Office of the Chicago City Clerk

O2012-3774

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:	6/6/2012
Sponsor(s):	Emanuel, Rahm (Mayor)
Type:	Ordinance
Title:	Intergovernmental agreement with Chicago Park District regarding property transfer of Palmisano Park, formerly known as Stearns Quarry
Committee(s) Assignment:	Committee on Housing and Real Estate

HSG

OFFICE OF THE MAYOR

CITY OF CHICAGO

RAHM EMANUEL
MAYOR

June 6, 2012

TO THE HONORABLE, THE CITY COUNCIL
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Housing and Economic Development, I transmit herewith an ordinance authorizing the execution of an intergovernmental agreement with the Chicago Park District regarding a property transfer.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

Rahm Emanuel

Mayor

ORDINANCE AUTHORIZING THE CONVEYANCE OF PALMISANO PARK, FORMERLY KNOWN AS STEARNS QUARRY, TO THE CHICAGO PARK DISTRICT

WHEREAS, the City of Chicago (the "City") is a home rule unit of government by virtue of the provisions of the Constitution of the State of Illinois of 1970, and as such, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Chicago Park District (the "Park District") is a body politic and corporate organized and existing under the Chicago Park District Act, 70 ILCS 1505/0.01 *et seq.*, with authority to exercise control over and supervise the operation of all parks within the corporate limits of the City; and

WHEREAS, the City is the owner of approximately 26.5 acres of land located at 2850 South Halsted Street, Chicago, Illinois 60608, formerly known as Stearns Quarry and legally described on Exhibit A attached hereto (the "Property"); and

WHEREAS, the Property is located adjacent to McGuane Park, an existing park in the Bridgeport Community Area which the Park District owns and operates; and

WHEREAS, the City previously operated a landfill on the Property (IEPA ID Number 0316000008); and

WHEREAS, the City closed the landfill in 2002 and has been implementing a post-closure plan approved by the Illinois Environmental Protection Agency ("IEPA") ever since; and

WHEREAS, pursuant to an Intergovernmental Agreement between the City and the Park District dated December 23, 2003 (the "2003 IGA"), and a second Intergovernmental Agreement authorized by the City Council on April 11, 2011, the City and the Park District redeveloped the Property into a public park known as Henry C. Palmisano Park; and

WHEREAS, Palmisano Park includes a fishing pond, terraced wetlands, approximately three miles of walking paths, a running track, an athletic field, an observation mound, ornamental gates and fencing, and informational signage; and

WHEREAS, the 2003 IGA allocates responsibility for all landfill closure and post-closure activities to the City, and provides that the City would transfer the Property to the Park District at the end of the estimated 30-year post-closure period; and

WHEREAS, the Park District is currently leasing the Property from the City pursuant to a lease dated March 26, 2008 (the "Lease"); and

WHEREAS, the Lease terminates on December 31, 2012; and

WHEREAS, the Lease provides that the City's post-closure operation and maintenance responsibilities for the former landfill would terminate upon conveyance of the Property to the Park District; and

WHEREAS, the City desires to transfer, and the Park District desires to accept, title to the Property and responsibility for all post-closure activities associated with the former Stearns Quarry landfill prior to the expiration of the post-closure period; and

WHEREAS, the City submitted an Application for Transfer of Solid Waste Permits for the Stearns Quarry landfill, signed by the Park District, to the IEPA on December 11, 2011 (the "IEPA Application"), and the IEPA approved the transfer of the ownership and operation of the landfill to the Park District by letter dated March 9, 2012 (the "IEPA Approval Letter"); and

WHEREAS, the IEPA Application and the IEPA Approval Letter are attached hereto as Exhibits B and C, respectively; and

WHEREAS, by ordinance adopted by the City Council of the City ("City Council") on May 20, 1998, and published at pages 69309–69311 in the *Journal of the Proceedings of the City Council of the City of Chicago* (the "Journal") of such date, the City Council approved *CitySpace: An Open Space Plan For Chicago* (the "CitySpace Plan"), a comprehensive plan which sets forth goals for increasing open space in the City and recommends that vacant, tax delinquent and City-owned property be redeveloped for parkland; and

WHEREAS, the use of the Property for parkland is consistent with the purposes and objectives of the CitySpace Plan; and

WHEREAS, the City Council finds that the establishment of public open space and parkland is essential to the general health, safety and welfare of the City; and

WHEREAS, the City is authorized to convey title to or other interests in City-owned real estate to other municipalities in accordance with the provisions of the Local Government Property Transfer Act, 50 ILCS 605/0.01 *et seq.*; and

WHEREAS, Article VII, Section 10 of the 1970 Constitution of the State of Illinois authorizes and encourages cooperative agreements between units of state and local government; and

WHEREAS, by Resolution No. 12-CDC-09, adopted on March 13, 2012, the CDC authorized the Department of Housing and Economic Development ("DHED") to advertise its intent to sell the Property to the Park District and to request alternative proposals, and recommended the sale of the Property to the Park District if no responsive alternative proposals were received within 30 days of the date of the first publication of the public notice; and

WHEREAS, public notices advertising the Department's intent to sell the Property to the Park District and requesting alternative proposals appeared in the Chicago Sun-Times on March 30, April 15 and April 29, 2012; and

WHEREAS, no responsive alternative proposals were received by the deadline indicated in the public notices; and

WHEREAS, by ordinance adopted on April 11, 2012, the Board of Commissioners of the Park District authorized the acceptance of title to the Property from the City; and

WHEREAS, by Resolution No. 12-010-21 adopted on March 15, 2012, the Chicago Plan Commission recommended the transfer of the Property to the Park District; ***now, therefore,***

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The foregoing recitals are hereby adopted as the findings of the City Council.

SECTION 2. The City hereby approves the conveyance of the Property to the Park District for the sum of $1.00 per parcel.

SECTION 3. The City hereby approves the assignment of any and all IEPA permits associated with the former landfill on the Property to the Park District.

SECTION 4. The Mayor or his proxy is authorized to execute, and the City Clerk or Deputy City Clerk is authorized to attest, a quitclaim deed conveying the Property to the Park District.

SECTION 5. The Commissioner of DHED (the "DHED Commissioner"), and a designee of the DHED Commissioner, and the Commissioner of Fleet and Facility Management (the "FFM Commissioner"), and a designee of the FFM Commissioner, are each hereby authorized to negotiate, execute and deliver such documents as may be necessary or appropriate to implement the provisions of this ordinance, including, without limitation, the assignment of any and all IEPA permits associated with the former Stearns Quarry landfill to the Park District and the amendment or termination of the 2003 IGA, subject to the approval of the Corporation Counsel. Such documents may contain terms and provisions that the DHED Commissioner and his designee, or the FFM Commissioner and his designee, as applicable, deem appropriate.

SECTION 6. If any provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such provision shall not affect any of the other provisions of this ordinance.

SECTION 7. All ordinances, resolutions, motions or orders in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 8. This ordinance shall take effect immediately upon its passage and approval.

Attachments: Exhibit A – Legal Description of Property
Exhibit B – IEPA Application
Exhibit C – IEPA Approval Letter

EXHIBIT A

LEGAL DESCRIPTION

(SUBJECT TO FINAL SURVEY AND TITLE COMMITMENT)

THAT PART OF BLOCKS 4, 5, 10, 11 AND 12 OF THE RESUBDIVISION OF CANAL TRUSTEES SUBDIVISION; AND THAT PART OF MARCUS C. STEARN'S SUBDIVISION OF LOT 13 AND FORMERLY WRONG STREET, NOW VACATED; AND THAT PART OF VACATED QUARRY STREET IN THE SOUTHERN FRACTION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 14 EAST, OF THE THIRD PRINICIPAL MERIDIAN, COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEAST LINE OF POPLAR AVENUE (50 FEET WIDE) WITH THE NORTHWEST LINE OF 29TH STREET, FORMERLY EMERALD STREET, (66 FEET WIDE); THENCE NORTH 33 DEGREES 06 MINUTES 17 SECONDS WEST, ON THE NORTHEAST LINE OF SAID POPLAR AVENUE, 939.71 FEET; THENCE NORTH 17 DEGREES 02 MINUTES 51 SECONDS EAST, ON THE SOUTH LINE OF HOEY'S SUBDIVISION OF LOTS 4 AND 5 IN BLOCK 24 IN SAID CANAL TRUSTEES SUBDIVISION, 50.66 FEET; THENCE NORTH 42 DEGRESS 32 MINUTES 21 SECONDS EAST, ON THE SOUTH LINE OF SAID HOEY'S SUBDIVISION, 42.47 FEET; THENCE NORTH 85 DEGREES 04 MINUTES 03 SECONDS EAST, ON THE SOUTH LINE OF SAID HOEY'S SUBDIVISION, 22.94 FEET; THENCE NORTH 33 DEGREES 06 MINUTES 16 SECONDS WEST, ON THE SOUTHWARD PROJECTION OF THE EAST LINE OF LOT 21 IN SAID HOEY'S SUBDIVISION, 1.64 FEET; THENCE NORTH 56 DEGREES 30 MINUTES 11 SECONDS EAST, ON THE SOUTH LINE OF LOT A OF THE SUBDIVISION OF LOTS 4 AND 5 IN BLOCK 24 IN SAID CANAL TRUSTEES SUBDIVISION, 416.52 FEET; THENCE SOUTH 33 DEGREES 17 MINUTES 16 SECONDS EAST, ON THE WEST LINE OF SOUTH SENOUR AVENUE, FORMERLY KNOWN AS QUARRY STREET, (66 FEET WIDE), 69.08 FEET TO A POINT ON THE SOUTH LINE OF 27TH STREET; THENCE NORTH 86 DEGREES 49 MINUTES 54 SECONDS EAST, ON THE SOUTH LINE OF 27TH STREET (66 FEET WIDE), 928.56 FEET; THENCE SOUTH 1 DEGREE 27 MINUTES 32 SECONDS EAST, ON THE WEST LINE OF HALSTED STREET (66 FEET WIDE), 984.22 FEET; THENCE SOUTH 88 DEGREES 53 MINUTES 43 SECONDS WEST, ON THE NORTH LINE OF 29TH STREET (66 FEET WIDE), 747.23 FEET TO AN ANGLE POINT IN THE NORTH LINE OF SAID 29TH STREET; THENCE SOUTH 56 DEGREES 13 MINUTES 58 SECONDS WEST, ON THE NORTHWEST LINE OF 29TH STREET, FORMERLY EMERALD STREET (66 FEET WIDE), 171.60 FEET TO THE POINT OF BEGINNING, CONTAINING 26.589 ACRES, MORE OR LESS

