

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CLEAN CONSTRUCTION & RECYCLING, )  
LLC, and G & E EIGHT SERIES, LLC, )  
Petitioners, )  
v. )  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
Respondent. )

RECEIVED  
CLERK'S OFFICE

JUL 25 2011

STATE OF ILLINOIS  
Pollution Control Board

PCB 12- 20  
(Permit Appeal - Land)  
(90-Day Extension)

NOTICE


ORIGINAL

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

Charles Helsten  
Hinshaw & Culbertson LLP  
100 Park Avenue, P.O. Box 1389  
Rockford, Illinois 61105-1389

PLEASE TAKE NOTICE that I have today caused to be filed a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

  
James G. Richardson  
Assistant Counsel

Dated: July 22, 2011  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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JUL 25 2011  
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Pollution Control Board  
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Petitioners, )  
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ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
Respondent. )

PCB No. 12-20  
(Pemit Appeal - Land)  
(90-Day Extension)

REQUEST FOR NINETY DAY EXTENSION  
OF APPEAL PERIOD

NOW COMES the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, James G. Richardson, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board ("Board") grant an extension of the thirty-five (35) day period for petitioning for a hearing to October 25, 2011, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA's final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On June 17, 2011, the Illinois EPA issued a final decision to the Petitioners.
2. On July 13, 2011, the Petitioners made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five day period for filing a petition by ninety days.

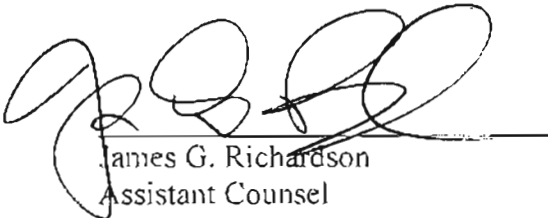
Upon information and belief the Petitioners did receive the final decision on or about June 22, 2011.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



James G. Richardson  
Assistant Counsel

Dated: July 22, 2011

1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
217/782-5544  
217/782-9143 (TDD)

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62719-0276 • 217/582-2300  
1100 S. Thompson Center, 100 West Randolph, Suite 13-100, Chicago, IL 60607 • 312/813-1100

PAT QUINN, GOVERNOR

217/524-3300

June 17, 2011

Certified Mail  
7009 3410 0002 3808 2568  
7009 3410 0002 3808 2575

**OWNER**  
G & E Eight Series, LLC  
Attn: Edward G. Schmidt, Manager  
13125 N. Second Street-a  
Roscoe, Illinois 61073-8227

**OPERATOR**  
Clean Construction Recycling, LLC  
Attn: George DeMarco, Manager  
13125 N. Second Street-a  
Roscoe, Illinois 61073-8227

Re: 2010400008 – Winnebago County  
Roscoe Transfer Station  
Permit 1982-039-DE/OP  
Supplemental Permit No. 2011-095-SP  
Log No. 2011-095  
Permit Storage/Treatment  
Permit Approval

Dear Mr. Schmidt and Mr. DeMarco:

Permit has been granted to G & E Eight Series, LLC, as owner and Clean Construction Recycling, LLC, as operator, to develop and operate a transfer station to receive municipal waste including construction-demolition debris on a portion of Lot 10, a portion of Lot 11 and all of Lot 12, all in the NW ¼ Section 21, T46N, R2E, 3<sup>rd</sup> P.M., more particularly described previously and also described as 13125 North Second Street, Roscoe, Illinois, all in accordance with the application prepared and signed by Chris Rubak, P.E., signature dated February 25, 2010, and with other previously submitted information. 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 numbers and log numbers designated in the heading above.

Specifically, Supplemental Permit 2011-095-SP approves the revised operating plan for the facility, including 1) a plan for mechanically removing recyclable materials from municipal solid waste; and 2) a new plan for managing construction-demolition debris and woody landscape waste, all in accordance with the application, as modified by these conditions, said application submitted by Douglas Allen, P.E., of Shaw Environmental, Inc., signature dated March 14, 2011, and received by Illinois EPA on March 15, 2011.

