BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CATHERINE THOMAS, d/b/a THOMAS 12th STREET DISPOSAL, Petitioner,	)	
v.	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, Respondent.	)	PCB 10-80 (Permit Appeal-Land)

PETITION TO REVIEW THE DENIAL OF SUPPLEMENTAL PERMIT APPLICATION LOG NO. 2009-460 BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

The Petitioner CATHERINE THOMAS d/b/a Thomas 12th Street Disposal hereby appeals the denial of a supplemental permit by the Illinois Environmental Protection Agency, pursuant to 35 Ill. Adm. Code 105.100 et seq., stating as follows:

1. On March 4, 2010, the Illinois Environmental Protection Agency denied Supplemental Permit Application Log No. 2009-460 (to original Permit No. 1974-44-DE/OP) to Catherine Thomas d/b/a/ Thomas 12th Street Disposal. (A copy of the denial of the Supplemental Permit Application Log No. 2009-460 is attached to this Petition as Petitioner's Exhibit 1).

2. The denial was served on Catherine Thomas on March 15, 2010.

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

4. The Illinois Environmental Protection Agency and the Petitioner joined in requesting a 90-day extension of the Board on April 7, 2010.

5. The Board on April 15, 2010 granted the request for the extension and extended the deadline until July 18, 2010.

6. The denial of the permit application was improper based on the following:

I. The Illinois EPA improperly ruled that the facility did not meet the requirements for completion of post-closure care with the issuance of the denial.

A. The Illinois EPA must evaluate the Affidavit pursuant to 35 IAC 807.524©, which states:

> "The Agency shall certify that the post-closure care period has ended when it determines:
>
> 1. That the post-closure care plan had been completed; and
> 2. that the site will not cause future violations of the Act or this part."

The denial listed three points:

1. Point No. 1 stated the landfill was a probable source of a list of contaminants identified for each well. (The denial point is not restated verbatim since it is three and a half pages in length due to the parameter list). The list was taken from that presented in a draft denial for Illinois EPA Application Log No. 2005-265. It was updated to account for any detections above PQLs (organic compounds) or background concentrations (inorganic compounds). The additional parameters were:

- G113 – Phenois (3rd quarter 2007, 4th quarter 2007, 4th quarter 2008, and 2nd quarter 2009)
- Boron (2nd quarter 2007, 2nd quarter 2008, and 2nd quarter 2009)
- Dissolved Chloride (3rd quarter 2007 and 4th quarter 2007)
- G114 – Phenois (1st quarter 2009)
- Dissolved Sulfate (consistently through 4th quarter 2009)
- G115 – Dissolved Sulfate (consistently through 4th quarter 2009)
- G116 – Chromium (2nd quarters of 2007, 2008, and 2009)
- G117 – Dissolved Chloride (consistently exceeds background through 4th quarter 2009)
- Dissolved Sulfate (consistently through 4th quarter 2009)
- Total Dissolved Solids (consistently exceeds background through 4th quarter 2009).

It must be noted that chloride, sulfate, and total dissolved solids do not have standards pursuant to 35 IAC 620.440. The Illinois EPA compared concentrations from the referenced wells to the background concentrations even though they were exempt since the downgradient wells are screened in and monitor areas previously coal mines.

The purpose of including the list as part of the draft denial for Illinois EPA Log No. 2005-265 was to show organic compounds that were previously detected, not to imply those parameter concentrations were exceeding a limit or standard (Illinois EPA meeting June 8, 2006).

Additionally, the Illinois EPA included a note at the end of Denial Point No. 1. The note stated:

> "The laboratory PQLs for Chlorobenzene, 1,1-Dichloroethane, Benzene, Toluene and Total Xylenes have been increased to 5ug/l, which is greater than the historical detected concentration range (less than 5 ug/l) and is potentially masking current groundwater quality."

This issue was addressed in previous applications. The PQL was increased from 2ug/l to 5ug/l beginning the fourth quarter 2003 due to a change in laboratories.

