BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CATHERINE THOMAS, d/b/a THOMAS 12th STREET DISPOSAL, Petitioner, v.	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	PCB 10-52 (Permit Appeal-Land)

PETITION TO REVIEW THE ISSUANCE OF SUPPLEMENTAL PERMIT 2007-300-SP BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

The Petitioner CATHERINE THOMAS d/b/a Thomas 12th Street Disposal hereby appeals the issuance of a supplemental permit by the Illinois Environmental Protection Agency, pursuant to 35 Ill. Adm. Code 105.101 et seq., stating as follows:

1. On December 3, 2009, the Illinois Environmental Protection Agency issued Supplemental Permit No. 2007-300-SP (to original Permit No. 1974-44-DE/OP) to Catherine Thomas d/b/a Thomas 12th Street Disposal. (A copy of Supplemental Permit No. 2007-300-SP is attached to this Petition as Petitioner's Exhibit 1).

2. The permit was served on Catherine Thomas on December 7, 2009.

3. The Petitioner, through counsel, requested a 90-day extension from the Illinois Environmental Protection Agency on January 6, 2010.

4. The Illinois Environmental Protection Agency and the Petitioner joined in requesting a 90-day extension of the Board on January 11, 2010.

5. The Board on January 21, 2010 granted the request for the extension and extended the deadline until April 11, 2010.

6. In the process of issuing the Supplemental Permit, the Agency added conditions to the permit which are unjustified and unnecessary to protect the public and the environment.

7. The Illinois EPA interjected requirements into supplemental Permit No. 2007-300-SP that were not proposed as part of the application. The Illinois EPA

cannot arbitrarily impose permit conditions. The specific conditions are discussed below.

A. Application No. 2007-300 was submitted pursuant to the Compliance Commitment Agreement (CCA) in response to Violation Notice L-2006-01433. The CCA was specific to what assessment activities would be implemented. Additional borings/wells were not included. The Illinois EPA tried to require additional activities beyond those proposed by the CCA.

B. In addition to the surface water evaluation proposed in the original application, Condition 23 requires assessment monitoring be conducted the first quarter 2010 for monitoring wells G111, G113, G114, G115, and G117. Assessment monitoring for these wells was not proposed. It appears the Illinois EPA arbitrarily added that to Condition No. 23. The application specifically stated "further/continued assessment, if necessary, shall be based on the results of the proposed investigation. A continuation of quarterly assessment may be proposed dependent upon the results of the proposed investigation" (January 27, 2009 addendum). (The addendum is attached as Petitioner's Exhibit 2).

C. The wording of the last sentence of Condition 23 was also not proposed. The Illinois EPA states "A detailed groundwater investigation proposal will be required in the assessment monitoring report which will included assessment groundwater monitoring wells or groundwater obtained through direct push technology to demonstrate and confirm a migration pathway and to adequately define a contamination plume potentially impacting wells G113, G114, G115, G116 and G117 from a possible upgradient source." A commitment to this type of additional groundwater investigation was previously requested by the agency in the first three issued draft denials during the review period of Log No. 2007-300. We declined to commit to any additional groundwater investigation in each response to these draft denials. The application specifically stated "further/continued assessment, if necessary, shall be based on the results of the proposed investigation. A continuation of quarterly assessment may be proposed dependent upon the results of the proposed investigation" (January 27, 2009 addendum).

D. Condition 25 requires interwell and intrawell background values for all inorganic parameters be developed using the earliest first four quarters of data for Lists 1, 2, and 3 inorganic parameters. Interwell and intrawell values were calculated during the first year of monitoring for all dissolved inorganic parameters in accordance with the methodology provided in Attachment B to the permit. Background concentrations for total constituents were never required. Dissolved concentrations are compared to the background values obtained from four consecutive quarters of data.

The total parameters have been compared to the 35 Illinois Administrative Code (Ill. Adm. Code) 620 Class IV standards (downgradient wells) and Class 1 standards (upgradient well G111), and the organic compounds are compared to the practical quantitation limits.

The interwell and intrawell values are established and utilized quarterly in the determination of exceedences for all dissolved inorganic constituents. The issue was previously discussed as part of Application Log No. 2005-265. The interwell and intrawell values were submitted to the Illinois EPA in tabular format in Addendum No. 3 to Log No. 2005-265. However, this application was not approved. Interwell and intrawell values have not been calculated for total inorganic parameters, as these parameters are required annually and four consecutive quarters are not available for about half of the total parameters. Total inorganic parameters are currently compared to the Class standard in order to determine an exceedence. Four consecutive quarters of total inorganic data will need to be collected in order to satisfy this permit condition which was not proposed or recommended.

Four consecutive quarters of total boron and chromium data does exist. The intrawell values have been calculated for both parameters. The values of total boron were high enough that no exceedence occurred when compared to the historical data. This did not help for chromium as it continued to exceed in G116.

