

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STERICYCLE, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB No. _____
)	
ILLINOIS ENVIRONMENTAL)	Permit Appeal – Land
PROTECTION AGENCY,)	
)	
Respondent,)	

NOTICE OF FILING AND PROOF OF SERVICE

To: Don Brown, Clerk
Illinois Pollution Control Board
100 West Randolph Street
State of Illinois Building, Suite 11-500
Chicago , IL 60601

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

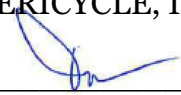
PLEASE TAKE NOTICE that I have today electrically filed with the Office of the Clerk of the Illinois Pollution Control Board, pursuant to Board Procedural Rule 101.302 (d), a **PETITION FOR REVIEW OF CONDITION TO SUPPLEMENTAL OPERATING PERMIT**, a copy of which is herewith served upon the attorneys of record in this case.

The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served upon counsel of record of all parties to this cause by enclosing the same in an envelopes addressed to such attorneys with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mailbox in Chicago, Illinois on the 25th day of February, 2022.

Dated: February 25, 2022

Respectfully submitted,

STERICYCLE, INC.



One of its attorneys

Donald J. Moran
Stan C. Sneeringer
PEDERSEN & HOUP, P.C.
161 North Clark Street, Suite 2700
Chicago, Illinois 60601

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(312) 641-6888

Counsel for Stericycle, Inc.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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APPEARANCE OF DONALD J. MORAN

NOW COMES Donald J. Moran and hereby enters his appearance in this matter on behalf of Stericycle Inc.

Dated: February 25, 2022

Respectfully submitted,

STERICYCLE, INC.



One of its attorneys

Donald J. Moran
Stan C. Sneeringer
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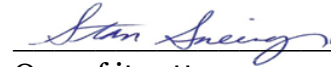
APPEARANCE OF STAN C. SNEERINGER

NOW COMES Stan C. Sneeringer and hereby enters his appearance in this matter on behalf of Stericycle, Inc.

Dated: February 25, 2022

Respectfully submitted,

STERICYCLE, INC.



One of its attorneys

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Counsel for Stericycle, Inc.

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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**PETITION FOR REVIEW OF CONDITION
TO SUPPLEMENTAL OPERATING PERMIT**

NOW COMES the Petitioner, Stericycle, Inc., by its attorneys, Pedersen & Houpt, P.C., pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act, 415 ILCS 5/40(a)(1), and hereby petitions the Illinois Pollution Control Board for review and reversal of the decision of the Illinois Environmental Protection Agency to impose that certain Condition No. 40 on the grant of Supplemental Permit No. 2021-269-SP for Stericycle’s incinerator facility located in Clinton, Illinois, and in support thereof, states as follows:

1. Stericycle, Inc. (“Stericycle”) is a publicly traded corporation based in Bannockburn, Illinois. Stericycle operates a hospital, medical, and infectious waste incinerator located in Clinton, Illinois (the “Facility”) pursuant to solid waste operating Permit No. 1988-06-DE/OP and air emission source Permit No. 99110103.

2. In 1987, the DeWitt County Board granted Stericycle, through its predecessor, National Environmental Services Corp., siting approval for a facility that would incinerate potentially-infectious medical waste and “provide other environmental and product distribution services to health care providers.” The County Board's Planning

and Zoning Committee's findings stated that the facility would help health care providers with “the safe and effective treatment of their medical wastes” without drawing a distinction between potentially-infectious medical wastes (“PIMW”) and other, incidental medical wastes such as non-hazardous pharmaceutical waste, regulated garbage and confidential documents slated for destruction. During the siting hearing, the applicant’s president testified that the Facility would accept “special wastes generated by hospitals,” defined as “those disposable or discarded products connected with patient care and diagnosis.”

3. Prior to 2009, Stericycle would from time to time receive such incidental medical wastes commingled with PIMW. All such commingled wastes were incinerated without incident.

