



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217/524-3300

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kenneth Sandeno
RRR Grundy, LLC
1488 S. Broadway
Coal City, IL. 60416

Re: 0630605174 -- Grundy County
RRR Grundy, LLC -- River Property
ILR000161448
Log No. B-209R
RCRA Administrative Record
Permit Draft

Dear Mr. Sandeno:

Attached is a draft renewed Resource Conservation and Recovery Act (RCRA) Hazardous Waste Management permit and fact sheet for the above-referenced facility. The draft renewed RCRA permit is based on the administrative record contained in the Illinois EPA's files. The contents of the administrative record are described in Title 35 Illinois Administrative Code (Ill. Adm. Code) Section 705.144.

Under the provisions of 35 Ill. Adm. Code 705.141(d), the draft renewed RCRA permit and administrative record must be publicly noticed and made available for public review and comment. The Illinois EPA must also provide an opportunity for a public hearing. Copies of the draft decision, fact sheet, and renewal permit application are available for review at the Morris Public Library, 604 Liberty Street, Morris, IL. The Illinois EPA has not scheduled a public hearing at the current time. However, any interested party may request a public hearing. The public comment period will close on September 5, 2023.

During the comment period, the applicant or any interested party may submit comments to the Illinois EPA on the draft renewed RCRA permit. At the close of the comment period, the Illinois EPA will prepare a response to significant comments. Comments on the draft renewed RCRA permit may be submitted to:

Brad Frost, Office of Community Relations (#5)
Illinois Environmental Protection Agency
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

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The Illinois EPA will issue a final renewed RCRA permit after the close of the public comment period unless the Illinois EPA decides to reverse the tentative decision. The appeal process and limitations are addressed in 35 Ill. Adm. Code 705.212.

If you have any questions concerning this draft renewed RCRA permit, please contact Kelly Huser at 217/524-3867 or kelly.huser@illinois.gov. If you have any questions regarding the groundwater monitoring portions of the draft renewal permit, please contact Shawntay Dial at 217/558-0177 or Shawntay.dial@illinois.gov.

Sincerely,

Jacqueline M. Cooperider, P.E.
Permit Section Manager
Bureau of Land

JMC: KDH: 0630605174-RCRA-B209R-Draft.docx

Attachment: Fact Sheet
Draft Renewed RCRA Permit

cc: Alex Hebel, P.E., Illinois Environmental Group
Joe Phillips, Phillips Development Group

FACT SHEET
for
DRAFT RENEWED RCRA PERMIT
RRR Grundy, LLC – River Property
Morris, Illinois
STATE ID NO. 0630605174
FEDERAL ID NO. ILR000161448
RCRA PERMIT LOG NO. B-209R

This fact sheet has been prepared pursuant to the requirements of Title 35 Illinois Administrative Code (Ill. Adm. Code) Section 705.143. The fact sheet is intended to be a brief summary of the principal facts and significant factual, legal, methodological, and policy questions considered in preparing a draft renewed Resource Conservation and Recovery Act (RCRA) permit. This renewed permit requires RRR Grundy, LLC (RRR Grundy) to continue to provide corrective action for a solid waste management unit (SWMU) known as the Gypsum Pile Area (GPA). Pursuant to 35 Ill. Adm. Code 705.143(a), this fact sheet is sent to the applicant and to any other person who requests it.

I. INTRODUCTION

The draft renewal permit for RRR Grundy contains all the standard conditions required by Title 35 Ill. Adm. Code Parts 702, 703 and 724; and the applicable conditions of 35 Ill. Adm. Code Part 724.201 and Section 3004(u) of RCRA for the completion of corrective action activities at the subject facility.

II. GENERAL FACILITY DESCRIPTION

A. General

The RRR Grundy – River Property is approximately 266 acres in size and is located in a rural area approximately six miles east of Morris, Illinois in Aux Sable Township (T38N, R8E, third Principal Meridian), Grundy County. The River Property is located at 6011 Cemetery Road Morris, Illinois. The southern boundary of the River Property is the Illinois River, the northern boundary of the property is Cemetery Road, and the northwest corner of the property is located approximately 0.45 miles east of the intersection of Cemetery Road and Tabler Road. A facility location map is attached to this fact sheet.

There are no wastes generated on-site, stored on-site, or received from off-site. The River Property was once a part of the Equistar Chemicals, LP Main Plant facility which has operated under a RCRA permit since November 4, 1988. Equistar divided this property into two facilities, the Main Plant (Illinois EPA ID No. 0630600005) and the River Property (Illinois EPA ID No. 0630605174). The ownership and operational control of the River Property was transferred to RRR Grundy on March 31, 2011.

The River Property contains one SWMU known as the GPA. Collectively, this area is approximately 180 acres and includes an area of approximately 100 acres where waste gypsum has been disposed (referred to as the “Gypsum Pile”), the Gypsum Pond, and the East Pond. The GPA received waste gypsum from the production of phosphoric acid which took place from approximately 1962 to 1969 when the River Property was owned by Des Plaines Chemical Company. The Gypsum Pond received acid plant wastewaters and the East Pond was developed during construction of the acid plant but was not used to manage wastewaters. RRR Grundy backfilled the Gypsum Pond and East Pond as required in the RCRA permit.

This draft renewed permit includes only the corrective action requirements for the GPA located in the river property owned by RRR Grundy. All the waste gypsum present in the GPA has received at least 4 feet of soil cover. A minimum of 30 years post-closure care for the GPA is required beginning on February 1, 2008. Activities required during post-closure care of the GPA include, but are not limited to, 1) maintenance of final cover, 2) groundwater monitoring, and 3) providing financial assurance.

B. Site Description

The facility is located approximately six miles east of Morris, Illinois. The facility address is 6011 Cemetery Road, Morris, IL. 60450.

III. CORRECTIVE ACTION ACTIVITIES

From approximately 1962 to 1969, the Des Plaines Chemical Company (who owned the property prior to Equistar) operated a phosphoric acid plant at the River Property. A gypsum/water slurry was produced as a waste by-product during the production of phosphoric acid. The gypsum and water slurry were disposed of in a portion of this property known as the Gypsum Pile (the Gypsum Pile is approximately 100 acres in size). Several ponds associated with the operations of the phosphoric acid plant were present on the property.

A substantial amount of investigative and remedial efforts has been completed at the GPA. All exposed waste gypsum at the River Property has been covered with at least 4 feet of soil and a groundwater monitoring program is in place around the area where the waste gypsum was disposed. The upgradient monitoring wells (MW-55 and MW-59) and downgradient monitoring wells (MW-49, MW-50, MW-53, MW-57, MW-58, MW-62, MW-64, and MW-R4) are analyzed for Total Dissolved Solids, Fluoride, Iron, Manganese, and Sulphate. RRR Grundy has established an Environmental Land Use Control (ELUC) which restricts groundwater (among other restrictions) beneath the GPA and the neighboring Eck Property from being used as a potable supply of water.

The draft renewed permit requires RRR Grundy to continue to provide a minimum of 30 years post-closure care/ corrective measures monitoring of the gypsum area, including

maintenance of the cover and continued monitoring of groundwater. In addition, the permit required RRR Grundy to fill in two of the ponds present at the River Property (the Gypsum Pond and the East Pond). RRR Grundy has completed the backfill of these ponds.

IV. STANDARD PERMIT CONDITONS

Permit Section IV of the draft renewed permit contains Standard Permit conditions that are regulatory requirements of 35 Ill. Adm. Code Parts 702, 703 and 724. These conditions are of a general nature and are applicable to all hazardous waste management facilities regulated pursuant to an Illinois EPA RCRA permit. These conditions include the effectiveness of the permit, permit actions, permit severability, permit expiration, monitoring, retention of records, permit transfer and compliance schedules.

