

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF:  
PETITION OF MAXIMUM INVESTMENTS, LLC)  
FOR AN ADJUSTED STANDARD FROM )  
35 ILL INOIS ADMINISTRATIVE CODE )  
740.210(A)3 FOR THE STONEY CREEK )  
LANDFILL IN PALOS HILLS, IL )

AS OF *9-2*

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STATE OF ILLINOIS  
Pollution Control Board

**PETITION FOR AN ADJUSTED STANDARD**

Petitioner: Maximum Investments, LLC  
Address: 9437 Karlov, Skokie, IL 60076  
Tel: 847-673-4010

Subject Property: Stoney Creek Landfill

Address: 10900 S 84<sup>th</sup> St, Palos Hills, IL

PIN #: 23-14-400-026

A: Standard from which an adjusted standard is sought

Code section 740.210 (A)3 requires written permission from the property owner be included as part of an application for the Site Remediation Program. Effective April 25, 2002

B: Statement of general applicability

The regulation was promulgated to meet the requirements of 415 ILCS 5/58.1(a)1

C: Level of justification required

The general regulation does not specify a level of justification required of a petitioner to qualify for an adjusted standard. Petitioner believes that factors related to the subject property are substantially and significantly different from factors relied upon by the Board in adopting the general regulation; that the existence of those factors justify an adjusted standard; the requested standard will not result in environmental or health effects substantially and significantly more adverse than the effects considered in adopting the general standard and that the adjusted standard is consistent with applicable federal law.

D: Description of petitioner's activity

Petitioner holds a tax lien on the subject property. The subject property has been abandoned since the early 1970's. Petitioner wishes to enroll the property in the Site Remediation Program before acquiring title so as to qualify for exemption as a prospective purchaser under 415 ILCS 5/22.2b.

E: Efforts necessary if petitioner were to comply with regulation of general applicability

The general standard requires the written permission of the property owner. Since there is no property owner, petitioner is unable to comply with the general standard and would be unable to enroll the property in the Site Remediation Program. The prior owner filed for bankruptcy in the 1970's and is now believed to be deceased.

F: Proposed adjusted standard

The requirements of section 740.210(a) 3 requiring the written permission of the property owner for conducting investigative and remedial activities is hereby waived with regards to the subject property.

There is no effort necessary to achieve this proposed standard and no costs will be incurred.

G: Impact of petitioner's activity on the environment

There is no difference in impact on the environment between petitioner complying with the general standard versus the proposed adjusted standard. The proposed adjusted standard only changes the approvals needed to enroll the property in the Site Remediation Program.

H: Justification of proposed adjusted standard

Compliance with the general standard is not possible since the property is abandoned. Failure to grant an adjusted standard would result in the property not being enrolled in the Site Remediation Program and not being returned to productive use or the tax rolls.

I: Reasons for granting proposed adjusted standard

The adjusted standard requested does not have any impact upon the environmental standards ultimately to be imposed and merely addresses a procedural requirement under the Illinois Administrative Code.

J: Statement regarding hearing

Petitioner waives a hearing on the petition

K: Citation of legal authorities

No legal authority is cited.

L: Additional information

None

Submitted by

Maximum Investments, LLC

A handwritten signature in black ink, appearing to read "Richard Rosenbaum", with a long horizontal flourish extending to the right.

Richard Rosenbaum  
Manager

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Certificate of Service

I, the undersigned, certify that I have served the attached Petition for an Adjusted Standard, by depositing in the US Postal Service first class postage prepaid on November 6, 2008, upon the following persons:

Pollution Control Board, Clerk  
100 W Randolph  
Thompson Center, Suite 11-500  
Chicago, IL 60601-3218

Division of Legal Counsel  
Illinois EPA  
1021 N Grand Ave East  
PO Box 19276  
Springfield, IL 61794-9276

  
Richard Rosenbaum