E. Condition 26 requires semiannual monitoring of total boron at G113 and total chromium at G116, unless it can be demonstrated by the calculation of interwell and intrawell values that these concentrations are naturally occurring. This was another condition that the Illinois EPA added arbitrarily. Four consecutive quarters are available for total boron and chromium to calculate intrawell values. Based on the intrawell values, boron no longer exceeds but chromium does.

F. Condition 26 also requires, "semi-annual monitoring of organic parameters 1, 1-dichloroethane (9 ug/l), chlorobenzene (3.2 ug/l), and toluene (3.6 ug/l)," utilizing the respective PQL. "If first quarter 2010 concentrations are non-detect, these organic parameters may revert to annual sampling." Quarterly monitoring of total boron, total chromium, 1, 1-dichloroethane, chlorobenzene, and toluene were requested by the Illinois EPA in draft denials received during the review period of Log No. 2007-300. We declined to add these parameters to the quarterly monitoring list and included appropriate justification as part of Addendums 4 and 5. Again, 1, 1-dichloroethane was last tested in the fourth quarter 2006 at a concentration of 9 ug/l in G114. It was not deemed an exceedence because it did not exceed two times the PQL (5 ug/l) for a single parameter in a well. Chlorobenzene was last detected during the

second quarter of 2003 at 3.2 ug/l in G113. In nine subsequent sampling events, the parameter was not detected. The Illinois EPA's contention was that the method detection limit was elevated from 2 to 5 ug/l, possibly masking its presence. Toluene was last detected during the fourth quarter 1999 at 3.6 ug/l. There have been 24 subsequent sampling periods without a detect, including 14 that contained a method detection limit of 1 ug/l (low enough to placate the Illinois EPA).

8. The Petitioner requests that the Board strike the selected conditions from the Supplemental Permit.

CATHERINE THOMAS,
d/b/a THOMAS 12th STREET
DISPOSAL,

David K. Cox
Attorney at Law

David K. Cox
Attorney for Petitioner
112 West Washington Street
Monticello, Illinois 61856
217-762-3800
217-762-3790

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276 • (217) 782-2829
James R. Thompson Center, 100 West Randolph, Suite 11-300, Chicago, IL 60601 • (312) 814-6026

PAT QUINN, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

217/524-3300

December 3, 2009

Certified Mail
7004 2510 0001 8615 8633

Thomas 12th Street Disposal
Attn: Mrs. Joe Thomas
55 Greenwood Cemetery Road
Danville, Illinois 61832

Re: 1838040009 – Vermilion County
Thomas 12th St Disposal
Permit No. 1974-44-DE/OP
Supplemental Permit No. 2007-300-SP
Log No. 2007-300
Permit File

Dear Mrs. Thomas:

Supplemental permit is hereby granted to Thomas 12th Street Disposal as owner and operator to modify the maintenance of a closed landfill pursuant to 35 Illinois Administrative Code (hereinafter IAC) Subtitle G, Part 807, all in accordance with the plans signed and sealed by Sean C. Chisek, P.E., signature dated July 5, 2007 and prepared by Brad Hunsberger, both of Andrews Environmental Engineering, Inc. 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, Bureau of Land by the permit number(s) and log number(s) designated in the heading above.

The application, Illinois EPA Log No. 2007-300, consists of the following documents:

DOCUMENT	DATED	DATE RECEIVED
Original application	July 11, 2007	July 11, 2007
Extension	October 4, 2007	October 4, 2007
Extension	November 8, 2007	November 8, 2007
Addendum/Extension	December 5, 2007	December 5, 2007
Extension	January 10, 2008	January 10, 2008
Extension	February 13, 2008	February 14, 2008

Addendum/Extension	April 7, 2008	April 7, 2008
Extension	May 6, 2008	May 6, 2008
Extension	June 5, 2008	June 5, 2008
Extension	July 16, 2008	July 16, 2008
Extension	August 28, 2008	August 28, 2008
Extension	October 14, 2008	October 14, 2008
Extension	November 25, 2008	November 25, 2008
Extension	January 13, 2009	January 14, 2009
Addendum	January 27, 2009	January 27, 2009
Extension	February 26, 2009	February 26, 2009
Extension	March 31, 2009	March 31, 2009
Extension	April 29, 2009	April 29, 2009
Extension	May 26, 2009	May 26, 2009
Addendum/Extension	July 14, 2009	July 14, 2009
Extension	September 14, 2009	September 14, 2009
Extension	October 13, 2009	October 13, 2009
Addendum	November 5, 2009	November 5, 2009
Extension	November 12, 2009	November 12, 2009
Addendum	December 3, 2009	December 3, 2009 (via facsimile)

Specifically, Supplemental Permit No. 2007-300-SP conditionally approves the assessment monitoring plan submitted in response to Violation Notice L-2006-01433.

