting or depression so as to maintain the design grade.

3. The operator shall operate the detention pond in a manner which provides for settling, use and timely discharge of water from the detention pond to maintain capacity in the pond. The detention pond gate valve shall remain normally closed to contain runoff for use on-site and to provide an appropriate settling time for runoff. The permittee shall provide sufficient settling time to prevent excess turbidity or solids discharge to receiving waters generated by precipitation events less than or equal to the 10 yr.-24-hr. precipitation event. The permittee shall provide capacity in the detention pond for forecasted precipitation by drawing down or discharging from the detention pond prior to the forecasted precipitation event. The operator shall prevent over topping the pond perimeter elevation of 92.0 feet in relation to the site bench mark elevation of 100.00 feet. Runoff collected in the detention pond shall be removed, prior to the development of anaerobic conditions in the detention pond water.
4. The operator shall remove any sediment buildup in the retention pond, as necessary to maintain design capacity in the pond for the volume of site runoff resulting from the 10 yr. 24-hr. precipitation event.
5. Issuance of this permit does not relieve the permittee from obtaining any necessary permits from the Illinois EPA's Bureau of Water.
6. The permittee shall implement best management practices to control runoff from composting areas to insure the permitted facilities do not cause or contribute to a violation of the water quality standards contained in 35 IAC, Part 302.
7. The operator shall prevent trucks, tractors and other operating equipment from driving on or through the vegetative filter strip runoff control areas, berms and swales designated on plan sheet, Figure 1, of Application Log No. 2005-219 received November 23, 2005. The operator shall maintain the vegetation in the designated vegetative filter areas. The vegetative filter strip shall be a minimum of 30 feet wide. The operator shall protect the vegetative filter from vehicle traffic and prevent encroachment from material stockpiles. Drainage swales shall be cleared of debris. The operator shall maintain grades within the swales to insure proper drainage to the on-site detention pond. The operator shall not cultivate areas within the detention pond corner stakes where the elevation is below the 92.0 foot elevation contour. To limit weed height and prevent interference with proper pond operation, the operator shall periodically mow any volunteer vegetation that appears within the detention pond corner stakes below the 92.0 elevation contour.
8. The permittee shall control runoff from the facility resulting from precipitation less than or equal to the 10-year, 24-hour precipitation event, to ensure the runoff does not to cause or contribute to a violation of the Act.
9. Storm water or other water which comes into contact with landscape waste received, stored, processed or composted, or which mixes with landscape waste leachate, is

landscape waste leachate. The permittee shall collect leachate for use in the composting process, treat the leachate as necessary prior to discharge off-site to meet applicable standards of 35 IAC, Subtitle C, or transport the leachate to a properly permitted facility for treatment or disposal.

V. RECORDKEEPING

1. The permittee shall keep records of the volume of fruit and vegetable waste received each day, the volume of landscape waste which was mixed with the fruit and vegetable waste, the identification number of the windrow receiving the fruit and vegetable waste additive and the total volume of landscape waste and total volume of additive(s) in the windrow receiving the additive, recorded after each additive addition.
2. The operator shall maintain weekly records of dust control additive performance checks May through October and any corrective actions taken based on those checks.
3. The operator shall maintain records of weekly fly counts from Fly Traps conducted during the months of April through October and any corrective actions taken in response to those counts.
4. The operator shall record the date, the actual or estimated weight of each load of landscape waste received and estimated volume of each load of landscape waste received. The operator shall perform these weights and measures during load checking at the ticket office or receiving area, prior to unloading. Load weight shall be derived from dated weight tickets from semi trailers and large trucks or trailers. All estimated measurements shall include the daily conversion factor used for the estimate either from weight to volume or volume to weight. The operator shall assess each truck or trailer load to determine compliance with local roadway load limits. Those records shall be maintained at the ticket office and made available for inspection.
5. The operator shall keep copies of the facility permit, design plans, operating plan, contingency plan, closure plan, records required by special condition and records required by 35 Ill. Adm. Code 830.211(a-c) at the ticket office, and they shall be available during normal business hours for inspection or photocopying by Illinois EPA personnel or designees. Records must be kept for three years. Records required to be maintained pursuant to 35 IAC 830.211 (a-c) include:
 - a. The quantity by volume and weight of each load of landscape waste received;
 - b. The origin, type and quantity of each additive received and a record of any rejected load;
 - c. The type and quantity of additive used in the composting process;

