



Annexed Notice

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Publisher's Certificate

Notice of Petition by Johns Manville for an Adjusted Standard before the Illinois Pollution Control Board

Johns Manville, a Delaware corporation, which owns a former manufacturing plant located at 1927 Pershing Road, Waukegan, Illinois in Lake County has filed an Amended Petition for an Adjusted Standard before the Illinois Pollution Control Board, pursuant to Section 28.1 of the Illinois Environmental Protection Act, 415 ILCS Section 5/28.1, and 35 Ill. Adm. Code Sections 104.400 et seq. This amended petition was filed with the Pollution Control Board on September 30, 2004, and has been assigned Docket Number AS 04-04 by the Pollution Control Board.

Johns Manville formerly operated a manufacturing plant on the property, which ceased operations in 1998. Johns Manville also operated an on-site landfill which consisted of two units and which received nonhazardous solid wastes generated on-site while the plant was operating. The proposed adjusted standard would apply to certain specific requirements contained in the Illinois Pollution Control Board's land pollution control regulations relating to landfill gas collection and monitoring and groundwater monitoring. Specifically, JM seeks adjusted standards to 35 Ill. Adm. Code Part 814, which incorporates 35 Ill. Adm. Code Sections 811.310, 811.311, 811.318, and 811.320. The adjusted standard would assist in the efficiency of final closure of the landfill by JM. The proposed adjusted standard would address the frequency of landfill gas monitoring, and the location of landfill gas and groundwater monitoring wells. The proposed text of the adjusted standards is as follows:

In lieu of compliance with 35 Ill. Adm. Code 811.310(c)(1) as applied to the On-Site Landfill at its facility in Waukegan, Illinois, Johns Manville shall operate all gas monitoring devices, including the ambient air monitors, such that samples will be collected on a semi-annual basis for a period of five years following approval of this adjusted standard. If, at the end of five years, the requirements for implementing a Landfill Gas Collection System (35 Ill. Adm. Code 811.311) are not met, no further monitoring will be con-

THIS IS TO CERTIFY that the notice, a true copy of which is hereto annexed, was published in The News-Sun, a secular newspaper of general circulation in the County of Lake and State of Illinois, published daily except Sundays in the City of Waukegan, Lake County and State of Illinois by Fox Valley Publications, Inc., a corporation organized and existing under the laws of the

State of Illinois, 1 times, the 06 day of Oct A.D. 20 04; said paper being authorized by law as a proper medium for the publication of legal notices in said county. The publisher does further certify that said News-Sun is a newspaper (a) which consists of not less than four (4) pages of printed matter and contains at least 130 square inches of printed matter per page; and (b) which is printed through the use of one of the conventional and generally recognized printing processes as defined by statute; and (c) which annually averages at least 25% news content per issue or which annually averages at least 1000 column inches of news content per issue, the term "news content" meaning any printed matter other than advertising; and (d) which publishes miscellaneous reading matter, legal or other announcements or notices, and news and information concerning current happenings and passing events of a political, social, religious, commercial, financial or legal nature, and advertisements, bulletins; and (e) which has been continuously published at regular intervals of at least once each week with a minimum of 50 issues per year for at least one year prior to the first publication of the annexed notice.

IN WITNESS WHEREOF said Fox Valley Publications, Inc. publisher aforesaid, has hereunto caused its corporate

name to be hereunto affixed on this the 07 day of Oct A.D. 20 04, by its duly authorized officer or agent.

FOX VALLEY PUBLICATIONS, INC.

By [Signature]  
Its PUBLISHER

Publication Fee \$ 162.74

Received payment of above fee of \$ \_\_\_\_\_

AC/303 808 2127 9999

35 Ill. Adm. Code  
811.311(a)(1) as applied to the On-Site Landfill at its facility in Waukegan, Illinois, Johns Manville shall install a gas management system if a methane concentration greater than 50 percent of the lower explosive limit in air, is detected below the ground surface by a monitoring device or is detected by an ambient air monitor located as close as possible to the boundary line shown on Figure 7 or the property line, whichever is less.

In lieu of compliance with 35 Ill. Adm. Code 811.320(c)(1) as applied to the On-Site Landfill at its facility in Waukegan, Illinois, the Zone of Attenuation, within which concentrations of constituents in leachate discharged from the unit may exceed the applicable groundwater quality standard of this Section, is a volume bounded by a vertical plane located as shown on Figure 8, extending from the ground surface to the bottom of the uppermost aquifer and excluding the volume occupied by the waste.

In lieu of compliance with 35 Ill. Adm. Code 811.318(b)(3) as applied to the On-Site Landfill at its facility in Waukegan, Illinois, Johns Manville shall install groundwater monitoring wells at the locations specified on the attached Figure 8. Those monitoring wells located along the proposed Zone of Attenuation boundary shall be considered Applicable Groundwater Quality Standards or "AGQS" wells consistent with the requirements of 35 Ill. Adm. Code 811.318(b)(5).

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 West Randolph Street, Suite 11-500, Chicago, Illinois 60601.

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**CERTIFICATE OF SERVICE**

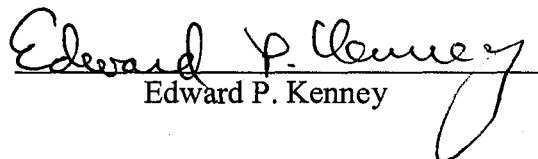
The undersigned, an attorney, hereby certifies that he caused the foregoing notice and certificate of publication to be served upon:

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

Peter Orlinky  
Assistant Counsel, Northern Region  
Illinois Environmental Protection Agency  
9511 West Harrison Street  
Des Plaines, Illinois 60016

Elizabeth Wallace  
Assistant Attorney General, Environmental Law  
188 West Randolph Street, 20<sup>th</sup> Floor  
Chicago, Illinois 60601

by placing the same in the United States mail, first-class postage prepaid, this 22<sup>nd</sup> day of October, 2004.

  
Edward P. Kenney