

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

RECEIVED
CLERK'S OFFICE

OCT 27 2008

IN THE MATTER OF)
)
RCRA DELISTING ADJUSTED)
STANDARD PETITION OF PEORIA)
DISPOSAL COMPANY)

AS 08-10
(Adjusted Standard – Land)
(Waste Delisting)

STATE OF ILLINOIS
Pollution Control Board

NOTICE OF FILING

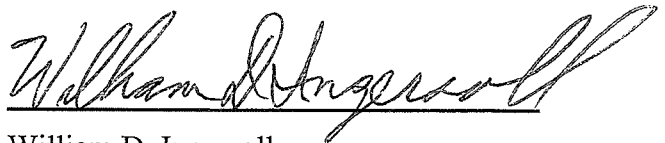
To: Brian Meginnes
Janaki Nair
Elias, Meginnes, Riffle & Seghetti, P.C.
416 Main Street, Suite 1400
Peoria, Illinois 61602-1611

Bharat Mathur
Acting Regional Administrator
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Claire Manning
Brown, Hay & Stephens, LLP
205 S. Fifth Street, Suite 700
Springfield, Illinois 62701

PLEASE TAKE NOTICE that on this date I filed with the Clerk of the Pollution Control Board of the State of Illinois the following instrument(s) entitled ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S AMENDED RECOMMENDATION TO RCRA DELISTING ADJUSTED STANDARD PETITION.

Respectfully Submitted,



William D. Ingersoll
Manager, Enforcement Programs

Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544

Dated: October 23, 2008

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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CLERK'S OFFICE

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IN THE MATTER OF)
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(Adjusted Standard)
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STATE OF ILLINOIS
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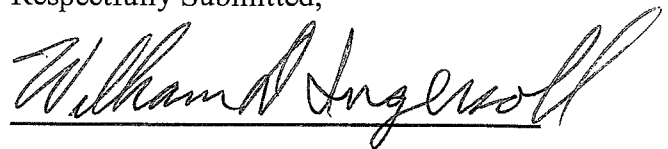
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S AMENDED
RECOMMENDATION TO RCRA DELISTING ADJUSTED STANDARD PETITION

Now comes the Illinois Environmental Protection Agency ("Illinois EPA"), by one of its attorneys, William D. Ingersoll, Manager, Enforcement Programs, and, pursuant to 35 Ill. Adm. Code 104.418(b), hereby submits an amended recommendation to the Illinois Pollution Control Board ("Board") to the petition for adjusted standard ("Petition") filed by Peoria Disposal Company ("PDC" or "Petitioner"). This recommendation is a supplement to the original response filed by Illinois EPA on June 12, 2008.

Illinois EPA recommends the granting of the requested RCRA delisting adjusted standard. In support of this position, the Illinois EPA states that the additional information provided by PDC in its response of June 26, 2008 and at hearing on August 18, 2008, adequately addresses the issues raised in the Illinois EPA's June 12, 2008 response. Therefore, the Illinois EPA believes that PDC's request for a RCRA waste delisting of treated K061 electric arc furnace dust meets the required level of justification.

WHEREFORE, for the reasons stated above, the Illinois EPA hereby respectfully recommends that the Board grant adjusted standard in this case.

Respectfully Submitted,



William D. Ingersoll
Manager, Enforcement Programs

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Dated: October 23, 2008

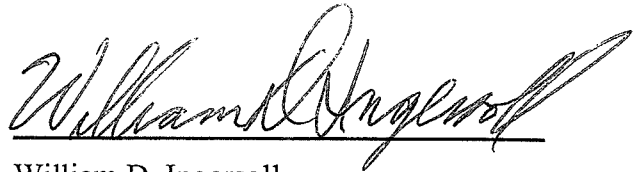
PROOF OF SERVICE

I hereby certify that I did on the 23rd day of October, 2008, send by U.S. Mail with postage thereon fully prepaid, by causing to be deposited in a United States Post Office Box a true and correct copy of the following instrument(s) entitled ILLINOIS ENVIRONMENTAL PROTECTION AGENCY'S RESPONSE TO RCRA DELISTING ADJUSTED STANDARD PETITION

To: Brian Meginnes Janaki Nair Elias, Meginnes, Riffle & Seghetti, P.C. 416 Main Street, Suite 1400 Peoria, Illinois 61602-1611 Bharat Mathur Acting Regional Administrator U.S. Environmental Protection Agency Region 5 77 West Jackson Boulevard Chicago, Illinois 60604	Claire Manning Brown, Hay & Stephens, LLP 205 S. Fifth Street, Suite 700 Springfield, Illinois 62701
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and the original and nine (9) true and correct copies of the same foregoing instruments on the same date thereon fully prepaid

To: John Therriault, Acting Clerk
Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, Illinois 60601



William D. Ingersoll
Manager, Enforcement Programs

Illinois Environmental Protection Agency
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