V. PROCEDURES FOR REACHING A FINAL DECISION

Pursuant to 35 Ill. Adm. Code 705.162 (a) (2), the public is given at least forty-five (45) days to review the application and comment on the draft permit conditions prior to Illinois EPA taking any final permitting action on the application for this draft renewed permit. The comment period will begin on, _____, 2022, the date of the first publication of the public notice in the newspaper of general circulation in the area. The comment period will end on _____, 2022.

Copies of the permit application, draft permit and fact sheet are available for review at:

Morris Public Library
604 Liberty Street
Morris, Illinois 60450
(815) 942-6880

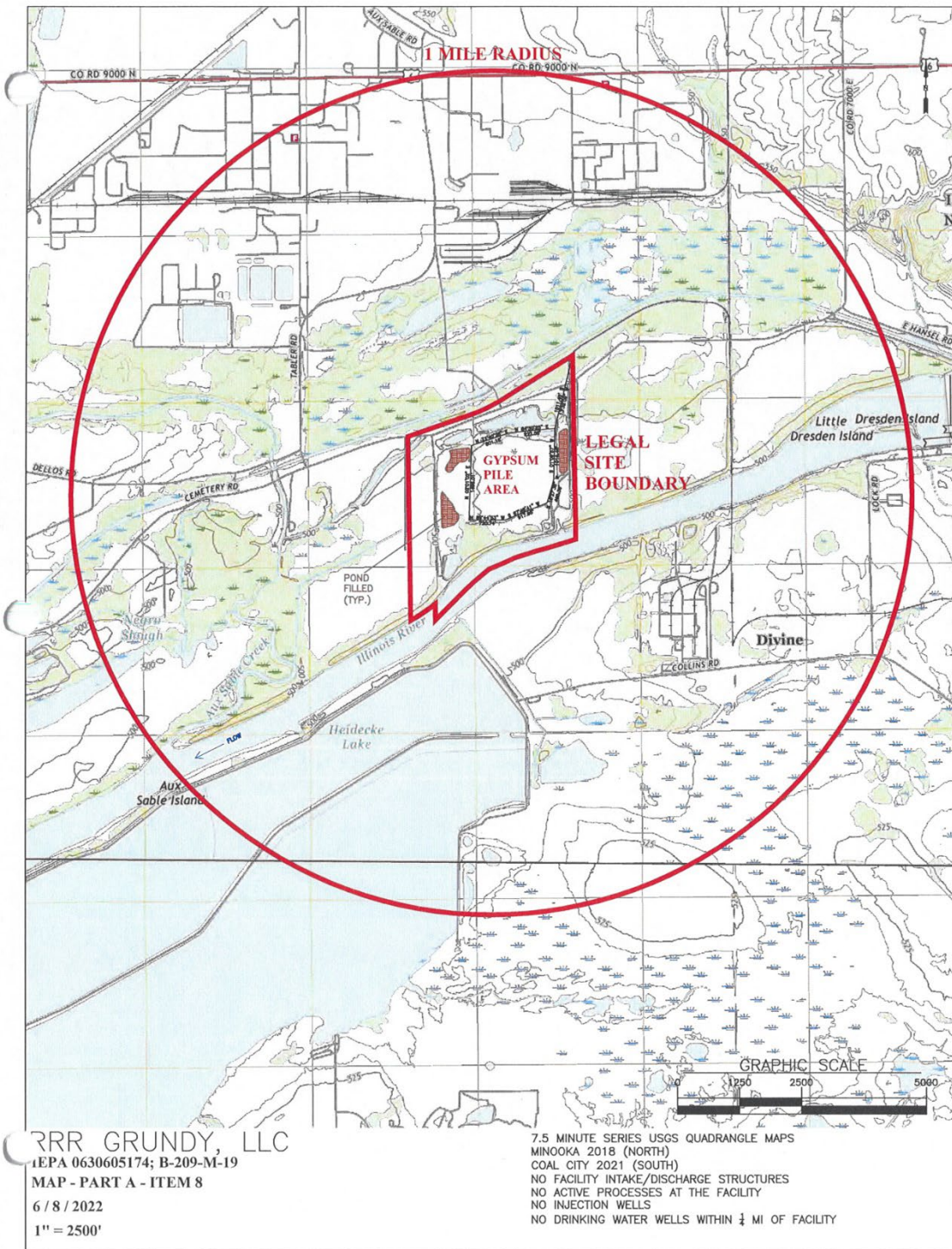
The administrative record contains the permit application, draft renewed permit, fact sheet, and other supporting documents and correspondence submitted to the Illinois EPA. The administrative record can be made available for public inspection by appointment only at the Illinois EPA's Springfield headquarters from 9:00 a.m. to 5:00 p.m., Monday through Friday. Inspection of the administrative record must be scheduled in advance by contacting Mr. Brad Frost of the Illinois EPA at the address listed below.

In response to requests received during the comment period or at the discretion of the Illinois EPA, a public hearing may be held to clarify one or more issues concerning the permit application. A request for a public hearing must be submitted in writing, shall indicate opposition to the draft renewed permit and shall state the nature of the issues proposed to be raised at the hearing. Public notice of a public hearing will be issued at least forty-five (45) days before the hearing date.

For further information regarding the permit process, to submit written comments on the draft renewed permit, or to request a public hearing, please contact:

Brad Frost, Office of Community Relations, #5
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
(217) 782-7027

When the Illinois EPA makes its final permit decision, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final permit decision. The permit will become effective thirty-five days (35) after service of notice of the decision or at a later date if stated in the permit unless the decision is appealed.



RRR GRUNDY, LLC
EPA 0630605174; B-209-M-19
MAP - PART A - ITEM 8
6 / 8 / 2022
1" = 2500'

7.5 MINUTE SERIES USGS QUADRANGLE MAPS
MINOOKA 2018 (NORTH)
COAL CITY 2021 (SOUTH)
NO FACILITY INTAKE/DISCHARGE STRUCTURES
NO ACTIVE PROCESSES AT THE FACILITY
NO INJECTION WELLS
NO DRINKING WATER WELLS WITHIN 1/4 MI OF FACILITY



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

RCRA HAZARDOUS WASTE PERMIT

0630605174 -- Grundy County
RRR Grundy, LLC – River Property
ILR000161448
Log No. B-209R
RCRA Administrative Record

Issue Date:
Effective Date:
Expiration Date:

PERMITTEE

RRR Grundy, LLC
1488 S. Broadway
Coal City, Illinois 60416

FACILITY LOCATION

6011 Cemetery Road
Morris, Illinois 60450

A renewed Resource Conservation Recovery Act hazardous waste permit (RCRA permit) is hereby issued to RRR Grundy, LLC as Owner, Operator and Permittee pursuant to Section 39(d) of the Illinois Environmental Protection Act and Title 35 Illinois Administrative Code Subtitle G (35 Ill. Adm. Code).

PERMITTED HAZARDOUS WASTE ACTIVITY

This permit requires RRR Grundy, LLC to conduct the following hazardous waste activities in accordance with the approved permit application and the conditions of this permit

Corrective Action for a Solid Waste Management Unit (SWMU) known as the Gypsum Pile Area (GPA).

Groundwater Monitoring Corrective Action

This RCRA permit consists of the conditions contained herein and those in sections and attachments in this RCRA permit. The Permittee must comply with all terms and conditions of this permit and the applicable regulations contained in 35 Ill. Adm. Code Parts 702, 703, 705 and 720 through 729 in effect on the effective date of this RCRA permit.