COMMONLY KNOWN AS:	2850 SOUTH HALSTED STREET CHICAGO, ILLINOIS 60608
PROPERTY INDEX NO.	17-29-416-014 17-29-416-016

EXHIBIT B

IEPA APPLICATION FOR TRANSFER OF SOLID WASTE PERMITS

DEPARTMENT OF ENVIRONMENT
CITY OF CHICAGO

December 1, 2011

Steve Nightingale
Illinois Environmental Protection Agency
Permit Section Bureau of Land, Manager
1021 N. Grand Ave., P.O. Box 19276
Springfield, Illinois 62794-9276

Re: 0316000008 – Cook County
Stearns Quarry
Supplemental Permit Application – Transfer of Owner and Operator

Dear Mr. Nightingale,

The City of Chicago Department of Environment (DOE) is submitting a supplemental permit application requesting the transfer of the ownership and operation of the Stearns Quarry Landfill, located at 2850 S. Halsted Street.

The City of Chicago is requesting the transfer of both the ownership and operation of the Stearns Quarry Landfill to the Chicago Park District.

The required forms for this Supplemental Permit Application are enclosed. If you have any questions or comments, please contact me at (312) 744-9139.

Sincerely,

Kimberly Worthington, P.E., LEED AP
Acting Commissioner

Enclosure

KAW/UMBR/lep

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

General Application for Permit
(LPC - PA1)

This form must be used for any application for permit, except for landscape waste composting or hazardous waste management facilities regulated in accordance with RCRA, Subtitle C from the Bureau of Land. One original, and two copies, or three if applicable, of all permit application forms must be submitted. Attach the original and appropriate number of copies of any necessary plans, specifications, reports, etc. to fully support and describe the activities and modifications being proposed. Attach sufficient information to demonstrate the compliance with all regulatory requirements. Incomplete applications will be rejected.

Niote: Permit applications which are hand-deliverd to the Bureau of Land, Permit Section must be delivered to the above address between 8:30 am and 5:00 pm, Monday through Friday (excluding State holidays).

NOTE: Please complete this form online, save a copy locally, print and submit it to the Permit Section #33, at the above address.

I. Site Identification:

Site Name: Stearns Quarry IEPA ID Number: 0316000008

Street Address: 2850 S. Halsted P.O. Box: _____

City: Chicago State: IL Zip Code: 60608 County: Cook

Existing DE/OP Permit Numbers (if applicable): 1975-68-DE 1975-68-OP _____

2. Owner/Operator Identification:

Owner		Operator	
Name:	City of Chicago	Name:	City of Chicago
Street Address:	30 N. LaSalle St., Suite 200	Street Address:	30 N. LaSalle St., Suite 200
PO Box:		PO Box:	
City:	Chicago State: IL	City:	Chicago State: IL
Zip Code:	60602 Phone: (312) 744-7606	Zip Code:	60602 Phone: (312) 744-7606
Contact:	Kimberly Worthington, P.E.	Contact:	Kimberly Worthington, P.E.
Email Address:	Kimberly.Worthington@cityofchicago.org	Email Address:	Kimberly.Worthington@cityofchicago.org

TYPE OF SUBMISSION/REVIEW PERIOD:		TYPE OF FACILITY:		TYPE OF WASTE:	
New Landfill/180 days (35 IAC Part 813)	☐	Landfill	☑	General Municipal Refuse	☐
Landfill Expansion/180 days (35 IAC Part 813)	☐	Land Treatment	☐	Hazardous	☐
Sig. Mod. to Operate/90 days (35 IAC Part 813)	☐	Transfer Station	☐	Special (Non-Hazardous)	☐
Other Sig. Mod./90 days (35 IAC Part 813)	☐	Treatment Facility	☐	Chemical Only (exec. putrescible)	☐
Renewal of Landfill/90 days (35 IAC Part 813)	☐	Storage	☐	Inert Only (exec. chem. & putrescible)	☑
Developmental/90 days (35 IAC Part 807)	☐	Incinerator	☐	Used Oil	☐
Operating/45 days (35 IAC Part 807)	☐	Composting	☐	Potentially Infectious Medical Waste	☐
Supplemental/90 days (35 IAC Part 807)	☑	Recycling/Reclamation	☐	Landscape/Yard Waste	☐
Permit Transfer/90 days (35 IAC Part 807)	☐	Other (Specify)	☐	Other (Specify)	☑
Renewal of Experimental Permit (35 IAC Part 807)	☐			Incinerator ash and clean C&D	

3. Description of this Permit Request:

Change in Owner/Operator from City of Chicago to Chicago Park District

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

4. Completeness Requirements

The following items must be checked Yes, No or N/A. Each item will be reviewed for completeness by the log clerk. Blank items will result in rejection of the application. Please refer to the instructions for further guidance.

1. Have all required public notice letters been mailed in accordance with the LPC-PA16 instructions? ☑ Yes ☐ No ☐ N/A

   (If so, provide a list of those recipients of the required public notice letters for Illinois EPA retention. Such retention shall not imply any Illinois EPA review and/or confirmation of the list.)

Public Notice Recipients

Name: Antonio Munoz Title: State Senator
Street Address: 1836 W. 35th St., 1st Floor P.O. Box:
City: Chicago State: IL Zip Code: 60609 Phone: (773) 869-9050

Name: Edward J. Acevedo Title: State Representative
Street Address: 1836 W. 35th St. P.O. Box:
City: Chicago State: IL Zip Code: 60609 Phone: (773) 843-1500

Name: Toni Preckwinkle Title: Cook County Board President
Street Address: 118 N. Clark St., Room 537 P.O. Box:
City: Chicago State: IL Zip Code: 60602 Phone: (312) 603-6400

Name: Anita Alvarez Title: State's Attorney
Street Address: 69 W. Washington St., Suite 3200 P.O. Box:
City: Chicago State: IL Zip Code: 60602 Phone: (312) 603-1880

Name: Susana Mendoza Title: City Clerk
Street Address: 121 N. LaSalle St., Room 107 P.O. Box:
City: Chicago State: IL Zip Code: 60602 Phone: (312) 742-5315

2. a. Is the Siting Certification Form (LPC-PA8) completed and enclosed? ☐ Yes ☐ No ☑ N/A

   b. Is siting approval currently under litigation? ☐ Yes ☐ No ☑ N/A

3. a. Is a closure, and if necessary a post-closure plan covering these activities being submitted, or ☐ Yes ☐ No ☑ N/A

   b. has one already been approved? If yes, provide the permit number: 2003-061-SP

4. a. For waste disposal sites, only: Has any employee, owner, operator, officer or director of the owner or operator had a prior conduct certification denied, canceled or revoked? ☐ Yes ☑ No ☐ N/A

   b. Have you included a demonstration of how you comply or intend to comply with 35 Ill. Adm. Code 745? ☐ Yes ☐ No ☑ N/A

5. a. Is land ownership held in beneficial trust? ☐ Yes ☑ No ☐ N/A

   b. If yes, is a beneficial trust certification form (LPC-PA9) completed and enclosed? ☐ Yes ☐ No ☑ N/A

6. a. Does the application contain information or proposals regarding the hydrogeology; groundwater monitoring, modeling or classification; a groundwater impact assessment; or vadose zone monitoring for which you are requesting approval? ☐ Yes ☑ No ☐ N/A

   b. If yes, have you submitted a third copy of the application (4 total) and supporting documents? ☐ Yes ☐ No ☑ N/A

5. Signatures:

Original signatures are required. Signature stamps or applications transmitted electronically or by FAX are not acceptable.