- d. The dates when turning of each windrow occurred, the weather conditions, the time of turning and the potential for odor based on recent windrow monitoring data and daily observations of windrows;
 - e. All compost material monitoring data, compost analysis data and groundwater monitoring data required by permit condition;
 - f. Any odor complaint records;
 - g. The time, date and a brief description of any incident that required implementation of the contingency plan; and
 - h. The volume of General Use Compost and Designated Use Compost removed from the facility each day.
6. The operator shall submit a written annual report to the Illinois EPA, on a form provided by the Illinois EPA on or before April 1 each year that includes:
- a. An estimate of the amount of landscape waste material received for composting in the previous calendar year by weight (tons) and volume (cubic yards);
 - b. An estimate of the amount of additives received for composting in the previous calendar year by volume (cubic yards);
 - c. An estimate of the amount and disposition of compost material in the previous calendar year; and
 - d. A compost facility financial assurance plan compliance certification containing the following information:
 - (1) Operator name;
 - (2) Illinois inventory identification number and permit number assigned by the Illinois EPA;
 - (3) Facility name;
 - (4) Address and county in which the facility is located; and
 - (5) A statement certifying compliance with the financial assurance provisions of 35 IAC, Part 830, Subpart F.

VI. CLOSURE PLAN

1. The operator shall implement the Closure Plan submitted in Application Log No.2005-219, dated June 2, 2005, upon commencement of closure of this facility.

2. The operator shall close the facility in a manner which:
 - a. Minimizes the need for further maintenance; and
 - b. Controls, minimizes or eliminates the release of landscape waste and landscape waste constituents to the groundwater or surface waters or to the atmosphere to the extent necessary to prevent threats to human health or the environment.
3. The operator shall initiate implementation of the closure plan within 30 days following the beginning of closure. Not later than 30 days following the beginning of closure the operator shall post a sign at each entrance, the text of which specifies in letters not less than three inches high: This facility is closed for all composting activities and all receipt of landscape waste. No dumping allowed. Violators will be prosecuted. The sign shall be maintained until certification of completion of closure is approved for the facility by the Illinois EPA.
4. Within thirty days after termination of operation, the operator shall notify the Illinois EPA in writing of site closure. A Final Composting Report shall be submitted to the Illinois EPA, and shall include the information in the Annual Report for the time since the end of the last report period.
5. Within 180 days following the beginning of closure, the permittee shall remove all landscape waste, composting material, end-product compost, any additives and any waste from the facility. Any material not fully composted, which must be transported off-site shall be managed at a compost facility operating in accordance with Section 21(q) of the Act.
6. Upon completion of closure, the operator shall prepare and submit to the Illinois EPA an affidavit pursuant to 35 IAC 830.213(g). The affidavit shall be submitted on form LPC-546 titled, "Affidavit For Certification of Closure of Permitted Non-Hazardous Transfer, Storage and Treatment Waste Facilities" and state that the facility has been closed in accordance with the closure plan.

VII. FINANCIAL ASSURANCE

1. The operator shall maintain at the ticket office a copy of the financial assurance plan. The plan shall contain a written cost estimate based on the itemized steps necessary to complete closure, an estimate covering the cost of premature final closure and the financial assurance mechanism chosen covering the maximum cost estimate.
2. The operator shall maintain financial assurance equal to or greater than the amount provided as a written cost estimate in Appendix B of Application Log No. 2005-219, received April 28, 2006. The permittee shall revise the current cost estimate whenever a

change in the facility closure plan increases the cost estimate. The current cost estimate approved by Modification No. 6 to Permit No. 2000-138-DE/OP is \$147,378.