Pursuant to Section 39(a) of the Illinois Environmental Protection Act (Act), this permit is issued subject to the development, operating and reporting requirements for Solid Waste Facilities in 35 Ill. Adm. Code. Part 807, the standard conditions attached hereto, and the following special

conditions. In case of conflict between the permit application and these conditions (both standard and special), the conditions of this permit shall govern.

The application for Log 2011-095 consists of the following documents:

<u>DOCUMENT</u>	<u>DATED</u>	<u>DATE RECEIVED</u>
Original Application	March 14, 2011	March 15, 2011
Additional Information	March 30, 2011	March 31, 2011
Additional Information	June 6, 2011	June 8, 2011
Additional Information	June 7, 2011	June 8, 2011

Except as noted below, the special conditions of this permit are identical in substance to the special conditions of Permit 2010-078-SP, issued May 17, 2010.

<u>Condition in 2010-078-SP</u>	<u>Condition in 2011-095-SP</u>	<u>Description</u>
A.6	A.6	Revised operating hours.
NA	B.1-34	New conditions.
B.1	C.1	Revised wording.
B.2-15	C.2-15	Renumbered.
C.1	D.1	Revised wording, renumbered.
C.2-5	D.2-5	Renumbered.

A. DEVELOPMENT AND OPERATION

1. This permit approves the development, operating and maintenance of a pollution control facility to receive and transfer municipal waste, recyclable materials, general construction-demolition debris and landscape waste, and approves plans for a used oil collection center. The used oil collection center is not in use at this time. The revised site plan and operating plan submitted with Application Log No. 2011-095 is approved, as modified by these conditions. Installation and operation of a compactor in each of the two loading bays is approved in

accordance with Application Log No. 2006-488. Use of either open top loading or loading with a compactor is approved for each loading bay.

2. This permit is issued with the expressed understanding that no process discharge to Waters of the State or to a sanitary sewer will occur from these facilities, except as authorized by a permit from the Bureau of Water (BOW).
3. The operator shall notify the Illinois EPA of any changes from the information submitted to the Illinois EPA in its application for a Development and Operating permit for this site. The operator shall notify the Illinois EPA of any changes in the names or addresses of both beneficial and legal titleholders to the herein-permitted site. Notification shall be made in writing within fifteen (15) days of such change and shall include the name or names of any parties in interest and the address of their place of abode; or, if a corporation, the name and address of its registered agent.
4. Site surface drainage, during development, during operation and after the site is closed, shall be such that no adverse effects are encountered by adjacent property owners.
5. The best available technology (mufflers, berms and other sound shielding devices) shall be employed to minimize equipment noise impacts on property adjacent to the site during both development, operation and after the site is closed.
6. The facility may receive waste during the hours of 4:00 a.m. to 10:00 p.m., except for Sundays and legal holidays. If the facility is operated past sunset, adequate lighting shall be provided.
7. If it is required for the facility to be open beyond normal operating hours to respond to emergency situations, a written record of the date(s), times and reason the site was open shall be made a part of the operating record for the site. The IEPA-FOS Rockford Regional Office (phone 815/987-7760) or Emergency Response Center (217/782-3637) must be notified and must grant approval each day that the operating hours need to be extended.
8. At the end of each day of operation, all loose waste shall be removed from the tipping floor. The tipping floor shall be swept to remove all loose waste. At the end of the operating day, no ponded liquid may remain on the tipping floor. Waste may be left at the site overnight, however, it shall be in a covered container or waste collection vehicle. In accordance with Application Log No. 2004-403, waste may be stored in covered and/or closed containers for 30 hours on consecutive working days and 54 hours on weekends and legal holidays.

Recyclable materials segregated from municipal waste shall be removed from the tipping floor at least every 48 hours.