All applications shall be signed by the person designated below as a duly authorized representative of the owner an/or operator.

Corporation - By a principal executive officer of the level of vice-president or above.
Partnership or Sole Proprietorship - By a general partner or the proprietor, respectively.
Government - By either a principal executive officer or a ranking elected official.

A person is a duly authorized representative of the owner and operator only if:

1. They meet the criteria above or the authorization has been granted in writing by a person described above; and
2. Is submitted with this application (a copy of a previously submitted authorization can be used).

I hereby affirm that all information contained in this application is true and accurate to the best of my knowledge and belief. I do herein swear that I am a duly authorized representative of the owner/operator and I am authorized to sign this permit application form.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Owner Signature: _____ Date: 12/1/11

Kimberly Worthington, P.E. — Printed Name: _____ Acting Commissioner — Title: _____

Notary: Subscribed and Sworn before me this 1st day of December 2011.

OFFICIAL SEAL
CARMEN J. VEGA
Notary Public - State of Illinois
My Commission Expires Jul 14, 2012

My commission expires on: July 14, 2012

Signature & Stamp/Seal of Notary Public

Operator Signature: _____ Date: 12/1/11

Kimberly Worthington, P.E. — Printed Name: _____ Acting Commissioner — Title: _____

Notary: Subscribed and Sworn before me this 1st day of December 2011.

OFFICIAL SEAL
CARMEN J. VEGA
Notary Public - State of Illinois
My Commission Expires Jul 14, 2012

My commission expires on: July 14, 2012

Signature & Stamp/Seal of Notary Public

Engineer's Name: Kimberly Worthington, P.E. — Engineer's Title: Acting Commissioner

Company: City of Chicago — Registration Number: 062-049701

Street Address: 30 N. LaSalle St., Suite 200 — PO Box: _____

City: Chicago — State: IL — Zip Code: 60602 — Phone: (312) 744-9139

Email Address: kimberly.worthington@cityofchicago.org — License Expiration Date: 11/30/2013

Signature: _____ Date: 12/1/11

Professional Engineer's Seal:

KIMBERLY WORTHINGTON
062-049701
REGISTERED
PROFESSIONAL
ENGINEER
OF
ILLINOIS

Illinois
Environmental
Protection Agency

Bureau of Land
1021 North Grand Avenue East
Box 19276
Springfield, IL 62794-9276

APPLICATION FOR THE TRANSFER OF SOLID WASTE PERMITS (LPC-PA7)

We, the undersigned, hereby affirm that all information contained in this Application is true and accurate to the best of our knowledge and belief. Further, we hereby request that the original development and operating permits, as well as all supplemental permits issued to this site as listed in Attachment I, be transferred. In addition, the transferee or transferees agree to abide by the terms and conditions of the previously issued permits.

I. Facility Name (as reflected in most recent permit): Stearn's Quarry

IEPA Site Number: 0316000008

II. New Facility Name (if desired): _____

Permit to be transferred: 1975-68-DE/OP

III. This application requests:
- ☐ Transfer of real property ownership only.
- ☐ Transfer of operating rights only.
- ☒ Transfer of both ownership and operating rights.

IV. Land Owner Information:

	Real property owner referred to in the current permit, i.e., Transferor:	New owner, i.e. Transferee:
Name:	City of Chicago Department of Environment	Chicago Park District
Type of Entity:	☐ Illinois Corporation ☐ Foreign Corporation ☐ Partnership ☒ Government ☐ Individual ☐ Trust * ☐ Other	☐ Illinois Corporation ☐ Foreign Corporation ☐ Partnership ☒ Government ☐ Individual ☐ Trust * ☐ Other
Address:	30 N. LaSalle St., 2nd Floor Chicago, IL 60602	541 North Fairbanks Chicago, IL 60611
Contact Name:	Kimberly Worthington, P.E.	Michael P. Kelly
Phone Number:	312-744-7606	312-742-4300
Signature:	Kimberly Worthington	Michael P. Kelly
Name (typed):	Kimberly Worthington, P.E.	Michael P. Kelly
Title:	Acting Commissioner	Superintendent and Chief Executive Officer

This Agency is authorized to require this information under Ill. Rev. Stat., 1979, Chapter 111 ½ Section 1039. Disclosure of this information is required and failure to do so may prevent this form from being processed and could result in your application being denied. This form has been approved by the Forms Management Center.

Who currently has legal title to the land? City of Chicago

Explain, if necessary: The City of Chicago will be transferring the ownership of the property to the Chicago Park District.

*The signatures of all beneficiaries of the trust must be provided. (Use Form LPC-PA9).

V. Currently Permitted Operator, i.e., Transferor:

Name: Department of Environment

Type of Entity:
- ☐ Illinois Corporation
- ☐ Foreign Corporation
- ☐ Partnership
- ☒ Government
- ☐ Individual
- ☐ Other

Address: 30 N. LaSalle St., 2nd Floor
Chicago, IL 60602

Contact Name: Kimberly Worthington, P.E.

Phone Number: (312) 744-7606

Signature:

Name (typed): Kimberly Worthington, P.E.

Title: Acting Commissioner

New Operator, i.e., Transferee:

Chicago Park District

- ☐ Illinois Corporation
- ☐ Foreign Corporation
- ☐ Partnership
- ☒ Government
- ☐ Individual
- ☐ Other

Address: 541 North Fairbanks
Chicago, IL 60611

Contact Name: Michael P. Kelly

Phone Number: (312) 742-4300

Signature:

Name (typed): Michael P. Kelly

Title: Superintendent and Chief Executive Officer

VI. Prior Conduct Certification (for disposal sites):

A. List all current certified operators of this site who have obtained prior conduct certification by Name and Log Number.

Chief Operator's Name	PCC Log Number
Kimberly Worthington, P.E.	__-_____
Doug Zeismer, Retired February 2004	__-_____
	__-_____
	__-_____

B. List all certified operators proposed for this site in this application by name:

Chief Operator's Name: The site is in the post-closure care period

C. The signatories of this application hereby affirm that the permit transfer requested by this application will not result in the violation of any of the prohibitions pursuant to the Prior Conduct Certification Regulations of 35 IAC 745.201 (refer to instructions).

VII. Is a copy of the legal transferring agreement attached? ☐ Yes ☒ No

ATTACHMENT I TO FORM LPC-PA7

Permit Number	Date Issued	Name of Operator / Owner	Brief Description of Permit
1975-68-DE	10/26/75	Strees & Sanitation /Streets & Sanitation	Development of landfill
1975-68-OP	11/21/75	" /"	Landfill Operation
1990-346-SP	3/27/91	" /"	Closure, Post-Closure Plan, dewatering system, GW monitoring program
1991-441-SP	2/16/01	" /"	GW monitoring program
1992-107-SP	7/31/92	" /"	Construction modification, pressure grout along haul road, develop & operate load check area
1996-386-SP	2/11/97	" /"	GW assessment monitoring plan
1997-413-SP	8/10/98	" /"	Approval of analytical results for leachate and monitoring wells, boring log, geological cross-section
2001-365-SP	5/23/2002	" /"	GW monitoring program modification, install new and abandon old wells
2002-331-SP	12/11/02	" /"	Approve revised final contours
2004-333-SP	5/6/05	Dept of Environment /Dept of Environment	Transfer of ownership and operation, gw monitoring mod

ATTACHMENT I TO FORM LPC-PA7

Permit Number	Date Issued	Name of Operator / Owner	Brief Description of Permit
2003-061-SP	5/12/05	Dept. of /Dept. of	Revised post-closure care
		Environment /Environment	plan
2005-409-SP	2/23/06	" /"	Certification of completion
		/	of closure
2005-107-SP	6/12/06	" /"	Changes to gw and leachate
		/	monitoring network
2009-462-SP	1/11/10	" /"	Revised post-closure care
		/	cost estimate
2009-490-SP	3/30/10	" /"	GW assessement monitoring
		/	plan
2009-493-SP	8/4/10	" /"	Revised background, inter-
		/	well, intrawell analysis (Log
		/	2009-493), revisions to no
		/	longer applicable permit
		/	conditions (Log 2009-493),
		/	completion of assessment
		/	monitoring (Log 2010-200)
2010-083-SP	5/25/10	" /"	Improvements to stormwater
		/	management
2010-370-SP	2/1/11	" /"	GW assessment monitoring
		/	plan
2010-574-SP	3/3/11	" /"	Modfiication to post-closure
		/	care plan, documentation of
		/	stormater repairs

ATTACHMENT I TO FORM LPC-PA7

Permit Number	Date Issued	Name of Operator / Owner	Brief Description of Permit
2011-213-SP	8/12/11	Dept. of /Dept. of	Revised post-closure care
		Environment /Environment	cost estimate
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Illinois
Environmental
Protection Agency

Bureau of Land
1021 North Grand Avenue East
Box 19276
Springfield, IL 62794-9276

39(i) Certification
(for a Legal Entity)

For Operating a Waste Management Facility

PRIOR EXPERIENCE IN OPERATING A WASTE STORAGE SITE, SANITARY LANDFILL, WASTE DISPOSAL SITE, WASTE TRANSFER STATION, WASTE TREATMENT FACILITY, WASTE INCINERATOR, ANY WASTE TRANSPORTATION OPERATION OR A CLEAN CONSTRUCTION OR DEMOLITION DEBRIS ("CCDD") FILL OPERATION

Site Name: Stearns Quarry Site ID: 0316000008

Applicant Name: Chicago Park District

FEIN:

Address: 541 N. Fairbanks Ct. P.O. Box:

City: Chicago State: IL Zip: 60611

Permit Number(s): 1975-68DE/OP

I. Has the applicant, or any of its owners or officers, ever owned or operated other waste sites, waste transportation operations, or CCDD fill operations (anywhere) at anytime? If yes, please attach additional sheets identifying the name of the site, address of the site, license or permit number of the site, type of activity conducted at the site and type of waste received at the site. YES ☐ NO ☑

II. All of the following questions need to be answered. If the answer to any of the following is yes, attach a copy of any final administrative or judicial determination.

