

BEFORE THE POLLUTION CONTROL BOARD  
OF THE STATE OF ILLINOIS

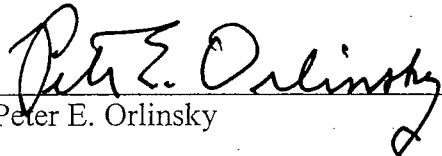
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SEP 11 2007  
STATE OF ILLINOIS  
Pollution Control Board

IN THE MATTER OF: )  
)  
PETITION OF JOHNS MANVILLE ) AS 04-04  
FOR AN ADJUSTED STANDARD FROM ) (Adjusted Standard – Land)  
35 ILL. ADM. CODE SECTIONS 811.310, )  
811.311, 811.318, 811.320, and 814 )

NOTICE OF FILING

To: See Service List in attached Certificate of Service

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the Brief of the Illinois Environmental Protection Agency in the above-captioned matter, a copy of which is herewith served upon you.

  
Peter E. Orlinsky

Date: September 11, 2007

Peter E. Orlinsky  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
9511 West Harrison Street  
Des Plaines, Illinois 60016  
847/294-4077



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**BRIEF OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY**

Now comes the Illinois Environmental Protection Agency ("Illinois EPA") by its attorney, and hereby files its post-hearing brief in the above-captioned matter. On May 22, 2007, the Illinois EPA filed its Response to Petition for Adjusted Standard. In that Response, the Illinois EPA set forth several reasons for recommending that the Illinois Pollution Control Board approve the adjusted standard being sought by Johns Manville. On July 19, 2007, a hearing in the matter was conducted in Waukegan, Illinois. No members of the public were present at the hearing. The Illinois EPA did not present any testimony at the hearing but did pose questions to Mr. William Bow, witness for Johns Manville, concerning whether the waste in the on-site landfill was inert or not. The Illinois EPA was satisfied with the response given by Mr. Bow as well as that contained in Brief of Petitioner Johns Manville in Support of Adjusted Standard Petition, dated August 30, 2007.

CONCLUSION

The Illinois EPA has no reason to change its recommendation and, therefore, respectfully requests that the Illinois Pollution Control Board grant the adjusted standard requested by Johns Manville.

Respectfully Submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Peter E. Orlinsky  
One of Its Attorneys

Peter E. Orlinsky

Assistant Counsel  
Illinois Environmental Protection Agency  
9511 West Harrison Street  
Des Plaines, Illinois 60016  
847/294-4077

CERTIFICATE OF SERVICE

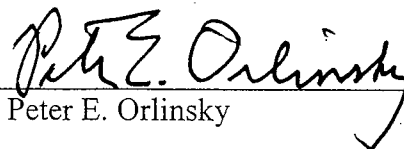
I, the undersigned, an attorney, hereby certify that I have, on this 11<sup>th</sup> day of September, 2007, served copies of the foregoing Notice of Filing and Brief of the Illinois Environmental Protection Agency by United States Mail, first class postage, upon the following persons:

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