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Heart of Illinois Group  P.O. Box 3593, Peoria, IL 61614

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**STATE OF ILLINOIS**  
Pollution Control Board

2419 E. Reservoir  
Peoria, IL 61614-8029  
September 24, 2008

*Partmarked 9/25/08*  
*PC 308*

Clerk of the Board  
Illinois Pollution Control Board  
RE: Case Number. AS 08-10  
100 W. Randolph Street, Suite 11-500  
Chicago, IL 60601

Comments Regarding: Case AS 08-10  
Peoria Disposal Company RCRA Delisting Adjusted Standard

To the Members of the Illinois Pollution Control Board:

Heart of Illinois Group Sierra Club strongly contends that the Peoria Disposal Company (PDC) Petition fails to meet the required burden of proof necessary to merit the requested RCRA delisting adjusted standard. Specific concerns include problematic test results, the failure of the stated Electric Arc Furnace Dust waste (EAF) treatment to reliably and adequately reduce the full range of hazardous constituents in the EAF, inadequate proof that dioxins and furans from the treated EAF will not have quantitative and qualitative impacts on the environment, and the failure to address site specific conditions. This letter will address Section 28.1 factors of the Illinois Environmental Protection Act (415 ILCS 5/28.1(a)), including the existing physical conditions, the character of the area involved, the character of surrounding land uses, and related issues pertaining to this delisting.

This comment is on behalf of our nearly 900 members in Central Illinois, including over 100 members who reside in Tazewell County and approximately 500 within the greater Peoria area. Our group members drink area water, breathe the local air, and drive local roads, all of which will be affected and will be put at greater risk of pollution via the proposed PDC delisting. The untold public health costs of adding dioxins, furans, mercury, and other EAF related toxins to the environment, possibly in municipal waste landfills across Illinois, is missing from the application. The economic value of protecting the Mahomet Aquifer from pollution is also not included. While we have many local concerns regarding this delisting, we also have grave concerns for state-wide impacts. Approval of this PDC request would allow their questionable EAF treatment process to potentially be in any municipal waste landfill in the entire state. This is a vast overreach failing to take into account municipal landfill site specific conditions, receiving bodies of water, and other required factors, which can vary greatly.

Heart of Illinois Group Sierra members, especially those in Tazewell County, their friends and family members, drink Mahomet Aquifer water. The Mahomet Aquifer is known as the most important aquifer

in East-Central Illinois,<sup>1</sup> and is one of the largest groundwater resources in the state. The Mahomet Aquifer water table is generally 5 to 50 feet below land surface.<sup>2</sup> The year 2007 Tazewell County response regarding the approximately 123 acre expansion PDC obtained for the Indian Creek Municipal Waste Landfill, states that an average of 32 feet (of what PDC describes as low permeability soil) separates the bottom of the lateral Indian Creek Landfill expansion from the uppermost aquifer, which is specified as the Mahomet-Sankoty sand.<sup>3</sup> Our great concern is that the site specific conditions at the Indian Creek Landfill are not appropriate for the landfilling of the proposed treated EAF, and will risk short-term and long-term pollution to this part of the Mahomet and area surface water.

The huge quantities of EAF that could be landfilled at Indian Creek will constitute a real and present danger for current and future generations because of the potential for leaching of toxins. The specific existing physical conditions at the site make this location unacceptable for the receipt of PDC treated EAF waste. An unnamed creek, which is a tributary to Indian Creek is at the south and western edge of the landfill property and connects to Indian Creek which crosses north of the landfill. A wetland existed on the site of the current Indian Creek Municipal Waste Landfill expansion, with approximately 0.89 acres of emergent wetland filled in by the landfill expansion.<sup>4</sup> The water table is notably high in the landfill area. It was stated that only two to three feet of material would have to be excavated to contact the groundwater table for the wetland loss mitigation, which is located just 200 feet south of the landfill expansion area. The Illinois Natural Areas Inventory site, named Indian Creek Woods Natural Area, is adjacent to this landfill.<sup>5</sup> It is listed as a high quality natural community and natural community restoration, and is state designated.<sup>6</sup> The unnamed creeks linking to Indian Creek, the wetland that was destroyed by the landfill expansion, the exceptionally high water table, and the existence of a state designated natural area adjacent to the landfill, are site specific issues unique to the Indian Creek Municipal Waste Landfill.