2. One issue the Illinois EPA has continued to bring up is the change in the method detection limit (MDL) for the volatile organic compounds (VOCs). The Illinois EPA contends that the facility is "masking" the presence of VOCs by using a higher MDL than what was used before. The MDLs are lab specific and increased slightly when the lab changed from Teklab to PDC. This change was financial in nature to the owner and was inconsequential to actual analyses. MDLs are not regulatory limits or standards, but indicate equipment sensitivity to detection of a specific parameter. Additionally, the Illinois EPA philosophy changed with respect to use of the MDL. As part of the rule revisions to 35 Ill. Adm. Code Section 811.320(e)(3), "The level of detection for each constituent shall be the practical quantitation limit (PQL), and shall be the lowest concentration that is protective of human health and the environment, and can be achieved within specified limits of precision and accuracy during routine laboratory operating conditions." Detections below the PQL are deemed protective of human health and the environment.

3. This is a follow-up to Item No. 2 above. Parameters that were detected below the PQL cannot be considered an exceedence. Prior to analyzing a sample, the laboratory must properly calibrate the equipment to ensure the accuracy of the analysis. The calibration provides the minimum ad maximum values at which the equipment can accurately determine the concentration of a parameter within a subject sample; the minimum value must be equal to or greater than the quantitation limit (reporting limit). Any value provided by the equipment that is above the maximum or below the minimum value cannot be deemed accurate and are not recognized by any certified laboratory. As stated in revision 2 to Method 8000B (which is utilized as a guidance document for all SW-846 methods), "The extrapolation of the calibration to concentrations above or below those of the actual calibration standards is <u>not</u> appropriate and may lead to significant quantitative errors regardless of the calibration model chosen." Therefore, it is inappropriate to consider "detections below the quantitation limit" to be true detections, exceedences or impacts. In addition, the

detection of a parameter (above or below the quantitation limit) does not constitute a significant change in groundwater quality. The criteria for determining a change in groundwater quality (or exceedence) are outlined in Condition No. 6 of Attachment A to Supplemental Permit No. 2005-048-SP. Condition No. 6 states, "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."

2. Denial Point No. 2 states "Condition 23 of Attachment A of Supplemental Permit No. 2007-300-SP has not been satisfied. The required groundwater assessment activities at G111, G113, G114, G115 and G117 have not been completed. All groundwater assessment activities, results, conclusions, and follow up activities (to demonstrate the facility is not the source of the listed impacts) have been completed.

3. Draft Denial Point No. 3 states "Condition 25 of Attachment A of Supplemental Permit No. 2007-300-SP has not been satisfied. Background for List 1, 2, and 3 inorganic parameters shall be developed utilizing the earliest for 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 data is required to demonstrate whether or not any of the listed impacts are due to offsite conditions. Requirements of Condition 25 of Attachment A of Supplemental Permit No. 2007-300-SP must be conducted and approved by the Illinois EPA prior to issuance of certification of completion of post closure care for Thomas 12th St. Disposal."

4. 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 fist 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 VI standards (downgradient wells) and Class I 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. This 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.

The Petitioner also incorporates all of the technical arguments included in PCB 10-52, by reference, as the Petitioner anticipates that these four PCB cases will ultimately be consolidated.

7. Petitioner requests that the Board reverse the decision of the Illinois Environmental Protection Agency.

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

By: _____
David K. Cox
Attorney at Law

David K. Cox
Attorney for Petitioner
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10-124

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

March 4, 2010

Certified Mail
7004 2510 0001 8625 6384

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

Re: 1838040009 -- Vermilion County
Thomas 12th St Disposal
Log No. 2009-460
Permit Landfill 807 File
Permit Denial

Dear Mrs. Thomas:

This will acknowledge receipt of your certification of completion of post-closure care at a solid waste management site, dated, and received by the Illinois EPA on September 24, 2009.

