

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

PETITION OF BRICKYARD DISPOSAL &)	
RECYCLING, INC. FOR AN ADJUSTED)	AS 14-03
STANDARD PURSUANT TO 35 ILL.)	(Adjusted Standard - Land)
ADM. CODE 814.402(B)(3) and FROM 35)	
ILL. ADM. CODE 810.103, 811.318(b)(3))	
and 811.320(c))	

NOTICE OF FILING

PLEASE TAKE NOTICE that today I have filed with the Office of the Clerk of the Pollution Control Board the Petitioner's Notice of Publication in this matter pursuant to 35 Ill. Adm. Code 104.408 and 104.410, a copy of this document is herewith served upon you.

To: Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276

Dated: July 7, 2014

Respectfully submitted,
BRICKYARD DISPOSAL & RECYCLING,
INC.

BROWN, HAY & STEPHENS, LLP

Claire A. Manning
William D. Ingersoll
cmanning@bhslaw.com
wingersoll@bhslaw.com
205 S. Fifth Street, Suite 700
P.O. Box 2459
Springfield, IL 62705-2459
(217) 544-8491

By: /s/William D. Ingersoll
One of Its Attorneys

NOTICE OF PUBLICATION

Brickyard Disposal & Recycling, Inc., through its attorneys, Brown, Hay & Stephens, LLP, hereby files the attached Certificate of Publication of the “Notice of Brickyard Disposal & Recycling, Inc., (hereinafter “Brickyard”) for an Adjusted Standard before the Illinois Pollution Control Board” (Exhibit A), which appeared in COMMERCIAL-NEWS, a daily newspaper of general circulation printed and published in Danville, Illinois, on June 28, 2014.

Pursuant to 35 Ill. Adm. Code 104.408 Brickyard Disposal & Recycling, Inc. was required to cause the publication of its Notice of Petition for an Adjusted Standard before July 11, 2014. The timely notice was published on June 28, 2014. Pursuant to 35 Ill. Adm. Code 104.410, proof of that publication is required by filing a certificate of publication within 30 days of the filing of the petition, and this filing timely satisfies that requirement.

Dated: July 7, 2014

Respectfully submitted,
BRICKYARD DISPOSAL & RECYCLING,
INC.

BROWN, HAY & STEPHENS, LLP

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By: /s/William D. Ingersoll
One of Its Attorneys

STATE OF ILLINOIS)
County of Vermilion) ss.
City of Danville)

Ad # 14341718

EXHIBIT A

NEWSPAPER HOLDINGS INC., DBA THE COMMERCIAL-NEWS, a corporation, organized and existing under and pursuant to the laws of the State of Illinois, HEREBY CERTIFIES.

That it is the PUBLISHER of the COMMERCIAL-NEWS, and the COMMERCIAL-NEWS is a secular newspaper of general circulation in Vermilion County, Illinois, printed and published in the City of Danville, Vermilion County, Illinois:

That a notice, of which the annexed is a true copy, has been regularly published, in said newspaper one time each day/week for 1 successive days/weeks/times.

That the first of such publications was on the 28 day of June 20 14, and the last publication was on the 28 day of June 20 14.

That the COMMERCIAL-NEWS has been regularly published for at least six (6) months prior to the first publication of said notice: that the face of the type in which such publication was made is the same as the body type used in the classified advertising in the newspaper in which such publication was made.

That Beverly Joyce has been duly appointed as agent of said company and authorized to certify all certificates of publication required to be made on account of publications made in the COMMERCIAL-NEWS, and that such appointment is still in full force and effect.

IN WITNESS WHEREOF, the said NEWSPAPER HOLDINGS INC., DBA THE COMMERCIAL-NEWS, PUBLISHER, aforesaid, has caused its corporate name to be hereinto affixed, and this certificate executed by Beverly Joyce its authorized Agent, on this 28 day of June, A.D. 20 14.

Printer's Fee \$ 133.46

NEWSPAPER HOLDINGS INC.,
D.B.A. COMMERCIAL-NEWS

Date Paid _____ 20 ____ .

By: Beverly Joyce
Authorized Agent

LEGAL NOTICE

Notice of Petition by Brickyard Disposal & Recycling, Inc. (hereinafter "Brickyard") for Adjusted Standard before the Illinois Pollution Control Board. On June 27, 2014, Brickyard filed with the Illinois Pollution Control Board (hereinafter "Board") an Adjusted Standard Petition pursuant to Section 28.1 of the Illinois Environmental Protection Act and the Board's regulations (Docket AS 2014-003). Brickyard is located at 601 Brickyard Road, Danville, Illinois. Brickyard operates a solid waste landfill at this location consisting of two units. Brickyard no longer receives waste and, in order to achieve effective closure, seeks an adjustment of the compliance boundary and a determination of a zone of attenuation. The adjustment and zone of attenuation determinations are provided for in Section 814.402(b)(3) and Brickyard seeks an alternative standard, subject to permitting, to that set forth in 35 Ill. Adm. Code 811.318(b)(3). Further adjustment is requested to the definition and determination of zone of attenuation, as applied to Brickyard, from 35 Ill. Adm. Code 810.103 and 811.320(c). Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Board within 21 days after the date of publication of this notice. The hearing request should clearly indicate the docket number for the adjusted standard proceeding, as found in this notice, and must be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601.

CERTIFICATE OF SERVICE

I, William D. Ingersoll, certify that I have this date served the attached Notice of Filing and Notice of Publication by means described below, upon the following persons:

To: Pollution Control Board, Attn: Clerk
100 West Randolph Street
James R. Thompson Center, Suite 11-500
Chicago, Illinois 60601-3218
(Via Electronic Filing)

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
(Via First-Class Mail and Email)

Dated: July 7, 2014

BROWN, HAY & STEPHENS, LLP

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By: /s/William D. Ingersoll