9. A vector control specialist shall inspect the transfer station building at least quarterly. If necessary, vector control measures shall be taken.
10. Management of Unauthorized Waste
  - a. Landscape waste found to be mixed with municipal waste shall be removed the same day and transported to a facility that is operating in accordance with the Illinois Environmental Protection Act (Act), Title V, Sections 21 and 39 [415 ILCS 5/21 and 39].
  - b. Lead-acid batteries mixed with municipal waste will be removed the same day and transported either to a drop-off center handling such waste, or to a lead-acid battery retailer.
  - c. Special wastes including hazardous waste, non-hazardous special waste, and potentially infectious medical waste mixed with municipal waste shall be containerized separately and removed as soon as possible by a licensed special waste hauler. Special wastes shall be transported to a licensed special waste management facility that has obtained authorization to accept such waste. The operator shall maintain a contract with haulers so that the immediate removal is ensured. The operator shall develop an emergency response/action plan for such occurrences.
  - d. Asbestos debris from construction-demolition shall be managed in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAPS) regulations.
  - e. Tires found to be mixed with municipal waste shall be removed and managed in accordance with Section 55 of the Act [415 ILCS 5/55].
  - f. White good components mixed with municipal waste shall be removed and managed in accordance with Section 22.28 of the Act [415 ILCS 5/22.28].
  - g. No person may knowingly mix liquid used oil with any municipal waste that is intended for collection and disposal at a landfill.
  - h. After the unauthorized waste has been removed from the transfer station, a thorough cleanup of the affected area will be made according to the type

of unauthorized waste managed. Records shall be kept for three years and will be made available to the IEPA-BOI, upon request.

11. The operator shall maintain a contingency plan that allows for the correct management of leaky containers. This plan must include, but is not limited to shipping and handling damaged containers first. Containers that are not open to the atmosphere and therefore minimize leachate generation must be utilized.
12. The operator of the transfer station shall not accept, receive, store or transfer special waste.
13. Clean, corrugated cardboard and paper, and glass, metal and plastic containers may be accepted for recycling. Recyclable materials segregated from municipal waste shall be removed from the storage areas on the tipping floor at least every 48 hours.
14. All litter shall be collected from the transfer station and grounds and properly managed at the end of each operating day.
15. Fire safety equipment shall be maintained in accordance with recommended practice.
16. Issuance of this permit does not relieve the operator of the referenced facility from any liability or responsibility to remediate any groundwater contamination, which may have been caused by operation of the floor drains (formerly in the transfer station tipping floor) or other unit or area of the facility.
17. Any modification to the facility shall be the subject of an application for supplemental permit for site modification submitted to the Illinois EPA.
18. Landscape waste left onsite overnight may be stored overnight, weekends and legal holidays only in covered roll-off containers. The rolloff containers shall be transported to an Illinois EPA approved landscape waste processing facility. The maximum time that landscape waste may be stored onsite is 72 hours. Odorous loads shall be removed the same day they are received.
19. The facility shall be operated to prevent odors from leaving the facility.
20. The operator is not required to operate a video camera at the transfer station.
21. The operator shall store white goods in covered containers outside away from traffic patterns in accordance with Application Log No. 2004-148.



22. The operator shall store tires in a manner that prevents accumulation of water. No more than 250 tires may be stored at any time.
23. The operator shall submit a new 39(i) certification and supporting documentation 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.

The certification shall describe the violation(s), convictions, carelessness or incompetence as outlined in a, b, or c above and must include the date that a new person as described above began employment with the operator. Forms are available at our website @ <http://www.epa.state.il.us/land/regulatory-programs/permits-and-management/forms/index.html#solid-waste-forms>.

The 39i certification and supporting documentation shall be submitted to the address specified below:

Illinois EPA, BOI, #33-39i Certification  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