4. In 2009, Illinois healthcare facilities began to segregate non-hazardous pharmaceutical wastes from other medical waste. As before, however, Stericycle's customers would provide these non-hazardous pharmaceutical wastes to Stericycle for disposal.

5. In and around 2013, the Illinois Environmental Protection Agency (the “IEPA”) advanced the position that the DeWitt County Board’s 1987 siting approval, which addressed “medical wastes” generally, did not necessarily grant siting approval for a facility incinerating non-hazardous pharmaceutical wastes or other incidental medical wastes. Accordingly, the IEPA required Stericycle to provide proof of site location approval for the incineration and/or transfer of these waste streams.

6. Since the original, 1987 site location approval, the land where the Facility sits has been annexed by the City of Clinton, Illinois.

7. In August 2020, therefore, Stericycle submitted a supplemental site location application to the City of Clinton, seeking authorization for the Facility to incinerate and/or transfer non-hazardous pharmaceutical and other incidental medical wastes, including Regulated Garbage generated at labs, research facilities and manufacturers or international wastes as defined and regulated under US Department of Agriculture Animal and Plant Health Inspection Service; controlled substances and/or seized contraband from law enforcement agencies or as defined under Drug Enforcement Administration (DEA) (including wastes collected through community take back programs or opioid abuse programs); product liability protection destruction, such as products recalled under Food and Drug Administration regulations or directives; and secure documents slated for destruction such as health records, confidential records and financial records (collectively, the “Incidental Medical Wastes”).

8. On February 1, 2021, the Clinton City Council adopted Ordinance No. 1531, which granted supplemental local siting approval, as requested.

9. Under Section 807.210 of Title 35 of the Illinois Administrative Code (the “Code”), no person may “allow modification of any solid waste management site, or accept any type of waste except under conditions specified in a permit issued by the Agency [*i.e.*, the IEPA].” 35 ILL. ADM. CODE § 807.210.

10. Accordingly, on June 29, 2021, Stericycle applied to the IEPA, Bureau of Land, for a supplemental operating permit pursuant to Section 807.210.

11. On January 26, 2022, the IEPA granted Supplemental Permit No. 2021-269-SP approving, among other things, incineration of non-hazardous pharmaceutical waste and the other Incidental Medical Wastes, subject to certain conditions.

12. Among the conditions imposed by the IEPA was Condition No. 40, which states:

Issuance of this permit does not relieve the operator from any requirements of their Bureau of Air Permit (Permit No. 991101013). No new waste streams can be incinerated at this facility until the Bureau of Air permit has been modified to allow incineration of said waste streams.

13. Section 39(a) of the Illinois Environmental Protection Act (the "Act") permits the IEPA to condition any permit "as may be necessary to accomplish the purposes of this Act, and as are not inconsistent with the regulations promulgated by the [Pollution Control] Board hereunder." 415 ILCS 5/39(a). A permit applicant may appeal the imposition of conditions to the Pollution Control Board (the "PCB"). 415 ILCS 5/40(a)(1).

14. Condition No. 40 is inconsistent with the regulations promulgated by the PCB and is, therefore, not necessary to accomplish the purposes of the Act. Condition No. 40 should, therefore, be stricken.

15. The Facility holds Permit No. 991101013 to operate an "emission source," pursuant to Section 201.143 of Title 35 of the Code. 35 ILL. ADM. CODE § 201.143.

16. The Code defines "emission source" as "any equipment or facility capable of emitting specified air contaminants to the atmosphere." *Id.* at § 201.102. The Code defines "specified air contaminant" as "any air contaminant as to which this Subtitle [B of Title 35] contains emission standards or other specific limitations and any contaminant regulated in Illinois pursuant to Section 9.1 of the Act." *Id.*

17. The Facility's emission source operating permit may only be revised by the IEPA upon "reapplication of the permittee" or "the revision of the Act or this Chapter [*i.e.*, Chapter I of Title 35, Subtitle I of the Code]." *Id.* at § 201.167.

18. The circumstances under which a facility operator must reapply for an emission source operating permit are more limited, however, than for a permit to operate a solid waste management site.