The original and two (2) copies of all certifications or reports which are required to be submitted to the Illinois EPA by the permittee should be mailed to the following address:

Illinois Environmental Protection Agency
Permit Section, Bureau of Land -- #33
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Work required by this permit, your application or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This permit does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Sincerely,



Stephen F. Nightingale, P.E.
Manager, Permit Section
Bureau of Land

SFN:DR:bjh\083631s.doc

Attachments: Standard Conditions
Attachment A Monitoring Program

cc: Sean C. Chisek, P.E., Andrews Environmental Engineering, Inc.
Kankakee County Planning Department

bcc: Bureau File
Des Plaines Region
DLC - Bill Ingersoll
Hans W. ...

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS
ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND

August 22, 2001

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) grants the Environmental Protection Agency authority to impose conditions on permits which it issues.

These standard conditions shall apply to all permits which the Agency issues for construction or development projects which require permits under the Bureau of Land. Special conditions may also be imposed in addition to these standard conditions.

1. Unless this permit has been extended or it has been voided by a newly issued permit, this permit will expire two years after date of issuance unless construction or development on this project has started on or prior to that date.
2. The construction or development of facilities covered by this permit shall be done in compliance with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.
3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.
4. The permittee shall allow any agent duly authorized by the Agency upon the presentation of credentials:
 - a. to enter at reasonable times the permittee's premises where actual or potential effluent, emissions or noise sources are located or where any activity is to be conducted pursuant to this permit.
 - b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.
 - c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit.
 - d. to obtain and remove at reasonable times samples of any discharge or emission of pollutants.

- e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.
5. The issuance of this permit:
- a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;
 - b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;
 - c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;
 - d. does not take into consideration or attest to the structural stability of any units or parts of the project;
 - e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.
6. Unless a joint construction/operation permit has been issued, a permit for operating shall be obtained from the Agency before the facility or equipment covered by this permit is placed into operation.
7. These standard conditions shall prevail unless modified by special conditions.
8. The Agency may file a complaint with the Board for modification, suspension or revocation of a permit:
- a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed; or
 - b. upon finding that any standard or special conditions have been violated; or
 - c. upon any violation of the Environmental Protection Act or any Rule or Regulation effective thereunder as a result of the construction or development authorized by this permit.

Re: Site No.0910355001 -- Kankakee County
Permit No. 2000-138-DE/OP
Log No. 2007-018
ATTACHMENT A

Monitoring Program

To identify any releases from the facility and demonstrate compliance with the applicable groundwater quality standards, the groundwater monitoring program is approved as follows:

1. The monitoring program must be capable of determining background groundwater quality hydraulically upgradient of and unaffected by the units and to detect any discharge of contaminants from any part of a potential source of discharge from the units. The Illinois EPA reserves the right to require installation of additional monitoring wells as may be necessary to satisfy the requirements of this permit.
2. The groundwater monitoring program shall include consistent sampling and analysis procedures to assure that monitoring results will provide a reliable indication of groundwater quality in the zone being monitored.
3. The permittee shall sample all groundwater monitoring points for all potential sources of contamination on a quarterly basis in accordance with Condition No. 21.
4. The permittee shall use the methods in Attachment B or propose for Illinois EPA approval, a more appropriate method to statistically evaluate the groundwater monitoring data. The selected method must provide for statistical comparisons between upgradient and downgradient groundwater quality data and a reasonable balance between the probability of obtaining Type I (false positive) and Type II (false negative) errors. The Type I error rate must be no less than 5 percent. The proposal must consider the gathering of a background data set (from upgradient wells), sufficient to provide an accurate representation of the variability in the quality of groundwater that is unaffected by operations at the facility, and to assure that the selected test has a reasonable chance of detecting releases should they occur.
5. For each sampling event, using the methods in Condition No. 4 above, the permittee must determine if a significant change in groundwater quality has occurred by:
 - a. Comparing sample results from each downgradient well to the pooled background data. The background for each hydrogeologic zone shall be established by pooling all upgradient well data taken from that zone during the first year. This comparison must be performed for each parameter for each well.
6. The permittee shall conclude that a significant change in groundwater quality has occurred if the results of the evaluation in Condition No. 5 above indicate that the value for any parameter exceeds:

- a. The background value established for that parameter at the confidence level; or
- b. The Class II groundwater quality standards listed in Subpart D of 35 Ill. Adm. Code 620 Standards. Iron, sulfate and TDS are exempt from this comparison.