Your permit affidavit for certification of completion of post-closure care is denied.

You have failed to provide proof that granting this permit would not result in violations of the Illinois Environmental Protection Act (Act). Section 39(a) of the Act [415 ILCS 5/39(a)] requires the Illinois EPA to provide the applicant with specific reasons for the denial of permit. Pursuant to 807.524, the Agency shall certify completion of post-closure care upon determination that the facility will not cause future violations of 35 Illinois Administrative Code Part 807 or the Act. The following site conditions currently do not meet the requirements of 35 Ill. Adm. Code Parts 807.313 and 807.315 and Sections 12(a), 12(b), 12(d), and 12(f) of the Act:

1. Previous application Log No. 2004-017 stated that the probable source of the following contaminants was the landfill. No further investigation has been made to demonstrate otherwise. The following organic and inorganic parameters have been detected at the landfill at concentrations above background, method detection limit (MDL), the practical quantitation limit (PQL) and/or the Class IV Standard that are indicative of groundwater impacts caused by Thomas 12th Street Disposal.

   - G113
     Chlorobenzene – Detected below the MDL, 4th Quarter 2004
     2,4 D – Detected below the MDL, 2nd Quarter 2004
     Picloram – Detected below the MDL, 2nd Quarter 2004
     2,4,5 – TP (Silvex) – Detected below the MDL, 4th Quarter 2004
     Benzene – Detected below the MDL, 1st Quarter 2005
     Total Xylenes – Detected below the MDL, 1st Quarter 2005

- G114
  Picloram – Detected below the MDL, 2nd Quarter 2004

- G115
  Picloram – Detected below the MDL, 2nd Quarter 2004
  Phenols - Detected below the MDL, 3rd Quarter 2004

- G117
  1,1 Dichloroethane – Detected below the MDL, 2nd Quarter 2004
  Phenols – Detected below the MDL, 3rd Quarter 2004

- B3
  EPTC – 0.26 ug/L, 4th Quarter 2004, no PQL established

Along with the following historical detections and background exceedences:

- G113
  Chlorobenzene – 2.9 ug/L, 2nd Quarter 1998, detected above the MDL
  Chlorobenzene – 5.01 ug/L, 2nd Quarter 2000, above the PQL of 5 ug/L
  Chlorobenzene – 5.02 ug/L, 2nd Quarter 2001, above the PQL of 5 ug/L
  Chlorobenzene – 3.2 ug/L, 2nd Quarter 2003, detected above the MDL
  2,4,5-TP – 0.24 ug/L, 2nd Quarter 2001, above the PQL of 0.2 ug/L
  2,4,5-TP – 0.317 ug/L, 4th Quarter 2003, above the PQL of 0.2 ug/L
  Benzene – 0.6 ug/L, 2nd Quarter 1997, detected above the MDL
  Benzene – 1.3 ug/L, 2nd Quarter 1998, detected above the MDL
  Benzene – 0.72 ug/L, 3rd Quarter 1998, detected above the MDL
  Benzene – 0.76 ug/L, 2nd Quarter 1999, detected above the MDL
  Benzene – 2.81 ug/L, 4th Quarter 2000, detected above the MDL
  Benzene – 2.07 ug/L, 2nd Quarter 2001, detected above the MDL
  Benzene – 2.4 ug/L, 4th Quarter 2001, detected above the MDL
  Phenols – 51 ug/L, 1st Quarter 1988, above the PQL of 5 ug/L
  Phenols – 12 ug/L, 2nd Quarter 1988, above the PQL of 5 ug/L
  Phenols – 8 ug/L, 2nd Quarter 1995, above the PQL of 5 ug/L
  Phenols – 6 ug/L, 4th Quarter 2002, above the PQL of 5 ug/L
  Phenols – 11 ug/L, 1st Quarter 2003, above the PQL of 5 ug/L
  Phenols – 37 ug/L, 4th Quarter 2003, above the PQL of 5 ug/L
  Phenols – 20 ug/L, 1st Quarter 2004, above the PQL of 5 ug/L
  Phenols – 6 ug/L, 3rd Quarter 2004, above the PQL of 5 ug/L
  Phenols – 9.5 ug/L, 2nd Quarter 2005, above the PQL of 5 ug/L
  Phenols – 5.3 ug/L, 3rd Quarter 2005, above the PQL of 5 ug/L
  Phenols – 8.2 ug/L, 1st Quarter 2006, above the PQL of 5 ug/L
  Phenols – 7.8 ug/L, 2nd Quarter 2006, above the PQL of 5 ug/L
  Phenols – 5.5 ug/L, 2nd Quarter 2007, above the PQL of 5 ug/L

