

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**RECEIVED**  
CLERK'S OFFICE

JUL 29 2005

STATE OF ILLINOIS  
Pollution Control Board

ST. FRANCIS PET CREMATORY &  
KENNELS, INC., an Illinois Corporation,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,

Respondent.

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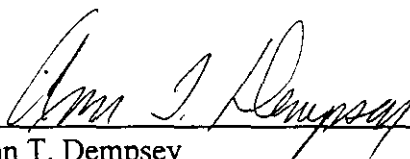
PCB

de-13

**NOTICE OF FILING**

TO: 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 filed with the Office of the Clerk of the Pollution Control Board the Permit Appeal of St. Francis Pet Crematory & Kennels, Inc., an Illinois Corporation, a copy of which is herewith served upon you.

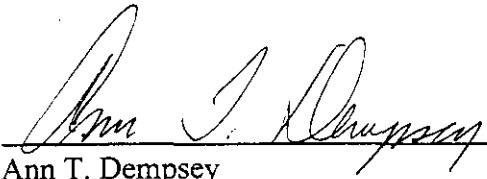
  
\_\_\_\_\_  
Ann T. Dempsey

Ann T. Dempsey, ARDC # 06208364  
Oliver, Close, Worden,  
Winkler & Greenwald LLC  
124 N. Water St., Suite 300  
P.O. Box 4749  
Rockford, IL 61110-4749

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I have served the attached Notice of Filing by depositing a copy of said document in the United States Mail at Rockford, Illinois on July \_\_\_\_\_, 2005, on or about the hour of 5:00 p.m., enclosed in an envelope, postage fully prepaid, addressed to each of the following persons:

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

  
\_\_\_\_\_  
Ann T. Dempsey

Ann T. Dempsey, ARDC # 06208364  
Oliver, Close, Worden,  
Winkler & Greenwald LLC  
124 N. Water St., Suite 300  
P.O. Box 4749  
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ST. FRANCIS PET CREMATORY &  
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v.

ILLINOIS ENVIRONMENTAL  
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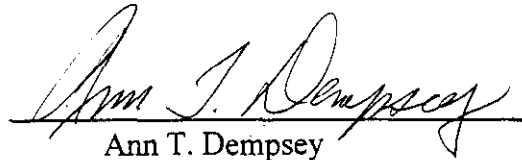
Respondent.

PCB

06-13

APPEARANCE

I hereby file my appearance in this proceeding on behalf of the Petitioner, St. Francis Pet Crematory & Kennels, Inc., an Illinois Corporation.

  
Ann T. Dempsey

Ann T. Dempsey, ARDC # 06208364  
Oliver, Close, Worden,  
Winkler & Greenwald LLC  
124 N. Water St., Suite 300  
P.O. Box 4749  
Rockford, IL 61110-4749  
Telephone: 815/968-7591  
Telefax: 815/968-7507

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CLERK'S OFFICE  
JUL 29 2005  
STATE OF ILLINOIS  
Pollution Control Board

COP

**STATE OF ILLINOIS**  
**Pollution Control Board**

y.

PCB 0613

Respondent.

NOW COMES the Petitioner, St. Francis Pet Crematory and Kennels, Inc., by its attorneys, Oliver Close, Worden, Winker & Greenwald LLC, and as and for its Petition to Appeal the decision of the Illinois Environmental Protection Agency denying a Permit states as follows:

1. On or about January 3, 2005, St. Francis Pet Crematory & Kennels, Inc., d/b/a Clean Earth Pet Systems (“St. Francis”) filed an Application for a Development/Supplemental Permit for Potentially Infectious Medical Waste (“Application”) with the Illinois Environmental Protection Agency (“Agency”). Attached hereto, marked Exhibit A, and incorporated herein is a copy of the General Application for Permit and Application for Potentially Infectious Medical Waste Permit to Develop Treatment and/or Store-Transfer Facilities.

2. Along with the Application, St. Francis submitted the required Certification of Siting Approval to the Agency. A copy of the Certificate of Siting Approval is attached hereto, marked Exhibit B, and incorporated herein.

3. By letter dated July 1, 2005, the Agency denied the Application on the basis that St. Francis failed to submit “proof of local siting approval for the treatment of waste at this facility.” A

copy of the Agency denial letter is attached hereto, marked Exhibit C, and incorporated herein.

4. St. Francis originally applied for a pollution control facility permit for this facility in 1999. The original application for a pollution control facility permit requests that a permit issue to transfer, store and incinerate animal carcasses. St. Francis obtained local siting approval for the original application on January 14, 1999. A copy of the Certificate of Siting Approval is attached hereto, marked Exhibit B, and incorporated herein.