B. MANAGEMENT OF CONSTRUCTION-DEMOLITION DEBRIS AND LANDSCAPE WASTE

1. The operator shall not cause or allow the modification to the design or operation of this facility or accept any type of waste or debris for recycling except as authorized in a permit issued by the Illinois EPA. Storage and processing of construction-demolition debris and sorted construction-demolition debris is limited to only those areas defined on Plan Sheet D4 of Application Log 2011-095, received March 15, 2011.
2. This permit does not authorize land application of any material received or processed at this facility.
3. The facility shall be designed, constructed, maintained and operated with roads and traffic flow patterns adequate for the volume, type and weight of traffic using the facility including, but not limited to, hauling vehicles, emergency vehicles, and on site equipment. Sufficient area shall be maintained to minimize traffic congestion, provide for safe operation, and allow for queuing waste hauling vehicles.
4. The operator shall provide adequate parking for all vehicles and equipment used at the facility and as necessary for queued hauling vehicles.
5. Roadways and parking areas on the facility premises shall be designed, constructed, maintained and operated for use in all weather considering the volume, type and weight of traffic and equipment at the facility.
6. The facility shall be designed, constructed, maintained and operated so that site surface drainage will be diverted around or away from the recycling and management areas. Surface drainage shall be designed and controlled so that adjacent property owners encounter no adverse effects during development, operation and after closure of the facility.
7. Run-off from roadways and parking areas shall be controlled using storm sewers or shall be compatible with natural drainage for the site. Best management practices (e.g., design features, operating procedures, maintenance procedures, prohibition of certain practices and treatment) shall be used to ensure that run-off from these areas does not carry wastes, debris or constituents thereof, fuel, oil or other residues to soil, surface water or groundwater.
8. The facility including, but not limited to, all structures, roads, parking and recycling areas, shall be designed, constructed, maintained and operated to prevent malodors, noise, vibrations, dust and exhaust from creating a nuisance or health hazard during development, operation and closure of the facility. Facility features (e.g., berms, buffer areas, paving, grade reduction), best available technology (e.g., mufflers, machinery

enclosures, sound-absorbent materials, odor neutralizing systems, air filtering systems, misting systems), and building features (e.g., enclosed structures, building orientation) shall be among the measures to be considered to achieve compliance.

9. The facility shall be designed, constructed, maintained and operated to prevent litter and other debris from leaving the facility property. Facility features (e.g., windbreaks, fencing, netting, etc) shall be among the measures considered to ensure that the debris does not become wind strewn and that no other provisions of the Act are violated.
10. The permit is issued with the expressed understanding that no air emissions will occur from these facilities, except as authorized by a permit from the Bureau of Air (BOA). This permit is issued with the expressed understanding that no process discharge to Waters of the State or to a sanitary sewer will occur from these facilities, except as authorized by a permit from the Bureau of Water (BOW).
11. The facility shall be designed, constructed, maintained and operated with a water supply of adequate volume, pressure, and in locations sufficient for cleaning, firefighting, personal sanitary facilities, and as otherwise necessary to satisfy operating requirements (e.g., dust suppression, wheel washing) and the contingency plan.
12. The facility shall be designed, constructed, maintained and operated with exterior and interior lighting for roadways, and waste handling areas adequate to perform safely and effectively all necessary activities.
13. The facility shall be designed, constructed, maintained and operated with truck wheel curbs, guard rails, bumpers, posts or equivalents to prevent backing into fuel storage tanks, equipment, and other structures.
14. The facility shall be designed, constructed, maintained and operated with adequate shelter, sanitary facilities, and emergency communications for employees.
15. The facility operator shall install and maintain fences and gates, as necessary to limit entry. Except during operating hours, the gates shall be securely locked to prevent unauthorized entry.
16. The facility may receive construction-demolition debris at the site from 4:00 a.m. to 10:00 p.m., Monday through Saturday. When the facility is operated before sunrise or after sunset, adequate lighting shall be provided. If it is required for the facility to be open beyond normal operating hours to respond to emergency situations, a written record of the date, time and reason the facility was open shall be maintained in facility operating records. The Illinois EPA's Regional Office responsible for inspection of this facility or Emergency Response Center must be notified and must grant approval each day that the operating hours need to be extended.

