

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 12 2008

REPLY TO THE ATTENTION OF:

R-19J

The Honorable Richard Durbin
United States Senate
Washington, D.C. 20510

Dear Senator Durbin:

Thank you for your letter of April 18, 2008, to U.S. Environmental Protection Agency Administrator Stephen Johnson concerning an application for approval to dispose of polychlorinated biphenyl (PCB) waste at the Clinton Landfill in DeWitt County, Illinois, submitted by Clinton Landfill, Inc. I appreciate your interest and concern with this proposal. In particular, we are aware of the concerns of local residents with the proposal, as expressed in a February referendum opposing EPA's designation of a part of the site as a chemical waste landfill, a designation meaning that the landfill would be approved to accept PCB waste.

As for the current status of this project, on October 19, 2007, we received the application from Clinton Landfill, Inc. for approval to dispose of PCB waste in a specially constructed subcell of a larger landfill cell. The larger landfill cell is already permitted by the Illinois Environmental Protection Agency to take municipal waste. In March 2008, we received a groundwater impact report for the site.

We conducted a completeness review of the original application and are now conducting a thorough review of the application and supplemental information, specifically evaluating any potential threat to the Mahomet Aquifer from the potential use of the landfill to dispose of PCBs.

Below is an example of a timeline for evaluating a landfill application. Please note, however, that individual activities may take longer than the timeline notes if additional time is needed to ensure that any and all issues are addressed and the public has sufficient opportunity to review and comment on the application and preliminary decisions.

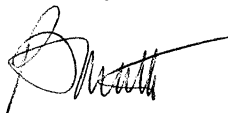
<u>Activity</u>	<u>Timeline</u>
Review of application	180 days (current status)
Addressing issues identified from review	120 days (this may require more time depending on the issues and responsiveness of the applicant)
Preparing preliminary decision (i.e. draft approval or denial)	30 days
Public comment period (including public meeting)	90 days
Addressing comments	45 days
Final decision (i.e. final approval or denial)	30 days

If we ultimately determine that the chemical waste landfill cell meets the applicable regulations for PCBs at 40 C.F.R. Part 761, we will provide an opportunity for public review and comment on our determination and draft proposed approval.

We review any and all applications seeking approval to dispose of PCBs to ensure that the design and operation of the disposal activity will meet all applicable federal regulations for PCBs and that the activity will not present an unreasonable risk to human health or the environment. We will not approve an activity that does not meet those regulations or requirements.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Mary Canavan or Ronna Beckmann, the Region 5 Congressional Liaisons, at 312-886-3000.

Sincerely,



Bharat Mathur
Acting Regional Administrator