



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276, 217-782-3397
JAMES R. THOMPSON CENTER, 100 WEST RANDOLPH, SUITE 11-300, CHICAGO, IL 60601, 312-814-6026

ROD R. BLAGOJEVICH, GOVERNOR

RENEE CIPRIANO, DIRECTOR

RECEIVED
CLERK'S OFFICE

APR 14 2005

STATE OF ILLINOIS
Pollution Control Board

(217) 782-5544
TDD: (217) 782-9143

April 12, 2005

IEPA 05-004

Dorothy Gunn, Clerk
Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, IL 60601

RE: **NOTICE OF PROVISIONAL VARIANCE APPROVAL – PV 2005-122-05**
Natural Gas Pipeline Company – Station 311

Dear Ms. Gunn:

Pursuant to Subsection 37(b) of the Environmental Protection Act (415 ILCS 5/37(b)), attached is a copy of the Illinois EPA's recent approval of a request for provisional variance. As you know, the Board must maintain for public inspection copies of all provisional variances filed with it by the Illinois EPA. Please feel free to call me at the number referenced above should you have any questions.

Sincerely,

William D. Ingersoll
Acting Chief Counsel
Division of Legal Counsel

Attachment

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY RECEIVED
OFFICE OF THE SECRETARY

April 12, 2005

APR 14 2005

Natural Gas Pipeline Company –)
Station 311)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL PROTECTION)
AGENCY,)
)
Respondent.)
)

STATE OF ILLINOIS
Pollution Control Board

IEPA- 05-004

(Provisional Variance – RCRA -Land)

RE: PROVISIONAL VARIANCE APPROVAL – PV 2005-122-05
Natural Gas Pipeline Company – Station 311
1470255001/ILT180015091/Piatt County/Compliance

On April 8, 2005, the Illinois EPA received the attached request in which Natural Gas Pipeline Company (“NPGL”) requested a provisional variance from the accumulation time limitations of 35 Ill. Adm. Code 722.134(b) for the above-referenced facility. The Illinois EPA has reviewed the information provided and has decided to grant a provisional variance from the accumulation time limitations of 35 Ill. Adm. Code 722.134(b) due to unforeseen, temporary and uncontrollable circumstances. Compliance with the accumulation time limitations of 35 Ill. Adm. Code 722.134(b) would impose, under these circumstances, an arbitrary or unreasonable hardship.

The grant of this provisional variance appears consistent with 40 CFR 262.34(b) (1991), adopted pursuant to the Resource Conservation and Recovery Act of 1976 (P.L. 94-580), which authorizes the Regional Administrator for the United States Environmental Protection Agency to grant similar extensions when hazardous wastes must remain on-site for longer than 90 days due to unforeseen, temporary, or uncontrollable circumstances.

This provisional variance from the accumulation time limitations of 35 Ill. Adm. Code 722.134(b) is granted for the time period from April 13, 2005 through May 13, 2005 subject to the following conditions:

- A. NPGL shall notify Brian White of the Agency by telephone at 217/782-9987 when the waste has been delivered to the TSD facility. Written confirmation of this notice shall be sent within five days to the following address:

Illinois Environmental Protection Agency
Bureau of Land – Compliance Section
Attention: Brian White
1021 North Grand Avenue East, MC #24
P.O. Box 19276
Springfield, Illinois 62794-9276

- B. NPGL shall sign a certificate of acceptance of this provisional variance and forward that certificate to Brian White at the address indicated above within ten days of the date of this order. The certification should take the following form:

I(We) _____, hereby accept and agree to be bound by all terms and conditions of the provisional variance granted by the Agency in _____ dated _____.

Petitioner

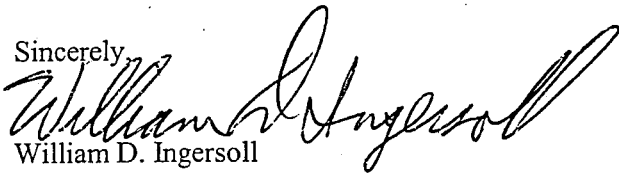
Authorized Agent

Title

Date

The Illinois EPA grants this provisional variance in accordance with its authority contained in Sections 35(b), 36(c) and 37(b) of the Environmental Protection Act (415 ILCS 5/35(b), 36(c) and 37(b), (2004)). The decision to grant this provisional variance is not intended to address compliance with any other applicable law and regulation.

Sincerely,



William D. Ingersoll
Acting Chief Counsel
Division of Legal Counsel

Attachment

cc: Illinois Pollution Control Board

04/08/2005 FRI 3:58 FAX 620 793 5521 T & C MFG

001/002

Kinder Morgan, Inc.
1020 Hoover Street
Great Bend, Kansas 67530

FACSIMILE COVER SHEET

TO: William Ingersoll
Illinois Environmental Protection Agency
Division of Legal Counsel

FROM: Scott M. Yount, P.G.
COMPANY: Kinder Morgan, Inc.
PHONE: (620) 793-5858
FAX: (620) 793-5521

DATE: April 8, 2005

PAGES INCLUDING COVER SHEET: 2

COMMENTS:

As we discussed on the telephone, enclosed is Natural Gas Pipeline Company's request for a 30-day extension to the 90-day on site accumulation period concerning its Station 311 facility in Hammond, IL. Should you have any questions regarding the attached request, please contact me at the number provided above.

KINDER MORGAN^{INC}

1020 Hoover Street
Great Bend, KS 67530

Via Facsimile

April 8, 2005

Illinois Environmental Protection Agency
Division of Legal Counsel
Attn: William Ingersoll
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 63794-9270

Re: Natural Gas Pipeline Company – Station 311
Hammond, Illinois
EPA ID #ILT180015091


Dear Mr. Ingersoll:

As provided for under 415 ILCS 5/35 and Title 35 Part 722.134(b), Natural Gas Pipeline Company (NGPL), a subsidiary of Kinder Morgan, Inc., respectfully requests a 30 day extension to the 90-day on site accumulation period. The 90-day period is set to expire April 13, 2005, however the TSD facility has recently informed NGPL that due to scheduling issues at their facility they would not be able to accept the tank truck into their facility on the original shipment date of April 13th. The waste currently on site contains PCBs. Due to the presence of PCBs in the waste, the number of facilities that will accept this waste is very limited (NGPL is aware of only two facilities that will accept this type of waste). The scheduled date for pickup at our facility is now set for April 19, 2005.

Should you have any questions or concerns, please contact me at 620-793-5858. Thank you in advance for your assistance with this matter.

Sincerely,

KINDER MORGAN, INC



Scott M. Yount, P.G.
Environmental Project Manager