

September 23, 2008

Office of the Clerk
Pollution Control Board
James R. Thompson Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601

RECEIVED
CLERK'S OFFICE

SEP 26 2008

STATE OF ILLINOIS
Pollution Control Board

Re: Case # AS 08-10

PC ³⁰⁶
Pmark 9/24

Dear Members of the Illinois Pollution Control Board:

I am writing regarding the proposed delisting of Electric Arc Furnace Dust waste as requested by Peoria Disposal Company. After having sat through 3 hours of the public hearing in Peoria regarding this matter, I am alarmed at the possibility of this hazardous waste becoming delisted, transported in and out of Peoria County, dumped into municipal waste landfills in Central Illinois, and thereby putting the Mahomet Aquifer at risk for contamination. There are many other hazardous waste landfills operating in the US with capacity available. Why even consider delisting a hazardous substance when there is ample space in existing hazardous waste landfills to dispose of it as intended by RCRA standards?

It seems clear that the treatment process that PDC says will "forever" stabilize this hazardous dust has only been tested for a short amount of time and by scientists commissioned by PDC. There has never been any long-term study of how waste treated by this process will react in the real world setting of a municipal landfill. No independent lab has conducted tests on the process. The public is not allowed to examine the process because the treatment is considered proprietary. If PDC and their paid scientists are wrong, the result could be the contamination of one of the largest, cleanest sources of water in the US, the Mahomet Aquifer. And PDC has only one, very strong motivation for convincing you and me that their treatment process is infallible...money.

If you approve this delisting you are implying that the financial success of a small, private company outweighs the health and safety of the hundreds of thousands of Central Illinoisans that get their drinking water from the Mahomet Aquifer. In addition to the health implications, a contaminated aquifer would ruin the economies of hundreds of rural communities that draw their well and municipal water from the Mahomet. Illinois businesses, both agricultural and industrial, that depend on water from the aquifer would suffer from any form of contamination as well.

At the public hearing and in the press, the case has been made that this waste is primarily coming from Keystone Steel and Wire, a Peoria company. But when looking at the list of PDC customers (see the attached chart) it is apparent that the majority of this EAFD waste is coming from outside Central Illinois, primarily from out-of-state. Wastes from Iowa, Indiana, Kentucky, Wisconsin and Nebraska make up 64% of the waste coming into PDC's facility. The rest of the waste comes from the Chicago and St. Louis areas, with only 18% of the waste coming from Keystone in Peoria County. And even more disturbing—46% of the waste comes from companies that are not even US owned.

The people of Central Illinois should be responsible for the waste we produce. But we should not be asked to bear the burden of steel mills hundreds of miles away, owned by foreign companies from across the globe. Why should the health and safety of Illinois citizens and our precious water supply be risked on what amounts to a grand experiment? The goal of the Environmental Protection Act is to protect the public health and safety and the environment, NOT to help private companies operate as profitably as possible. Your job is to protect the interests of the citizens of Illinois, NOT to protect the profits of companies from beyond our borders.

Don't be short-sighted. Don't risk our health and safety. Don't risk our water supply. DO NOT allow this delisting.



Tessie Bucklar
5045 North Bellevue Place
Peoria Heights, IL 61616

Enclosure: chart by Tracy Meints Fox analyzing PDC's EAFD waste customers

Customer	Location	% of 2007 Total Loads (per RMT Technical Document Table 5)
1 A. Finkl & Sons	Chicago, IL	0.95% European. Subsidiary of Schmolz + Bickenbach of Dusseldorf, Germany. Per 2Q earnings announcement, "the first half of 2008 was characterised by a good market situation, high production volumes, and increased raw material costs. It brought a substantial improvement relative to the second half of 2007."
2 Alton Steel	Alton, IL	5.37% Private. Purchased by a group of investors after bankruptcy. In 2006 John Simmons, an Alton attorney with a lucrative trade in personal injury cases specializing in asbestos exposure, bought out his partners for a 90% share. CEO featured Illinois steel boom article (IBJ).
3 Charter Steel	Saukville, WI	15.91% Private. Mainly family-held. Speaking to press, CEO John Mellowes projects 6-7% growth in 2008 (Sm Biz Times Jan 08)
4 Gerdau Ameristeel	Wilton, IA	4.95% Brazilian-owned Canadian company. CEO Marion Longhi in 2Q08 earnings call - We recorded the highest quarterly level of shipments, revenue and earnings in the history of Gerdau Ameristeel during the second quarter, attributable to the successful execution of our strategic plans over the past several years.
5 IPSCO Steel	Muscatine, IA	32.35% Swedish. Plant actually located in Montpelier, IA. Division of SSAB Stockholm, Sweden. Per 2Q08 earnings announcement, sales up 64%, profit up 63% and after-tax profit up 34%.
6 Kentucky Electric	Ashland, KY	1.67% Private. Purchased after bankruptcy by RLJ Holdings, formerly known as Youthstream Media, a college-oriented new media company.
7 Keystone	Peoria, IL	18.65% U.S. public (NYSE:KEY). Keystone Consolidated, the Dallas-based parent of Keystone Steel & Wire, reported a 2Q08 profit of \$21.9 million, or \$1.81 a share, during the quarter that ended June 30. That was about 27 percent higher than 2Q07.
8 Arcelor Mittal Steel	East Chicago, IN	8.24% Western European. Conglomerate of Spanish-French-Belgium-Luxembourg Arcelor and Dutch Mittal. Per 2Q08 earnings, sales up 31% and net income up 65%.
9 Nucor Steel	Norfolk, NE	1.18% U.S. public (NYSE:NUE). Per 2Q earnings report, consolidated net earnings up 68% over 2Q07 and up 42% over 1Q08.
10 Sterling Steel	Sterling, IL	10.72% U.S. public. Subsidiary of Leggett & Platt (NYSE:LEG), a diversified manufacturer of home furnishings and industrial goods. Per 2Q earnings report, Second quarter sales were \$1.06 billion, slightly lower than last year's sales of \$1.07 billion. CEO comments about increasing use of domestic springs and capture of business from a competitor that formerly made its own spring. (Note: Sterling Steel produces wire that becomes mattress springs.)

Totals by	Illinois	35.69%
	Indiana	8.24%
	Iowa	37.30%
	Kentucky	1.67%
	Nebraska	1.18%
	Wisconsin	15.91%
	Other States	64.30%

Ownership	Non-U.S.	46.49%
	U.S. Public	30.55%
	U.S. Private-Family	15.91%
	U.S. Private-Holding Company	7.04%

Incorrect statements in the Journal Star

- 18-Aug-08 **Bibo, Crowd Shows Opposition** Keystone provides the bulk of the EAF dust sent to PDC's hazardous waste landfill near Pottstown
- 16-Aug-08 **Bibo, Hazardous Waste Vote a Dust-Up** KO61 EAF dust is now the biggest part of Pottstown's hazardous waste landfill stream. Most of it comes from Keystone Steel & Wire Co.
- 15-Aug-08 **Sharp, County Board Won't Weigh In** EAF is a byproduct of companies such as Keystone Steel & Wire, one of the largest customers for Peoria County Board Disposal Co., which operates the hazardous landfill.
- 3-Aug-08 **Bibo, Get a Big Whiff** The Heart of Illinois Sierra Club has said that de-listing EAF, a by-product of companies such as Keystone Steel & Wire, PDC's largest customer, is just a way to get around that decision.