

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

IN THE MATTER OF: )  
)  
PETITION OF APEX MATERIAL )  
TECHNOLOGIES, LLC FOR AN ) AS 15-02  
ADJUSTED STANDARD FROM ) (Adjusted Standard – Land)  
PORTIONS OF 35 ILL. ADM. CODE )  
807.104 and 810.103, OR, IN THE )  
ALTERNATIVE, A FINDING OF )  
INAPPLICABILITY. )

**Notice of Filing**

TO:

Mr. John Therriault  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
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, IL 62974-9276

**PLEASE TAKE NOTICE** that on this 22<sup>nd</sup> day of August 2014, I have filed with the Office of the Clerk of the Illinois Pollution Control Board the **Notice of Publication**, which is attached and herewith served upon you.

Respectfully Submitted,

APEX Material Technologies, LLC

By: /s/ Joseph L. Pellis II  
Joseph L. Pellis II  
One of its Attorneys

Dated: August 22, 2014

Joseph L. Pellis II  
PELLIS LAW GROUP, LLP  
901 Warrenville Road, Suite 205  
Lisle, IL 60532  
t: (630) 442-5500  
f: (630) 442-5519

**NOTICE OF PUBLICATION**

APEX Material Technologies, LLC, through its attorneys, Pellis Law Group, LLP, and pursuant to 35 Ill. Adm. Code 104.410, hereby files the attached Certificate of Publication of the “Notice of Petition by APEX Material Technologies, LLC for an Adjusted Standard before the Illinois Pollution Control Board” (Exhibit A), which appeared in the Joliet Bugle, a weekly newspaper of general circulation, printed and published in the City of Joliet, Illinois, on August 20, 2014.

Pursuant to 35 Ill. Adm. Code 104.408, APEX Material Technologies, LLC was required to cause the publication of its Notice of Petition on or before August 22, 2014. The timely notice that was published on August 20, 2014 satisfied that requirement.

Respectfully Submitted,

APEX Material Technologies, LLC

By: /s/ Joseph L. Pellis  
Joseph L. Pellis II  
One of its Attorneys

Dated: August 22, 2014

Joseph L. Pellis II  
PELLIS LAW GROUP, LLP  
901 Warrenville Road, Suite 205  
Lisle, IL 60532  
t: (630) 442-5500  
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**CERTIFICATE OF SERVICE**

I, Joseph L. Pellis II, the undersigned, an attorney, certify that I have served the attached **Notice of Publication**, upon:

Mr. John Therriault  
Illinois Pollution Control Board  
James R. Thomson Center  
100 W. Randolph Street  
Suite 11-500  
Chicago, Illinois 60601-3218

via Electronic Filing and U.S. Priority Mail on August 22, 2014; and upon:

Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, IL 62974-9276

via U.S. Priority Mail deposited in the U.S. Post Office mailbox at 901 Warrenville Road, Lisle, Illinois on August 22, 2014.

/s/ Joseph L. Pellis II  
Joseph L. Pellis II

# EXHIBIT A

**CERTIFICATE OF PUBLICATION**

ENTERPRISE NEWSPAPERS, INC  
The Bugle

STATE OF ILLINOIS}

COUNTY OF WILL}

Enterprise Newspapers, Inc is the publisher of The Bugle, a newspaper of general and secular circulation in the County of Will in the State of Illinois, printed and published weekly in the City of Joliet, in the State of Illinois.

We certify that the annexed printed notice is full, true, complete and correct copy of the original notice published 1 time(s) in 1 issue(s) of said newspaper successively: that the date of the first publication was 8-20-14; that said newspaper is authorized by law to print and publish legal notices in Will County, Illinois; that said newspaper has been published and printed continuously for more than (1) year prior to the date of the first publication of said notice.

IN WITNESS WHEREOF I have caused these presents to be executed by Enterprise Newspapers, Inc, and attested to by its authorized agent, in Will County, Illinois this 20<sup>th</sup> day of August, 2014.

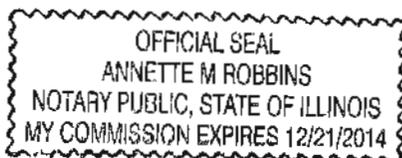
This certificate is in compliance with Chapter 100 of the Illinois Revised Statues.

ENTERPRISE NEWSPAPERS, INC

ATTEST

by Annette M Robbins

Notary Public



[The Joliet, Lockport, Crest Hill Bugle]

by [Signature]

Authorized Agent

Notice of Petition by APEX Material Technologies, LLC for an Adjusted Standard before the Illinois Pollution Control Board.

Pursuant to the provisions of 415 ILCS 5/28.1 and 35 Ill. Adm. Code 104.408, please take notice that on August 8, 2014, Petitioner, APEX Material Technologies, LLC ("APEX"), filed a petition for an adjusted standard with the Illinois Pollution Control Board. The petition seeks a finding that portions of those regulations are inapplicable to APEX or, in the alternative, an adjusted standard from the provisions of 35 Ill. Adm. Code 807.104 and 35 Ill. Adm. Code 810.103.

APEX operates a production facility at 10 Industry Avenue, Joliet, Will County, Illinois 60435. As part of its plans to better serve its current customers, and to expand its product offerings to new customers, APEX intends to begin a new service that will process copper-rich, Copper Ammonium Chloride Etchant ("CAC") into two useful products, which will then be sold back into the economic mainstream.

APEX plans to purchase from printed circuit board manufacturers (the "Customers") CAC or "used etchant solution," which is an ammonia-based fluid that is used to strip away excess copper from printed circuit boards. The business objective is to use CAC as a raw material feed to produce two useful products, copper oxide and ammonium chloride. APEX will then sell the copper oxide as a product into the pigment, frit, and/or micronutrient industries. APEX will sell the ammonium chloride as "fresh etchant solution" back to the original Customers, to use in the same process that originally produced the "used etchant solution."

APEX seeks a declaration that the CAC is not a "waste," and thus APEX's process is not subject to the requirements of 35 Ill. Adm. Code Part 807 or 35 Ill. Adm. Code Part 810. In the alternative, APEX seeks the following adjusted standard:

APEX Material Technologies, LLC ("APEX") is hereby granted an adjusted standard from the following definitions of 35 Ill. Adm. Code 807.104: "facility," "solid waste," "solid waste management," "unit," and "waste." APEX is further granted an adjusted standard from the following definitions of 35 Ill. Adm. Code 810.103: "facility," "landfill," and "solid waste." These enumerated definitions do not apply to operations conducted by APEX at its facility located in Will County, Illinois, so long as:

1. APEX uses only copper-rich, copper ammonium chloride etchant ("CAC").
2. For purposes of this adjusted standard, "CAC" is defined as "copper rich, copper ammonium chloride etchant used to strip away excess copper from printed circuit boards."
3. APEX must maintain a quality control program that includes:
  - a. The right to reject any CAC that does not comply with APEX's Profile Sheet;
  - b. Weekly testing of a representative shipment for its copper content;
  - c. Visual inspection of each shipment to ensure that no visual contaminants are present in that shipment;
  - d. Before receiving any CAC from a new supplier, performing TCLP tests of a representative sample of the CAC from that new supplier; and
  - e. Interim testing of a representative sample of each source of CAC, pursuant to an appropriate method, from each existing supplier. Such interim testing will be performed at least every six months, or upon significant changes in operating conditions.
4. APEX operates the facility in compliance with other provisions of the Environmental Protection Act.

The docket number of the petition is AS 2015-002.

Any person may cause a public hearing to be held in the above-described adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the 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.