5. The Agency issued a permit dated December 6, 1999 for St. Francis “to operate a storage, transfer and incineration facility for solid waste or *special waste* consisting only of animal carcasses. No garbage, other solid waste, potentially infectious waste, or RCRA hazardous waste can be accepted at this facility.” (emphasis added) A copy of the Agency permit dated December 6, 1999 is attached hereto, marked Exhibit D, and incorporated herein.

6. The Application seeks to modify the existing permit in order to allow St. Francis to accept veterinary medical waste including sharps which are potentially infectious medical waste (“PIMW”).

7. The St. Francis facility is permitted to accept “special waste” and special waste includes potentially infectious medical waste. 415 ILCS 5/3.475(a).

8. Since St. Francis is currently permitted to accept “special waste,” a new permit allowing St. Francis to accept PIMW may be granted without the requirement of additional local siting.

9. The Illinois Environmental Protection Act does not require local siting for an existing pollution control facility requesting approval to “treat” waste for the first time. 415 ILCA 5/3.330(b).

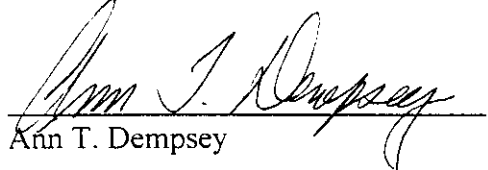
10. It was improper for the Agency to deny the Application on the basis of no additional local siting approval.

WHEREFORE. Petitioner, St. Francis Pet Crematory and Kennels, Inc., respectfully requests that the Pollution Control Board reverse the denial of the permit Application by the Illinois Environmental Protection Agency on the basis that the Application lacked local siting approval and for such further relief as the Board deems just and equitable.

ST. FRANCIS PET CREMATORY and  
KENNELS, INC., Petitioner,

By: OLIVER, CLOSE, WORDEN,  
WINKLER & GREENWALD LLC

By:

  
Ann T. Dempsey

Ann T. Dempsey, ARDC # 06208364  
Oliver, Close, Worden,  
Winkler & Greenwald LLC  
124 N. Water St., Suite 300  
P.O. Box 4749  
Rockford, IL 61110-4749  
Telephone: 815/968-7591  
Telefax: 815/968-7507



# 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

## General Application for Permit (LPC-PA1)

This form must be used for any application for permit, except for landscape waste composting or hazardous waste management facilities regulated in accordance with RCRA, Subtitle C from the Bureau of Land. One original and two (2) photocopies, or three (3) if applicable, of all permit application forms must be submitted. Attach the original and appropriate number of copies of any necessary plans, specifications, reports, etc. to fully support and describe the activities or modifications being proposed. Attach sufficient information to demonstrate compliance with all applicable regulatory requirements. Incomplete applications will be rejected. Please refer to the instructions for further guidance.

Note: Permit applications which are hand-delivered to the Bureau of Land, Permit Section must be delivered to 1021 North Grand Avenue East between the hours of 8:30 a.m. to 5:00 p.m., Monday through Friday (excluding State holidays).

Please type or print legibly.

### I. SITE IDENTIFICATION

Name: Saint Francis Pet Crematory Site # (Illinois EPA): 2010355020  
Physical Site Location (street, road, etc.): 3255 Gleasman Road  
City, Zip Code: Rockford, IL 61101 County: Winnebago  
Existing DE/OP Permit Nos. (if applicable): 1999-125-DE/OP; 2002-232-SP

### II. OWNER/OPERATOR IDENTIFICATION

#### OWNER

Name: Thomas G. Carroll  
Address: 6 N. 441 Catalpa Avenue  
Wood Dale, IL 60191

Contact Name: \_\_\_\_\_  
Phone #: (630) 766-3646

#### OPERATOR

St. Francis Pet Crematory & Kennels, Inc.  
d/b/a Clean Earth Pet Systems  
3255 Gleasman Road  
Rockford, IL 61101