Phenols – 9.1 ug/L, 3rd Quarter 2007, above the PQL of 5 ug/L
Phenols –64 ug/L, 4th Quarter 2007, above the PQL of 5 ug/L
Phenols – 5.2 ug/L, 4th Quarter 2008, above the PQL of 5 ug/L
Phenols – 8.9 ug/L, 2nd Quarter 2009, above the PQL of 5 ug/L
Total Xylenes – 2.0 ug/L, 2nd Quarter 1998, detected above the MDL
Total Xylenes – 2.78 ug/L, 2nd Quarter 2000, detected above the MDL
Total Xylenes – 2.25 ug/L, 2nd Quarter 2001, detected above the MDL
Total Xylenes – 2.81 ug/L, 3rd Quarter 2001, detected above the MDL
Total Xylenes – 2.3 ug/L, 4th Quarter 2001, detected above the MDL
Total Xylenes – 1.13 ug/L, 3rd Quarter 2002, detected above the MDL
Total Xylenes – 1.43 ug/L, 2nd Quarter 2003, detected above the MDL
o-Xylene – 1.4 ug/L, 3rd Quarter 1997, no PQL established
o-Xylene – 1.9 ug/L, 4th Quarter 1997, no PQL established
o-Xylene – 1.7 ug/L, 1st Quarter 1998, no PQL established
o-Xylene – 1.3 ug/L, 3rd Quarter 1998, no PQL established
o-Xylene – 1.7 ug/L, 3rd Quarter 1999, no PQL established
o-Xylene – 1.1 ug/L, 4th Quarter 1999, no PQL established
o-Xylene – 1.2 ug/L, 1st Quarter 2000, no PQL established
o-Xylene – 2.78 ug/L, 2nd Quarter 2000, no PQL established
o-Xylene – 2.17 ug/L, 3rd Quarter 2000, no PQL established
o-Xylene – 2.66 ug/L, 4th Quarter 2000, no PQL established
o-Xylene – 1.02 ug/L, 1st Quarter 2001, no PQL established
o-Xylene – 2.3 ug/L, 4th Quarter 2001, no PQL established
o-Xylene – 1.35 ug/L, 1st Quarter 2002, no PQL established
o-Xylene – 1.13 ug/L, 3rd Quarter 2002, no PQL established
o-Xylene – 1.06 ug/L, 4th Quarter 2002, no PQL established
o-Xylene – 1.49 ug/L, 1st Quarter 2003, no PQL established
o-Xylene – 2.5 ug/L, 1st Quarter 2004, no PQL established
Boron – 12,970 ug/L, 2nd Quarter 1995, above the Class IV standard of 2000 ug/L
Boron – 12,500 ug/L, 3rd Quarter 1995, above the Class IV standard of 2000 ug/L
Boron – 13,150 ug/L, 4th Quarter 1995, above the Class IV standard of 2000 ug/L
Boron – 11,800 ug/L, 1st Quarter 1996, above the Class IV standard of 2000 ug/L
Boron – 13,100 ug/L, 2nd Quarter 1996, above the Class IV standard of 2000 ug/L
Boron -10,500 ug/L, 3rd Quarter 1996, above the Class IV standard of 2000 ug/L
Boron – 9,450 ug/L, 2nd Quarter 1997, above the Class IV standard of 2000 ug/L
Boron – 6,460 ug/L, 2nd Quarter 1998, above the Class IV standard of 2000 ug/L
Boron – 7,040 ug/L, 2nd Quarter 1999, above the Class IV standard of 2000 ug/L
Boron – 9,250 ug/L, 2nd Quarter 2000, above the Class IV standard of 2000 ug/L
Boron – 8,070 ug/L, 2nd Quarter 2001, above the Class IV standard of 2000 ug/L
Boron – 6,030 ug/L, 2nd Quarter 2003, above the Class IV standard of 2000 ug/L
Boron – 7,120 ug/L, 4th Quarter 2003, above the Class IV standard of 2000 ug/L
Boron – 5,130 ug/L, 2nd Quarter 2004, above the Class IV standard of 200 ug/L
Boron – 6,020 ug/L, 4th Quarter 2004, above the Class IV standard of 2000 ug/L

