

ILLINOIS POLLUTION CONTROL BOARD

August 20, 2008

IN THE MATTER OF:)
)
RCRA DELISTING ADJUSTED) AS 08-10
STANDARD PETITION OF PEORIA) (Adjusted Standard – Land)
DISPOSAL COMPANY)

HEARING REPORT

On August 18, 2008, a hearing in this matter was held at the Public Library in Peoria, Illinois. Attorneys Claire Manning, Brian Meginnes, and Janaki Nair appeared on behalf of the petitioner. Attorneys William Ingersoll and Michelle Ryan appeared on behalf of the Illinois Environmental Protection Agency.

Witness Credibility

Two witnesses testified during the hearing:

Ms. Laura Curtis
Mr. Ajit Chowdhury

Based upon my legal judgment, experience, and observations at hearing, I find that the credibility of witness is not an issue in this matter.

Twenty-seven members of the public provided oral comment at hearing, and several requests were made for additional hearings. Attachment A to this hearing report is the sign-in sheet for the speakers. Also, seven written comments were received at hearing, and these comments were forwarded to the Clerk of the Board.

Exhibits

The petitioner offered four exhibits at hearing, and the Agency did not object. Exhibit 1 is the resume of Laura Curtis, and Exhibit 2 is an outline that provided the basis for her testimony. Exhibit 3 is the resume of Ajit Chowdhury; and Exhibit 4 is a list of steel mill locations. All four exhibits were admitted.

Public Comment

The transcript will be posted on the Board's website no later than August 28, 2008. The public comment deadline is September 11, 2008. The mailbox rule will apply.

Briefing Schedule

Petitioner's brief is due by September 25, 2008. The Agency's brief, if any, is due by October 2, 2008. If the Agency decides not to file a brief, it is directed to notify the hearing officer as soon as that decision is made. The mailbox rule will apply.

IT IS SO ORDERED.



Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, Illinois 62794-9274
217/524-8509

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on August 20, 2008, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on August 20, 2008:

John T. Therriault
Illinois Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Ste. 11-500
Chicago, Illinois 60601



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AS 2008-010
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PRINT NAME, COUNTY OF RESIDENCE, AND GROUP AFFILIATION (if any)

✓ Rudolf HARBEN. Peoria Hol Sierra Club.

✓ Tracy Mearns Fox ^{PEATTW} Quillicothe IL Hol Sierra Club

✓ JACK SKELLEY, ^{MUSCATINE} (TOWNSHIP), GERRARD AMERISTEEL

✓ SUZANNE GERARD PEORIA PEATTW

* Must leave by 5pm for another meeting

✓ Jess Slager Hopevale Township Supervisor

✓ Cara Rossom Peoria Peoria Families Against Toxic Waste

✓ BILL SPENCER DEWITT CO CLINTON

1054. Kim Converse Peoria County PEATTW

rick Fox

PRINT NAME, COUNTY OF RESIDENCE, AND GROUP AFFILIATION (if any)

✓ Viya Blumenshik Penn Heart of IL Seams

✓ Julie Luer Penn Resident

✓ MON ROLETT THRUWELL RESIDENT

✓ David Wentworth Penn Representing: Heart of IL Seams + Penn Tenders
Against Toxics

✓ Jeanine Kelly Kelly Attn Steel, Attn, IL

✓ Dave Long Whitaker Stealing Steel, LLC Stealing Jobs

✓ David Taylor Dewitt Township official

PRINT NAME, COUNTY OF RESIDENCE, AND GROUP AFFILIATION (if any)

✓ Thomas Barnett, EastCherry TN Ancker Mital Steel

✓ Tessie Bucklar Peoria County citizen

✓ ~~Bill~~ Bill Cook Peoria County citizen