Thomas G. Carroll  
(815) 624-0444

### III. PERMIT APPLICATION IDENTIFICATION

#### TYPE SUBMISSION/REVIEW PERIOD:

- ☐ New Landfill/180 days (35 IAC Part 813)
- ☐ Landfill Expansion/180 days (35 IAC Part 813)
- ☐ Sign. Mod to Operate/90 days (35 IAC Part 813)
- ☐ Other Sign. Mod/90 days (35 IAC Part 813)
- ☐ Renewal of Landfill 90 days (35 IAC Part 813)
- ☒ Developmental/90 days (35 IAC Part 807)
- ☐ Operating/45 days (35 IAC Part 807)
- ☒ Supplemental/90 days (35 IAC Part 807)
- ☐ Permit Transfer/90 days (35 IAC Part 807)
- ☐ Renewal of Experimental Permit (35 IAC Part 807)

#### TYPE FACILITY:

- ☐ Landfill
- ☐ Land Treatment
- ☒ Transfer Station
- ☐ Treatment
- ☒ Storage
- ☒ Incinerator
- ☐ Composting
- ☐ Recycling/Reclamation
- ☒ Other (Specify) autoclaving

#### TYPE WASTE:

- ☐ General Municipal Refuse
- ☐ Hazardous
- ☐ Special (Non-hazardous)
- ☐ Chemical Only (exc. putrescible)
- ☐ Inert Only (exc. chemical and putrescible)
- ☐ Used Oil
- ☒ Potentially Infectious Medical Waste
- ☐ Landscape Waste
- ☒ Other (Specify) animal carcasses

DESCRIPTION OF THIS PERMIT REQUEST: (Include a brief narrative description here.)

Development application to modify the existing facility to 1) add two (2) Bondtech autoclaving units to process veterinary medical waste (PIMW), and 2) allow acceptance of PIMW animal carcasses for incineration.

IL 532-1857

LPC 350 Rev. 2/94

# EXHIBIT A

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039. Disclosure of this information is required under that Section. Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2009 Mall Street, Collinsville, IL 62234 - (618) 346-3120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

#### IV. COMPLETENESS REQUIREMENTS

The following items must be checked Yes, No or N/A. Each item will be reviewed by the log clerk. Blank items will result in rejection of the application. Please refer to the instructions for further guidance.

1. Have all required public notice letters been mailed in accordance with the LPC-PA16 instructions? Tab 4 ☒ Yes ☐ No ☐ N/A  
(If so, provide a list of those recipients of the required public notice letters for Illinois EPA retention.)  
Such retention shall not imply any Illinois EPA review and/or confirmation of the list.)
2. a. Is the Siting Certification Form (LPC-PA8) completed and enclosed? ☒ Yes ☐ No ☐ N/A  
b. Is siting approval currently under litigation? ☐ Yes ☐ No ☐ N/A
3. a. Is a closure, and if necessary a post closure, plan covering these activities being submitted, or ☒ Yes ☐ No ☐ N/A  
b. has one already been approved? (Provide permit number 1999-125-DE/OP) ☒ Yes ☐ No ☐ N/A
4. a. For waste disposal sites only: Has any employee, owner, operator, officer or director of the owner or operator had a prior conduct certification denied, canceled or revoked? ☐ Yes ☐ No ☒ N/A  
b. Have you included a demonstration of how you comply or intend to comply with 35 Ill. Adm. Code Part 745? ☐ Yes ☐ No ☒ N/A
5. a. Is land ownership held in beneficial trust? ☐ Yes ☒ No ☐ N/A  
b. If yes, is a beneficial trust certification form (LPC-PA9) completed and enclosed? ☐ Yes ☐ No ☒ N/A
6. a. Does the application contain information or proposals regarding the hydrogeology; groundwater monitoring, modeling or classification; a groundwater impact assessment; or vadose zone monitoring for which you are requesting approval? ☐ Yes ☒ No ☐ N/A  
b. If yes, have you submitted a third (3rd) copy of the application (4 total) and supporting documents?
- V. SIGNATURES (Original signatures required. Signature stamps or applications transmitted electronically or by facsimile are not acceptable.)

All applications shall be signed by the person designated below as a duly authorized representative of the owner and/or operator.  
Corporation - By a principal executive officer of at least the level of vice-president.  
Partnership or Sole Proprietorship - By a general partner or the proprietor, respectively.  
Government - By either a principal executive officer or a ranking elected official.

A person is a duly authorized representative of the owner and operator only if:

1. They meet the criteria above or the authorization has been granted in writing by a person described above; and
2. is submitted with this application (a copy of a previously submitted authorization can be used).

I hereby affirm that all information contained in this Application is true and accurate to the best of my knowledge and belief.

I do herein swear that I am a duly authorized representative of owner/operator and I am authorized to sign this permit application form.