19. The Code states that “[n]o person shall cause or allow the operation of any new emission source ... without first obtaining an operating permit from the Agency.” *Id.* at § 201.143.

20. The Code defines “new emission source” as “[a]ny emission source, the construction or modification of which is commenced on or after April 14, 1972.” *Id.* at § 201.102. The Code defines “modification,” in pertinent part, as “[a]ny ... change in the method of operations, of an emission source ... which increases the amount of any specified air contaminant emitted by such source ... or which results in the emission of any specified air contaminant not previously emitted.” *Id.*

21. Thus, an emission source operator need only reapply for an “air permit,” *i.e.*, an emission source operating permit, when a change in its operations will increase the amount of specified air contaminants emitted or result in the emission of a new contaminant.

22. Condition No. 40, however, purports to force Stericycle to seek modification of its emission source operating permit, based not on an increase in “specified air contaminants” but on the alleged presence of a new “waste stream” — an undefined term.

23. Condition No. 40 is, therefore, inconsistent with the PCB’s regulations. Because the Condition is inconsistent with the PCB’s regulations it is also, therefore, not necessary to accomplish the purposes of the Act. Accordingly, the PCB should reverse the IEPA’s decision to impose Condition No. 40 and strike the Condition.


WHEREFORE, for all of the reasons stated above, Petitioner Stericycle, Inc., respectfully petitions the Pollution Control Board for entry of an order:

- A. Setting for hearing this petition for review of the IEPA's decision to issue Supplemental Permit No. 2021-269-SP subject to Condition No. 40;
- B. Reversing the IEPA's decision to impose Condition No. 40;
- C. Striking Condition No. 40 from Supplemental Permit No. 2021-269-SP; and
- D. Providing such other and further relief as the Board deems appropriate.

Dated: February 25, 2022

Respectfully submitted,

STERICYCLE, INC.



One of its attorneys

Donald J. Moran
Stan C. Sneeringer
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(312) 641-6888

Counsel for Stericycle, Inc.

EXHIBIT A



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 · (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217/524-3301

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

7011 1150 0001 0856 9481

7011 1150 0001 0856 9771

JAN 26 2022

OWNER:

Stericycle, Inc.

Attn: Rich Moore

2355 Waukegan Road

Bannockburn, Illinois 60015

OPERATOR:

Stericycle, Inc.

Attn: Rich Moore

5815 Weldon Springs Road

Clinton, Illinois 61727

Re: 0390050007 – DeWitt County
Stericycle, Inc.
Permit No. 1988-06-DE/OP
Supplemental Permit No. 2021-269-SP
Log No. 2021-269
Permits, PIMW

Dear Mr. Moore:

Supplemental permit is hereby granted to Stericycle, Inc., as owner and operator, to modify a solid waste management site to install a cardboard baler and allow the storage of medical documents to be shredded by a third party, all in accordance with the application and plans prepared by Wade Van Zee of Stericycle and signed sealed by Mark R. Sandfort, P.E. of Golder Associates on June 23, 2021. The facility is located in Clinton, Illinois and consists of 6.18 acres as described in Attachment A. Final plans, specifications, application, and supporting documents, as submitted and approved, shall constitute part of this permit and are identified in the records of the Illinois Environmental Protection Agency (Illinois EPA), Bureau of Land, Division of Land Pollution Control by the permit number and log number designated in the heading above.

The application approved by this permit consists of the following documents:

<u>DOCUMENT</u>	<u>DATED</u>	<u>DATE RECEIVED</u>
Original Application Log No. 2021-269	June 29, 2021	June 30, 2021
Waiver	September 27, 2021	September 27, 2021 via e-mail

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

Waiver	October 27, 2021	October 27, 2021 via e-mail
Additional Information	November 12, 2021	November 15, 2021
Waiver	November 22, 2021	November 29, 2021

Specifically, Supplemental Permit No. 2021-269-SP approves the following:

- A. The transfer to other permitted processing/treatment facility, non-hazardous pharmaceuticals;
- B. Incineration of non-hazardous pharmaceutical waste;
- C. Incineration of USDA regulated garbage;
- D. Incineration of product liability protection waste from manufacturers under the Food and Drug Administration; and
- E. Incineration of secure information described as confidential documents and media.