Chromium and copper will not be subject to the requirements of this condition pending results of the groundwater assessment due to the Illinois EPA no later than January 15, 2007.

7. Within thirty (30) days after the date which the first sample analysis are received, the permittee must resample and test the determination made in Condition No. 6 above. The operator shall provide notification to the Agency of the results of the resampling analysis within 30 days after the date on which sample analysis are received, but no later than 90 days after the first samples were taken. If the evaluation of the resample result confirms the determination made in Condition No. 6 above, the permittee must conclude that a significant change in groundwater quality has occurred.
8. In the event a significant change in groundwater quality has occurred or has been confirmed, the permittee shall:
 - a. Submit an assessment monitoring plan within sixty (60) days of the significant change as determined in Condition No. 6 or Condition No. 7, but no later than 120 days of the original sampling event in the form of a permit application. The assessment monitoring plan shall include appropriate methods for determining the source of the increase, the potential threat to human health and the environment, and the concentration and extent of the contaminants, if any. The assessment monitoring plan, at a minimum, include expanded sampling requirements for the effected well(s) and shall be implemented within (30) days of approval from the Illinois EPA.
 - b. Submit the assessment report, based on and including the data and information generated from the completion of Condition No. 8a above to the Illinois EPA within ninety (90) days of approval of the assessment monitoring plan.
 - c. Propose a corrective action plan if assessment monitoring indicates that the facility has impacted groundwater. The corrective action plan shall be submitted within thirty (30) days of approval of the assessment report required by Condition No. 8b above in the form of a permit application and include appropriate response actions to address any impact of the facility. The plan shall be implemented within thirty (30) days of Illinois EPA approval.

9. All monitoring wells shall be constructed in a manner that maintains the integrity of the bore hole and prevents contamination of the samples and groundwater. The casing material shall be inert so as not to affect the water sample.
10. A padlocked protective cover must be installed over the portion of the well casing extending above the ground surface to protect against damage.
11. Wells shall be easily visible and identified with the Illinois EPA monitoring point designation.
12. Should any well become consistently dry or unserviceable, a replacement well shall be provided within ten (10) feet of the existing well. This well shall monitor the same zone as the existing well and constructed in accordance with the current Illinois EPA groundwater monitor well construction standards at the time that the wells are replaced. A replacement well which is more than ten (10) feet from the existing well or which does not monitor the same geologic zone must be approved via Permit modification and designated as a new well.
13. Within sixty (60) days of installation of any groundwater and/or leachate monitoring well, boring logs compiled by a qualified geologist, well development data and as-built diagrams shall be submitted to the Illinois EPA utilizing the enclosed "Well Completion Report" form. For each well installed pursuant to this permit one form must be completed. As-built diagrams, for each monitoring point installed, shall include the horizontal location to the nearest 0.1 foot (grid coordinates), the type and inner diameter of casing material used, type and length of screen packing material used, type and length of seals used, type of backfill used, finishing details, groundwater levels, elevation of stick-up (top of casing), ground surface elevation, bottom elevation, interval screened and screen slot size and depth. All elevations or levels are to be measured and reported to the nearest 0.01 foot MSL.
14. All borings/wells not used as monitoring points shall be backfilled in accordance with the attached Illinois EPA monitor well plugging procedures.
15. The Illinois EPA shall be notified in writing at least fifteen (15) days prior to the installation of all new and replacement monitoring wells. All newly required monitoring wells should be installed within sixty (60) days of the issuance of this permit.
16. Surveyed elevation of stick-up is to be reported when the well is installed (with as-built diagrams) and every two (2) years, or whenever the elevation changes.
17. The following monitoring points are to be used in the groundwater monitoring program for the facility. Monitoring well G105 shall be installed so that samples are available for the 2nd quarter 2001 event. The well shall be installed to sample the transmissive silty

sand unit, and located as depicted in the February 8, 2001 addendum to Log No. 2000-457.

<u>Applicant Designation</u>	<u>Illinois EPA Designation</u>
MW-1	G101
MW-2	#G102
MW-3	#G103
MW-4 ^ø	G104
MW-5	*G105

represents upgradient monitoring point(s)

*represents wells added to the program

18. The concentration or values for the parameters contained in Lists 1 and 2 shall be determined for samples collected from the groundwater monitoring points and reported according to the schedule in Condition No. 21 and evaluated in accordance with Condition No. 5.