The permit is issued subject to the standard conditions attached hereto and incorporated herein by reference, and further subject to the following special conditions. In case of conflict between the application and plans submitted and these special conditions, the special conditions of this permit shall govern.

1. Your groundwater monitoring program is hereby approved in accordance with Attachment A to this permit as described below, and is subject to the conditions contained therein. This groundwater monitoring program supersedes and replaces all past monitoring programs.

   Attachment A was modified by this permit. Condition 23 was revised to require an investigation of potential off site sources. Condition 25 was added, which requires intrawell and interwell background values to be developed. Condition 26 was added. It requires semi-annual monitoring for several parameters.

2. The post-closure plan approved by Supplemental Permit No. 1995-390-SP, issued February 20, 1996, is unchanged and remains in effect in accordance with 35 IAC, Subtitle G, Part 807.

3. This site is subject to a minimum post-closure care period of 15 years. The post-closure care period began October 3, 1994.

4. Financial assurance shall be maintained by the operator in accordance with 35 IAC, Subtitle G, Part 807, Subpart F in an amount equal to the current cost estimate for the remaining post-closure care. The current cost estimate is $78,297.

5. The operator shall file revised cost estimates, in the form of a Supplemental Permit Application, at least once every two years in accordance with 35 IAC, Subtitle G, Part 807, Subpart F. The Illinois EPA is currently reviewing an application with revised post-closure care cost estimates. The application was assigned Log No. 2007-497 and the current action date is January 3, 2010.

6. When the post-closure care period has been completed, the operator shall notify the Illinois EPA utilizing the Illinois EPA's "Affidavit for Certification of Completion of Post-Closure Care for Non-Hazardous Waste Facilities".

7. Any modification to the facility shall be the subject of an application for supplemental permit for site modification submitted to the Illinois EPA.

8. The Illinois EPA reserves the right to require installation of additional monitoring devices, to alter the selection of parameters to be analyzed and to alter monitoring frequencies as may be necessary to fulfill the intent of the Environmental Protection Act

9. Prior Conduct Certification is no longer required for this site.

10. The permittee(s) shall submit a 39(i) certification and supporting documentation within 30 days of issuance of this permit modification and thereafter within 30 days of any of the following events:

    a. The owner or officer of the owner, or operator, or any employee who has control over operating decisions regarding the facility has violated federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites; or

    b. The owner or operator or officer of the owner, or operator, or any employee who has control over operating decisions regarding the facility has been convicted in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or

    c. The owner or operator or officer of the owner, or operator, or any employee who has control over operating decisions regarding this facility has committed an act of gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste.

    d. A new person is associated with the owner or operator who can sign the application form(s) or who has control over operating decisions regarding the facility, such as corporate officer or a delegated employee.

Except as modified in the above documents, the site shall be maintained in accordance with the terms and conditions of Permit No. 1974-44-DE/OP, dated July 20, 1974, and with other permits issued for this site.

The original and two (2) copies of all certifications, logs, reports, and groundwater monitoring chemical analysis forms 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 of 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:TWH:bjh\09284s.doc

Attachments: Standard Conditions
Attachment A
Attachment B

cc: Sean C. Chisek, P.E., Andrews Engineering, Inc.
Mr. Steve Laker, Vermilion County Health Dept.

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. 1838040009 -- Vermilion County
Site Name: Thomas 12th St Disposal
Permit Nos. 1974-44-DE/OP
Supplemental Permit No. 2007-300-SP
Log No. 2007-300
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. This Agency 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 item No. 21 including a minimum of 15 years after certification of closure.

4. The permittee shall use the methods in Attachment – B or propose for Agency 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 1% 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 item 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 upgradient well's background data established during the first year of monitoring. This comparison must evaluate each parameter for each well; and

b. Comparing the most recent sample result from each well to the background established for that well 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 item No. 5 above indicate that the value for any parameter exceeds:

a. The background value established for that parameter at the 99% confidence level; or

b. The Class IV groundwater quality standards listed in Subpart D of 35 IAC 620 Standards (Class I in G111 only); or

c. For organic parameters listed in 35 IAC Part 724, Appendix I and as referenced in List 3 of this Attachment, two (2) times the Practical Quantitation Limit (PQL) for a single parameter or any two or more parameters exceed the PQL in the same well.

7. Within 45 days of the original sample date, the permittee may resample and test the determination made in item No. 6 above. If the evaluation of the resample result confirms the determination made in item 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. Notify the IEPA, Division of Land Pollution Control, Permit Section, in writing, within 10 days of the change in groundwater quality, identifying each well and each parameter;

b. Submit an assessment monitoring plan within 30 days of the significant change as determined in item No. 6 or item No. 7 above in the form of a supplemental 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 shall, at a minimum, include expanded sampling requirements for the affected well(s) and shall be implemented within 30 days of approval from the Agency.

c. Submit assessment report, based on and including the data and information generated from the completion of item No. 8b above to the Agency within 90 days of approval of the assessment monitoring plan.

d. Propose a corrective action plan if assessment monitoring indicates that the facility has impacted groundwater. The corrective action plan shall be submitted within 30 days of approval of the assessment report required by item 8c above in the form of a supplemental permit application and include appropriate response action to address any impact of the facility. The plan shall be implemented within 30 days of Agency 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 Agency 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 IEPA 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 a Supplemental Permit and designated as a new well.