1) Has the applicant or any of its owners or officers, ever been convicted of a violation of any federal, state, or local laws, regulations or ordinances governing the operation of any waste management facility or site or CCDD facility or site? YES ☐ NO ☑

2) Has the applicant or any of its owners or officers, ever been convicted in Illinois or any other state of any crime which is a felony under Illinois law or been convicted of a felony in a federal court, or been convicted in Illinois, another state or federal court of any of the following: forgery, official misconduct, bribery, perjury, or knowingly submitting false information under any environmental law, regulation, or permit term or condition? YES ☐ NO ☑

3) Has the applicant or any of its owners or officers, ever been proven to have shown gross carelessness or incompetence in the handling storing, processing, transporting or disposing of any waste or CCDD or in using CCDD as fill in any state? YES ☐ NO ☑

IL 532-2857
LPC 643 1/08

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39 Failure to disclose this information may result in a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42) This form has been approved by the Forms Management Center.

III. Is there any administrative or judicial proceeding, which is still pending, which:

1) Could result in a determination of the type described in section II above; or YES ☐ NO ☑

2) Could result in the reversal of any administrative or judicial determination provided in response to section II above. YES ☐ NO ☑

If the answer to any of the above is yes, please provide a description including the name of the Agency or Court, title, docket No. and status below. Attach additional sheets as needed.

_____

_____

_____

AUTHORIZATION FOR RELEASE OF INFORMATION

The undersigned authorizes any representative of the Illinois Environmental Protection Agency bearing this release to obtain any information from the Illinois State Police pertaining to the criminal records of the applicant and hereby directs the Illinois State Police to release such information upon request of the bearer. The undersigned authorizes a review of and full disclosure of all records, or any part thereof, concerning the applicant's criminal records by and to a duly authorized agent of the Illinois Environmental Protection Agency, whether said records are of public, private, or confidential nature. The intent of this authorization is to give consent for full and complete disclosure of the applicant's criminal records. The undersigned fully understands that any information which is developed directly or indirectly, in whole or in part, as a result of this authorization will be considered in determining whether a permit shall be issued by the Illinois Environmental Protection Agency under the Environmental Protection Act [415 ILCS5/1]. The undersigned further agrees to release the Illinois State Police and the Illinois Environmental Protection Agency, its agents and designees under this release, from any and all liability which may be incurred as a result of compliance with this authorization for release of information.

CERTIFICATION STATEMENT

I certify under penalty of law that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature of Applicant, Representation

MICHAEL P. KELLY
Print Name

SUPERINTENDENT & CEO
Title

11/30/11
Date

INSTRUCTIONS FOR COMPLETING THE 39i FORM
(for a Legal Entity)

This form should be completed for a legal entity such as a municipality, corporation, limited liability company, partnership, estate, or trust. A sole proprietor or individual including owners and officers of a legal entity must complete the 39i Form for a Person.

As part of the Illinois Environmental Protection Agency ("Illinois EPA") review of a permit application for a waste storage site, sanitary landfill, waste disposal site, waste transfer station, waste treatment facility, waste incineration, any waste-transportation operation, or clean construction or demolition debris ("CCDD") fill operation, the Illinois EPA conducts an investigation of the prior experience of the owner and operator, including officers and employees of the owner and operator. This 39i Form for a Legal Entity should be completed and submitted by an official representative of the applicant who is considered authorized to sign applications. If there is a separate owner and operator, both owner and operator and their officers must individually complete a 39i form. Those persons authorized to sign applications are identified in 35 IAC 702.126, 807.205(d), 812.104, 830.105. In responding, please identify all the authorized official representatives of the applicant, and their titles in a cover letter. For example, a corporation should identify the president, vice president, secretary and treasurer, and any other person who performs similar policy or decision making functions. Failure to comply with this request will result in a delay in the processing of a permit application, and may result in denial. Furthermore, the Illinois EPA, at its discretion, may request additional information on any employee of the owner or operator or prospective owner or operator.

This form must be submitted anytime a permit application is submitted for a new facility, a renewal of a permit, or a transfer of a permit. This form must also be submitted at any time when a change occurs that would result in a change to information contained in a previously submitted form

General: Provide applicant's FEIN and address as well as the site name and site identification number and permit number(s) of the site. The site name should be the same as the name on the most recent permit or permit application. The applicant is the entity for whom the form is providing 39i certification.

Part I: Information on ownership and/or operation of other waste storage sites, sanitary landfills, waste disposal sites, waste transfer stations, waste treatment facilities, waste-transportation operations, or CCDD fill operations, even if located in other states, must be provided. Provide this information on a separate sheet of paper and attach to the 39i form.

Part II: This part of the application deals with prior conduct in other states as well as in Illinois. If any answers are "yes", the applicant should attach a complete explanation as well as any supporting documentation. At a minimum, this information must include dates, jurisdiction, and reference case numbers. Also, any mitigating factors, such as individual control over the facility and operations, should be included.

Part III. This part deals with pending actions that could impact the application. If final decisions are reached during the certification review it is the applicant's responsibility to provide supplemental information within 30 days.

An original and two copies of this form must be submitted by registered or certified mail to:

Illinois Environmental Protection Agency
Division of Land Pollution Control - #33
39(i) Certification
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

SFN:bjh/041015i.doc
Rev. 1/08

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • P.O. Box 19276 • Springfield • Illinois • 62794-9276

Certification of Authenticity of Official Forms

You may complete this form online, save a copy locally, print and sign it before submitting it to the Illinois EPA.

This form must accompany any application submitted to the Illinois EPA Bureau of Land, Division of Land Pollution Control, Permit Section on forms other than the official copy printed and provided by the Illinois EPA. The only allowed changes to the form are in spacing, fonts, and the addition of the information provided. Any additions must be underlined. The forms would not be considered identical if there is any change to, addition or deletion of words on the form or to the language of the form.

The same individuals that sign the application form it accompanies must sign the following certification.

I hereby certify under penalty of law that I have personally examined, and am familiar with the application form or forms and all included supplemental information submitted to the Illinois EPA herewith, and that the official Illinois Environmental Protection Agency application form or forms used herein is or are identical in all respects to the official form or forms provided by the Illinois EPA Bureau of Land Permit Section, and has not or have not been altered, amended, or otherwise modified in any way. I further certify under penalty of law that any attached or included electronic data version of the application form or forms complies with the official Illinois EPA's Electronic version thereof, and is or are identical in all respects to the official electronically downloadable form or forms provided by the Illinois EPA Bureau of Land Permit Section, and has not or have not been altered, amended or otherwise modified in any way.

Kimberly Worthington — Owner Signature — 12/1/11 — Date

Kimberly Worthington, P.E. — Printed Name — Acting Commissioner — Title

Kimberly Worthington — Operator Signature — 12/1/11 — Date

Kimberly Worthington, P.E. — Printed Name — Acting Commissioner — Title

Engineer Signature (if necessary) — Date

Kimberly Worthington, P.E. — Printed Name

Subscribed and Sworn to Before Me, a Notary Public in and for the above-mentioned County and State.

Carmen J Vega — Signature — 12/1/11 — Date

Carmen J Vega — Printed Name

OFFICIAL SEAL
CARMEN J. VEGA
Notary Public - State of Illinois
My Commission Expires Jul 14, 2012

My commission expires on: July 14, 2012

Seal of Notary Public

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Notice of Application for Permit to Manage Waste (LPC-PA16)

State Senator Antonio Munoz
Senate District 1
1836 W. 35th St., 1st Floor
Chicago, IL 60609

Date: 12/1/11

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the Illinois EPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the Bureau of Land, Attn: Permit Section, at the above address, or contact the Permit Section at 218/524-3300 within 21 days.

NOTE: Please complete this form online, save a copy locally, print and submit it to the Permit Section #33, at the above.

The permit application, which is identified below, is for a project described at the bottom of this page.