17. Fire safety equipment (fire extinguishers) shall be maintained in accordance with recommended practice.
18. Non recyclable waste may be left at the site overnight, however, it shall be in a covered container or waste collection vehicle.
19. Piles of general construction or demolition debris shall be covered or wetted to prevent air-borne dust, as necessary.
20. The facility shall be designed, constructed, maintained and operated to prevent unauthorized access to recycling areas, storage areas for unauthorized wastes, salvaged and recycled materials, and staging areas where loaded site equipment or vehicles may be parked. Facility features such as fences and gates shall be provided.
21. Waste and debris handling areas shall be designed, constructed, maintained and operated to prevent exposure of wastes and recyclable materials to run-on and flooding.
22. The sorting areas shall be properly graded and compacted and regraded as necessary to prevent ponding from forming leachate during storms.
23. Records shall be maintained on-site at the facility office for each operating day. The operator shall record operating hours, load ticket information, load inspections, daily processing time, volume processed per day, transfer load out and waste disposition details.
24. The operator shall, within 48 hours of receipt of the general construction or demolition debris at the facility, sort the general construction or demolition debris. The operator shall separate the recyclable general construction or demolition debris from non-recyclable general construction or demolition debris and dispose of the non-recyclable general construction or demolition debris, at a permitted facility.
25. The operator must place wood, tires, and other unacceptable materials in covered dumpsters or vehicles adequate to prevent the release of leachate.
26. The operator must separate and place all non-recyclable general construction or demolition debris and unacceptable materials in covered dumpsters. The operator shall transport all non-recyclable general construction or demolition debris, and unacceptable material offsite for disposal at a permitted facility in accordance with all applicable federal, State, and local requirements within 72 hours of its receipt at the facility.
27. For each operating day, the operator shall limit the percentage of incoming non-recyclable general construction/demolition debris to 25% or less of the total incoming general construction/demolition debris, as calculated on a daily basis.

28. The operator shall transport all non-putrescible recyclable general construction or demolition debris for recycling or disposal within 6 months of its receipt at the facility.
29. Within 45 days of its receipt at the facility the operator must separate and place all putrescible or combustibile recyclable general construction or demolition debris in covered dumpsters for recycling or disposal, and transport offsite.
30. The operator shall employ tagging and record keeping procedures to (i) demonstrate compliance with the volumes and timeframe established in this permit, and (ii) identify the source and transporter of material accepted by the facility.
31. The operator shall use load tickets to control the site activities and comply with the tagging and record keeping procedures in condition 30 above. These load tickets shall identify the source of the material delivered to the site. The operator shall use these tickets to identify the location in the yard or in the covered dumpsters and the length of time stored at the site to achieve compliance.
32. The operator is prohibited from receiving hazardous- and asbestos-containing materials.
33. The operator may separate clean concrete, and clean soil from the general construction or demolition debris as recyclable materials for use in construction. The operator is permitted to store these recyclable materials for a maximum period of 45 days.
34. The operator may store the steel separated from concrete and other construction or demolition debris for a maximum period of 6 months. After six months, the steel must be sent offsite for disposal or recycling.

C. USED OIL COLLECTION CENTER

1. The development and operating plans for the used oil collection center remains approved. The container storage area may be used for storing used oil from household do-it yourselfers as defined in 35 Ill. Adm. Code 739.100.
2. The operator shall notify the Illinois EPA in writing within 15 days before operation that the development of the used oil collection center has been completed in accordance with Permit Application Log No. 1994-195 before a pre-operation site inspection can be conducted or an operating permit issued, authorizing operation of the used oil collection center. The used oil collection center is not operating at the time of issuance of Permit No. 2011-089-SP.
3. Used oil shall be stored in containers that are in good condition (no severe rusting, apparent structural defects or deterioration) and not leaking. Storage shall be conducted in accordance with the requirements of 35 Ill. Adm. Code 724 and 725.