13. Within sixty 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 Agency 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 IEPA monitor well plugging procedures.

15. The Agency shall be notified in writing at least 15 days prior to the installation of all new and replacement monitoring wells. All newly required monitoring wells should be installed within 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 years, or whenever the elevation changes.

17. The following monitoring points are to be used in the groundwater monitoring program for this facility. These monitoring points supersede all previously required monitoring points and represent the entire list of monitoring points now required for this facility.

Applicant Designation	Agency Designation
G-111	+G111
G-113	G113
G-114	G114
G-115	G115
G-116	G116
G-117	G117

+ represents upgradient monitoring point(s)

Piezometers

Applicant Designation	Agency Designation
G112/P112	P112

18. The concentration or values for the parameters contained in Lists 1 through 3 shall be determined for samples collected from the groundwater monitoring points and reported according to the schedule in item No. 21 and evaluated in accordance with item No. 5.

LIST 1

FIELD PARAMETERS	STORET NUMBER
*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
Specific Conductance (umhos/cm, unfiltered)	00094
Temperature of Water Sample (deg F)	00011

(* = Reported Annually)

LIST 2

ROUTINE INDICATOR PARAMETERS FILTERED	STORET NUMBER	INTRAWELL BACKGROUND G111	G113	G114	G115	G116	G117
Ammonia as (N) Diss (mg/L)	00608						
Arsenic As, Diss (ug/L)	01000						
Cadmium Cd, Diss (ug/L)	01025						
Chloride Cl, Diss (mg/L)	00941	23.1	411.9	409.5	176.7	963.9	192.7
Iron Fe, Diss (ug/L)	01046						
Lead Pb, Diss (ug/L)	01049						
Manganese Mn, Diss (ug/L)	01056						
Mercury Hg, Diss (ug/L)	7189						
Sulfate SO_4, Diss (mg/L)	00946	143.8	998.6	1063.5	2118.0	851.9	866.5
Total Dissolved Solids (TDS, mg/L)	70300	490.5	3900.6	5080.2	4365.6	2572.6	3051.7
UNFILTERED							
Benzene	34030						
Cyanide CN, Total (mg/L)	00720			57-12-5			
Ethylbenzene	78113						
Phenols (Total Recoverable) (ug/L)	32730			179-80-5			
Xylenes	77135						
Total Organic Carbon (TOC) (mg/L)	00680			7440-44-0			
Total Organic Halogens (TOX) (ug/L)	78115						

LIST 3 -- INORGANIC AND ORGANIC ANNUAL PARAMETERS [SOURCE: 35 Ill. Adm. Code 620.410]

INORGANIC PARAMETERS

Constituent (Unfiltered, ug/L unless otherwise noted)	STORET	PQL (ug/L unless otherwise noted)
Antimony	01097	3.0
Arsenic	01002	5.0
Barium	01007	20.0
Beryllium	01012	2.0
Boron	01022	40
Cadmium	01027	2.0
Chloride (mg/L)	00940	1.0 (mg/L)
Chromium	01034	10.0
Cobalt	01037	50.0

LIST 3 -- INORGANIC AND ORGANIC ANNUAL PARAMETERS [SOURCE: 35 Ill. Adm. Code 620.410]

INORGANIC PARAMETERS

Constituent (Unfiltered, ug/L unless otherwise noted)	STORET	PQL (ug/L unless otherwise noted)
Copper	01042	25.0
Cyanide (mg/L)	00720	0.1 (mg/L)
Fluoride (mg/L)	00951	0.1 (mg/L)
Iron	01045	40.0
Lead	01051	5.0
Manganese	01055	15.0
Mercury	71900	0.2
Nickel	01067	40.0
Nitrate as N (mg/L)	00620	1.0 (mg/L)
Selenium	01147	5.0
Silver	01077	10.0
Sulfate (mg/L)	00945	1.0 (mg/L)
Thallium	01059	1.0
Zinc	01092	20.0

ORGANIC PARAMETERS

Parameters (unfiltered, ug/L)	STORET	PQL (ug/L)
Alachlor*	77825	2.0
Aldicarb	39053	3.0
Atrazine	39033	2.0
Benzene*	34030	5.0
Benzo(a)pyrene	34247	0.2
Carbofuran	81405	10.0
Carbon Tetrachloride*	32102	1.0
Chlordane*	39350	0.14
Dalapon	38432	1.3
Dichloromethane	34423	0.2
Di(2-ethylhexyl)phthalate	39100	6.0
1,2-Dibromo-3-chloropropane	38760	0.2
Dinoseb (DNBP)	81287	0.7
Endothall	38926	10.0

LIST 3 -- INORGANIC AND ORGANIC ANNUAL PARAMETERS [SOURCE: 35 Ill. Adm. Code 620.410] (cont.)