<u>LIST 1</u> <u>FIELD PARAMETERS</u>	<u>STORET</u> <u>NUMBER</u>	<u>BACKGROUND</u>	<u>CLASS II</u> <u>STANDARD</u>
*Bottom of Well Elevation (ft. ref MSL)	72020	_____	_____
Depth to Water (ft. below land surface)	72019	_____	_____
Depth to Water (ft. from measuring point)	72109	_____	_____
Elevation of Groundwater Surface (ft. ref MSL)	71993	_____	_____
pH (units, unfiltered)	00400	6.46-8.27	6.5-9.0
Specific Conductance (umhos/cm, unfiltered)	00094	3567.89	_____
Temperature of Water Sample (deg F)	00011	_____	_____

(* = Reported Annually)

LIST 2

<u>Constituent</u> <u>(Unfiltered, ug/L</u> <u>unless otherwise noted)</u>	<u>STORET</u>	<u>BACKGROUND</u>	<u>CLASS II</u> <u>STANDARD</u>
Aluminum	01105	84018.04	_____
Barium	01007	574.93	2000.0
Boron	01022	695.9	2000.0
Calcium (mg/L)	00916	857.53	_____
Chromium	01034	1150.19	1000.0
Copper	01042	698.13	650.0

LIST 2 (cont.)

Constituent (Unfiltered, ug/L unless otherwise noted)	<u>STORET</u>	<u>BACKGROUND</u>	<u>CLASS II STANDARD</u>
Iron	01045	224126.89	5000.0
Lead	01051	40.0	100.0
Magnesium (mg/L)	00927	268.08	_____
Manganese	01055	7736.69 ^a	10,000.0
Mercury	71900	0.20	10.0
Phosphorus (mg/L)	00665	2.21	_____
Potassium (mg/L)	00937	338.42	_____
Nickel	01067	1516.31	2000.0
Nitrate as N (mg/L)	00620	80.65	100.0
Sulfate (mg/L)	00945	791.93	400.0
Total Dissolved Solids (mg/L)	70300	3577.47	1200.0
Vanadium	01087	221.26	_____
Zinc	01092	758.68	10,000.0

19. All monitoring points shall be maintained in accordance with the approved permit application such that the required samples and measurements may be obtained.
20. Sampling should commence concurrently with issuance of the permit. The established background should be taken over one year and include at least 4 sampling events. The first quarterly samples shall be performed on samples taken during the months of October/November, 2000 and the results submitted to the Illinois EPA by January 15, 2001. The first statistical evaluation in accordance with Condition No. 5 above shall be performed on samples taken October/November, 2001 and the results submitted to the Illinois EPA by January 15, 2002.
21. The schedule for sample collection and submission of quarterly monitoring results is as follows:

<u>Sampling Quarter</u>	<u>Sampling Due</u>	<u>Report Due Date</u>
Jan-Feb (1st)	List 1 and 2	April 15
April-May (2nd)	List 1 and 2	July 15
July-Aug (3rd)	List 1 and 2	October 15
Oct-Nov (4th)	List 1 and 2	January 15

- 1 - Field Parameters
- 2 - Indicator Parameters

22. Annually, the operator shall prepare an assessment of the monitoring program which shall include an evaluation of the groundwater flow direction and the hydraulic gradients at the facility. This assessment shall be submitted with the monitoring results due on July 15.
23. Information required by Conditions 3 and 21 of Attachment A must be submitted in an electronic format. The information is to be submitted as fixed-width text files formatted as found in Attachment C. Additional guidance regarding the submittal of the information in an electronic format can be found at www.epa.state.il.us/land/regulatory-programs/permits-and-management/index.html.
24. The operator shall collect one (1) sample from the outlet pipe for the facility's underdrain system, as originally proposed in the addendum, dated May 10, 2006, to Log No. 2004-308 and in Log No. 2007-018. The sample shall be analyzed for permitted groundwater parameters. Methodology, results, and conclusions shall be submitted to the Illinois EPA in the form of a permit application no later than July 15, 2008.