This permit is issued based on the information submitted in the approved permit application identified in Attachment B of this permit, and any subsequent amendments. Any inaccuracies found in the information provided in the approved RCRA permit application may be grounds for the termination or modification of this permit (see 35 Ill. Adm. Code 702.187 and 702.186) and potential enforcement action (415 ILCS 5/44(h)).

DRAFT

Jacqueline M. Cooperider, P.E.
Permit Section Manager
Bureau of Land

JMC: KDH:0630605174-RCRA-B209R-Draft.docx

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

**RCRA PERMIT ISSUED TO
RRR GRUNDY, LLC
0630605174 -- GRUNDY COUNTY
ILR000161448
Log No. B-209R**

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LIST OF ATTACHMENTS

Attachment A -- River Property Map

Attachment B – Approved Permit Application Identification

Attachment C – Illinois EPA Monitor Well Plugging and Abandonment Procedures

SECTION I: GENERAL DESCRIPTION

1. OWNER AND OPERATOR

The facility is owned and operated by RRR Grundy, LLC, herein referred to as the "Permittee". (35 Ill. Adm. Code 702.121, 702.123 & 703.181)

RRR Grundy, LLC
1488 S. Broadway
Coal City, IL. 60416

2. LOCATION

a. Location of Facility

The RRR Grundy, LLC – River Property is approximately six miles east of Morris, Illinois. RRR Grundy owns approximately 266 acres at this location with approximately 100 acres devoted to the management of hazardous waste. The RRR Grundy, LLC – River Property is located at:

6011 Cemetery Road
Morris, Illinois 60450

The facility contact is the Site Manager. They may be reached at 815-634-2555.

b. Facility Map

The location of the closed Gypsum Pile Area (GPA) within the RRR Grundy River Property is shown on the facility drawing in Attachment A of this permit.

3. DESCRIPTION OF HAZARDOUS WASTE MANAGEMENT ACTIVITIES

There are no wastes generated on-site, stored on-site, or received from off-site. The River Property was once a part of the Equistar Chemicals, LP Main Plant facility which has operated under a RCRA permit since November 4, 1988. Equistar divided this property into two facilities, the Main Plant (Illinois EPA ID No. 0630600005) and the River Property (Illinois EPA ID No. 0630605174). The ownership and operational control of the River Property was transferred to RRR Grundy, LLC March 31, 2011.

The River Property contains one SWMU known as the GPA. This GPA is approximately 180 acres and includes an area approximately 100 acres where waste gypsum has been disposed (referred to as the "Gypsum Pile"), the Gypsum Pond, and the East Pond. The GPA received waste gypsum from the production of phosphoric acid. The operation took place from approximately 1962 to 1969.

The Gypsum Pile is approximately 61 acres in size and is described as follows:

- Bottom liner is natural silty clay at the site (elevation approximately 496 mean sea level (msl))
- Top cover is made up of at least 4 feet of soil over the gypsum (elevation approximately 510 msl.
- The volume of gypsum left in place is unknown
- There is no leachate monitoring/collection required

On June 14, 2018, Illinois EPA approved a grading plan for the GPA with a proposed 1 to 2% grade for the final cover (Log No. B-209-M-15).

This RCRA Permit only contains corrective action requirements for the GPA located in the river property owned by RRR Grundy, LLC. All the gypsum present in the GPA has received at least 4 feet of soil cover. A minimum of 30 years post-closure care for the GPA is required beginning on February 1, 2008. Activities required during post-closure care include, but are not limited to: (1) maintenance of final cover; (2) groundwater monitoring; and (3) providing financial assurance. The approved application associated with this permit is identified in Attachment B of this permit.

SECTION II: CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

A. INTRODUCTION

1. The River Property was previously a portion of the Equistar Chemical's LP facility located at 8805 North Tabler Road near Morris, Illinois (Illinois EPA ID No. 0630600005). The ownership and operational control of the River Property has been transferred to RRR Grundy, LLC.

A substantial amount of corrective action has been completed since 1988 to ensure the requirements of 35 Ill. Adm. Code 724.201 are met at the River Property. These efforts have been carried out in accordance with: (1) the USEPA portion of the original RCRA permit issued for the overall Equistar facility on September 29, 1988; and then (2) Section III of the RCRA permit for the River Property owned by Equistar issued by Illinois EPA on August 31, 2010 (Log No. B-209) and subsequently transferred to RRR Grundy on May 24, 2011 (Log No. B-209-M-2). This section of the permit summarizes the corrective action efforts completed to date and identifies what must still be completed to meet the requirements of 35 Ill. Adm. Code 724.201.

2. In accordance with Section 3004(u) of RCRA and 35 Ill. Adm. Code 724.201, the Permittee shall institute such corrective action as necessary to protect human health and the environment from all releases of hazardous wastes or hazardous constituents, listed in 35 Ill. Adm. Code 721, Appendix H from any solid waste management unit (SWMU) at the RRR Grundy, LLC - River Property ("River Property") located near Morris, Illinois. This section contains the conditions which must be followed to ensure these requirements are met.
3. The corrective action requirements of 35 Ill. Adm. Code 724.201 have yet to be met at the Gypsum Pile Area (GPA), the only SWMU present in the River Property, although a substantial amount of investigative and remedial efforts have been completed at the unit as described in Subsection B below. Thus, Subsections C and D below set forth procedures which must still be carried out to ensure the requirements of 35 Ill. Adm. Code 724.201 are met at these units.
4. The Permittee must provide corrective action, as appropriate, for (1) any newly discovered SWMUs; or (2) future releases for existing SWMUs.
5. All Illinois EPA final decisions regarding RCRA corrective action at this facility are subject to the appeal provisions of the Illinois Environmental Protection Act (Act).

B. CORRECTIVE ACTION EFFORTS COMPLETED AT THE GYPSUM PILE AREA

The Gypsum Pile Area (GPA) is the only SWMU of concern at the River Property. The GPA received waste gypsum from the production of phosphoric acid from approximately 1962 to 1969. This area (approximately 180 acres in size) includes the Gypsum Pile (which is approximately 100 acres in size), the Gypsum Pond, the East Pond, the wastewater impoundment pond, and the fire training area.

1. A draft RCRA Facility Investigation Phase I Report for the GPA was submitted to USEPA in 1993. USEPA responded to this report in a December 27, 1993, letter and stated additional groundwater data collection and a risk assessment were needed.
2. In a March 29, 1994, letter, USEPA determined that the information provided in the February 1, 1994, submittal appeared adequate to support Equistar's conclusions regarding the confining nature of the shale underlying the GPA.
3. A Risk Assessment Plan and Groundwater Monitoring Plan were submitted to USEPA on June 30, 1994. USEPA conditionally approved these documents on January 19, 1995. Revisions to the Data Collection Quality Assurance Project Plan (QAPP) to incorporate the additional groundwater sampling work for the GPA were approved by USEPA. Additional groundwater monitoring data were collected pursuant to the approved Groundwater Monitoring Plan, for subsequent incorporation into the risk assessment.
4. A Risk Assessment Plan Addendum was submitted to USEPA on November 14, 1996. USEPA approved this document in a March 28, 1997, letter.
5. The approved Risk Assessment Plan was performed, and the resulting report was submitted to USEPA on May 9, 1997. USEPA responded to this submittal in a July 15, 1999, letter and required additional information before the risk assessment can be approved.
6. On September 9, 2001, Illinois EPA approved a report entitled Gypsum Pile Area, Corrective Measures Plan-Phase I Report which contained: (1) a summary of previous investigations; (2) TACO evaluation and (3) a proposed groundwater investigation.
7. On January 10, 2003, Illinois EPA approved a report entitled Gypsum Pile Area Corrective Measure Plan-Phase I Report: Phase I Investigation Data Summary, Re-evaluation of Baseline TACO Evaluation and Potential Corrective Measures.
8. On September 18, 2003, Illinois EPA approved a groundwater monitoring program for the GPA, which included a plan for additional wells to the east of the area. This letter also required submittal of a draft Environmental Land Use Control (ELUC) to restrict groundwater use at the GPA and possibly the area east of the GPA.