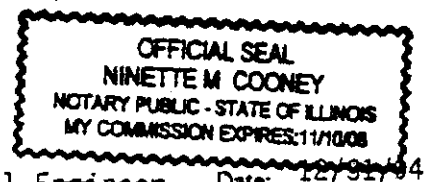
Owner Signature: Thomas G. Cough Title: Owner Date: 12/31/04  
Owner FEIN or S.S. Number: 359-66-3919

Operator Signature: Thomas G. Cough Title: Vice President Date: 12/31/04  
Operator FEIN or S.S. Number: 36-3650447

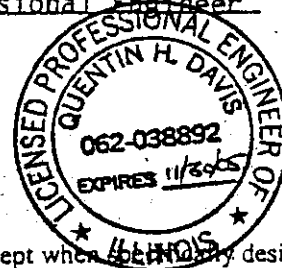
Notary: Subscribe and sworn before me this 31<sup>st</sup> day of December, 2004

Notary Signature: Ninette M Cooney Notary Seal:

My commission expires on: 11/10/08



Engineer Signature: Quentin H. Davis P.E. Title: Professional Engineer Date: 12/31/04  
Engineer Address: Fehr-Graham & Associates  
221 E. Main, Suite 200  
Freeport, IL 61032  
Engineer Seal:



Engineer Phone No. 815) 235-7643

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All information submitted as part of the Application is available to the public except when designated by the Applicant to be treated confidentially as a trade secret or secret process in accordance with Section 7(a) of the Environmental Protection Act, applicable Rules and Regulations of the Illinois Pollution Control Board and applicable Illinois EPA rules and guidelines.



## 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

APPLICATION FOR A POTENTIALLY INFECTIOUS MEDICAL WASTE PERMIT  
TO DEVELOP TREATMENT AND/OR STORAGE-TRANSFER FACILITIES (LPC-PA17)

I. Site Name: Saint Francis Pet Crematory County: Winnebago

Site Number: 2010355020

## II. Applicant Information:

1. Owner

Operator (if different)

Name: Thomas G. Carroll

St. Francis Pet Crematory & Kennels  
d/b/a Clean earth Pet Systems  
(815) 624-0444

Phone: ( 630 ) 766-3646

815) 624-0444

2. Ownership and Operator Status:

3. Land is:

<u>Owner</u>	<u>Operator</u>
--------------	-----------------

Owned by Applicant (Operator)

Corporation X

Leased by Applicant

Partnership

Leased by Applicant

Sole Proprietor X

Beginning Date on Lease 9/1/98

Governmental Body

Expiration Date of Lease 8/31/203

Other: \_\_\_\_\_

Held in Trust

\_\_\_\_\_

Held in Trust

### III. Location Information:

Attach a copy of the United States Geologic Survey (U.S.G.S.) quadrangle map (7.5 minute quadrangle, if published) and a topographic map of the area which surrounds the site. Also provide a legal description of the site. See Tab A

Quadrangle map provided: U.S.G.S. map South Beloit Quadrangle 1993

---

Name \_\_\_\_\_ Date \_\_\_\_\_

5 Acres in ~~Quarter,~~ ~~Quarter,~~ Southeast Quarter, of

Section 3, Township 45 North, Range 1 East, Third P.M.

Local Description: Lot

Block

Present Zoning Classification and Restrictions (if any): Agricultural Zoning (AGI) with a Special

Use Permit for an animal crematory

## IV. Facility Background:

x This is an existing facility. Operation began 12 (mo.) 1999 (yr.)

This is a proposed development.

IL 532-2091  
LPC 461 2/04

This Agency is authorized to require this information under Illinois Revised Statutes, 1979, Chapter 111 1/2, Section 1039. Disclosure of this information is required under that Section. Failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

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ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3137 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5443  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 2125 South Fifth Street, Champaign, IL 61820 - (217) 278-9200  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINGSVILLE - 2009 W. 11th Street, Collinsville, IL 62234 - (618) 346-5120  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-7200

ஒருவரை அடிக்கிறார்

\_\_\_\_\_ This is a proposed experimental permit.  
\_\_\_\_\_ This is a proposed experimental permit.  
  x   Other existing environmental facility permits: See Tab 8

1999-125-DE/OP      2002-232-SP  
IEPA Air Permit ID #201806AAC  
Dept. of Agriculture-Dead Animal Disposal License #53  
Zoning Approval letter for veterinary waste

Consult instructions for the contents of Sections V, VI and VII.

V. Facility information:

The following documents **must** accompany the application. Please indicate the location in the application for the documents being submitted with this application.

