

**ILLINOIS POLLUTION CONTROL BOARD**

SHERIDAN-JOLIET LAND DEVELOPMENT LLC.,	)	
AND SHERIDAN SAND & GRAVEL CO.,	)	
(N4201 Rd. Site)	)	
	)	
Petitioners,	)	
	)	
vs.	)	PCB
	)	(CCDD Permit Appeal)
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING AND PROOF OF SERVICE**

To: Don Brown, Clerk  
Illinois Pollution Control Board  
100 West Randolph Street  
State of Illinois Building, Suite 11-500  
Chicago, IL 60601

Greg Richardson, Attorney  
Illinois Environmental Protection Agency  
1021 North Grand Avenue, East  
P.O. Box 19276  
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board, pursuant to Board Procedural Rule 101.302, a PETITION FOR REVIEW OF IEPA PERMIT DENIAL, a copy of which is herewith served upon the above parties of record in this cause. The undersigned hereby certifies that a true and correct copy of this Notice of Filing, together with a copy of the document described above, were today served on Respondent by enclosing same in envelopes addressed as above with postage fully prepaid, and by depositing said envelopes in a U.S. Post Office Mailbox in Springfield, Illinois on the 20th day of September, 2018.

Respectfully submitted,

Sheridan-Joliet Land Development LLC.,  
and Sheridan Sand & Gravel Co., Petitioners

BY: /s/Wm. D. Seith  
William D. Seith, Attorney  
917 Cleveland Rd.  
Hinsdale, IL 60521  
C. 630-217-1829  
[wdseith@aol.com](mailto:wdseith@aol.com)

**ILLINOIS POLLUTION CONTROL BOARD**

SHERIDAN-JOLIET LAND DEVELOPMENT LLC., )  
AND SHERIDAN SAND & GRAVEL CO., )  
(N4201 Rd. Site) )  
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Petitioners, )  
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vs. ) PCB  
) (CCDD Permit Appeal)  
ILLINOIS ENVIRONMENTAL PROTECTION )  
AGENCY, )  
)  
Respondent. )

**PETITION FOR REVIEW OF IEPA PERMIT DENIALS**

NOW COME Petitioners, SHERIDAN-JOLIET LAND DEVELOPMENT LLC and SHERIDAN SAND & GRAVEL CO., (hereinafter "Petitioners"), pursuant to Section 40 of the Illinois Environmental Protection Act, 415 ILCS 5/40, and hereby appeal the CCDD Permit Renewal denial dated August 14, 2018 by Respondent Illinois Environmental Protection Agency ( hereinafter "IEPA"), stating as follows:

**1.** Petitioners own or operate two CCDD facilities in Sheridan, LaSalle County, Illinois. The facilities are located at N4201 Road and Wiensland Avenue, respectively. The N4201 site is assigned Permit # CCDD2001-040-DE/OP. The Wiensland Avenue site is assigned Permit # CCDD2001-042-DE/OP. Both Permits were issued in 2008.

**2.** On April 4, 2018, Petitioners applied for the renewal of N4201 site Permit. In a letter dated August 14, 2018 and received by Petitioners on August 16, 2018, The IEPA DENIED the Permit Renewal Application. A true and correct copy of the IEPA Denial letter is attached hereto as Exhibit A.

**3.** Petitioner specifically denies the factual, legal and substantive allegations as well as the reasons and basis for the denial of Permit Renewal Application as set forth in the Denial Letter, including, but not limited to:

- a.** IEPA’s reliance on historical allegations of violations at the Sheridan sites that were not “adjudicated”, but in fact were resolved through an Agreed Stipulation.
- b.** IEPA’s reliance on historical allegations of violations at an unrelated landfill site in Atkinson, Illinois, that date back more than 20 years and were not “adjudicated”, but in fact were resolved through an Agreed Order settling the case.

WHEREFORE, Petitioners, pray that: (a) IEPA produce the Record; (b) a hearing be held; (c) the Board find IEPA erred in its decision, (d) the Board direct IEPA to issue the Permit Renewal, and (e) grant such other and further relief as it deems meet and just.

Respectfully submitted,

Sheridan-Joliet Land Development LLC.,  
and Sheridan Sand & Gravel Co., Petitioners

BY: /s/Wm. D. Seith

William D. Seith, Attorney

917 Cleveland Rd.

Hinsdale, IL 60521

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1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397  
**BRUCE RAUNER, GOVERNOR** **ALEC MESSINA, DIRECTOR**

217/524-3301

August 14, 2018

Certified Mail  
7014 2120 0002 3283 2317

**OWNER**  
Sheridan-Joliet Land Development LLC  
Attn: Mr. Branko Vardijan  
221 N. Washtenaw Ave.  
Chicago, IL 60612

**OPERATOR**  
Sheridan Sand & Gravel Co.  
Attn: Mr. Branko Vardijan  
221 N. Washtenaw Ave.  
Chicago, IL 60612

Re: 0998215024 -- LaSalle County  
Sheridan Sand & Gravel-N4201 Rd  
Permit No. CCDD2007-040-DE/OP  
Log No. CCDD2018-022  
CCDD File  
Permit Denial

Dear Mr. Vardijan:

This will acknowledge receipt of your Application for Permit to modify a Clean Construction or Demolition Debris Fill Operation, dated April 4, 2018, and received by the Illinois EPA on April 17, 2018.

Your permit application to renew Permit No. CCDD2007-040-DE/OP is denied. Section 39(a) of the Illinois Environmental Protection Act (Act) [415 ILCS 5/39(a)] requires the Illinois EPA to provide the applicant with specific reasons for the denial of permit. The following reason(s) are given:

1. Pursuant to Section 39(i) of the Act, the permit has been denied based on a history of repeated violations by owner and operator in the operation of waste management facilities or sites and clean construction or demolition debris fill operation facilities. This denial is based on the following adjudicated violations:

People v. Sheridan-Joliet Land Development, LLC et. al., PCB 13-19 and 13-20 (consolidated)

People v. Atkinson Landfill Company, and Branko Vardijan, individually, and as president of Atkinson Landfill Company and Ravenswood Disposal Services, Inc., No. 97-CH-41 (Henry County)

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2. The applicant did not provide proof that public officials were notified of the application as required by 35 Ill. Adm. Code Section 1100.302.

The applicant may appeal this final decision to the Illinois Pollution Control Board pursuant to Section 40 of the Act by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the applicant and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

For information regarding the request for an extension, please contact:

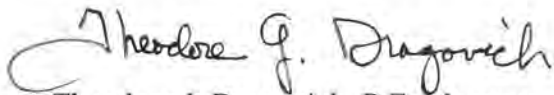
Illinois Environmental Protection Agency  
Division of Legal Counsel  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, IL 62794-9276  
217/782-5544

For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board, Clerk  
State of Illinois Center  
100 West Randolph, Suite 11-500  
Chicago, IL 60601  
312/814-3620

Should you wish to reapply or have any questions regarding this application, please contact Tom Hubbard of my staff at 217/524-3286.

Sincerely,



Theodore J. Dragovich, P.E. Manager  
Permit Section  
Division of Land Pollution Control  
Bureau of Land

TJD:TWH:0998215024-CCDD2007040DEOP-CCDD2018022-Denial.docx

cc: Brian Gift, LaSalle County

EXHIBIT A



ILLINOIS ENVIRONMENTAL

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33 SPRINGFIELD, IL



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Sheridan-Joliet Land Development  
LLC  
Attn: Mr. Branko Vardijan  
221 N. Washtenaw Ave.  
Chicago, Illinois 60612

*Received 8/16/18*  
*AD*

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