9. On November 19, 2003, Illinois EPA approved a report entitled Gypsum Pile Area Corrective Measures Plan-Phase I Report Addendum: Work Plan for Eco Risk Assessment and Draft ELUC. This submittal contained an ecological risk assessment workplan for the GPA.
10. On October 18, 2004, Illinois EPA approved: (1) GPA Corrective Measures Plan: Offsite Ground Water Investigation East of GPA and 4th Quarter 2003 Semi-Annual Groundwater Monitoring Results; and (2) Terrestrial Screening-Level Ecological Risk Assessment, River Property /GPA. The letter also indicated that a vegetative cover needed to be established over the gypsum waste pile (Gypsum Pile) and that the East Pond and Gypsum Pond at the GPA needed to be filled in. Finally, the letter reiterated the need to submit a draft ELUC to restrict groundwater use at the GPA and possibly the area east of GPA.
11. On May 13, 2005, Illinois EPA approved a document entitled Gypsum Pile Area Design Report, Vegetative Cover and Site Grading. This document contained: (1) design plans and specifications for the vegetative cover to be placed over portions of GPA where waste gypsum is present; (2) plans for backfilling the Gypsum Ponds and East Pond; and (3) design plans for site grading of GPA area. This letter also indicates an ELUC must be established to place certain future restrictions on activities within the GPA.
12. On September 21, 2005, Illinois EPA approved a cost estimate for completing corrective action at the GPA (\$1,409,000).
13. On September 21, 2005, Illinois EPA approved (1) a plan to restrict access to GPA; and (2) draft ELUCs to restrict activities at the GPA and adjacent Eck property. This letter requested a revised draft ELUCs be submitted for review before they are filed with Grundy County.
14. On April 18, 2008, Illinois EPA requested additional information regarding Equistar's January 31, 2008, submittal regarding the establishment of the final cover over the Gypsum Pile and a proposal for re-evaluation of remedial efforts for the Gypsum Pond and East Pond.
15. On May 18, 2010, Illinois EPA approved a report documenting closure of the Gypsum Pile and indicated that the Gypsum Pond and the East Pond were to be filled in.
16. On March 14, 2013, Illinois EPA approved a draft ELUC submitted by RRR Grundy for the GPA that must be filed with the Grundy County Recorder.
17. On May 17, 2013, RRR Grundy filed an ELUC with the Grundy County Recorder meeting the requirements of 35 Ill. Adm. Code 742 and placing certain restrictions on the River Property and GPA. See Condition II.F for further information on ELUC.

18. On June 14, 2018, Illinois EPA approved a modification to the GPA grading plan and plugging and abandonment of groundwater monitoring wells.
19. Backfilling of the Gypsum Pond and East Pond present at the GPA was completed in December 2020 and in accordance with Illinois EPA's May 13, 2005, letter and the plans approved therein and subsequent approved modifications.

In addition, corrective action to address groundwater contamination at the Eck Property adjacent to the RRR Grundy's River Property has been completed as follows:

20. On January 3, 2014, Illinois EPA approved a draft ELUC submitted by RRR Grundy for the adjacent Eck Property to be filed with the Grundy County Recorder.
21. On March 3, 2014, Illinois EPA approved a revised draft ELUC submitted by RRR Grundy for the adjacent Eck Property to be filed with the Grundy County Recorder.
22. On March 25, 2014, an ELUC was filed with the Grundy County Recorder meeting the requirements of 35 Ill. Adm. Code 742 and placing certain restrictions on the Eck Property that is adjacent to RRR Grundy's River Property. See Condition II.E for further information on the ELUC.

C. CORRECTIVE ACTION EFFORTS WHICH MUST STILL BE CARRIED OUT AT THE GYPSUM PILE AREA

1. The information submitted on behalf of Equistar on January 31, 2008, and October 28, 2008, by Tim Scully-Granzeier, P.E., of ARCADIS, indicates that the final cover has properly been constructed over the Gypsum Pile. Final closure of this unit was completed on January 31, 2008, with the submittal of a report documenting establishment of the required final cover (a minimum of four feet of soil) over the unit. As such, the 30-year post-closure care/corrective measures monitoring period for this unit began on February 1, 2008.
2. The integrity of the vegetative cover over the Gypsum Pile must be inspected and maintained on a semi-annual basis during the post-closure care/corrective measures monitoring period.
 - a. Repairs must be made, as necessary, to correct areas where the following problems are observed: (1) inadequate vegetation over areas exceeding 100 square feet; (2) erosion; and (3) cracking.
 - b. Steps must be taken, as needed, to prevent run-on or run-off from eroding or otherwise damaging the cover.

- c. A log must be maintained documenting the results of all post-closure inspections and the efforts carried out to correct any observed problems.
 - d. If a problem is corrected during a given semi-annual inspection, then follow-up inspections must be made, as necessary, to ensure the adequacy of the corrective actions taken.
3. The existing barriers, including all flood control berms, present around the GPA must be inspected semi-annually and maintained as necessary to restrict access to the GPA. If the river flood level is reached, the flood control berms surrounding the GPA must be inspected for damage due to flooding and the necessary repairs completed.
4. The Permittee shall re-grade the GPA in accordance with the approved plan dated May 19, 2017 (Log No. B-209-M-15) and additional information dated August 18, 2017, November 16, 2017, and February 23, 2018. The augmentation of the existing cap is to help redirect surface water off and away from the GPA. Approximately 1,500,000 cubic yards of soil will be added to the cover currently present over the GPA resulting in 1 to 2% horizontal grades over the area. The re-grading of the GPA shall be completed by December 31, 2028.
5. The appropriate permits must be obtained, and the appropriate action must be taken to ensure that run-off from the area being re-graded does not adversely impact the environment.
6. Groundwater monitoring must be carried out in accordance with plans approved by Illinois EPA as part of the overall corrective action program at this facility during the post-closure care/corrective measures monitoring period. This groundwater monitoring program must meet the requirements of 35 Ill. Adm. Code 620 and 724, Subpart F, and the conditions and modification listed in Section D below.
7. A report summarizing the activities described in Conditions II.C.2 through II.C.6 above which are completed during each calendar year reporting requirement must be submitted to Illinois EPA by July 15 of the following year. Of special interest, will be documentation of the re-grading efforts approved for the GPA.
8. When the re-grade approved in Condition II.C.4 above is complete, the Permittee must provide Illinois EPA revised as-built drawings of the GPA cover/cap to be incorporated into the approved permit application and file a revised ELUC for the GPA containing the same updated drawings at the Grundy County Recorder's office.
9. Within five (5) years of the effective date of this permit and every five (5) years thereafter, the Permittee must submit a Corrective Action Evaluation Report to Illinois EPA for review and approval. The Permittee must evaluate the conditions at the site

and provide the following:

