

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

IN THE MATTER OF:)
)
PETITION OF LAFARGE MIDWEST, INC.)
FOR AN ADJUSTED STANDARD)
FROM 35 Ill. Adm. Code 739.161)
PURSUANT TO 35 Ill. Adm. Code 720.132 and)
720.133.)

AS 06 - 001
(Adjusted Standard - Land)

SEP 30 2005

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

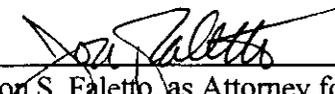
NOW COMES the Petitioner, LAFARGE MIDWEST, INC., by and through its attorneys, Howard & Howard Attorneys PC, and provides PROOF OF PUBLICATION in accordance with the requirements of Section 104.410 of the Pollution Control Board regulations (35 Ill. Admin. Code 104.410) and in accordance with Section 104.408 of the Pollution Control Board regulations (35 Ill. Admin. Code 104.408):

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

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 on this day, the 26th day of September, 2005, I caused to be filed with the Office of the Clerk of the Illinois Pollution Control Board the PROOF OF PUBLICATION, a copy of which is herewith served on you.

Respectfully submitted,



Jon S. Faletto, as Attorney for
Petitioner Lafarge Midwest, Inc.

Jon S. Faletto
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602
(309) 672-1483

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THIS FILING SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

SEP 30 2005

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)	
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PETITION OF LAFARGE MIDWEST, INC.)	AS 06 - 001
FOR AN ADJUSTED STANDARD)	(Adjusted Standard -Land)
FROM 35 Ill. Adm. Code 739.161)	
PURSUANT TO 35 Ill. Adm. Code 720.132 and)	
720.133.)	

PROOF OF PUBLICATION

NOW COMES the Petitioner, LAFARGE MIDWEST, INC., by and through its attorneys, Howard & Howard Attorneys PC, and provides PROOF OF PUBLICATION in accordance with the requirements of Section 104.410 of the regulations of the Illinois Pollution Control Board (hereafter "Board"). In support of its PROOF OF PUBLICATION, Petitioner states as follows:

In accordance with Section 104.408 (35 Ill. Admin. Code 104.408), Petitioner caused to be published a Notice of the filing of the petition in this cause by advertisement in a newspaper of general circulation in the area likely to be affected by the Petitioner's activity that is the subject of this adjusted standard proceeding. The Notice was published in the *Daily Southtown* on September 15, 2005, which publication date occurred within fourteen (14) days after the filing of the Petition in this cause.

The *Daily Southtown* is a newspaper published daily in the Counties of Cook and Will and is of general circulation throughout those counties which encompasses the location of Petitioner's South Chicago Slag Drying Plant. The South Chicago Slag Drying Plant is located at the common address of 2150 East 130th Street, Cook County, Chicago, Illinois. Petitioner is seeking an Adjusted Standard from the used oil management standards of 35 Ill. Admin Code Section 739.161 so that off-specification used oil may be used as fuel in the slag dryer operated at the South Chicago Slag Drying Plant.

In accordance with Section 104.410 (35 Ill. Admin. Code 104.410), Petitioner is filing the original publisher's Certificate of Publication received from Midwest Suburban Publishers, Inc., certifying publication of the Notice in the *Daily Southtown* on the date and in the form stated in the Certificate of Publication. The original Certificate of Publication is attached hereto as Exhibit A.

Respectfully submitted,

LAFARGE MIDWEST, INC., Petitioner



 Jon S. Fajetto, as Attorney for
 Petitioner Lafarge Midwest, Inc.

Jon S. Faletto
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602
(309) 672-1483

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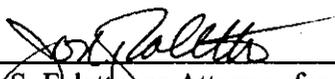
CERTIFICATE OF SERVICE

I, Jon S. Faletto, an attorney, hereby certify that I have served the attached *Proof of Publication* upon the person or agency to whom it is directed, by placing it in an envelope addressed to:

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

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

and mailing it via First Class U.S. Mail from Peoria, Illinois, on this 26th day of September, 2005, with sufficient postage affixed thereto.