ATTACHMENT B

A. This method should be used to predict the confidence limit when single groundwater samples are taken from each monitoring (test) well.

1. Determine the arithmetic mean ($\overline{X_b}$) of each indicator parameter for the background sampling period. If more than one background (upgradient) well is

$$\overline{X_b} = [X_1 + X_2 + \dots + X_n]/n$$

used, an equal number of samples must be taken from each well.

Where:

$\overline{X_b}$ = Average background value for a given chemical parameter

X_n = Background values for each upgradient sample

n = the number of background samples taken

2. Calculate the background variance (S_b^2) and standard deviation (S_b) for each parameter using the values (X_n) from each background sample of the upgradient

$$S_b^2 = [(X_1 - \overline{X_b})^2 + (X_2 - \overline{X_b})^2 + \dots + (X_{SUBn} - \overline{X_b})^2]/n-1$$

well(s) as follows:

$$CL = \overline{X_b} + (t\sqrt{1+1/n})(S_b)$$

$$S_b = \sqrt{S_b^2}$$

3. Calculate the upper confidence limit using the following formula:

Where:

CL = upper confidence limit prediction

(upper and lower limits should be calculated for pH)

t = one-tailed t value at the required significance

level and at n-1 degrees of freedom from Table 1

(a two-tailed t value should be used for pH)

4. If the values of any routine parameter for any monitoring well exceeds the upper confidence limit for that parameter, the permittee shall conclude that a statistically significant change has occurred at that well.

5. When some of the background (upgradient) values are less than the Method Detection Limit (MDL), a value of one-half (\square) the MDL shall be substituted for each background value that is reported as less than the MDL. All other computations shall be calculated as given above.

B. If all the background (upgradient) values are less than the MDL for a given parameter, the Practical Quantitation Limit (PQL), as given in 35 Ill. Adm. Code Part 724 Appendix I shall be used to evaluate data from monitoring wells.

Table 1
Standard T-Tables Level of Significance

Degrees of freedom	t-values		t-values	
	(one-tail)		(two-tail)*	
	99%	95%	99%	95%
3	4.541	2.353	5.841	3.182
4	3.747	2.132	4.604	2.776
5	3.365	2.015	4.032	2.571
6	3.143	1.943	3.707	2.447
7	2.998	1.895	3.499	2.365
8	2.896	1.860	3.355	2.306
9	2.821	1.833	3.250	2.262
10	2.764	1.812	3.169	2.228
11	2.718	1.796	3.106	2.201
12	2.681	1.782	3.055	2.179
13	2.650	1.771	3.012	2.160
14	2.624	1.761	2.977	2.145
15	2.602	1.753	2.947	2.131
16	2.583	1.746	2.921	2.120
17	2.567	1.740	2.898	2.110
18	2.552	1.734	2.878	2.101
19	2.539	1.729	2.861	2.093
20	2.528	1.725	2.845	2.086
21	2.518	1.721	2.831	2.080
22	2.508	1.717	2.819	2.074
23	2.500	1.714	2.807	2.069
24	2.492	1.711	2.797	2.064
25	2.485	1.708	2.787	2.060
30	2.457	1.697	2.750	2.042
40	2.423	1.684	2.704	2.021

Adopted from Table III of "Statistical Tables for Biological Agricultural and Medical Research" (1947. R.A. Fisher and F. Yates).

*For pH only.

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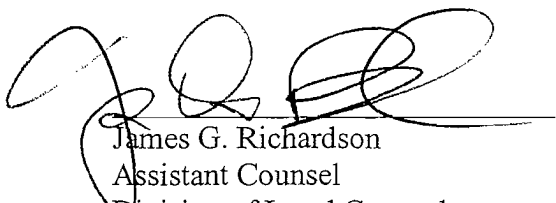
CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on March 3, 2008 I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD by first class mail of the United States Postal Service upon the persons as follows:

John Therriault
Assistant Clerk
Illinois Pollution Control Board
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601-3218

Claire A. Manning
Brown, Hay & Stephens LLP
205 South Fifth Street, Suite 700
P.O. Box 2549
Springfield, Illinois 62705

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson
Assistant Counsel
Division of Legal Counsel
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