- a. A history of contamination levels in the groundwater and a discussion on the improvement of groundwater quality and the extent of contamination since the post-closure care/corrective measures monitoring period began in 2008.
 - b. The current condition of the site and a report of all repairs, changes, and improvements to the cap/cover and flood protection berm since the post-closure care/corrective measures monitoring period began in 2008.
 - c. An aerial survey of the GPA, flood control berm, and surrounding area completed within one (1) year of the date of the report. The survey must show 2-foot contours on a scaled map of 1 inch = 200 feet.
 - d. A history of all precipitation events that were at or above the design parameters for the run-on and run-off control systems at the site (e.g., a 24-hour, 25-year storm) since the post-closure care/corrective measures monitoring began in 2008.
 - e. A history of all flood events at the site that were at or above the 100-year flood elevation since the beginning of the post-closure period. Identify the flood elevations in a tabular format as well as on a cross sectional drawing that shows the GPA, flood protection berm, and Illinois River.
 - f. Documentation of any releases from the GPA.
 - g. Documentation that conditions of the ELUCs are still being met.
 - h. An evaluation of whether corrective action can be completed at the end of 30 years of corrective measures monitoring.
10. When corrective action is complete (e.g., after February 1, 2038), the Permittee must submit a Corrective Action Completion Demonstration Report for the GPA as part of the No Further Action (NFA) request for the unit. The report must include a summary of all corrective action conducted for the GPA and an evaluation for an NFA for the GPA based on:
- a. the groundwater monitoring and inspection data collected since post-closure care/corrective measures monitoring began in 2008;
 - b. institutional controls (ICs) established at the facility;

- c. an evaluation of the current conditions at the GPA based on the data provided in the Year 2028 and Year 2033 Corrective Action Evaluation Reports; and
- d. an aerial survey of the GPA and parcel included in the ICs.

D. GROUNDWATER MONITORING

The GPA (the Permittee’s only SWMU) currently has a Groundwater Monitoring Program to address the exceedances of 35 Ill Adm. Code 620, Class I, Groundwater Quality Standards (GQS). The uppermost (Shallow) aquifer in the area is an unconsolidated alluvial deposit called the Prairie Aquigroup. The sandstone and dolomite formations of the Galena and Platteville Groups beneath the Maquoketa Shale form a (Deep) regional aquifer system. This permit represents the continuation of corrective actions required by a previous RCRA Permit issued to Equistar Chemical, LP (BOL ID 0630600005, RCRA Permit Log No. B-209), which included corrective actions for this single SWMU on the River Property.

- 1. The Permittee shall install and maintain groundwater monitoring wells and piezometers at the locations identified in the table below. Collection of groundwater samples and elevations from the uppermost (Shallow) aquifer and groundwater elevations from the (Deep) regional aquifer must be performed semi-annually:

Facility Well No.	Well Depth (Ft-bgs)	Well Depth Elevation (Ft-MSL)	Well Screen Interval (Ft-bgs)	State Plane Coordinates (Northing/Easting)
<u>Upgradient Well</u>				
MW-55	14.92	488.64	4.92-14.92	1723670.460N/ 988910.737E
MW-59	31.46	472.13	21.46-31.46	1723671.752N/ 988916.427E
<u>Downgradient Wells</u>				
MW-49	16.48	480.26	6.48-16.48	1720231.674N/ 988303.716E
MW-57	31.04	466.01	21.04-31.04	1720221.100N/ 988303.718E
MW-62	42.38	463.40	22.34-42.34	1721248.000N/ 989898.000E

MW-50	15.41	480.55	5.41-15.41	1721321.594N/ 988911.658E
MW-58	29.86	466.14	19.86-29.86	1721323.238N/ 988918.145E
MW-R4	25.17	478.42	15.14-25.17	1721363.827N/ 990614.106E
MW-53	19.95	483.61	9.95-19.95	1722429.706N/ 990786.379E
MW-64	28.00	477.15	19.75-29.67	1720998.825N/ 989294.755E

2. Construction of any new monitoring well/piezometer must be, at a minimum, in accordance with the diagram contained in Attachment C to this Permit unless otherwise approved in writing by the Illinois EPA. Any new monitoring well/piezometer to be installed must be continuously sampled and logged on Illinois EPA boring logs which can be found at Illinois EPA's website.
3. The Permittee shall notify the Illinois EPA within thirty (30) days in writing if any of the wells identified in the condition above are damaged or the structural integrity has been compromised. A proposal for the replacement of the subject well shall accompany this notification. The well shall not be plugged until the new well is on-line and monitoring data has been obtained and verified, unless the well is extremely damaged and would create a potential route for groundwater contamination.
4. Should any well become consistently dry or unserviceable; a replacement well shall be installed within ten (10) feet of the existing well. This well shall monitor the same zone as the existing well and be constructed in accordance with the current Illinois EPA groundwater monitoring well construction standards at the time that the well is replaced. A well which is more than ten (10) feet from the existing well or does not monitor the same geologic zone must be approved by the Illinois EPA and designated as a new well.
5. The Permittee shall submit boring logs, construction diagrams, new state plane coordinates (Northing/Easting), and data sheets from installation and development of a new or replacement well to the Illinois EPA at the address below within thirty (30) days of the date that installation of the well is completed. In addition, the Permittee shall submit certification that plugging and abandonment of a well was carried out in accordance with the approved procedures to the Illinois EPA at the address below within thirty (30) days of the date that the well is plugged and abandoned. All information should be submitted to the appropriate State Agencies.

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

6. All wells shall be equipped with protective caps and locks. Monitoring wells located in high traffic areas must be protected with bumper guards.
7. All wells not utilized in the groundwater monitoring system, but retained by the facility, must be constructed and maintained in accordance with 77 Ill. Adm. Code 920 regulations. Monitoring wells that are improperly constructed must be abandoned in accordance with the conditions above.
8. On a semi-annual basis, in accordance with the schedule identified in Condition II.D.14 below, the Permittee must conduct sampling and gauging activities at groundwater monitoring wells listed in II.D.1 above. Samples collected during the semi-annual sampling events of each year shall be analyzed for the parameters listed below.

Semi-Annual Groundwater Sampling

<u>Field Parameters</u>	<u>Storet</u>	<u>BGQ/ Reporting Units</u>
pH	00400	6.39-7.71 s.u.
Specific Conductance	00094	1599 micromhos/cm
Temperature of Water Sample	00011	(°F)
Turbidity	45626	Ntus
Depth to Water (below land surface)	72019	Feet
Depth to Water (below measuring point)	72109	Feet
Elevation of Bottom of Well#	72020	Ft-MSL
Elevation of Groundwater Surface	71993	Ft-MSL
Elevation of Measuring Point (top of casing)##	72110	Ft-MSL
State Plane Coordinates		Northing/Easting

Shall be determined during the second sampling event each year.
 ## Shall be surveyed once every five (5) years, or at the request of the Illinois EPA, or whenever the elevation changes.

<u>Inorganic Parameters (Totals)</u>	<u>Storet</u>	<u>BGQ/ Reporting Units</u>
Iron	01045	mg/L
Fluoride	00951	mg/L

Manganese	01055	mg/L
Sulfate	00945	mg/L
Total dissolved solids (TDS)	70300	mg/L

9. Groundwater sampling data collected to meet the requirements of II.D.8 above, including, groundwater elevation data (e.g., hydraulic head measurements and surveyed elevation of stick-up), and monitoring well elevation data, must be submitted in an electronic format. The information is to be submitted as fixed-width text files. “Electronic Reporting Groundwater Data”, which can be found at Illinois EPA’s website and provides additional guidance for submittal of information in electronic format.

10. The Permittee shall submit a completed “RCRA Facility Groundwater, Leachate and Gas Reporting Form” (LPC 592) as a cover sheet for any notices or reports required for identification purposes.