Except for the differences described below, the special conditions of this permit letter are identical to the special conditions of Supplemental Permit No. 2012-453-SP, issued October 18, 2013.

Current Condition	Previous Condition	Change
2	2	Removed "...and source-separated medical documents for shredding and shipment off-site for recycling as described in the September 21, 2012 submittal," which was for a pilot program that did not materialize. Added "non-hazardous pharmaceutical waste, USDA Regulated Garbage, product liability protection wastes, and confidential documents and media" to reflect new waste streams.
N/A	3(d)	Removed to reflect the elimination of a pilot program that did not materialize.
5	5	Changed "PIMW" to "All waste."
8	N/A	Added to specify storage requirements for new waste streams.
N/A	32	Removed to reflect the elimination of a pilot program that did not materialize.
N/A	33	Removed to reflect the elimination of a pilot program that did not materialize.

33(a) and (c)	34(a) and (c)	Changed "The waste" to "All wastes."
33(b)	34(b)	Changed "The waste" to "Potentially infectious medical waste."
39	N/A	Added 39(i) language to bring the permit up to date.
40	N/A	Added condition to require modification to BOA Permit.
32-40	34-42	Renumbered after removal of two conditions.

The permit is issued subject to the standard conditions attached hereto and incorporated herein by reference, and further subject to the following special conditions. In case of conflict between the application and plans submitted and these special conditions, the special conditions of this permit shall govern:

1. This permit is for operation of Incinerators No. 1 and No. 2 in accordance with the conditions demonstrated in the trial burn and Condition 24. Wastes may only be received at the facility while the operation of the incinerator is in accordance with all permits issued by the Division of Air Pollution Control's Permit No. 87070016, and all subsequent permits.
2. This facility is permitted to accept: potentially infectious medical waste (PIMW) as defined in 35 Ill. Adm. Code 1420.102, non-hazardous pharmaceutical waste, USDA Regulated Garbage, product liability protection waste, and secure information/confidential documents and media. This facility is not permitted to receive any RCRA hazardous waste, radioactive waste, mixed waste (which is RCRA hazardous waste mixed with radioactive waste), or asbestos waste. The facility may only accept the following chemotherapy wastes: gloves, gowns, absorbent pads, empty vials, empty syringes, and empty tubing.
3. Wastes shall not be stored at the site for more than 72 hours except under the following conditions:
 - a. The surface temperature of the PIMW container is maintained at or below 45 degrees Fahrenheit.
 - b. The PIMW container is judged to be irregular, unacceptable, or must be rejected. These containers shall be shipped off-site within 72 hours of receipt, unless they are maintained at or below 45 degrees Fahrenheit.
 - c. The incinerator is shut down. In this case the PIMW containers shall be incinerated or shipped off-site within 72 hours of receipt, unless they are maintained at or below 45 degrees Fahrenheit.
4. PIMW shall not be stored for more than thirty (30) days regardless of temperature.
5. All waste containers shall be stored at an elevation above that of the floor, unless they are in a refrigerated trailer or the staging area.

