

ILLINOIS POLLUTION CONTROL BOARD
December 16, 1993

IN THE MATTER OF:)
)
AMENDMENTS TO LANDFILL)
REGULATIONS: DELETION OF) R92-19
35 ILL. ADM. CODE) (Rulemaking)
811.310(d)(1)(F) AND 813.106(b))
PURSUANT TO WASTE MANAGEMENT)
OF ILL. v. IPCB, (1st Dist 1992))

Adopted Rule. Correction Order.

ORDER OF THE BOARD (by G. T. Girard):

On June 17, 1993, the Board adopted the final opinion and order in this proceeding. The June 17 order indicated that Sections 811.310(c)(5), 811.310(d)(1)(F) and 813.106(b) were to be deleted from the Board's rules. The adopted rule as published in the July 30, 1993, Illinois Register at 17 Ill.Reg. 12413 and 12409 also indicated that those three subsections were to be removed from the Board's regulations. However, it has come to the Board's attention that the copy of the rules filed with the Secretary of State's administrative code unit for inclusion in the Administrative Code did not delete the subsections. This was an inadvertent typographical error which the Board will today attempt to correct.

Section 5-85 of the Illinois Administrative Procedure Act allows an agency to request of the Joint Committee on Administrative Rules an expedited correction if there are errors which result in discrepancies between adopted rule text and the text of rule as previously published in the Illinois Register. (5 ILCS 100/5-85.) Clearly, the inadvertent inclusion of Sections 811.310(c)(5), 811.310(d)(1)(F) and 813.106(b) in the adopted rule creates a discrepancy between the rule as published in the Illinois Register and as adopted. Therefore, the Board finds that an expedited correction is proper in this proceeding and will proceed with the correction.

The Board directs the clerk to file with the Joint Committee on Administrative Rules all necessary documents to proceed with an expedited correction pursuant to the Illinois Administrative Procedure Act. The correction shall cause Sections 811.310 and 813.106 to read as follows:

Section 811.310 Landfill Gas Monitoring

- a) This Section applies to all units that dispose putrescible wastes.
- b) Location and Design of Monitoring Wells

- 1) Gas monitoring devices shall be placed at intervals and elevations within the waste to provide a representative sampling of the composition and buildup of gases within the unit.
- 2) Gas monitoring devices shall be placed around the unit at locations and elevations capable of detecting migrating gas from the ground surface to the lowest elevation of the liner system or the top elevation of the groundwater, whichever is higher.
- 3) A predictive gas flow model may be utilized to determine the optimum placement of monitoring points required for making observations and tracing the movement of gas.
- 4) Gas monitoring devices shall be constructed from materials that will not react with or be corroded by the landfill gas.
- 5) Gas monitoring devices shall be designed and constructed to measure pressure and allow collection of a representative sample of gas.
- 6) Gas monitoring devices shall be constructed and maintained to minimize gas leakage.
- 7) The gas monitoring system shall not interfere with the operation of the liner, leachate collection system or delay the construction of the final cover system.
- 8) At least three ambient air monitoring locations shall be chosen and samples shall be taken no higher than 0.025 meter (1 inch) above the ground and 30.49m (100 feet) downwind from the edge of the unit or at the property boundary, whichever is closer to the unit.

c) Monitoring Frequency

- 1) All gas monitoring devices, including the ambient air monitors shall be operated to obtain samples on a monthly basis for the entire operating period and for a minimum of five years after closure.
- 2) After a minimum of five years after closure, monitoring frequency may be reduced to quarterly sampling intervals.
- 3) The sampling frequency may be reduced to yearly

sampling intervals upon the installation and operation of a gas collection system equipped with a mechanical device such as a compressor to withdraw gas.

- 4) Monitoring shall be continued for a minimum period of: thirty years after closure at MSWLF units, except as otherwise provided by subsections (c)(5) and (c)(6), below; five years after closure at landfills, other than MSWLF units, which are used exclusively for disposing of wastes generated at the site; fifteen years after closure at all other landfills regulated under this Part. Monitoring, beyond the minimum period, may be discontinued if the following conditions have been met for at least one year:
 - A) The concentration of methane is less than five percent of the lower explosive limit in air for four consecutive quarters at all monitoring points outside the unit; and
 - B) Monitoring points within the unit indicate that methane is no longer being produced in quantities that would result in migration from the unit and exceed the standards of subsection (a)(1).
- 5) The Agency may reduce the gas monitoring period at a MSWLF unit upon a demonstration by the owner or operator that the reduced period is sufficient to protect human health and environment.
- 6) The owner or operator of a MSWLF unit shall petition the Board for an adjusted standard in accordance with Section 811.303, if the owner or operator seeks a reduction of the postclosure care monitoring period for all of the following requirements:
 - i) Inspection and maintenance (Section 811.111);
 - ii) Leachate collection (Section 811.309);
 - iii) Gas monitoring (Section 811.310); and
 - iv) Groundwater monitoring (Section 811.319).

BOARD NOTE: Changes to subsections (c) are derived from 40 CFR 258.61 (1992).

d) Parameters to be Monitored

- 1) All below ground monitoring devices shall be monitored for the following parameters at each sampling interval:
 - A) Methane;
 - B) Pressure;
 - C) Nitrogen;
 - D) Oxygen; and
 - E) Carbon dioxide.
- 2) Ambient air monitors shall be sampled for methane only when the average wind velocity is less than 8 kilometers (five miles) per hour at a minimum of three downwind locations 30.49 meters (100 feet) from the edge of the unit or the property boundary, whichever is closer to the unit.
- 3) All buildings within a facility shall be monitored for methane by utilizing continuous detection devices located at likely points where methane might enter the building.

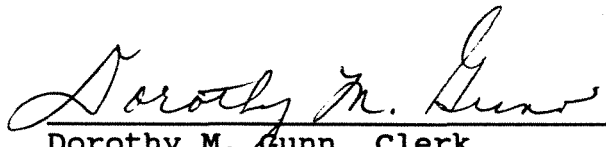
Section 813.106 Permit Appeals

If THE AGENCY REFUSES TO GRANT OR GRANTS WITH CONDITIONS A PERMIT THE APPLICANT MAY, WITHIN 35 DAYS, PETITION FOR A HEARING BEFORE THE BOARD TO CONTEST THE DECISION OF THE AGENCY. (Section 40(a)(1) of the Act) The petition shall be filed, and the proceeding conducted, pursuant to the procedures of Section 40 of the Act and 35 Ill. Adm. Code 105.

(Source: Amended at 17 Ill. Reg. , effective
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IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, do hereby certify that the above order was adopted on the 16th day of December, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board