Location in Application

<u>  C  </u>	1.	A plan sheet of the site.
<u>  D  </u>	2.	A process flow diagram of the treatment or storage operation.
<u>  E  </u>	3.	A narrative description of the site's operation.
<u>  F  </u>	4.	Waste types (Identify PIMW and other wastes to be accepted and how they are to be managed).
<u>  G  </u>	5.*	Waste screening plan (A description of methods used to screen and test waste types).
<u>  H  </u>	6.*	Initial Efficacy Test and Periodic Verification Test(s).
<u>  I  </u>	7.*	Classification of residuals – A description of methods used to treat, transfer or dispose of residual wastes generated from the operation of the site.
<u>  J  </u>	8.	Contingency plan.
<u>  K  </u>	9.	Design of Waste Management Area.
<u>  L  </u>	10.	Inspection plan.
<u>  M  </u>	11.	Record keeping.
<u>  N  </u>	12.	Closure plan.
<u>  O  </u>	13.	Site suitability.

\*If applicable.

VI. Storage:

1.   x   This application is for storage in the following:

(check the appropriate box(es)).

Single-use containers      ☒

Drums      ☐

Reusable containers      ☒

Other:                      1-  
(type)

2. General Information: For each storage unit provide the following information:

See Tab P

- A. Location drawings
- B. Material of construction
- C. Storage capacity
- D. Duration of storage
- E. Type of waste(s) contained in each area
- F. Container design

VII. Treatment:

1.   x   This application is for treatment by the following method(s) (check the appropriate box(es)).

Thermal ☐

Physical/Chemical ☐

Irradiation ☐

Other: autoclaving  
(type)

3. General Information: For each treatment unit provide the following information:

See Tab Q

- A. Location drawings
- B. Material of construction
- C. Number of units and capacity
- D. Age of units
- E. Type of waste(s)
- F. Unit design
- G. Treatment processes

(Refer to the instructions).

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EXHIBIT A

**Legal description of site:**

Part of the Southeast Quarter (1/4) of Section 3, Township 45 North, Range 1 East of the Third Principal Meridian, described as follows: Beginning at a point in the South line of said Section 1331.2 feet West of the Southeast corner thereof; thence West along said South line 330 feet; thence North 0 degrees 05' East 660 feet; thence East parallel with the South line of said Section 330 feet; thence South 0 degrees 05' East 660 feet to the place of beginning; situated in the County of Winnebago and State of Illinois;

commonly known at 3255 Gleasman Road, Rockford, Illinois, 61101.

**EXHIBIT A**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 North Grand Avenue East, P.O. Box 19276, Springfield, Illinois 62794-9276

Mary A. Gade, Director

## CERTIFICATION OF SITING APPROVAL (LPC-PA8)

Name of Applicant: St. Francis Pet Crematory & Kennels, Inc.  
Address of Applicant: 3255 Gleasman Road  
Name of Site: St. Francis Pet Crematory  
Site Information: Nearest City: Rockford County: Winnebago

- On January 14, 1999, the County Board of  
(governing body of county or municipality) St. Francis Pet Crematory & Kennels, Inc.  
Winnebago County approved the site location suitability of  
(county or municipality) (name of site)  
as a new pollution control facility in accordance with Section 39.2 of the Illinois Environmental Protection Act, Ill. Rev. Stat., ch. 111 1/2, Section 1039.2.
- The facility was approved for the following activities:  
waste storage (☒) landfill (☐) waste disposal (☒) waste transfer station (☒)  
waste treatment (☐) waste incinerator (☒)
- Attached to this certification is a true and correct statement of the legal description of the site as it was approved by the aforementioned local governing body. See Exhibit A attached.
- Attached to this certification is a true and accurate statement of conditions, if any, under which the approval was provided.  
(Note: These conditions are provided for information only to the IEPA. The IEPA is not obligated to monitor or enforce local conditions.) None
- The undersigned has been authorized by the County Board of  
(governing body of county or municipality)  
Winnebago County to execute this certification on behalf of Winnebago County  
(county or municipality) (county or municipality)

NAME: Kristina Cohn

TITLE: Chairman

SUBSCRIBED AND SWORN TO BEFORE ME  
this 28 day of January, 19 99

Serina L. Cardenas  
Notary Public



# EXHIBIT I

## EXHIBIT A

A true and correct statement of the legal description of the site:

Part of the Southeast Quarter (1/4) of Section 3, Township 45 North, Range 1 East of the Third Principal Meridian, described as follows: Beginning at a point in the South line of said Section 1331.2 feet West of the Southeast corner thereof; thence West along said South line 330 feet; thence North 0 degrees 05' East 660 feet; thence East parallel with the South line of said Section 330 feet; thence South 0 degrees 05' East 660 feet to the place of beginning; situated in the County of Winnebago and State of Illinois;

Commonly known as 3255 Gleasman Road, Rockton, Illinois, 61072

**EXHIBIT B**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1001 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

217/524-3300

July 1, 2005

Certified Mail

7002 3150 0000 1253 1617

7002 3150 0000 1253 1624

OWNER

Thomas G. Carroll  
St. Francis Pet Crematory & Kennels, Inc.  
6 N 441 Catalpa Avenue  
Wood Dale, Illinois 60191

OPERATOR

St. Francis Pet Crematory & Kennels, Inc.  
d/b/a Clean Earth Pet Systems  
3255 Gleasman Road  
Rockford, Illinois 61101

Re: 2010355020 -- Winnebago County  
St. Francis Pet Crematory  
Log No. 2005-003  
Permit File

Dear Mr. Carroll:

This will acknowledge receipt of your Application for Permit to modify your current permit to add storage, transfer, and treatment of potentially infectious medical waste (PIMW), dated December 31, 2004, and received by the Illinois Environmental Protection Agency (Illinois EPA) on January 3, 2005, with additional information dated June 2, 2005, and received by the Illinois EPA on June 3, 2005.

Your application to modify the permit is denied.

You have failed to provide proof that granting these changes would not result in violations of the Illinois Environmental Protection Act. Section 39(a) of the Illinois Environmental Protection Act (415 ILCS 5/39(a)) requires the Agency to provide the applicant with specific reasons for the denial of permit. The following reason is given:

The application does not contain proof of local siting approval for the treatment of waste at this facility. The Illinois EPA may not grant a permit for the development or construction of a new pollution control facility unless the applicant submits proof to the Agency that the location of the facility has been approved by the County Board of the county if in an unincorporated area, or the governing body of the municipality when in an incorporated area, in which the facility is to be located. (415 ILCS 5/39(c))

Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board (Board) to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for

ROCKFORD - 4302 North Main Street, Rockford, IL 61103 - (815) 987-7760 • DES PLAINES - 9511 W. Harrison St., Des Plaines, IL 60016 - (847) 294-4000  
ELGIN - 595 South State, Elgin, IL 60123 - (847) 608-3131 • PEORIA - 5415 N. University St., Peoria, IL 61614 - (309) 693-5463  
BUREAU OF LAND - PEORIA - 7620 N. University St., Peoria, IL 61614 - (309) 693-5462 • CHAMPAIGN - 212 South First Street, Champaign, IL 61820 - (217) 278-5800  
SPRINGFIELD - 4500 S. Sixth Street Rd., Springfield, IL 62706 - (217) 786-6892 • COLLINSVILLE - 2001 Mail Street, Collinsville, IL 62234 - (618) 346-5121  
MARION - 2309 W. Main St., Suite 116, Marion, IL 62959 - (618) 993-1000

PRINTED ON RECYCLED PAPER

EXHIBIT C

a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Should you wish to reapply or have any questions regarding this application, please contact Beverly Albarracin at 217/524-3289.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joyce L. Munie".

Joyce L. Munie, P.E.  
Manager, Permit Section  
Bureau of Land

<sup>728</sup>  
JLM:BGA:bjh\051831s.doc

Attachment - Legal Description

cc: Quentin H. Davis, P.E.  
Ann T. Dempsey

EXHIBIT C



Attachment

2010355020 -- DuPage County  
St. Francis Pet Crematory  
Log No. 2005-003  
Permit File

Legal Description of Site:

Part of the Southeast Quarter (1/4) of Section 3, Township 45 North, Range 1 East of the Third Principal Meridian, described as follows: Beginning at a point in the South line of said Section 1331.2 feet West of the Southeast corner thereof; thence West along said South line 330 feet; thence North 0 degrees 05' East 660 feet; thence East parallel with the South line of said Section 330 feet; thence South 0 degrees 05' East 660 feet to the place of beginning; situated in the County of Winnebago and State of Illinois; commonly known as 3255 Gleasman Road, Rockford, Illinois 61101.