Site Identification:

Site Name: Stearns Quarry IEPA ID Number: 0316000008

Street Address: 2850 S. Halsted P.O. Box:

City: Chicago State: IL Zip Code: 60608 County: Cook

TYPE OF PERMIT SUBMISSIONS:		TYPE OF FACILITY:		TYPE OF WASTE:	
New Landfill	☐	Landfill	☑	General Municipal Refuse	☐
Landfill Expansion	☐	Land Treatment	☐	Hazardous	☐
First Significant Modification	☐	Transfer Station	☐	Special (Non-Hazardous)	☐
Significant Modification to Operate	☐	Treatment Facility	☐	Chemical Only (exec. putrescible)	☐
Other Significant Modification	☐	Storage	☐	Inert Only (exec. chem. & putrescible)	☐
Renewal of Landfill	☐	Incinerator	☐	Used Oil	☐
Development	☐	Composting	☐	Solvents	☐
Operating	☐	Recycling/Reclamation	☐	Landscape/Yard Waste	☐
Supplemental	☑	Other	☐	Other (Specify)	☑
Transfer	☐			Incinerator ash and clean C&D	
Name Change	☐				
Generic	☐				

Description of Project:

Change in Owner/Operator from the City of Chicago to the Chicago Park District

IL 532-0334
LPC 040 Rev. 4/2010

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Notice of Application for Permit to Manage Waste (LPC-PA16)

Representative Edward Acevedo
Representative District 2
1836 W. 35th St.
Chicago, IL 60609

Date: 12/1/11

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the Illinois EPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the Bureau of Land, Attn: Permit Section, at the above address, or contact the Permit Section at 218/524-3300 within 21 days.

NOTE: Please complete this form online, save a copy locally, print and submit it to the Permit Section #33, at the above.

The permit application, which is identified below, is for a project described at the bottom of this page.

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Street Address: 2850 S. Halsted P.O. Box:

City: Chicago State: IL Zip Code: 60608 County: Cook

TYPE OF PERMIT SUBMISSIONS:		TYPE OF FACILITY:		TYPE OF WASTE:	
New Landfill	☐	Landfill	☐	General Municipal Refuse	☐
Landfill Expansion	☐	Land Treatment	☐	Hazardous	☐
First Significant Modification	☐	Transfer Station	☐	Special (Non-Hazardous)	☐
Significant Modification to Operate	☐	Treatment Facility	☐	Chemical Only (exec. putrescible)	☐
Other Significant Modification	☐	Storage	☐	Inert Only (exec. chem. & putrescible)	☒
Renewal of Landfill	☐	Incinerator	☐	Used Oil	☐
Development	☐	Composting	☐	Solvents	☐
Operating	☐	Recycling/Reclamation	☐	Landscape/Yard Waste	☐
Supplemental	☒	Other	☐	Other (Specify)	☒
Transfer	☐			Incinerator ash and clean C&D	
Name Change	☐				
Generic	☐				

Description of Project:

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LPC 040 Rev. 4/2010

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Notice of Application for Permit to Manage Waste (LPC-PA16)

Toni Preckwinkle
Cook County Board President
118 N. Clark St., Room 537
Chicago, IL 60602

Date: 12/1/11

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the Illinois EPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the Bureau of Land, Attn: Permit Section, at the above address, or contact the Permit Section at 218/524-3300 within 21 days.

NOTE: Please complete this form online, save a copy locally, print and submit it to the Permit Section #33, at the above.

The permit application, which is identified below, is for a project described at the bottom of this page.

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Site Name: Stearns Quarry IEPA ID Number: 0316000008

Street Address: 2850 S. Halsted P.O. Box

City: Chicago State: IL Zip Code: 60608 County: Cook

TYPE OF PERMIT SUBMISSIONS:		TYPE OF FACILITY:		TYPE OF WASTE:	
New Landfill	☐	Landfill	☒	General Municipal Refuse	☐
Landfill Expansion	☐	Land Treatment	☐	Hazardous	☐
First Significant Modification	☐	Transfer Station	☐	Special (Non-Hazardous)	☐
Significant Modification to Operate	☐	Treatment Facility	☐	Chemical Only (exec. putrescible)	☐
Other Significant Modification	☐	Storage	☐	Inert Only (exec. chem. & putrescible)	☒
Renewal of Landfill	☐	Incinerator	☐	Used Oil	☐
Development	☐	Composting	☐	Solvents	☐
Operating	☐	Recycling/Reclamation	☐	Landscape/Yard Waste	☐
Supplemental	☒	Other	☐	Other (Specify)	☒
Transfer	☐			Incinerator ash and clean C&D	
Name Change	☐				
Generic	☐				

Description of Project:

Change in Owner/Operator from the City of Chicago to the Chicago Park District

IL 532-0334
LPC 040 Rev. 4/2010

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Notice of Application for Permit to Manage Waste (LPC-PA16)

Anita Alvarez
State's Attorney
69 W. Washington St., Ste 3200
Chicago, IL 60602

Date: 12/1/11

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the Illinois EPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the Bureau of Land, Attn: Permit Section, at the above address, or contact the Permit Section at 218/524-3300 within 21 days.

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Landfill Expansion	☐	Land Treatment	☐	Hazardous	☐
First Significant Modification	☐	Transfer Station	☐	Special (Non-Hazardous)	☐
Significant Modification to Operate	☐	Treatment Facility	☐	Chemical Only (exec. putrescible)	☐
Other Significant Modification	☐	Storage	☐	Inert Only (exec. chem. & putrescible)	☒
Renewal of Landfill	☐	Incinerator	☐	Used Oil	☐
Development	☐	Composting	☐	Solvents	☐
Operating	☐	Recycling/Reclamation	☐	Landscape/Yard Waste	☐
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Transfer	☐			Incinerator ash and clean C&D	
Name Change	☐				
Generic	☐				

Description of Project:

Change in Owner/Operator from the City of Chicago to the Chicago Park District

IL 532-0334
LPC 040 Rev. 4/2010

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

Illinois Environmental Protection Agency

Bureau of Land • 1021 N. Grand Avenue E. • Box 19276 • Springfield • Illinois • 62794-9276

Notice of Application for Permit to Manage Waste (LPC-PA16)

Susana Mendoza
City Clerk, City of Chicago
121 N. LaSalle St., Room 107
Chicago, IL 60602

Date: 12/1/11

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the Illinois EPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the Bureau of Land, Attn: Permit Section, at the above address, or contact the Permit Section at 218/524-3300 within 21 days.

NOTE: Please complete this form online, save a copy locally, print and submit it to the Permit Section #33, at the above.

The permit application, which is identified below, is for a project described at the bottom of this page.

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Transfer	☐			Incinerator ash and clean C&D	
Name Change	☐				
Generic	☐				

Description of Project:

Change in Owner/Operator from the City of Chicago to the Chicago Park District

IL 532-0334
LPC 040 Rev. 4/2010

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed $50,000 for the violation and an additional civil penalty of not to exceed $10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

EXHIBIT C

IEPA APPROVAL LETTER

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829

PAT QUINN, GOVERNOR JOHN J. KIM, INTERIM DIRECTOR

217/524-3300

March 9, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7009 3410 0002 3748 2680

Chicago Park District
Attn: Michael P. Kelly
541 North Fairbanks
Chicago, Illinois 60611

Re: 0316000008 -- Cook County
Stearn's Quarry
Permit Nos. 1975-68-DE/OP
Log No. 2011-534
Permit Landfill 807 File
Permit Approval

Dear Mr. Kelly:

Permit is hereby granted to Chicago Park District to develop and operate a solid waste management site consisting of 22 acres in a portion of E ½ of the SE ¼ of Section 29, Township 39 North, Range 14 East, 3rd Principal Meridian Cook County pursuant to 35 Illinois Administrative Code (hereinafter IAC) Part 807, all in accordance with the application and plans prepared, signed and sealed by Kimberly Worthington, P.E., signature dated December 1, 2011. Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified on the records of the Illinois Environmental Protection Agency, Bureau of Land by the permit number(s) and log number(s) designated in the heading above.

Permit No. 1975-68-DE/OP approves the transfer of the facility permits from the City of Chicago – Department of Environment as owner and operator to Chicago Park District as owner and operator.

The special conditions listed below include a compilation of all conditions which remain in effect from the previously issued permits for the facility. Additionally, the due date for the next post closure care cost estimate revision in Special Condition No. 6 has been revised as intended with the issuance of the preceding Supplemental Permit No. 2011-213-SP.

The permit is issued subject to the standard conditions attached hereto and incorporated herein by reference, and further subject to the following special conditions. In case of conflict between the application and plans submitted and these special conditions, the special conditions of this permit shall govern.

1. During the post-closure care period, the owner and operator shall monitor gas, water and settling and shall take whatever remedial action is necessary to abate any gas, water or settling problems which appear during that time. Post-closure groundwater monitoring shall be conducted and reported to the Illinois EPA on a quarterly basis for the monitoring wells and parameters identified in Attachment A of Permit No. 1975-68-DE/OP (Log No. 2011-534).