ORGANIC PARAMETERS

Parameters (unfiltered, ug/L)	STORET	PQL (ug/L)
Endrin	39390	0.06
Ethylene Dibromide (EDB)	77651	0.05
Heptachlor*	39410	0.04
Heptachlor Epoxide*	39420	0.2
Hexachlorocyclopentadiene	34386	4.0
Lindane (Gamma-Hexachlor cyclohexane)	39782	0.04
2,4-D	39730	0.2
ortho-Dichlorobenzene	34536	5.0
para-Dichlorobenzene	34576	5.0
1,2-Dichloroethane*	34531	5.0
1,1-Dichloroethylene	34501	5.0
cis-1,2-Dichloroethylene	77093	5.0
trans-1,2-Dichloroethylene	34546	5.0
1,2-Dichloropropane*	34541	5.0
Ethylbenzene	78113	5.0
Methoxychlor	39480	0.5
Monochlorobenzene (Chlorobenzene)	34301	5.0
Pentachlorophenol*	39032	0.1
Phenols	32730	5.0
Picloram	39720	0.2
Polychlorinated Biphenyls (PCBs) (as decachloro-biphenyl)*	39516	0.5
Simazine	39055	4.0
Styrene	77128	0.5
2,4,5-TP (Silvex)	39760	0.2
Tetrachloroethylene*	34475	0.5
Toluene	34010	5.0
Toxaphene*	39400	1.5
1,2,4-Trichlorobenzene	34551	10.0
1,1,1-Trichloroethane	34506	5.0
1,1,2-Trichloroethane	34511	0.5
Trichloroethylene*	39180	1.0
Vinyl Chloride*	39175	2.0
Xylenes	81551	5.0

*Denotes a carcinogen

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 parameter list included with this permit supersedes any previous list. The first quarterly statistical evaluations shall be performed on samples taken during the months of April and/or May, 1995 and the results submitted to the Agency by June 15, 1995.

21. The schedule for sample collection and submission of quarterly monitoring results is as follows:

Sampling Quarter	Sampling Due	Report Due Date
Jan-Feb (1st)	List 1 and 2	April 15
April-May (2nd)	List 1, 2 and 3	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
3 - Volatile Organic 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. The applicant shall conduct assessment monitoring at G111, G113, G114, G115, and G117, and the proposed investigation activities of potential offsite sources as described and proposed in Log No. 2007-300. The applicant shall submit all findings, conclusions, trend analysis, all groundwater data presented in tabular form, updated potentiometric surface maps, proposed course of actions, identification of the source, nature and extent of contamination to the Illinois EPA in the form of a supplemental permit application to the Illinois EPA by March 3, 2010. A detailed groundwater investigation proposal will be required in the assessment monitoring report which will include assessment groundwater monitoring wells or groundwater obtained through direct push technology to demonstrate and confirm a migration pathway and to adequately define a contaminant plume potentially impacting wells G113, G114, G115, G116 and G117 from a possible upgradient source.

24. Information required by Conditions 18 and 21 in Attachment A must be submitted in an electronic format. The information is to be submitted as fixed-width text files formatted as found at www.epa.state.il.us/land/waste-mgmt/groundwater-monitoring.html.

25. Interwell and Intrawell background values for the List 1, 2 and 3 inorganic parameters shall be developed utilizing the earliest four consecutive quarters of groundwater quality. All calculations, raw data presented in tabular form, proposed background values and all historical groundwater data shall be re-evaluated to the proposed background values. This information shall be submitted in the form of a supplemental permit application to the Illinois EPA by March 3, 2010.

26. Semi-annual monitoring for Total Boron (G113) and Total Chromium (G116) shall be conducted at each of the sites groundwater monitoring wells as it exceeds the respective Class IV Standards, unless it can be demonstrated through development of background that the exceedences are naturally occurring.

    Semi-annual monitoring for 1,1-Dichloroethane (9 ug/L), Chlorobenzene (3.2 ug/L) and Toluene (3.6 ug/L) will be conducted utilizing at a minimum the above referenced PQLs. If 1,1-Dichloroethane, Chlorobenzene and Toluene are non-detect in each of the sites groundwater monitoring wells during the 1st Quarter 2010 sampling event then they may be tested for on an annual basis.

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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

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

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

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

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.

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(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 (□) 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. If the analytical results from any monitoring well exceeds two (2) times the PQL for any single parameter, or if they exceed the PQLs for two or more parameters, the permittee shall conclude that a statistically significant change has occurred.