6. PIMW containers shall be stored in accordance with the procedures specified in Attachment B of the March 10, 2000 submittal. The aisle space maintained between rows of pallets shall be at least 48 inches. Containers shall be arranged in a manner which allows for the inspection of individual containers.
7. A vehicle containing PIMW is exempt from the aisle space requirement when loading or unloading a vehicle, or when the vehicle is fully loaded. These aisle space exemptions must not exceed five (5) calendar days.
8. All other waste containers shall be stored in accordance with the procedures specified in the Log No. 2021-269 submittal.
9. The incinerator shall be equipped with automatic recording thermocouples and controls that lock out the load system if the secondary chamber is not operating at or above the minimum operating temperature.
10. All waste components which are not composed of metal, glass, ceramic, or other non-combustible material shall be converted by the incineration process into ash which is not recognizable as to its former character. Any partially combusted material shall be removed and correctly reburied.
11. All ash containers shall be managed so that no fugitive dust occurs, and so that the ash is not exposed to the elements.
12. All containers used to transport ash on public highways shall be covered during transport. These containers shall be designed such that liquids cannot drain out of them.
13. The ash sampling shall be conducted in accordance with the following procedures:
 - a. The Permittee shall collect and analyze one sample of ash per month from each incinerator unit.
 - b. If the analyses indicate that the ash is hazardous waste, the ash shall be transported to a permitted hazardous waste facility. The Permittee shall immediately notify the Illinois EPA, Division of Land Pollution Control, Permit Section of any ash which is determined to be hazardous waste. The Permittee shall submit a written report which includes the analytical results within 30 days of receipt of the laboratory results.
 - c. The Illinois EPA reserves the right to modify the permit and the sampling and analysis plan based on the analytical results of the ash testing program.
 - d. Upon demonstrating that the infectious potential of the PIMW has been eliminated through the requirements of Condition 24, the Permittee shall conduct waste analysis on the ash in accordance with the following procedures in lieu of the procedures identified in (a) above:

The Permittee shall collect one sample of ash from each incinerator in accordance with the following schedule:

<u>USEPA Haz. Waste Nos.</u>	<u>Parameters</u>	<u>Frequency</u>
D007, D008, D004, D005, D006, D009, D010, D011	Chromium, Lead Arsenic, Barium, Cadmium, Mercury, Selenium, Silver	Sample and composite Monthly and Analyze Quarterly
D012 through D043	Remaining TCLP constituents (organics)	Sample and Analyze Annually

- e. The ash analysis results shall be kept at the facility for a period of three (3) years.
 - f. The Illinois EPA reserves the right to collect ash samples from this facility at any time.
14. The Permittee is responsible for insuring that any ash which is a hazardous waste is transported to a permitted hazardous waste facility.
15. The facility shall maintain a daily operating record. The operating record must be able to track waste streams as they pass through the facility. It must have the following entries for each shipment of waste received:
- a. A unique identification number for each shipment received;
 - b. The generator's name;
 - c. The date received;
 - d. The amount received (pounds);
 - e. The date that each shipment is incinerated or shipped off-site, cross-referenced to the unique ID number for each shipment received; and
 - f. The dates and times of any situations which result in the opening of the emergency stack or temporary exceedances of any permit condition. The total number of the above situations must be calculated and recorded at the end of each month.
16. During procedures for the permanent closure of an incinerator, the incinerator shall be operated at normal temperatures without waste feed for at least 4 hours to ensure that all waste and residues are adequately combusted. Any incompletely burned residue from the primary chamber of the incinerator shall be considered to be infectious waste and disposed

of off-site accordingly if the incinerator is not operable.

17. Special wastes received at the site shall be transported to the facility utilizing the Illinois EPA's supplemental permit system and manifest system. An Authorization Number is not required when manifesting PIMW to this facility for treatment.
18. Special wastes generated at the site for disposal, storage, incineration or further treatment elsewhere shall be transported to the receiving facility utilizing the Illinois EPA's supplemental permit system and manifest system.
19. This permit is subject to review and modification by the Illinois EPA as deemed necessary to fulfill the intent and purpose of the Environmental Protection Act, and all applicable environmental rules and regulations.
20. All loading/unloading of PIMW or special wastes shall be accomplished over spill containment devices.
21. Any modification to the facility shall be the subject of an application for supplemental permit for site modification submitted to the Illinois EPA.
22. The Permittee shall notify the Illinois EPA of any changes from the information submitted to the Illinois EPA in its application for a developmental and operating permit for this site. Permittee shall notify the Illinois EPA of any changes in the names or addresses of both beneficial and legal titleholders to the herein-permitted site. Such 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.
23. All PIMW shall be subject to fees in accordance with 56.6 of the Environmental Protection Act.
24. This facility shall be operated in accordance with the new Potentially Infectious Medical Waste (PIMW) legislation (Section 3.84 and Title XV of the Act). This legislation mandates the Illinois Pollution Control Board to adopt regulations specific to PIMW by January 1, 1993. This facility will be subject to the new PIMW regulations upon the effective date of those regulations. In addition, the facility shall submit to the Illinois EPA a supplemental permit application (LPC-PA1) within 60 days of the effective date of the new regulations for all modifications required as a result of these new regulations.
25. The Permittee shall conduct the efficacy test (ET) in accordance with the test protocol proposed and the following:
 - a. The Permittee must describe the composition and weight of the challenge loads used for testing in their protocol.
 - b. The Permittee must identify the source of Bacillus stearothermophilus and microbiological reagents used to conduct the ET in their protocol.