2. Any modification to the facility shall be the subject of an application for supplemental permit for site modification submitted to the Illinois EPA.

3. The Illinois EPA reserves the right to require installation of additional monitoring devices, to alter the selection of parameters to be analyzed and to alter monitoring frequencies as may be necessary to fulfill the intent of the Environmental Protection Act.

4. This permit is subject to review and modification by the Illinois EPA as deemed necessary to fulfill the intent and purpose of the Environmental Protection Act, and all applicable environmental rules and regulations.

5. The minimum fifteen-year post-closure care period began October 31, 2002. Furthermore, post-closure care shall continue to be provided until the topographic contours shown on Figure 1 in Log No. 2003-061 have been achieved and the constituents in the liquid extracted from the Dewatering System do not exceed the wastewater effluent standards in 35 IAC 304.124, 304.125, and 304.126 and do not contain a BOD_5 concentration greater than 30 mg/L for two consecutive sampling events (i.e., 2 quarters).

6. Biennial revisions of cost estimates, and revision of post-closure care plan, if needed, are due by May 12, 2013.

7. Prior conduct certification is no longer required for this site.

The original and two (2) copies of all certifications, logs, reports, and groundwater monitoring chemical analysis forms which are required to be submitted to the Illinois EPA by the permittee should be mailed to the following address:

Illinois Environmental Protection Agency
Permit Section
Bureau of Land -- #33
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

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

Work required by this permit, your application or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This permit does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Sincerely,

Stephen F. Nightingale, P.E.
Manager, Permit Section
Bureau of Land

CJL
SFN:DCV\0316000008-807LF-2011534SP-2011534-APPROVAL.docx
DCV TBM

Attachments: Standard Conditions
Attachment A – Monitoring Program
Attachment B – Statistical Evaluation Procedures

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS
ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND

August 22, 2001

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) grants the Environmental Protection Agency authority to impose conditions on permits which it issues.

These standard conditions shall apply to all permits which the Agency issues for construction or development projects which require permits under the Bureau of Land. Special conditions may also be imposed in addition to these standard conditions.

1. Unless this permit has been extended or it has been voided by a newly issued permit, this permit will expire two years after date of issuance unless construction or development on this project has started on or prior to that date.

2. The construction or development of facilities covered by this permit shall be done in compliance with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.

3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.

4. The permittee shall allow any agent duly authorized by the Agency upon the presentation of credentials:

   a. to enter at reasonable times the permittee's premises where actual or potential effluent, emissions or noise sources are located or where any activity is to be conducted pursuant to this permit.

   b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.

   c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit.

   d. to obtain and remove at reasonable times samples of any discharge or emission of pollutants.

e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.

5. The issuance of this permit:

   a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;

   b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;

   c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;

   d. does not take into consideration or attest to the structural stability of any units or parts of the project;

   e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.

6. Unless a joint construction/operation permit has been issued, a permit for operating shall be obtained from the Agency before the facility or equipment covered by this permit is placed into operation.

7. These standard conditions shall prevail unless modified by special conditions.

8. The Agency may file a compliant with the Board for modification, suspension or revocation of a permit:

   a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed; or

   b. upon finding that any standard or special conditions have been violated; or

   c. upon any violation of the Environmental Protection Act or any Rule or Regulation effective thereunder as a result of the construction or development authorized by this permit.

Re: Site No. 0316000008 -- Cook County
Stearn's Quarry
Permit No. 1975-68-DE/OP
Log No. 2011-534 (last revised under Permit No. 2010-370-SP)
ATTACHMENT A

Monitoring Program

To identify any releases from the facility and demonstrate compliance with the applicable groundwater quality standards, the groundwater monitoring program is approved as follows:

1. The monitoring program must be capable of determining background groundwater quality hydraulically upgradient of and unaffected by the units and to detect any discharge of contaminants from any part of a potential source of discharge from the units. The Illinois EPA reserves the right to require installation of additional monitoring wells as may be necessary to satisfy the requirements of this permit.

2. The groundwater monitoring program shall include consistent sampling and analysis procedures to assure that monitoring results will provide a reliable indication of groundwater quality in the zone being monitored.

3. The permittee shall sample all groundwater monitoring points for all potential sources of contamination on a quarterly basis in accordance with Condition No. 23 including a minimum of 15 years after certification of closure.

4. The permittee shall use the methods in Attachment B or propose for Illinois EPA approval, a more appropriate method to statistically evaluate the groundwater monitoring data. The selected method must provide for statistical comparisons between upgradient and downgradient groundwater quality data and a reasonable balance between the probability of obtaining Type I (false positive) and Type II (false negative) errors. The Type I error rate must be no less than 5% percent. The proposal must consider the gathering of a background data set (from upgradient wells), sufficient to provide an accurate representation of the variability in the quality of groundwater that is unaffected by operations at the facility, and to assure that the selected test has a reasonable chance of detecting releases should they occur.

5. For each sampling event, using the methods in Condition No. 4 above, the permittee must determine if a significant change in groundwater quality has occurred by:

    a. Comparing sample results from each downgradient well to the pooled background data. The background for each hydrogeologic zone shall be established by pooling all upgradient well data taken from that zone during the first year. This comparison must be performed for each parameter for each well; and,

b. Comparing the most recent sample result from each well to the background established for that well during the first year. This comparison must be performed for each parameter for each well separately.

6. The permittee shall conclude that a significant change in groundwater quality has occurred if the results of the evaluation in Condition No. 5 above indicate that the value for any parameter exceeds:

a. The background value established for that parameter at the 95% confidence level listed in Attachment 2 of the May 17, 2010 addendum to Application Log No. 2009-493; or

b. The Class II groundwater quality standards listed in Subpart D of 35 Ill. Adm. Code 620 Standards (this class applies until an adequate demonstration has been made by the Permittee that another class applies pursuant to Subpart B of 35 Ill. Adm. Code 620 Standards); or

c. For organic parameters, two (2) times the Practical Quantitation Limit (PQL) for a single parameter, or any two or more parameters exceed the PQL in the same well.

7. Within 45 days of the original sample date, the permittee may resample and test the determination made in Condition No. 6 above. If the evaluation of the resample result confirms the determination made in Condition No. 6 above, the permittee must conclude that a significant change in groundwater quality has occurred.

8. In the event a significant change in groundwater quality has occurred or has been confirmed, the permittee shall:

a. Notify the Illinois EPA, Division of Land Pollution Control, Permit Section, in writing, within 10 days of the change in groundwater quality, identifying each well and each parameter;

b. Submit an assessment monitoring plan within 30 days of the significant change as determined in Condition No. 6 or Condition No. 7 above in the form of a supplemental permit application. The assessment monitoring plan shall include appropriate methods for determining the source of the increase, the potential threat to human health and the environment and the concentration and extent of the contaminants if any. The assessment monitoring plan shall, at a minimum, include expanded sampling requirements for the affected well(s) and shall be implemented within 30 days of approval from the Illinois EPA.

c. Submit assessment report, based on and including the data and information generated from the completion of Condition No. 8b above to the Illinois EPA within 90 days of approval of the assessment monitoring plan.

d. Propose a corrective action plan if assessment monitoring indicates that the facility has impacted groundwater. The corrective action plan shall be submitted within 30 days of approval of the assessment report required by Condition 8c above in the form of a supplemental permit application and include appropriate response action to address any impact of the facility. The plan shall be implemented within 30 days of Illinois EPA approval.

9. All monitoring wells shall be constructed in a manner that maintains the integrity of the bore hole and prevents contamination of the samples and groundwater. The casing material shall be inert so as not to affect the water sample.

10. A padlocked protective cover must be installed over the portion of the well casing extending above the ground surface to protect against damage.

11. Wells shall be easily visible and identified with the Illinois EPA monitoring point designation.

12. Should any well become consistently dry or unserviceable, a replacement well shall be provided within ten (10) feet of the existing well. This well shall monitor the same zone as the existing well and constructed in accordance with the current Illinois EPA groundwater monitor well construction standards at the time that the wells are replaced. A replacement well which is more than ten (10) feet from the existing well or which does not monitor the same geologic zone must be approved via a Supplemental Permit and designated as a new well.

13. Within sixty days of installation of any groundwater and/or leachate monitoring well, boring logs compiled by a qualified geologist, well development data and as-built diagrams shall be submitted to the Illinois EPA utilizing the enclosed "Well Completion Report" form. For each well installed pursuant to this permit one form must be completed. As-built diagrams, for each monitoring point installed, shall include the horizontal location to the nearest 0.1 foot (grid coordinates), the type and inner diameter of casing material used, type and length of screen packing material used, type and length of seals used, type of backfill used, finishing details, groundwater levels, elevation of stick-up (top of casing), ground surface elevation, bottom elevation, interval screened and screen slot size and depth. All elevations or levels are to be measured and reported to the nearest 0.01 foot MSL.

14. All borings/wells not used as monitoring points shall be backfilled in accordance with the attached Illinois EPA monitor well plugging procedures.