Boron – 4,900 ug/L, 2nd Quarter 2005, above the Class IV standard of 2000 ug/L
Boron – 6,100 ug/L, 2nd Quarter 2006, above the Class IV standard of 2000 ug/L
Boron – 3,900 ug/L, 2nd Quarter 2007, above the Class IV standard of 2000 ug/L
Boron – 2,700 ug/L, 2nd Quarter 2008, above the Class IV standard of 2000 ug/L
Boron – 3,500 ug/L, 2nd Quarter 2009, above the Class IV standard of 2000 ug/L
Dissolved Chloride – 420 mg/L, 3rd Quarter 2007, above Intrawell Background
Dissolved Chloride – 460 mg/L, 4th Quarter 2007, above Intrawell Background

- G114

Phenols – 11 ug/L, 4th Quarter 1987, above the PQL of 5 ug/L
Phenols – 5 ug/L, 4th Quarter 2003, above the PQL of 5 ug/L
Phenols – 7.1 ug/L, 1st Quarter 2009, above the PQL of 5 ug/L
1,1-Dichloroethane – 11.1 ug/L, 2nd Quarter 2004, no PQL established
1,1-Dichloroethane – 14.3 ug/L, 4th Quarter 2004, no PQL established
1,1-Dichloroethane – 9.24 ug/L, 1st Quarter 2005, no PQL established
1,1-Dichloroethane – 9 ug/L, 2nd Quarter 2005, no PQL established
1,1-Dichloroethane – 11.1 ug/L, 2nd Quarter 2006, no PQL established
Dichloromethane – 0.6 ug/L, 2nd Quarter 2005, above the PQL of 0.2 ug/L
Dichloromethane – 0.9 ug/L, 2nd Quarter 2006, above the PQL of 0.2 ug/L
Benzene – 0.65 ug/L, 4th Quarter 1999, detected above the MDL
Toluene – 3.6 ug/L, 4th Quarter 1999, detected above the MDL
Ethylbenzene – 1.8 ug/L, 4th Quarter 1999, detected above the MDL
Xylenes – 8 ug/L, 4th Quarter 1999, above the PQL of 5 ug/L
Dissolved Sulfate consistently exceeds background through 4th Quarter 2009

- G115

Phenols – 80 ug/L, 2nd Quarter 1999, above the PQL of 5 ug/L
Phenols – 6 ug/L, 4th Quarter 2003, above the PQL of 5 ug/L
Phenols- 11 ug/L, 1st Quarter 2004, above the PQL of 5 ug/L
Benzene – 0.59 ug/L, 3rd Quarter 1997, detected above the MDL
Benzene – 1.3 ug/L, 1st Quarter 1998, detected above the MDL
Benzene – 0.87 ug/L, 3rd Quarter 1998, detected above the MDL
Dissolved Chloride consistently exceeds background through 4th Quarter 2009