There is real potential for stream contamination to occur at the unnamed tributary from EAF runoff at the landfill site, or eventual leachate from the wastes. The Indian Creek Landfill is open 6 a.m. to 6 p.m. Monday through Saturday, and wastes being dumped in the landfill are not protected from rain, snow, or other weather affects. A map labeled as Appendix A is attached to this letter to show the location of the unnamed tributary and section of Indian Creek at this municipal waste landfill. The top of the map shows where Indian Creek joins the Mackinaw River, estimated in one source about 3/4 of a mile from the landfill. The Mackinaw River is a popular area recreation location to canoe, kayak, and fish, and tubing and swimming. The Mackinaw Canoe Club has held many outings on the Mackinaw River attended by paddlers and family members of all ages, and several members have paddled the entire length of the river.<sup>7</sup> At one time, Heart of Illinois Sierra held joint outings with the Mackinaw Canoe Club. People like to picnic on sandbars and wade in the river, which receives the flow from Indian Creek.

Heavy metals, mercury, dioxins, furans, or other toxic pollutants from the PDC treated EAF that is proposed to be landfilled in the Indian Creek Municipal Waste Landfill are a public health risk. The

1 Mehnert, E, K.C. Hackley et al. "The Mahomet Aquifer: Recent Advances in Our Knowledge." Illinois State Geological Survey Open File Series 2004-16 (2004).

2 Mahomet Aquifer Consortium, "About the Mahomet Aquifer." webpage. <http://www.mahometaquiferconsortium.org/>

3 Tazewell County Board Proposed Findings of Fact. page 8 (2006).

4 U.S. Army Corps of Engineers, Joint Public Notice CEMVR-OD-P-2006-801, June 5, 2007. page 1

5 Illinois Department of Natural Resources, November 3, 2006, letter from Michael Branham, IDNR Division of Ecosystems and Environemnt to Pamela Thomas, Shaw Environmental regarding EcoCAT request

6 Illinois Department of Natural Resources, Illinois Natural Area Inventory (INAI) Sites by County, May, 2008

7 Mackinaw Canoe Club. "About Us." website: <http://www.rivers-end.org/mcc/aboutus.html>

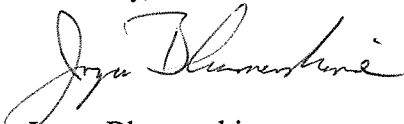
actual long-term stability of the PDC treatment process in a municipal waste landfill is unproven and unknown. The proximity of the tributary stream and the Mahomet Aquifer to the Indian Creek Municipal Waste Landfill makes this location unacceptable for the PDC treated EAF due to site specific issues and the receiving bodies of water.

The Clinton Municipal Waste Landfill, DeWitt County, which is listed in the PDC documents as a potential landfill for receiving the treated EAF, is also located over the Mahomet Aquifer. No considerations have been made for the impacts of huge and heavy quantities of the PDC treated EAF on landfill liners, local ground conditions, and area streams or groundwater which may be impacted by the EAF at different landfill locations. The proposed delisting takes no local landfill site information into consideration that adequately addresses potential long-term impacts of the EAF. The lack of site considerations for the landfilling of PDC treated EAF should merit denial of this delisting application. The Appendix E site information supplied by PDC only concerns the Indian Creek Landfill. The Mahomet Aquifer is not specifically mentioned or indicated by name in the PDC documentation. PDC does not mention any special concerns regarding the significance of this aquifer. PDC treated EAF waste should not be allowed at Clinton Municipal Waste Landfill or at Indian Creek Municipal Waste landfill due to their location over the Mahomet Aquifer. Other municipal landfills could have significant site issues that would never be considered if this delisting is approved.

We must ask: will the PDC treated EAF actually be non-hazardous and will it remain that way in municipal waste landfills and for how long? While PDC claims economic benefits for its clients, the issue of health and economic detriments to the public is not considered. There are subsidiary impacts this EAF decision would bring, such as increased truck traffic. We also question if enabling such a wide-spread delisting will negatively impact recycling of EAF.

Heart of Illinois Group Sierra Club maintains that this petition is not in the interests of controlling pollution and protecting the environment and that it should be denied.




Sincerely,



Joyce Blumenshine  
Heart of Illinois Sierra

Attachment A: ArcIMS Map, Indian Creek Municipal Waste Landfill, 2008.



- Legend**
- Highways
    -  Interstate
    -  US Highway
    -  State Route
  -  Municipal Boundaries
  -  County Boundaries
  - SWS (1996) 100 + 500 yr  
Floodzones for  
Unincorporated Areas
    -  100
    -  500
  -  NWI (1980) Wetlands
  - Large Streams as Areas
    -  Stream/River/Ditch
    -  Inundation Area
  - All Streams as Lines
    -  Intermittent Stream
    -  Perennial Stream and Other Flows
  - Water Bodies
    -  Lake/Pond
    -  Reservoir
    -  Swamp/Marsh
  - DOQs: 2005 Aerial Photos  
Chicago
  - DOQs: 2005 Aerial Photos  
West
  - DOQs: 2005 Aerial Photos  
East
  - Status Banner
  -  State

Inserted from <<http://dnrgis.state.il.us/website/Mpermit/viewer.htm>>