Jon S. Faletto, as Attorney for
Petitioner Lafarge Midwest, Inc.

Jon S. Faletto
Howard & Howard Attorneys, P.C.
One Technology Plaza, Suite 600
211 Fulton Street
Peoria, IL 61602
(309) 672-1483
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THIS FILING SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF PUBLICATION

MIDWEST SUBURBAN PUBLISHERS, INC.

The undersigned corporation does hereby certify that it is the publisher of the DAILY SOUTHTOWN that said DAILY SOUTHTOWN is a secular newspaper that has been published daily in the County of Cook and Will and State of Illinois, continuously for more than one year prior to the first publication of the notice appended, and is of general circulation throughout the said Counties and State and that -it is a newspaper as defined in "An Act to Revise The Law in Relation to Notices". As amended by an Act approved July 17, 1959 - Illinois Compiled Statutes, Chapter 715 (ILCS 5/0.01 et seq.)

That the notice appended was published in the DAILY SOUTHTOWN, INC., on

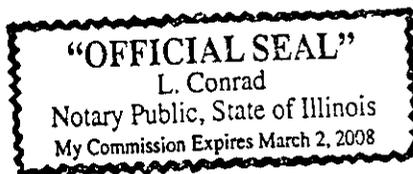
SEPTEMBER 15, 2005

IN WITNESS WHEREOF, The DAILY SOUTHTOWN, INC., has caused this certificate to be signed and its corporate seal affixed hereto at Tinley Park, Illinois, this 15TH Day of SEPT., A. D., 2005.

By: [Signature]
Authorized Agent

Counties of Cook & Will
State of Illinois
Subscribed and sworn en route
before me this 16TH Day of SEPT., 2005.

[Signature]
Notary Public



Notice of Petition by Lafarge Midwest, Inc. for an Adjusted Standard before the Illinois Pollution Control Board
TAKE NOTICE that Lafarge Midwest, Inc., has filed a Petition for an Adjusted Standard before the Illinois Pollution Control Board.
Date Filed: The Petition for an Adjusted Standard was filed with the Pollution Control Board on September 12, 2005, via U.S. Mail in accordance with 35 Ill. Admin. Code Section 101.302(c).
Board Docket Number: The Board has assigned Docket Number AS 08-001 to this proceeding.
Regulatory Standard: Lafarge Midwest, Inc., as the Petitioner in this proceeding, is requesting an Adjusted Standard from the requirements of 35 Ill. Admin. Code Section 739.161 (a) in accordance with the provisions of 35 Ill. Admin. Code Sections 720.132 and 720.133 which expressly provide for a case-by-case determination that certain enclosed devices using controlled flame combustion are boilers.
Proposed Adjusted Standard: Lafarge Midwest, Inc. seeks a determination from the Pollution Control Board that its slag dryer may be considered a "boiler by designation" as that term is defined in 35 Ill. Admin. Code Section 720.110, so that off-specification used oil may be used as fuel in the slag dryer in accordance with 35 Ill. Admin. Code Section 739.161(a).
General Description of Petitioner's Activity: Petitioner Lafarge Midwest, Inc. owns and operates the South Chicago Slag Grinding Plant which produces slag cement by drying and grinding granulated blast furnace slag to cement fineness. The drying process utilizes a direct-fired process heater to reduce the moisture content of the blast furnace slag so that the slag can be ground into a fine powder and processed into cement. A significant amount of fuel is utilized to operate the slag drying system. Through this Adjusted Standard proceeding, Lafarge seeks approval to utilize off-specification used oil as supplemental fuel in the drying process. The U. S. Environmental Protection Agency has actively promoted and approved the use of used oil fuels since Congress passed the Used Oil Recycling Act in 1980. Burning used oil is an accepted and proven means of energy recovery in Illinois and throughout the United States.
Location of Petitioner's Facility: The Petitioner's South Chicago Slag Grinding Plant is located at the common address of 2150 East 130th Street, Cook County, Chicago, Illinois. The facility is located adjacent to the Calumet River just south of Lake Calumet.
Public Hearing Request: 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.