To: Jon Therriault, IPCB From: Tom Edwards 9/28/08

Here's a more *legible* copy of my Sept. 25 letter of testimony for the Case AS 08-10. The only differences from the original typed copy is where I had written in "PDC" and "too", and corrected a couple of misspellings (as *analogous)* . I also mailed this to you Sept. 26, but mail sometimes takes forever.

PC 307

Illinois Pollution Control Board, Case No. AS 08-10
100 W.Randolph St., Suite 11-500
Chicago, IL 60601

Sept. 25, 2008

Tom Edwards
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Additional Considerations for Case AS 08-10

Background: As stated in my August 18 and 28, 2008, letters to the IPCB, the petition of Peoria Disposal Co. (Case AS 08-10) to allow delisting and transfer of KO61 electric arc furnace (EAF) dust from PDC's toxic waste landfill at Peoria to a regular public landfill after "treatment" is clearly far off base and needs to be dismissed, because the treatment process is "secret." Therefore, the public has no way of evaluating it.

PDC noted at the Aug. 18 IPCB public hearing on the transfer permit that its purpose is to leave some room in its Peoria landfill, near the end of its capacity, to avoid the Illinois EPA being able to force its closure for another 10 or 20 years.

Reason: PDC may well have financial fears over possible multi-million costs of EPA's legally mandated 30 years of post-closure care of its massive Peoria landfill.

However, the Peoria area public has a more overriding concern -- the future health and livability of the Peoria area, and impact of PDC's landfill on that -- just being realized.

Possible Alternatives:

** The IPCB could summarily dismiss the PDC petition as untenable and unprovable at this time.

** The idea of using the Peoria PDC landfill as a "transfer site" for "treated" EAF dust was, in effect, decided in August, 2007, by the IEPA when it summarily rejected PDC's request to be listed as the "generator" of the waste being brought in rather than the "receiver" because PDC may add other materials to it (essentially to keep the light EAF dust from blowing away). Changes (mainly diluting) the toxic waste after it comes in to make its toxic percentage less does not change its initial status, the EPA ruled.

PDC's latest proposal simply again attempts to classify itself as the "generator" rather than the receiver and disposer of the waste.

** Yet to be explored is why the secret technology PDC says it now has to deal with the toxic solids in the EAF dust, can't be applied right at the steel plants where it is made. Then if it is truly safe, rather than being trucked several hundred miles into Peoria for PDC to deal with, the steel manufacturers could do that right at their own plants, then simply take it to the closest local landfill in their own community.

That would cut down, too, on motor exhaust pollution and traffic hazards.

** The claim for this secret process for removing toxics essentially just addresses the 14 heavy metals likely to be in the steel manufacturing waste. But there is also a multitude of "volatile," gaseous toxic chemicals in the waste that vaporize into the air, including poisonous dioxins and furans. Metals as mercury and compounds of lead and chromium will also evaporate into the air.

** But all the discussion regards controlling the toxic metals in the steel mill waste -- none of controlling the myriad of volatile chemicals in such waste. They will be floating off into the air during transport, handling -- and "treatment" to remove toxic metals.

** This whole scenario of a new "secret" means of dealing with the toxics in steel mill wastes is based on tests done, presumably, on samples from the 10 steel mills that would, so far, be involved from six different states -- with 64.3% coming from outside Illinois I called an IEPA official and asked who submitted the waste samples to EPA to be tested. His on the spot, immediate response was "PDC supplied the samples." *Isn't that analogous to the proverbial fox guarding the henhouse?* (I appreciate his honesty.)

Tom Edwards/*River Rescue*

Tom Edwards