15. The Illinois EPA shall be notified in writing at least 15 days prior to the installation of all new and replacement monitoring wells. All newly required monitoring wells should be installed within 60 days of the issuance of this permit.

16. Surveyed elevation of stick-up is to be reported when the well is installed (with as-built diagrams) and every two years, or whenever the elevation changes.

17. The following monitoring points are to be used in the groundwater monitoring program for this facility. These monitoring points supersede all previously required monitoring points and represent the entire list of monitoring points now required for this facility.

GROUNDWATER MONITORING POINTS

Applicant Designation	Illinois EPA Designation
MW-3S	G103
MW-9S	G109
MW-10SR#	R110#
MW-11S+	G111+
MW-12S	G112
MW-13S	G113@
MW-14S	G114@

\+ represents upgradient monitoring point(s)
\# represents monitor point(s) added to the monitoring program
* represents monitor point(s) deleted from the monitoring program
~ represents monitor point(s) added to the piezometer list
@ represents monitor point(s) to be added in accordance with Condition No. 25

PIEZOMETERS (ELEVATIONS ONLY)

Applicant Designation	Illinois EPA Designation
MW-6*	P106*
MW-7*	P107*

Piezometers P106 and P107 may be abandoned and removed from the facility monitoring network.

18. The concentration or values for the parameters contained in Lists 1, 2, and 3 shall be determined for samples collected from the groundwater monitoring points and reported according to the schedule in Condition No. 23 and evaluated in accordance with Condition No. 5.

LIST 1

FIELD PARAMETERS	STORET NUMBER
*Bottom of Well Elevation (ft. ref MSL)	72020
Depth to Water (ft. below land surface)	72019
Depth to Water (ft. from measuring point)	72109
Elevation of Groundwater Surface (ft. ref MSL)	71993
pH (units, unfiltered)	00400
Specific Conductance (umhos/cm, unfiltered)	00094
Temperature of Water Sample (deg F)	00011

(* = Reported Annually)

LIST 2

ROUTINE INDICATOR PARAMETERS FILTERED	STORET NUMBER	PQL (ug/L unless otherwise noted)
Ammonia as (N) Diss (mg/L)	00608	--- (mg/L)
Arsenic As, Diss	01000	5.0
Cadmium Cd, Diss	01025	2.0
Boron	01022	40
Chloride Cl, Diss (mg/L)	00941	1.0 (mg/L)
Iron Fe, Diss	01046	40.0
Lead Pb, Diss	01049	5.0
Manganese Mn, Diss	01056	15.0
Mercury Hg, Diss	71890	0.2
Sulfate SO4, Diss (mg/L)	00946	1.0 (mg/L)
Total Dissolved Solids (TDS, mg/L)	70300	10.0 (mg/L)
UNFILTERED		
Benzene*	34030	0.6
Cyanide CN, Total (mg/L)	00720	0.1 (mg/L)
Phenols (Total Recoverable)	32730	15.0
Tetrachloroethylene*	34475	0.7
Toluene	34010	5.0
Total Organic Carbon (TOC) (mg/L)	00680	------
Total Organic Halogens (TOX)	78115	------
Trichloroethylene*	39180	1.0
Xylenes	81551	5.0

LIST 3 -- INORGANIC AND ORGANIC ANNUAL PARAMETERS [SOURCE: 35 Ill. Adm. Code 620.410]

INORGANIC PARAMETERS

Constituent (Unfiltered, ug/L unless otherwise noted)	STORET	PQL (ug/L unless otherwise noted)
Antimony	01097	3.0
Arsenic	01002	5.0
Barium	01007	20.0
Beryllium	01012	2.0
Boron	01022	40
Cadmium	01027	2.0
Chloride (mg/L)	00940	1.0 (mg/L)
Chromium	01034	7.0
Cobalt	01037	50.0
Copper	01042	20.0
Cyanide (mg/L)	00720	0.1 (mg/L)
Fluoride (mg/L)	00951	0.1 (mg/L)
Iron	01045	40.0
Lead	01051	5.0
Manganese	01055	15.0
Mercury	71900	0.2
Nickel	01067	40.0
Nitrate as N (mg/L)	00620	1.0 (mg/L)
Selenium	01147	5.0
Silver	01077	10.0
Sulfate (mg/L)	00945	1.0 (mg/L)
Thallium	01059	1.0
Total Dissolved Solids	70300	10.0 (mg/L)
Zinc	01092	20.0

ORGANIC PARAMETERS

Parameters (unfiltered, ug/L)	STORET	PQL (ug/L)
Alachlor*	77825	2.0
Aldicarb	39053	2.0
Atrazine	39033	0.05
Benzene*	34030	0.6
Benzo(a)pyrene	34247	0.2
Carbofuran	81405	10.0
Carbon Tetrachloride*	32102	1.0

Constituent (Unfiltered, ug/L unless otherwise noted)	STORET	PQL (ug/L unless otherwise noted)
Chlordane*	39350	0.14
Dalapon	38432	1.3
Dichloromethane	34423	0.2
Di(2-ethylhexyl)phthalate	39100	6.0
1,2-Dibromo-3-chloropropane	38760	0.2
Dinoseb (DNBP)	81287	0.7
Endothall	38926	10.0
Endrin	39390	0.06
Ethylene Dibromide (EDB)	77651	0.05
Heptachlor*	39410	0.04
Heptachlor Epoxide*	39420	0.2
Hexachlorocyclopentadiene	34386	4.0
Lindane (Gamma-Hexachlor cyclohexane)	39782	0.04
2,4-D	39730	12.0
ortho-Dichlorobenzene	34536	5.0

LIST 3 -- INORGANIC AND ORGANIC ANNUAL PARAMETERS [SOURCE: 35 Ill. Adm. Code 620.410] (cont.)

ORGANIC PARAMETERS

Constituent (Unfiltered, ug/L unless otherwise noted)	STORET	PQL (ug/L unless otherwise noted)
para-Dichlorobenzene	34571	5.0
1,2-Dichloroethane*	34531	5.0
1,1-Dichloroethylene	34501	5.0
cis-1,2-Dichloroethylene	77093	5.0
trans-1,2-Dichloroethylene	34546	5.0
1,2-Dichloropropane*	34541	5.0
Ethylbenzene	78113	5.0
Methoxychlor	39480	0.5
Monochlorobenzene (Chlorobenzene)	34301	5.0
Pentachlorophenol*	39032	0.1
Phenols	32730	15.0
Picloram	39720	0.2
Polychlorinated Biphenyls (PCBs) (as decachloro-biphenyl)*	39516	0.5
Simazine	39055	4.0
Styrene	77128	5.0
2,4,5-TP (Silvex)	39760	5.0

Tetrachloroethylene*	34475	0.7
Toluene	34010	5.0
Toxaphene*	39400	2.4
1,2,4-Trichlorobenzene	34551	10.0
1,1,1-Trichloroethane	34506	5.0
1,1,2-Trichloroethane	34511	0.5
Trichloroethylene*	39180	1.0
Vinyl Chloride*	39175	1.0
Xylenes	81551	5.0

*Denotes a carcinogen

+Practical Quantitation Limits (PQLs) as based on GC/MS Methods listed in 35 IAC Subtitle G Part 724 Appendix I

19. The following points are to be used in the leachate monitoring program for this facility.

LEACHATE
MONITORING POINTS

Applicant Designation	Illinois EPA Designation
W-2	L102
W-3@	L103@
W-4@	L104@

@represents monitoring points to be added in accordance with Condition 25.

20. The concentrations or values for the parameters contained in Lists 4 and 5 shall be determined for samples collected from the leachate monitoring points and reported according to the schedule in Condition No. 23.

LIST 4

Constituent	STORET Number
Temp. of Leachate Sample DEG F (field measured)	00011
Specific Conductance (SC) UMHOS (field measured)	00094
pH STD. UNITS (field measured)	00400
Leachate Surface Elevation, FT. REF MSL	71993
BTM of Well Elev FT. REF MSL	72020
Depth to Leachate Level from Measuring Point FT.	72109

LIST 5

Inorganic Chemical Constituents

Constituent (Unfiltered, ug/L)	STORET
Antimony	01097
Arsenic (mg/L)	01002
Barium	01007
Beryllium	01012
Boron	01022
Cadmium	01027
Chloride (mg/L)	00940
Chromium	01034
Cobalt	01037
Copper	01042
Cyanide (mg/L)	00720
Fluoride	00951
Iron	01045
Lead	01051
Manganese	01055
Mercury	71900
Nickel	01067
Nitrate as N (mg/L)	00620
Selenium	01147
Silver	01077
Sulfate (mg/L)	00945
Thallium	01059
Total Dissolved Solids (TDS) (mg/L)	70300
Zinc	01092
Alachlor*	77825
Aldicarb	39053
Atrazine	39033