**EXHIBIT C**



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276

THOMAS V. SKINNER, DIRECTOR

217/524-3300

December 6, 1999

CERTIFIED MAIL

Z 416 153 289

Z 416 153 290

**OWNER**

Thomas G. Carroll  
700 Nicholas Boulevard  
Suite 200  
Elk Grove Village, Illinois 60007

**OPERATOR**

Thomas G. Carroll  
St. Francis Pet Crematory & Kennels, Inc.  
3255 Gleasman Road  
Rockton, Illinois 61072

Re: 2010355020 -- Winnebago County  
St. Francis Pet Crematory  
Permit No. 1999-125-DE/OP  
Supplemental Permit No. 1999-406-SP  
Log No. 1999-406 (1999-125)  
Permit File

Gentlemen:

Permit is hereby granted to St. Francis Pet Crematory & Kennels, Inc. to operate a solid waste management site to store, transfer, and incinerate animal carcasses. This permit also modifies the procedures in the Development Permit to allow relocation of the generator, the use of eight (8) refrigerated trailers, and additional hours, all in accordance with the application of October 20, 1999, received by the Illinois Environmental Protection Agency (Illinois EPA) on October 22, 1999 consisting of the property described in Attachment A, all in accordance with the application and plans prepared by Quentin H. Davis, P.E. Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified on the records of the Illinois Environmental Protection Agency, Division of Land Pollution Control by the permit number(s) and log number(s) designated in the heading above.

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 allows St. Francis Pet Crematory & Kennels, Inc. to operate a storage, transfer and incineration facility for solid wastes or special wastes consisting only of animal carcasses. No garbage, other solid wastes, potentially infectious wastes, or RCRA hazardous wastes can be accepted at this facility.

**EXHIBIT D**

2. The Permittee is authorized to operate the following units, all in accordance with the approved application:
  - a. Two (2) walk-in freezers, each 27' x 27' x 10', to be used to store animal carcasses prior to processing in the cremation chambers;
  - b. Eight (8) exterior stationary refrigerated trailers, each 6' x 40' x 10', to provide extra temporary storage of animal carcasses;
  - c. Two (2) combustion chambers, Model G-50-P, each with a permitted capacity of 4000 pounds per batch, two batches per day;
  - d. One (1) combustion chamber, Model G-20-P, with a permitted capacity of 1500 pounds per batch, two batches per day;
  - e. One (1) gas-powered generator area, as described in the Supplemental Permit application; and
  - f. Ash storage area, approximately 30' x 30', to store containers of ash until removed for proper disposal.
3. The Permittee may operate from 6:00 a.m. to 6:00 p.m. Monday through Saturday. However, the Permittee may conduct monitoring, inspections, and cleanup outside of the designated operating hours.
4. Adequate lighting shall be provided when the facility is operated outside of daylight hours.
5. The facility must operate in accordance with the procedures in the approved application.
6. The Permittee must provide adequate employee training to operate all equipment before employees are left unsupervised.
7. The Permittee may accept waste at the facility during periods of curtailed facility operations under the following conditions:
  - a. During the first 14 days of curtailed operations, waste may be accepted normally;
  - b. After 14 days:
    - i. If one or more of the incinerators are in service, no more than one-half the amount of the permitted capacity identified in Condition #2 above for the operating incinerator(s) may be accepted unless the excess amount can be processed or stored on site;

**EXHIBIT D**

- ii. If all three incinerators are out of service, no waste may be accepted until at least one incinerator is placed back in service.
  - c. Notwithstanding the above, the Permittee may accept waste for additional periods during extended curtailed facility operations caused by unusual circumstances only as approved in writing by the Illinois EPA.
- 8. A copy of all records and reports required by this permit shall be maintained in the facility's operating record. The operating record shall be made available to the Illinois EPA upon request. All information shall be maintained in the record for a period of at least three years beyond the date of the report.
- 9. The following information shall be included in the operating record and recorded daily:
  - a. the amount of waste received;
  - b. the amount of waste rejected;
  - c. the amount of bottom and fly ash removed; and
  - d. name and address of each receiving facility that accepted the rejected waste and the ash.
- 10. The contingency plan must be submitted to all local emergency response units, including the police department, fire department, ambulance service, and hospital, within 30 days of the date of issuance of this permit.
- 11. On an annual basis, the Permittee shall familiarize all local emergency response units with the contingency plan and document the date, time and contents of meetings held to comply with these requirements.
- 12. The Permittee shall notify the Illinois EPA of any changes from the information submitted to the Illinois EPA in its application for a Development permit for this site. The 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. Any modification to the facility shall be the subject of an application for a supplemental permit for this facility.
- 13. This permit is issued with the expressed understanding that no process discharge to Waters of the State or to a sanitary sewer will occur from this facility, except as authorized by a permit from the Bureau of Water (BOW).
- 14. This permit is issued with the expressed understanding that no emissions will be generated by this facility, except as authorized by a permit from the Bureau of Air (BOA).