- G116

Phenols – 5 ug/L, 2nd Quarter 2000, above the PQL of 5 ug/L
1,1-Dichloroethane – 16.3 ug/L, 3rd Quarter 2004, no PQL established
Dichloromethane – 0.7 ug/L, 2nd Quarter 2005, above the PQL of 0.2 ug/L
Benzene – 0.77 ug/L, 2nd Quarter 1998, detected above the MDL
Benzene – 0.67 ug/L, 3rd Quarter 1998, detected above the MDL
Chromium – 1420 ug/L, 3rd Quarter 2000, above the Class IV standard of 1000 ug/L
Chromium – 1600 ug/L, 2nd Quarter 2007, above the Class IV standard of 1000 ug/L
Chromium – 1300 ug/L, 2nd Quarter 2008, above the Class IV standard of 1000 ug/L
Chromium – 1200 ug/L, 2nd Quarter 2009, above the Class IV standard of 1000 ug/L

- G117
  Phenols – 6 ug/L, 4th Quarter 2003, above the PQL of 5 ug/L
  Dichloromethane – 0.7 ug/L, 2nd Quarter 2005, above the PQL of 0.2 ug/L
  Dichloromethane – 0.8 ug/L, 2nd Quarter 2006, above the PQL of 0.2 ug/L
  Benzene – 0.86 ug/L, 2nd Quarter 1998, detected above the MDL
  Benzene – 4.9 ug/L, 3rd Quarter 1998, detected above the MDL
  Barium – 2260 ug/L, 2nd Quarter 2000, above the Class IV standard of 2000 ug/L
  Chromium – 5020 ug/L, 3rd Quarter 2004, above the Class IV standard of 1000 ug/L
  Dissolved Chloride consistently exceeds background through 4th Quarter 2009
  Dissolved Sulfate consistently exceeds background through 4th Quarter 2009
  Total Dissolved Solids consistently exceeds background through 4th Quarter 2009

Note: The laboratory PQLs for Chlorobenzene, 1,1-Dichloroethane, Benzene, Toluene and Total Xylenes have been increased to 5 ug/L, which is greater than the historical detected concentration range (less than 5 ug/L) and is potentially masking current groundwater quality.

2. Condition 23 of Attachment A of Supplemental Permit No. 2007-300-SP has not been satisfied. The required groundwater assessment activities at G111, G113, G114, G115, and G117 have not been completed. All groundwater assessment activities, results, conclusions, and follow up activities (to demonstrate the facility is not the source of the listed impacts) must be conducted to the satisfaction of the Illinois EPA prior to issuance of certification of completion of post closure care for Thomas 12th St. Disposal.

3. Condition 25 of Attachment A of Supplemental Permit No. 2007-300-SP has not been satisfied. Background 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 data is required to demonstrate whether or not any of the listed impacts are due to offsite conditions. Requirements of Condition 25 of Attachment A of Supplemental Permit No. 2007-300-SP. must be conducted and approved by the Illinois EPA prior to issuance of certification of completion of post closure care for Thomas 12th St. Disposal.

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.

Should you wish to reapply or have any questions regarding this application, please contact Tom Hubbard at 217/524-3286.

Sincerely,

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

SFN:TH:mls/103052s.doc
CJL TWH

cc: Doug Mauntel, P.E., Andrews Engineering

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CATHERINE THOMAS, d/b/a THOMAS 12th STREET DISPOSAL,	)	
Petitioner,	)	
v.	)	(Permit Appeal-Land)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	PCB 10-80
Respondent.	)	

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the PETITON TO REVIEW THE DENIAL OF SUPPLEMENTAL PERMIT APPLICATION LOG NO. 2009-460 BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY was served on:

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

Stephen J. Janasie
Senior Assistant Attorney General
Environmental Bureau
500 South Second Street
Springfield, Illinois 62706

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

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

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 ____day of July, 2010.

_____

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