Organic Chemical Constituents

Constituent (Unfiltered, ug/L)	STORET
Benzene*	34030
Benzo(a)pyrene	34247
Carbofuran	81405
Carbon Tetrachloride*	32102
Chlordane*	39350
Dalapon	38432
Dichloromethane	34423
Di(2-ethylhexyl)phthalate	39100
1,2-Dibromo-3-chloropropane	38760
Dinoseb (DNBP)	81287
Endothall	38926
Endrin	39390
Ethylene Dibromide (EDB)	77651
Heptachlor*	39410
Heptachlor Epoxide*	39420
Hexachlorocyclopentadiene	34386
Lindane (Gamma-Hexachlor cyclohexane)	39782
2,4-D	39730
ortho-Dichlorobenzene	34536
para-Dichlorobenzene	34576
1,2-Dichloroethane*	34531
1,1-Dichloroethylene	34501
cis-1,2-Dichloroethylene	77093
trans-1,2-Dichloroethylene	34546
1,2-Dichloropropane*	34541
Ethylbenzene	78113
Methoxychlor	39480
Monochlorobenzene (Chlorobenzene)	34301
Pentachlorophenol*	39032
Phenols	32730
Picloram	39720
Polychlorinated Biphenyls (PCBs) (as decachloro-biphenyl)*	39516
Simazine	39055
Styrene	77128
2,4,5-TP (Silvex)	39760
Tetrachloroethylene*	34475
Toluene	34010
Toxaphene*	39400
1,2,4-Trichlorobenzene	34551

Organic Chemical Constituents

Constituent (Unfiltered, ug/L)	STORET
1,1,1-Trichloroethane	34506
1,1,2-Trichloroethane	34511
Trichloroethylene*	39180
Vinyl Chloride*	39175
Xylenes	81551

* Denotes a carcinogen

NOTE: Indicate what is being used as the measuring point in the Collector Comment section of the Chemical Analysis form.

NOTE: Leachate samples are not to be filtered.

21. All monitoring points shall be maintained in accordance with the approved permit applications such that the required samples and measurements may be obtained. The original groundwater monitoring network, as approved in Application Log No. 1997-413 has been replaced by the current groundwater monitoring plan as proposed in Permit Application 2001-365 and addendum. In conjunction with the current groundwater monitoring network, the permitted groundwater elevation for the facility will be 449.88 msl (-130.0 feet CCD), as stated in Application Log No. 2004-333.

All electronic reporting of groundwater measurement data to the Illinois EPA must be made using the Mean Sea Level (msl) and/or Below Ground Surface (bgs) where appropriate. With regards to all written correspondences and permit applications, the use of the City of Chicago Datum (CCD) term shall only be used in conjunction with msl and bgs, where appropriate.

22. Sampling should commence concurrently with issuance of the permit. Statistical evaluations should be performed for all parameters that have an established background. The established background should be taken over one year and include at least 4 sampling events. The first quarterly statistical evaluations shall be performed on samples taken during the months of April or May of 1992 and the results submitted to the Illinois EPA by July 15, 1992.

The parameter lists included with this permit supersede all previous lists. Beginning with the 4th quarter 1998 monitoring event, the operator shall sample all wells for 4 consecutive quarters for any parameters in the G2 and G3 list that have no previous statistical limit. Quarterly statistical evaluations for these parameters shall be performed on the samples taken Oct./Nov. 1999 and the results submitted to the Illinois EPA by January 15, 2000.

23. The schedule for sample collection and submission of quarterly monitoring results is as follows:

Sampling Quarter	Sampling Due	Report Due Date
Jan-Feb (1st)	List - 1, 2 and 4	April 15
April-May (2nd)	List - 1, 2, 3, 4 and 5	July 15
July-Aug (3rd)	List - 1, 2 and 4	October 15
Oct-Nov (4th)	List - 1, 2 and 4	January 15

1 - Quarterly Groundwater Field Parameters
2 - Quarterly Groundwater Indicator Parameters
3 - Annual Groundwater Parameters
4 - Quarterly Leachate Monitoring Parameters
5 - Annual Leachate Monitoring Parameters

24. Annually, the operator shall prepare an assessment of the monitoring program which shall include an evaluation of the groundwater flow direction and the hydraulic gradients at the facility. This assessment shall be submitted with the monitoring results due on July 15.

25. The operator shall quarterly monitor the direction of groundwater at the facility. Should the direction of groundwater flow develop or exhibit a northerly component, the procedures for confirmation over a three-month period, as proposed in Permit Application 2001-365 and addendum shall be implemented. Results of the investigation shall be submitted to the Illinois EPA in the form of a report no later than 30 days after the end of the three-month investigation period. Upon confirmation of a northerly component in groundwater flow direction, and based upon revised groundwater contour maps, monitoring wells MW13S and/or MW14S shall be installed within 30 days of the determination.

26. Information required by Conditions 3 and 23 in Attachment A must be submitted in an electronic format. The information is to be submitted, as fixed-width text files formatted as found at www.epa.state.il.us/land/waste-mgmt/groundwater-monitoring.html.

27. The facility shall repair groundwater monitoring well R110 as proposed in Permit Application Log No. 2010-370 to exclude or prevent surface water infiltration into the monitoring well. As proposed, the facility shall also conduct assessment monitoring for total chloride, dissolved chloride and Total Dissolved Solids which exceeded Class II groundwater objectives in monitoring well R110. The assessment monitoring shall at a minimum include expanded monitoring for these parameters on a quarterly basis from 2nd quarter 2011 through 1st quarter 2012 in monitoring well R110 and include trend analysis to determine if increasing trends are present. If increasing trends are present the facility shall continue Assessment Monitoring and propose additional investigation and expanded monitoring to determine the source of the exceedences and if the inward gradient remains at the facility perimeter. This information shall be submitted to the Illinois EPA in the form of a Supplemental Permit Application by May 15, 2012.

ATTACHMENT B

A. This method should be used to predict the confidence limit when single groundwater samples are taken from each monitoring (test) well.

1. Determine the arithmetic mean (X_b) of each indicator parameter for the background sampling period. If more than one background (upgradient) well is

$$\overline{X_b} = [X_1 + X_2 + \ldots + X_n]/n$$

used, an equal number of samples must be taken from each well.
Where:

X_b = Average background value for a given chemical parameter
X_n = Background values for each upgradient sample
n = the number of background samples taken

2. Calculate the background variance (S_b^2) and standard deviation (S_b) for each parameter using the values (X_n) from each background sample of the upgradient

$$S_b^2 = [(X_1 \overline{X_b})^2 + (X_2 \overline{X_b})^2 + \ldots + (XSUBn \overline{X_b})^2]/n-1$$

well(s) as follows:

$$CL = \overline{X_b} + (t\sqrt{1+1/n})(S_b)$$

$$S_b = \sqrt{S_b^2}$$

3. Calculate the upper confidence limit using the following formula:
Where:

CL = upper confidence limit prediction
(upper and lower limits should be calculated for pH)
t = one-tailed t value at the required significance level and at n-1 degrees of freedom from Table 1
(a two-tailed t value should be used for pH)

4. If the values of any routine parameter for any monitoring well exceeds the upper confidence limit for that parameter, the permittee shall conclude that a statistically significant change has occurred at that well.

5. When some of the background (upgradient) values are less than the Method Detection Limit (MDL), a value of one-half (2) the MDL shall be substituted for

each background value that is reported as less than the MDL. All other computations shall be calculated as given above.

B. If all the background (upgradient) values are less than the MDL for a given parameter, the Practical Quantitation Limit (PQL), as given in 35 Ill. Adm. Code Part 724 Appendix I shall be used to evaluate data from monitoring wells. If the analytical results from any monitoring well exceeds two (2) times the PQL for any single parameter, or if they exceed the PQLs for two or more parameters, the permittee shall conclude that a statistically significant change has occurred.

Table 1
Standard T-Tables Level of Significance

Degrees of freedom	t-values (one-tail) 99%	t-values (one-tail) 95%	t-values (two-tail)* 99%	t-values (two-tail)* 95%
3	4.541	2.353	5.841	3.182
4	3.747	2.132	4.604	2.776
5	3.365	2.015	4.032	2.571
6	3.143	1.943	3.707	2.447
7	2.998	1.895	3.499	2.365
8	2.896	1.860	3.355	2.306
9	2.821	1.833	3.250	2.262
10	2.764	1.812	3.169	2.228
11	2.718	1.796	3.106	2.201
12	2.681	1.782	3.055	2.179
13	2.650	1.771	3.012	2.160
14	2.624	1.761	2.977	2.145
15	2.602	1.753	2.947	2.131
16	2.583	1.746	2.921	2.120
17	2.567	1.740	2.898	2.110
18	2.552	1.734	2.878	2.101
19	2.539	1.729	2.861	2.093
20	2.528	1.725	2.845	2.086
21	2.518	1.721	2.831	2.080
22	2.508	1.717	2.819	2.074
23	2.500	1.714	2.807	2.069
24	2.492	1.711	2.797	2.064
25	2.485	1.708	2.787	2.060
30	2.457	1.697	2.750	2.042
40	2.423	1.684	2.704	2.021

Adopted from Table III of "Statistical Tables for Biological Agricultural and Medical Research" (1947. R.A. Fisher and F. Yates).

* For pH only when required.

REVISED 1/97