4. All containers used to store used oil must be stored in watertight secondary containment designed to prevent any used oil released to the containment system from migrating to the soil, groundwater or surface water.
5. Containers for storage of used oil shall be labeled or clearly marked with the words "Used Oil."
6. All containers of used oil shall be packaged, labeled and placarded in accordance with the requirements of 49 CFR 173, 178 and 179 when transported off-site.
7. The operator is prohibited from storing used oil for more than 35 days.
8. All used oil is subject to the rebuttal presumption in 35 Ill. Adm. Code 739.110(b). Therefore, the operator must determine whether the total halogen content of the used oil being transported off-site is above or below 1000 ppm. Used oil that contains total halogens above 1000 ppm must be further analyzed using SW846 methods to demonstrate that none of the solvents identified as F001 or F002 in 35 Ill. Adm. Code 721.133 are present. Alternatively, the oil must be transported off-site as hazardous waste.
9. The operator is prohibited from accepting oily wastewater. Oily wastewater is any oil/water mixture containing less than 50% used oil.
10. The names of emergency response entities shall be clearly posted near the used oil collection area. These entities include the fire department, police, ambulance service, the emergency response contractor and Illinois EPA Emergency Response Center (telephone 217/782-3637).
11. All spills of used oil shall be cleaned up immediately. In the event a spill of used oil occurs that cannot be cleaned up immediately, the operator shall notify the Illinois EPA Emergency Response Center (telephone 217/782-3637).
12. Used oil transported off-site shall be transported by an Illinois licensed special waste hauler using the Illinois EPA's special waste stream permit and manifest system.
13. Fire safety equipment (fire extinguishers) shall be maintained at the used oil storage area in accordance with recommended practice.
14. Containers of used oil shall not be stacked.
15. No more than 100 gallons of used oil shall be stored in the used oil storage area at any time.

D CLOSURE PLAN

1. The revised facility closure plan and closure cost estimate submitted to the Illinois EPA in Application Log No. 2011-095 is approved in accordance with 35 Ill. Adm. Code, Part 807. The cost estimate for closure is \$40,500.00. Financial assurance is not required for a transfer station. The temporary closure plan in Log 2007-504 remains approved. The operator shall notify the Illinois EPA, BOI, Permit Section in writing prior to the following occurrences at this facility:

Initiation of temporary closure, upon completion of temporary closure activities;

Return to operation, within 30 days prior to resuming operations; and

Permanent closure, upon initiation of closure activities.

2. The operator shall not file any application to modify the closure plan less than 180 days prior to the receipt of the final volume of waste.
3. The operator shall initiate implementation of the closure plan within 30 days after the site receives the final volume of waste.
4. The operator shall notify the Illinois EPA within 30 days after receiving the final volume of waste.
5. Upon completion of closure activities, the operator shall notify the Illinois EPA that the facility has been closed in accordance with the approved closure plan utilizing the Illinois EPA's "Affidavit for Certification of Completion of Closure of Non-Hazardous Waste Facilities," available at <http://www.epa.state.il.us/land/regulatory-programs/permits-and-management/forms/index/html#solid-waste-forms>.

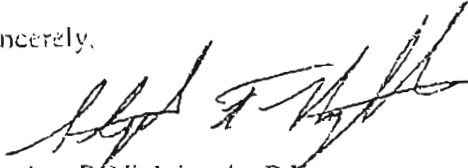
Within 35 days of the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not 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

Page 13

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

<sup>ASD</sup>  
SFN:SAS:bjh\111993s.doc

Sas

Attachment: Standard Conditions

cc: Douglas Allen, P.E., Shaw Environmental, Inc.

bcc: Bureau File  
Rockford Region  
Sallie Flynn



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.

STANDARD CONDITIONS

**RECEIVED  
CLERK'S OFFICE**

**JUL 25 2011**

**STATE OF ILLINOIS  
Pollution Control Board**

**CERTIFICATE OF SERVICE**

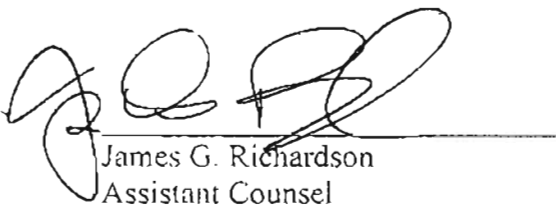
I, the undersigned attorney at law, hereby certify that on July 22, 2011 I served true and correct copies of a REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD by first class mail of the United States Postal Service upon the persons as follows:

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