

US EPA ARCHIVE DOCUMENT



Sherrie Brown
Chair

DeWITT COUNTY BOARD

COUNTY BUILDING
201 WEST WASHINGTON
CLINTON, IL 61727



Pete Daugherty
Vice Chair

July 24, 2014

Mr. John J. Kim
Chief Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Springfield, Illinois 62794-9276

Subject: County Board Response to Illinois EPA Questions
Clinton Landfill #3 Siting
Clinton, Illinois

Dear Mr. Kim:

The DeWitt County Board (the Board) is in receipt of your July 22 letter, asking for information regarding the acceptance by Clinton Landfill #3 of polychlorinated biphenyl (PCB) wastes regulated under the Toxic Substances Control Act (TSCA). We appreciate your interest in this matter, and are happy to answer your three questions below:

In its September 12, 2002 siting approval, did the Board authorize Peoria Disposal to accept PCB wastes in TSCA-regulated concentrations at the Landfill?

No. The Board did *not* authorize the disposal of TSCA-regulated PCBs in its September 12, 2002 siting approval. In fact, a Clinton Landfill representative testified at the siting hearing that no such PCB waste would be accepted by the Landfill. The Board also did *not* authorize the disposal of manufactured gas plant (MGP) waste which exceeds the regulatory levels contained in 35 Ill. Adm. Code 721.124(b) in its September 12, 2002 siting approval.

At any time after September 12, 2002, did the Board issue any other siting decision to Peoria Disposal to authorize it to accept PCB wastes in TSCA-regulated concentrations at the Landfill?

No. The Board issued no further siting decisions subsequent to its 2002 siting approval, nor was the Board ever asked by Clinton Landfill to provide a subsequent siting decision, either for TSCA-regulated PCB wastes, or for MGP wastes which exceed the regulatory levels contained in 35 Ill. Adm. Code 721.124(b).

If its September 12, 2002 siting approval did not authorize Peoria Disposal to accept PCB wastes in TSCA-regulated concentrations at the Landfill, does the Board believe that additional siting approval is necessary for Peoria Disposal to accept PCB wastes in TSCA-regulated concentrations at the Landfill?

Yes. On November 14, 2013, the DeWitt County Board passed a resolution stating, in

part, that the Board believes the Chemical Waste Unit of Clinton Landfill #3 (which has been permitted by Illinois EPA to accept both the PCB and MGP waste streams noted above) required local siting pursuant to the Illinois Environmental Protection Act (415 ILCS 5/39.2).

This matter is one of great concern, not only for the County Board, but for the residents of DeWitt County, who were never provided an opportunity to hear testimony or provide public comment on the acceptance of the TSCA-regulated PCB wastes about which you have inquired. The Board welcomes your review of this matter, and stands ready to provide the Illinois EPA further assistance or information as necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Sherrie Brown". The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

Sherrie Brown
Chairwoman, DeWitt County Board