- c. The Permittee must describe how the container of B. stearothermophilus was introduced into the challenge load and how this represents a "worst-case scenario" in their protocol.
 - d. The Permittee must describe how the container of B. stearothermophilus was recovered following treatment and describe (i.e., color, particle size and recognizability) the residue remaining after treatment.
 - e. The Permittee must describe in detail how the B. stearothermophilus spore suspension was prepared, as well as how the laboratory verified the purity and population of the spore suspension in their protocol.
 - f. The Permittee must describe in their protocol: (1) how the spore strip was transferred to the nutrient broth; (2) what was the volume of nutrient broth used; and (3) what cultural conditions were used (e.g., static or agitation; aerobic or anaerobic, etc.) to enrich for growth after treatment.
 - g. The Permittee must describe in their protocol the number of plates and dilutions used.
 - h. The Permittee must clarify if the pour plate method was utilized to determine the colony counts.
 - i. The Permittee must provide a detailed description of their quality assurance/quality control procedures and practices. The test results must confirm that the colony forming units (CFU) were B. stearothermophilus.
 - j. The test results need to be explained thoroughly. For example, how do you get growth on the plate count agar when the inoculum (nutrient broth) shows no growth?
 - k. The Permittee must identify the operating conditions under which the test was conducted (i.e., feed rate, temperature, retention time, etc.).
 - l. The result of the test including the information requested in 24(a) through (k) above shall be submitted to the Illinois EPA no later than July 1, 1993. The results must be certified by the operator (a responsible corporate officer) using the language identified in 35 Ill. Adm. Code 702.126(d).
26. The Permittee shall not exceed the operating limits (i.e., minimum temperature, maximum rate, minimum residence time, etc.) established during the ET required by Condition 24. Any request to modify these limits must include a revised ET.
 27. The Permittee shall remove solids dislodged in the washing operation from the wire mesh strainers once a day. The recovered solids must be managed as PIMW.
 28. The Permittee shall clean and disinfect the reusable containers, in accordance with the procedures identified in 35 Ill. Adm. Code 1420.107, no less than once a week.