11. Based on the results of the required semi-annual groundwater sampling events, the Permittee must submit annual reports in accordance with the schedule provided in Condition II.D.14 below to the Illinois EPA at the address provided in Condition II.D.5 above. The annual reports must include, but need not be limited to the following:
 - a. Laboratory analytical results and discussion of the groundwater sampling activities, including an evaluation of the extent and nature of Constituents of Concern (COCs) in groundwater downgradient and lateral (east) of the GPA, with a comparison of each year’s results with prior sampling events (the Permittee must document if groundwater conditions are static or if concentrations of COCs are increasing and/or decreasing);
 - b. A description of the procedures used for the sample collection, sample preservation, chain of custody, decontamination of sampling equipment, and of all Quality Assurance/Quality Control (QA/QC) assurance analyses conducted;
 - c. Maps showing: (1) the location of all groundwater monitoring wells pertinent to this project; and (2) groundwater elevations; and
 - d. A discussion and evaluation of collected data, including summaries of all findings and the associated conclusions and recommendations based on the data, and recommended corrective actions, if necessary.

12. Preservation and analytical methods utilized for the analysis of groundwater samples must be in accordance with the techniques and procedures found in USEPA’s Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846.

13. The corrective measures implemented at the GPA must be sufficient to meet the requirements of 35 Ill. Adm. Code 724.201.
14. Sampling collected to meet the requirements of the monitoring program associated with the GPA shall be collected and reported as identified with in the table below:

Samples to Be Collected During the Months of	Results Submitted to the Illinois EPA by the Following Date
April – June	July 15
October – December	January 15

15. Within five (5) years of the effective date of this permit and every five (5) years thereafter, the Permittee must submit a Corrective Action Evaluation Report to Illinois EPA for review and approval. The Permittee must evaluate the conditions at the site and provide the related groundwater items required by the Corrective Action Evaluation Report in Section II.C.9.
16. The Permittee must continue corrective action measures during the compliance period to the extent necessary to ensure that the groundwater protection standard is not exceeded. If the Permittee is conducting corrective action at the end of the compliance period, the Permittee must continue that corrective action for as long as necessary to achieve compliance with the groundwater protection standard. The Permittee may terminate corrective action measures beyond the period equal to the active life of the waste management area (including the closure period) if they can demonstrate, based on data from the groundwater monitoring program, that the groundwater protection standards have not been exceeded for a period of three (3) consecutive years.

E. ELUC ASSOCIATED WITH THE PROPERTY EAST OF THE GYPSUM PILE AREA

1. A draft ELUC for the Property East of the GPA, was approved by Illinois EPA on January 3, 2014 (Log No. B-209-M-7) and a revised ELUC was approved by the Illinois EPA on March 3, 2014 (Log No. B-209-M-8). An April 11, 2014 submittal from ENMARC & Associates contained a certified copy of the approved ELUC recorded with the Grundy County Recorder's Office, for the 45-acre site located east of the GPA (also known as the "Eck" Property). This April 11, 2014 submittal was reviewed and approved by the Illinois EPA, subject to the following conditions:
 - a. The Parcel Identification Number associated with the Property East of the GPA (also known as the "Eck" Property) is: 03-27-100-005.
 - b. The subject 45-acre parcel referred to as the Property East of the GPA at RRR Grundy, LLC (Eck Property) is subject to an ELUC recorded with the Grundy

County Recorder's Office on March 25, 2014, as Document Number 545665. This ELUC shall apply in perpetuity to the 45-acre Eck Property and shall not be released until: (1) Illinois EPA determines that there is no longer a need for this ELUC; (2) Illinois EPA, upon written request from the property owner to amend the certification of closure or approve a permit modification to modify/eliminate the ELUC requirements; and (3) a release or modification of the ELUC is filed on the chain of title for the Property.

- c. The filed ELUC restricts groundwater beneath the subject 45-acre Eck Property from being used as a potable supply of water.
2. Failure to comply with the limitations or requirements of an ELUC may result in avoidance of an Illinois EPA's NFA determination in accordance with the program under which the determination was made. The failure to comply with the limitations or requirements of an ELUC may also be grounds for an enforcement action pursuant to Title VIII of the Act.
3. The limitations or requirements of an ELUC apply in perpetuity or until:
 - a. The Illinois EPA issues a new NFA determination approving modification or removal of the limitation/requirement; and
 - b. A release or modification of the land use limitation is filed on the chain of title for the property that is the subject of the ELUC.
4. At no time shall this site be used in a manner inconsistent with the land use limitations established in an approved ELUC, unless: (1) attainment of objectives appropriate for the new land use is achieved, and (2) a new NFA determination is obtained from Illinois EPA and subsequently recorded in accordance with 35 Ill. Adm. Code 742.
 - a. Requests to release or modify an ELUC must be formally requested in writing from Illinois EPA as a: (1) request to amend the certification of closure; or (2) a permit modification request. Sufficient information must be provided in these requests to demonstrate that the requested change meets all the requirements of 35 Ill. Adm. Code 742.
 - b. Any final approval by Illinois EPA of a request to release or modify an ELUC must be filed with the chain of title for the subject facility.

F. ELUC ASSOCIATED WITH THE RIVER PROPERTY

1. A draft ELUC for the River Property, including the GPA, was approved by Illinois EPA on March 14, 2013 (Log No. B-209-CA-1). A May 22, 2013, submittal from ENMARC

& Associates contained a certified copy of the ELUC recorded with the Grundy County Recorder's Office, for the 265.6-acre site referenced above, located at 5800 Cemetery Road, Morris, Illinois. This submittal was reviewed by the Illinois EPA and approved, subject to the following conditions:

- a. The Parcel Identification Numbers associated with the River Property, including the GPA are: 03-28-100-016, 03-28-300-003, 03-28-300-010, 03-28-400-004, and 03-33-100-005.
- b. The subject 265.6-acre parcel referred to as the River Property at RRR Grundy, LLC is subject to an ELUC recorded with the Grundy County Recorder's Office on May 17, 2013 as Document Number 538746. This ELUC shall apply in perpetuity to the River Property and shall not be released until: (1) Illinois EPA determines that there is no longer a need for this ELUC; (2) Illinois EPA, upon written request from the property owner to amend the certification of closure or a permit modification approving modification/ elimination of the ELUC requirements; and (3) a release or modification of the ELUC is filed on the chain of title for the Property.
- c. The ELUC approved herein places the following restrictions on the subject 265.6-acre parcel referred to as the River Property:
 - i. Only authorized personnel of RRR Grundy, LLC may enter and work in the GPA;
 - ii. All excavation carried out in the GPA vegetative soil cover must be carried out in accordance with a site safety plan which meets the applicable Occupational Safety and Health Administration (OSHA) requirements set forth in 29 CFR and restrict worker exposure to the soils present at the GPA vegetative soil cover;
 - iii. Access to the entire GPA must be restricted via fences, barriers and signs;
 - iv. The integrity of the vegetative cover established over the GPA must be maintained;
 - v. Any material excavated during construction/excavation activities conducted in this area must be: (1) disposed of off-site as a waste in accordance with 35 Ill. Adm. Code, Subtitle G: Waste Disposal; or (2) placed in another portion of this area in accordance with the provisions of the January 10, 2003, letter;
 - vi. No fishing shall be allowed in any pond within the River Property;

- vii. The land use shall be industrial/commercial for the River Property;
 - viii. Groundwater under the River Property shall not be used as a potable supply of water. Any contaminated groundwater that is removed from the River Property must be handled in accordance with all applicable laws and regulations.
2. Failure to comply with the limitations or requirements of an ELUC may result in avoidance of an Illinois EPA NFA determination in accordance with the program under which the determination was made. The failure to comply with the limitations or requirements of an ELUC may also be grounds for an enforcement action pursuant to Title VIII of the Act.
 3. The limitations or requirements of an ELUC apply in perpetuity or until:
 - a. The Illinois EPA issues a new NFA determination approving modification or removal of the limitation/requirement; and
 - b. A release or modification of the land use limitation is filed on the chain of title for the property that is the subject of the ELUC.
 4. At no time shall this site be used in a manner inconsistent with the land use limitations established in an approved ELUC, unless: (1) attainment of objectives appropriate for the new land use is achieved, and (2) a new NFA determination is obtained from Illinois EPA and subsequently recorded in accordance with 35 Ill. Adm. Code 742.
 - a. Requests to release or modify an ELUC must be formally requested in writing from Illinois EPA as a: (1) request to amend the certification of closure; or (2) a permit modification request. Sufficient information must be provided in these requests to demonstrate that the requested change meets all the requirements of 35 Ill. Adm. Code 742.
 - b. Any final approval by Illinois EPA of a request to release or modify an ELUC must be filed with the chain of title for the subject facility.