Table 1

Standard T-Tables Level of Significance

Degrees of freedom	t-values (one-tail) 99%	95%	t-values (two-tail)* 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

ANDREWS
ENGINEERING, INC.

January 27, 2009

Stephen F. Nightingale
Permit Section Manager
Bureau of Land
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

Re: 1838040009-Vermilion County
Thomas 12th Street Disposal
Addendum to Log No. 2007-300

Mr. Nightingale:

On behalf of our client, Thomas 12th Street Disposal, submitted herein is an addendum to Application Log No. 2007-300. The required application forms (Certification of Authenticity, LPC-PA1, and copies of the LPC-PA16 notices) were provided in Appendix A of the original application. This addendum is submitted in response to a May 6, 2008 draft deficiency letter received via facsimile. The specific reasons for the draft deficiencies are presented below in bold text, followed by the response in standard text.

1. ***The application has not adequately demonstrated that the groundwater well present (~300 foot depth) adjacent to the Thomas Excavating Building is a viable sample point. As a result, elevated groundwater constituent or organic detections would not be conclusive that an offsite source exists that may impact downgradient Thomas 12th Street Disposal monitoring wells.***

   a. ***It has not been adequately demonstrated that this sampling point is hydraulically upgradient of the facility. Groundwater below 54 feet bgs may be drawn from a lower different hydraulic layer and possess differing groundwater flow directions versus the shallow groundwater where the shallow groundwater is impacted.***

   Potentiometric surface levels from existing monitor wells and piezometers have been used to accurately characterize the shallow groundwater flow. Potentiometric surface maps have been submitted as part of this application (Log No. 2007-300) and are also submitted to the Illinois EPA by July 15 of each year as part of the annual flow assessment. The water well is upgradient with respect to the shallow groundwater flow. Groundwater within deeper saturated deposits may move in a different direction than the shallow groundwater. To ensure that groundwater from deeper zones screened by the well do not influence the results of the proposed groundwater sampling, an inflatable packer will be used to isolate the screen interval above 57 feet in depth. This would allow the collection of a discrete groundwater sample from those materials screened near the bedrock/clay interface.

   b. ***Purging of the well, may draw in groundwater from a lower, higher hydraulic conductive zone (below 54 feet bgs sampling depth) which will cause mixing of groundwater from the shallow groundwater.***

Petitioner Exhibit 2

As stated in the above response, the intent was to use an inflatable packer to isolate the screen interval above 57 feet in depth. This would allow groundwater at the bedrock/clay interface to be collected and analyzed. The packer would prohibit mixing of groundwater from possible lower saturated deposits.

c. ***Well integrity is in question. It is unclear whether the well is screened beyond 54 feet bgs or is it an open borehole to 300 feet bgs. Additional information should be provided on well construction, grouting, surface seals, surface water influence and annular seals around 54 ft casing, security of well head (open, covered, locked?).***

Based on the information provided in the April 7, 2008 addendum, the well casing extends to 54 feet. The boring log/well construction information indicates the well is uncased from 54 feet to 300 feet below ground surface. The well does have a sealed cap, but there is no information pertaining to grouting, surface seals, or annular seals.

2. ***The application does not contain an adequate proposal to investigate upgradient groundwater quality, identify a potential upgradient source and a migration pathway. The proposed groundwater sampling at the well adjacent to Thomas Excavating Building is open below 54 feet to 300 feet bgs. Free water within the well/water column may mix from various depths yielding inconclusive results if no Constituents of Concern are found***

As stated in the above response, the intent was to use an inflatable packer to isolate the screen interval above 57 feet in depth. This would allow groundwater at the bedrock/clay interface to be collected and analyzed. The packer would prohibit mixing of groundwater from possible lower saturated deposits.

With respect to investigation of upgradient groundwater quality, it is still proposed that surface water sampling be conducted to identify potential upgradient sources of elevated concentrations. Further groundwater evaluations can be done based on the results from the sampling already proposed.

As stated in the December 5, 2007 addendum, upgradient monitor well G111 is located near the southwest corner of the property and should provide representative data for potential offsite sources of contamination in that area. Surface Water Sampling Point #1 will allow collection of effluent emanating from the sidewall of the ravine south and west of the facility. The effluent originates from what appears to be demolition debris in the backyard of a residence, and may be a combination of groundwater and septic discharge. The analytical results of the effluent will be compared to analyses of other surface water sampling points and groundwater monitoring wells.

If Surface Water Sampling Point No. 1 indicates sufficient contamination in the surface water, then potential upgradient soil borings can be proposed to investigate upgradient groundwater quality and to identify a migration pathway if deemed necessary.

3. ***The application does not contain a proposal for continued quarterly assessment at monitoring wells G113, G114, G115, G116 and G117 for Constituents of Concern.***

Further/continued assessment, if necessary, shall be based on the results of the proposed investigation. A continuation of quarterly assessment may be proposed dependent upon the results of the proposed investigation.