**EXHIBIT D**

15. The incinerator ash from waste incineration shall be disposed of only in a properly permitted landfill.
16. Fire safety equipment, including fire extinguishers, shall be maintained in accordance with recommended practice.
17. A vector control specialist shall inspect the facility at least quarterly. If necessary, vector control measures shall be taken. The results of these inspections shall be maintained as part of the facility operating record and shall be made available to the Illinois EPA upon written or verbal request.
18. The facility shall perform routine housekeeping. Routine housekeeping measures at a minimum shall include:
  - a. Inspection and maintenance of the equipment in accordance with the manufacturer's recommendations;
  - b. Periodic sweeping and cleaning of unloading area, incinerator loading area, generator area and ash storage area;
  - c. Daily janitorial cleaning of administrative offices, sanitary and employee facilities;
  - d. Daily cleaning of any area as needed with mop and pail using bleach or iodine solution;
  - e. Daily inspection and cleanup of yard area from spillage, litter, and other foreign materials;
  - f. Weekly cleaning and inspection of maintenance areas for orderliness and safety compliance with industrial standards;
  - g. Weekly fire and safety inspections.

The time and date of each inspection shall be maintained in the operating record.

19. The facility shall be maintained and operated to prevent nuisance odors and litter outside the building. Any litter present outside of the building shall be collected daily.
20. Any modification to the facility shall be the subject of an application for supplemental permit for site modification submitted to the Illinois EPA.
21. The Permittee shall notify the Illinois EPA's Bureau of Land in writing of its intent to close at least 45 days prior to the date closure is expected to begin. Along with this notification,

**EXHIBIT D**

the Permittee shall submit the procedure and sampling and analysis plan to be used in demonstrating the area has been properly decontaminated. This plan shall be approved by the Illinois EPA's Bureau of Land in writing prior to being implemented.

22. The operator shall notify the Illinois EPA within 30 days after receiving the final volume of waste.
23. The operator shall initiate implementation of the closure plan within 30 days after the site receives its final volume of waste.
24. The operator shall not file any application to modify the closure plan less than 180 days prior to receipt of the final volume of waste.
25. Upon completion of closure activities, the operator will notify the Illinois EPA that the site has been closed in accordance with the approved closure plan utilizing the Illinois EPA's "Affidavit for Certification of Completion of Closure of Non-Hazardous Waste Facilities."
26. 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.

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 Illinois EPA by the Permittee should be mailed to the following address:

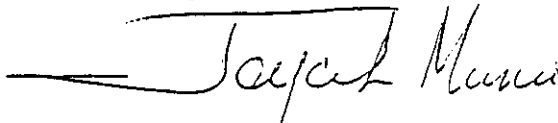
Illinois Environmental Protection Agency  
Planning and Reporting Section  
Division of Land Pollution Control -- #24  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

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.

**EXHIBIT D**

Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Sincerely,



Joyce L. Munie, P.E.  
Manager, Permit Section  
Bureau of Land

JLM:BGA:bjh99252S.WPD

Attachment

cc: Quentin H. Davis, P.E.  
Ann T. Dempsey

EXHIBIT D

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS  
ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

July 1, 1979

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 Division of Water Pollution Control, Air Pollution Control, Public Water Supplies, and Land and Noise Pollution Control. Special conditions may also be imposed by the separate divisions 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.

EXHIBIT D



- 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.

TA:bjh\98311S.WPD

**EXHIBIT D**

## Attachment A

2010355020 -- Winnebago County  
St. Francis Pet Crematory  
Permit No. 1999-125-DE  
Log No. 1999-125  
Permit File

### Legal Description of Site:

Part of the Southeast Quarter (1/4) of Section 3, Township 45 North, Range 1 East of the Third Principal Meridian, described as follows: Beginning at a point in the South line of said Section 1331.2 feet West of the Southeast corner thereof; thence West along said South line 330 feet; thence North 0 degrees 05' East 660 feet; thence East parallel with the South line of said Section 330 feet; thence South 0 degrees 05' East 660 feet to the place of beginning; situated in the County of Winnebago and State of Illinois;

commonly known as 3255 Gleasman Road, Rockton, Illinois 61072.

JLM:BGA:bjh\99252S.WPD

**EXHIBIT D**