G. INTERIM MEASURES

At any time during the course of this permit, the Permittee may initiate interim measures for the purpose of preventing continuing releases and/or mitigating the results of releases and/or mitigating the migration of hazardous wastes or hazardous constituents.

It shall not be necessary to conduct all phases of an investigation prior to implementing an interim measure if the Illinois EPA and the Permittee agree that a problem can be corrected, or a release cleaned up, without additional study and/or without a formal Corrective Measures Study (CMS).

1. Prior to implementing any interim measures, the Permittee must submit detailed information regarding the proposed interim measure to the Illinois EPA for approval. This information shall include, at a minimum:
 - a. Objectives of the interim measures: how the measure is mitigating a potential threat to human health and the environment and/or is consistent with and integrated into any long-term solution at the facility;
 - b. Design, construction, and maintenance requirements;
 - c. Schedules for design and construction; and
 - d. Schedules for progress reports.
2. If the Illinois EPA determines that a release cannot be addressed without additional study and/or a formal CMS, then the Illinois EPA will notify the Permittee that these must be performed. Any proposal made under this provision or any other activity resulting from such proposal, including the invocation of dispute resolution, shall not affect the schedule for implementation of the RCRA Facility Investigation (RFI) or of any other portion of the permit.
3. If the Illinois EPA determines that interim measures are necessary to protect human health or the environment, the Permittee will be notified by way of a permit modification.

H. REQUIREMENTS FOR ADDRESSING NEWLY-IDENTIFIED SWMUs

1. The Permittee shall notify the Illinois EPA in writing of any newly-identified SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, no later than thirty (30) calendar days after discovery. The notification shall provide the following information, as available:
 - a. The location of the newly-identified SWMU in relation to other SWMUs on a scaled map or drawing;
 - b. The type as well as past and present function of the unit;

- c. The general dimensions, capacities, and structural description of the unit (available drawings and specifications provided);
 - d. The period during which the unit was operated;
 - e. The specifics on all materials, including but not limited to, wastes and hazardous constituents that have been or are being managed at the SWMU to the extent available; and
 - f. The results of any relevant available sampling and analysis which may aid in determining whether releases of hazardous wastes or hazardous constituents have occurred or are occurring from the unit.
2. If the submitted information demonstrates a potential for a release of hazardous waste or hazardous constituents from the newly identified SWMU, the Illinois EPA may request in writing that the Permittee prepare a SWMU Assessment Plan and a proposed schedule of implementation and completion of the plan for any additional SWMU(s) discovered subsequent to the issuance of this RCRA Permit.

This SWMU Assessment Plan must propose investigations, including field investigations, if necessary, to determine the release potential to specific environmental media for the newly-identified SWMU. The SWMU Assessment Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste and hazardous constituents from the newly-discovered SWMU(s) to the environment.

3. Within ninety (90) days after the receipt of the Illinois EPA's request for a SWMU Assessment Plan, the Permittee shall submit a SWMU Assessment Plan to the Illinois EPA for review and approval.
4. The Illinois EPA shall either approve, approve with conditions, or disapprove the plan in writing. If the plan is approved, the Permittee shall begin to implement the plan within forty-five (45) calendar days of receiving such written notification or in accordance with the terms and schedule established within the plan and any conditions placed on it. If the plan is disapproved, the Illinois EPA shall notify the Permittee in writing of the plan's deficiencies and specify a due date for submittal of a revised plan.
5. The Permittee shall submit a report documenting the results of the approved SWMU Assessment Plan to the Illinois EPA in accordance with the schedule in the approved SWMU Assessment Plan. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan.

- 6. The Permittee must implement a Corrective Measures Program, as necessary, to properly address any contamination encountered during the assessment. Guidance regarding the implementation of this program will be provided at the time Illinois EPA notifies the Permittee of the need for such a program.

I. FUTURE RELEASES FROM SWMUs

There exists a potential that a release may occur in the future from SWMUs identified in the RCRA Facility Assessment (RFA) or RFI which did not require any corrective action at the time that the RFA or RFI was completed. If the Permittee discovers that a release has occurred from such a SWMU in the future, then the Illinois EPA must be notified of this release within thirty (30) days after its discovery following the procedures set forth in Condition I.H.1 above. Additional investigations and, as necessary, corrective measures efforts at this SWMU must be carried out in accordance with the procedure set forth in Subsection H above. The results of all corrective action efforts required by this condition must meet the requirements of 35 Ill. Adm. Code 724.201.

J. FINANCIAL ASSURANCE

35 Ill. Adm. Code 724.201 requires that financial assurance be established for completing required corrective action at SWMUs:

- 1. The approved cost estimate for completing corrective action at this facility is \$303,215 (in 2022 dollars). This estimate is based on the following:

<u>Activity</u>	<u>Cost Estimate</u>
Filling North Gypsum Pond, South Gypsum Pond and East Pond	\$129,060
Preparation of survey plat after filling North Gypsum Pond, South Gypsum Pond and East Pond	\$9,000
Development of ELUCs for the GPA	\$1,250
Groundwater Monitoring and Reporting Costs at GPA (\$5,960 years for 17 years)	\$101,320
Inspection and Maintenance of GPA (four times per year) (\$1,800 per year for 17 years)	\$30,600

Final Post-Closure Care Certification	<u>\$4,420</u>
Total Corrective Action Cost Estimate w/ 10% Contingency	\$303,215

Note: As indicated in Condition II.C.1,
post-closure of the GPA
began February 1, 2008.

2. The Permittee shall demonstrate compliance with the financial assurance requirements of 35 Ill. Adm. Code 724.201 by providing documentation of financial assurance using a mechanism specified in 35 Ill. Adm. Code 724.243, in at least the amount of the approved corrective action cost estimate under Condition J.1.
 - a. The words "completion of corrective action" shall be substituted for "closure and/or post-closure," as appropriate in the financial instrument specified in 35 Ill. Adm. Code 724.251.
 - b. The Illinois EPA may accept financial assurance for completion of corrective action in combination with another financial mechanism that is acceptable under 35 Ill. Adm. Code 724.246 at its discretion.
3. The financial assurance requirements of 35 Ill. Adm. Code 724.201 must also be met for any investigative or corrective action efforts carried out in accordance with Subsections G or H above. Detailed cost estimates must be developed for any activities carried out under this Section and must accompany any workplan/report submitted to Illinois EPA for review and approval. Appropriate documentation of financial assurance in at least the amount of the approved cost estimate must be submitted to Illinois EPA within sixty (60) days after the cost estimates are approved.
4. Financial assurance for corrective action must be updated, as necessary, to reflect the current status of the RCRA corrective action program at this facility and if implemented, at the adjoining Eck property. In addition, this financial assurance must be adjusted annually for inflation.
5. If the 5-year review required in Condition II.C.9 determines additional corrective action is necessary at the GPA, cost estimates must be adjusted for any additional time period and corrective action activities necessary to complete corrective action requirements in this permit.