4. ***The application does not contain an adequate proposal to investigate upgradient groundwater quality. Groundwater investigation through assessment monitoring wells or Geoprobe (direct push) should be proposed to the west and to the northwest (upgradient) of the facility to clearly identify a migration pathway and a source of groundwater impacts observed at G113, G115, and G117, which is believed by the applicant to be a source other than Thomas 12th Street Disposal.***

   a. ***The application has failed to adequately demonstrate and substantiate the claim that "Groundwater does not exist beneath the landfill where the waste unit directly overlies the bedrock," thus forcing the groundwater to go around Thomas 12th Street Disposal to create a "groundwater shadow." Review of the Agency data base show that groundwater wells installed in the shale units at the adjacent Brickyard Disposal & Recycling Inc. yields groundwater.***

The landfill was constructed on the slope of an upland, generally decreasing in topography from southwest to northeast to the Vermilion River. Based on area boring information, the bedrock surface mimics the drift topography, also decreasing in elevation from southwest to northeast beneath the facility, dictated by erosion from pre-glacial deposition meltwater. The landfill was constructed over glacial sediments in the western extremities of the waste unit, and set directly on bedrock deposits to the east. A coal seam was surface-mined prior to landfill construction, running diagonally from the northwest to southeast across the lower two-thirds of the waste footprint. This coal was excavated to the underlying shale. Records indicate that an approximate 20 additional feet of shale was excavated beneath the coal seam, resulting with the invert being located in a low hydraulic conductivity shale, creating a vertical hydraulic barrier. While groundwater may be present in the shallow, weathered portions of the shale beneath the southwestern one-third of the landfill footprint, the lower, more impermeable portions of the shale beneath the eastern two-thirds of the landfill footprint do not convey groundwater.

Specifically, pursuant to Condition No. 1 of the Operating Permit (1974-44-OP), if a coal seam was encountered during development, the seam was covered with five feet of compacted clay material prior to deposition of refuse within that area. As a standard practice for sites that operated pursuant to 35 Illinois Administrative Code 807, any permeable areas encountered in the invert or sidewall were over-excavated and covered with recompacted clay material at least five feet in thickness. Therefore, the perimeter of the landfill, including the invert, consists of low hydraulic conductivity material. The hydraulic conductivity of the clayey soils was evaluated by A & H Engineers in 1973 as part of the operating permit application. Four soil samples were tested in the laboratory for hydraulic conductivity, resulting in values of 6.5×10^{-9} cm/sec, 8.7×10^{-9} cm/sec, 1.2×10^{-8} cm/sec, and 1.5×10^{-7} cm/sec. Therefore, the material comprising the sidewalls of the landfill exhibits low hydraulic conductivity characteristics.

Since groundwater movement is restricted vertically through the shale unit, the likely movement is horizontal. Groundwater (at the bedrock surface) moving northeastward from the southwest side of the waste unit must then move to the north or south around the barrier. Groundwater will choose the path of least resistance and preferentially flow around the waste unit, essentially creating a groundwater shadow on the downgradient end of the waste unit. The groundwater shadow is also indicated in the potentiometric surface maps where the contours tend to wrap around the southeast and northeast corners.

The A & H Engineers report referenced above was submitted to the Illinois EPA as part of applications in August 1973, September 1984, and again in November 1987.

The wells installed on the north side of Unit 2 at Brickyard Disposal and Recycling (which is closest to Thomas 12th Street Disposal) are screened in a sandy siltstone. This deposit was identified in the 1994 Application for Significant Modification as the uppermost aquifer for Unit 2. The sandy siltstone directly overlies the lower shale, which has been identified as the lower confining layer. The subject 1994 application (Page 2-53 and Table 2-11) stated the vertical hydraulic conductivity of the lower shale ranged from $2.4x10^{-10}$ cm/sec to $4.9x10^{-10}$ cm/sec. The lower shale is encountered at Unit 2 from an elevation of 531 feet above MSL (near the center east side of Unit 2) to 492 feet above MSL near the entrance of the Brickyard Disposal and Recycling facility.

Thomas 12th Street downgradient wells G113, G114, and G116 appear to be set directly on the lower shale deposit, with bottom elevations of approximately 500, 503.5, and 502.6 feet above MSL, respectively. The strip-mining activities and subsequent excavations at the Thomas 12th Street facility within the waste boundary extended to the lower shale. Therefore, where the waste unit directly overlies the bedrock, the sidewalls are in direct contact with a low hydraulic conductivity shale. Given the characteristics of both the clayey onsite deposits and the shale, it is reasonable to assume the groundwater will choose the path of least resistance and preferentially flow around the waste unit.

b. Hydraulic conductivities of the waste surrounding bedrock have not been demonstrated to substantiate a "wrap around" flow condition. If the facility is unlined, groundwater flow through the landfill would likely occur.