29. All portions of the reusable containers, including lids, screws or fasteners, which come in contact with PIMW shall be cleaned and disinfected in accordance with 35 Ill. Adm. Code 1420.107.
30. The Permittee may develop and operate a tub washer/dryer replacement unit, as described in Log No. 2006-256 to clean and disinfect the reusable containers. The Permittee shall notify the Bureau of Land FOS Regional Office at 217/278-5800. If the Bureau of Land does not direct the Permittee not to operate the unit within seven days after the notification, the Permittee may operate the unit.
31. The Permittee may install a new waste conveyor system, as described in Log No. 2006-256, to provide a more efficient method of unloading waste from the transport vehicles to each incinerator operator station. The Permittee shall notify the Bureau of Land FOS Regional Office at 217/278-5800. If the Bureau of Land does not direct the Permittee not to operate the unit within seven days after the notification, the Permittee may operate the unit.
32. The Permittee may construct and operate a cardboard baler as described in Log No. 2012-453, to bale cardboard generated only from this facility.
33. The Permittee is authorized to accept the wastes identified in Condition 2, provided the generator complies with the following requirements:
 - a. All wastes comply with the acceptance criteria in the approved waste analysis plan;
 - b. Potentially infectious medical waste is delivered by an Illinois licensed PIMW hauler or an exempt hauler as defined in 35 Ill. Adm. Code 1420.105; and
 - c. All wastes are accompanied by a manifest, if required.
34. No waste may be accepted on a multistop basis.
35. The secondary containment area where the pretreatment system is installed shall be coated with special coatings Pre-Prime 167 Penetrating Sealer No. 1670000 or equivalent as approved by the Illinois EPA to protect the areas from accidental spills.
36. The equipment shall be installed and operated per vendor instructions.
37. The Permittee may modify the wastewater pretreatment system for the treatment of wastewater generated by the facility's scrubbers, in accordance with the application as identified in Log No. 2003-331. The design and installation of the wastewater treatment system and additional equipment shall comply with the applications identified as Log Nos. 2000-316 and 2003-331 in the Illinois EPA's files. The Permittee shall notify FOS/Champaign Region after installation of the wastewater pretreatment system and additional equipment for the treatment of wastewater from the wet scrubbers.

38. This permit is issued with the expressed understanding that no process discharge shall enter the Waters of the State or sanitary sewer except as authorized by the Bureau of Water (BOW) NPDES Permit No. 2001-EE-2598.
39. The permittee shall submit current 39(i) certifications and supporting documentation with all applications for a permit.
40. Issuance of this permit does not relieve the operator from any requirements of their Bureau of Air Permit (Permit No. 99110103). No new waste streams can be incinerated at this facility until the Bureau of Air permit has been modified to allow incineration of said waste streams.

The original and two (2) copies of all certifications, logs or reports and three (3) copies of groundwater monitoring chemical analysis forms which are required to be submitted to the Agency by the Permittee should be mailed to the following address:

Illinois Environmental Protection Agency
Planning and Reporting Section
Bureau of Land -- #33
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

Appeal Rights

The applicant may appeal this final decision to the Illinois Pollution Control Board pursuant to Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the applicant and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the request for an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board, Clerk
State of Illinois Center
100 West Randolph, Suite 11-500
Chicago, IL 60601
312/814-3620

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 them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Sincerely,



Kenneth E. Smith, P.E. Manager
Permit Section
Division of Land Pollution Control
Bureau of Land

KES:TWH:BGA\0390050007-STPR-2021269-198806DEOP-Approval

cc: ^{aga} Wade Van Zee, Stericycle Inc.

Attachments: 1. Standard Conditions
2. Legal Description

bcc: Bureau File
DesPlaines Region
FOS, Paul Eisenbrandt
Tom Hubbard
Bev Albarracin
Daniel Rowell

Attachment

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.

ATTACHMENT 2

A tract of land located in the Northeast Quarter of Section 2, Township 19 North, Range 2 East of the Third Principal Meridian, DeWitt County, Illinois, being more particularly described as follows:

Beginning at a point of intersection of the North Right-of-Way line of the Illinois Central Gulf Railroad and the West Right-of-Way line of DeWitt County Highway No. 1, said point being 30.00 feet West of the East line of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 2 and 40.00 feet Northeasterly of the centerline of the Illinois Central Gulf Railroad, as established by William C. Faulkner, Illinois Registered Land Surveyor No. 1940, on Plat of Survey dated March 16, 1987; thence proceed North 0° 00' 00" East, along the said West Right-of-Way line of DeWitt County Highway No. 1 for 650.00 feet; then North 90° 00' 00" West for 530.00 feet; thence South 0° 00' 00" East for 365.52 feet to a point on the North Right-of-Way line of the Illinois Central Gulf Railroad; thence South 61° 46' 30" East, along the said North Right-of-Way line of the Illinois Central Gulf Railroad for 601.52 feet to the Point of Beginning, containing 6.178 Acres, more or less, situated in the County of DeWitt, State of Illinois.