Information provided in the response to Draft Denial Point No. 4.a above largely addresses how a "wrap around" flow condition can occur at this facility. It was standard practice to line a waste unit with low hydraulic conductivity material, whether it was in situ deposits, compacted clay, or a combination of the two. Due to the age of the landfill, little, if any, documentation (laboratory tests) exists to further substantiate the hydraulic conductivity of the liner where it contacts the shale. It is possible that some seepage can occur into the landfill, but due to the characteristics of the shale and clay, the majority of groundwater coming in contact with the liner system will likely deviate horizontally.

If the facility was unlined, groundwater would freely flow into the waste, creating a large volume of leachate. Leachate seeps would be readily visible in the sideslopes of the final cover, and groundwater analyses would exhibit numerous elevated concentrations of indicator and organic parameters. The application identified as Illinois EPA Log No. 2005-265 discussed in detail that only one parameter (boron) exceeded an applicable standard. The waste unit was not identified as the source of the boron concentrations, but rather the past mining activities were likely associated with the boron concentrations. Numerous elevated concentrations do not exist in the groundwater, indicating the waste unit is well lined and groundwater does not flow freely through the landfill.

c. The Agency does not concur that groundwater stops at the landfill and wraps around it. However, if such a condition were to exist, the proposed "300 foot" deep well would not be more representative of an offsite source than G111, demonstrating that G111 is just as viable.

The responses to Draft Denial Point No. 1 address this comment. As stated above, an inflatable packer was to be used to seal the well at approximately 57 feet in depth, isolating the sampling near the bedrock interface.

5. ***The application does not contain an adequate follow up groundwater investigation proposal to be conducted between Surface Water Sampling Point #1 and monitoring wells G113, G115 and G116 if constituents of concern are found. Additional groundwater investigations through assessment wells or direct push technology should be made to demonstrate a migration pathway and to define a plume potentially impacting downgradient monitoring wells.***

   Follow up to the pending investigation, if necessary, will be based upon the results of the proposed investigation. Further investigation may require additional investigative techniques to further define the contaminant source(s) and migration pathways.

6. ***The application does not contain an adequate follow up groundwater investigation proposal to be conducted between Surface Water Sampling Points 2 and 3 and monitoring wells G114 and G117 if constituents of concern are found. Additional groundwater investigations through assessment wells or direct push technology should be made to demonstrate a migration pathway and to define a plume potentially impacting downgradient monitoring wells.***

   As discussed in the response to Draft Denial Point No. 5, a follow up groundwater investigation proposal, if necessary, will be contingent upon the results of the pending proposed investigation. At that point, if appropriate, additional investigative techniques could be proposed to further define the contaminant source(s) and migration pathway(s). If surface water contamination is not evident, additional borings near the surface water sampling points will not be necessary. It is recommended to obtain the data from the proposed assessment prior to conducting further investigations.

   A 30 day extension is hereby authorized from the date of this submittal. If you have any questions or require further information, please contact me.

Sincerely,

Brad J. Hunsberger

Brad J. Hunsberger, LPG
Director of Hydrogeological Services

BJH:bem:sjb

Attachment

cc: Catherine Thomas
Nana Howard
Dave Cox

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CATHERINE THOMAS, d/b/a THOMAS 12th STREET DISPOSAL, Petitioner,	)	
v.	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	PCB 10-52

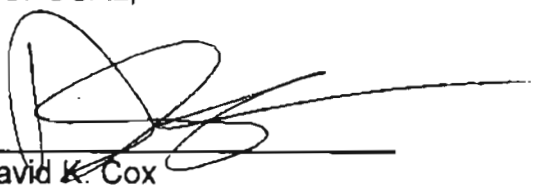
NOTICE

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

James G. Richardson
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

PLEASE TAKE NOTICE that I have today caused to be filed a PETITION TO REVIEW THE ISSUANCE OF SUPPLEMENTAL PERMIT 2007-30-SP BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY with the Illinois Pollution Control Board, copies of which are served upon you.

CATHERINE THOMAS,
d/b/a THOMAS 12th STREET DISPOSAL,



David K. Cox
Attorney for Petitioner

Dated: April 9, 2010
112 West Washington Street
Monticello, Illinois 61856
217-762-3800
217-762-3790

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CATHERINE THOMAS, d/b/a THOMAS 12th STREET DISPOSAL, Petitioner,	)	
v.	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	PCB 10-52 (Permit Appeal-Land)

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the PETITION TO REVIEW THE ISSUANCE OF SUPPLEMENTAL PERMIT 2007-300-SP BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY and the NOTICE was served on:

James G. Richardson
Assistant Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

by placing the documents in an envelope, properly addressed and with proper postage affixed, and placing the envelope in the United States Mail box located in Monticello, Illinois, on the 9th day of April, 2010.

David K. Cox
Attorney for Petitioner
Washington Plaza
112 W. Washington Street
Monticello, Illinois 61856
Telephone: 217/762-3800
Facsimile: 217/762-3790