SECTION III: SPECIAL CONDITIONS

A. 39i CERTIFICATION

The permittee shall submit a current 39(i) certification and supporting documentation with all applications for a permit.

SECTION IV: STANDARD CONDITIONS

GENERAL REQUIREMENTS

1. **EFFECT OF PERMIT.** The existence of a RCRA permit shall not constitute a defense to a violation of the Environmental Protection Act or Subtitle G, except for development, modification or operation without a permit. Issuance of this permit does not convey property rights or any exclusive privilege. Issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or infringement of state or local law or regulations. (35 Ill. Adm. Code 702.181)
2. **PERMIT ACTIONS.** This permit may be modified, reissued or revoked for cause as specified in 35 Ill. Adm. Code 703.270 through 703.273 and Section 702.186. The filing of a request by the Permittee for a permit modification or revocation, or a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. (35 Ill. Adm. Code 702.146)
3. **SEVERABILITY.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. (35 Ill. Adm. Code 705.202)
4. **PERMIT CONDITION CONFLICT.** In case of conflict between a special permit condition and a standard condition, the special condition will prevail. (35 Ill. Adm. Code 702.160)
5. **DUTY TO COMPLY.** The Permittee shall comply with all conditions of this permit except for the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance constitutes a violation of the Environmental Protection Act and is grounds for enforcement action; permit revocation or modification; or for denial of a permit renewal application. (35 Ill. Adm. Code 702.141 and 703.242)
6. **DUTY TO REAPPLY.** If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must apply for a new permit at least 180 days before this permit expires, unless permission for a later date has been granted by the Illinois EPA. (35 Ill. Adm. Code 702.142 and 703.125)
7. **PERMIT EXPIRATION.** This permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 35 Ill. Adm. Code 703.181-703.209) and through no fault of the Permittee the Illinois EPA has not issued a new permit as set forth in 35 Ill. Adm. Code 702.125.

8. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (35 Ill. Adm. Code 702.143)
9. DUTY TO MITIGATE. In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. (35 Ill. Adm. Code 702.144)
10. PROPER OPERATION AND MAINTENANCE. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory, and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. (35 Ill. Adm. Code 702.145)
11. DUTY TO PROVIDE INFORMATION. The Permittee shall furnish to the Illinois EPA, within a reasonable time, any relevant information which the Illinois EPA may request to determine whether cause exists for modifying, revoking and reissuing or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Illinois EPA, upon request, copies of records required to be kept by this permit. (35 Ill. Adm. Code 702.148)
12. INSPECTION AND ENTRY. The Permittee shall allow an authorized representative of the Illinois EPA, upon the presentation of credentials and other documents as may be required by law, to:
 - a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

- d. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate Act, any substances or parameters at any location. (35 Ill. Adm. Code 702.149)

13. MONITORING AND RECORDS. (35 Ill. Adm. Code 702.150)

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste must be the appropriate method from Appendix A of 35 Ill. Adm. Code 721. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846, latest versions; Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, latest versions; or an equivalent method as specified in the approved Waste Analysis Plan.
- b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least three (3) years from the date of the sample, measurement, report or application. These periods may be extended by request of the Illinois EPA at any time. The permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.
- c. Records of monitoring information shall include:
 - i. The date(s), exact place, and time of sampling or measurements;
 - ii. The individual(s) who performed the sampling or measurements;
 - iii. The date(s) analyses were performed;
 - iv. The individual(s) who performed the analyses;
 - v. The analytical technique(s) or method(s) used; and
 - vi. The result(s) of such analyses. (35 Ill. Adm. Code 702.150)

14. REPORTING PLANNED CHANGES. The permittee shall give written notice to the Illinois EPA as soon as possible of any planned physical alterations or additions to the permitted facility. In general, proposed changes to the facility will need to be

submitted to the Illinois EPA as a permit modification request that complies with the requirements of 35 Ill. Adm. Code 703.280. (35 Ill. Adm. Code 702.152(a))

15. CONSTRUCTION CERTIFICATION. For a new hazardous waste management (HWM) facility, the permittee shall not commence treatment, storage or disposal of hazardous waste; and for a facility being modified the permittee shall not treat, store or dispose of hazardous waste in the modified portion of the facility, until:
 - a. The permittee has submitted to the Illinois EPA by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and
 - b.
 1. The Illinois EPA has inspected the modified or newly constructed facility and finds it is in compliance with the condition of the permit; or
 2. If, within 15 days of the date of submission of the letter in paragraph (a), the permittee has not received notice from the Illinois EPA of its intent to inspect, prior inspection is waived, and the permittee may commence treatment, storage or disposal of hazardous waste. (35 Ill. Adm. Code 703.247)
16. ANTICIPATED NONCOMPLIANCE. The Permittee shall give advance notice to the Illinois EPA of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. (35 Ill. Adm. Code 702.152(b))
17. TRANSFER OF PERMITS. This permit may not be transferred by the permittee to a new owner or operator unless the permit has been modified or reissued pursuant to 35 Ill. Adm. Code 703.260(b) or 703.272. Changes in the ownership or operational control of a facility must be made as a Class 1 modification with the prior written approval of the Illinois EPA. The new owner or operator shall submit a revised permit application no later than 90 days prior to the scheduled change. (35 Ill. Adm. Code 703.260)
18. MONITORING REPORTS. Monitoring results shall be reported at the intervals specified in the permit. (35 Ill. Adm. Code 702.152(d))
19. COMPLIANCE SCHEDULES. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than specified in 35 Ill. Adm. Code 702.162. (35 Ill. Adm. Code 702.152(e))

20. TWENTY-FOUR HOUR REPORTING.

- a. The Permittee shall report to the Illinois EPA any noncompliance with the permit which may endanger health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the following circumstances. This report shall include the following:
 - i. Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
 - ii. Information concerning the release or discharge of any hazardous waste or of a fire or explosion at the HWM facility, which could threaten the environment or human health outside the facility.
- b. The description of the occurrence and its cause shall include:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident;
 - iv. Name and quantity of material(s) involved;
 - v. The extent of injuries, if any;
 - vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where applicable; and
 - vii. Estimated quantity and disposition of recovered material that resulted from the incident.
- c. A written submission shall also be provided within five (5) days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Illinois EPA may waive the five (5) day written notice requirement in favor of a written report within fifteen (15) days. (35 Ill. Adm. Code 702.152(f) and 703.245(b))

21. OTHER NONCOMPLIANCE. The Permittee shall report all instances of noncompliance not otherwise required to be reported under Standard Conditions 14,

15, and 16, at the time monitoring reports, as required by this permit, are submitted. The reports shall contain the information listed in Standard Condition 20. (35 Ill. Adm. Code 702.152(g))

22. OTHER INFORMATION. Where the Permittee becomes aware that it failed to submit any relevant facts in the permit application or submitted incorrect information in a permit application or in any report to the Illinois EPA, the Permittee shall promptly submit such facts or information. (35 Ill. Adm. Code 702.152(h))
23. REPORTING REQUIREMENTS. The following reports required by 35 Ill. Adm. Code 724 shall be submitted in addition to those required by 35 Ill. Adm. Code 702.152 (reporting requirements):
 - a. Manifest discrepancy report: if a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy is not resolved within fifteen (15) days after receiving the waste, the permittee must immediately submit to the Illinois EPA a letter describing the discrepancy and attempts to reconcile it and a copy of the manifest or shipping paper at issue. (35 Ill. Adm. Code 724.172(b))
 - b. Unmanifested waste report: The permittee must submit to the Illinois EPA within fifteen (15) days of receipt of unmanifested waste an unmanifested waste report on EPA form 8700-13B. (35 Ill. Adm. Code 724.176)
 - c. Annual report: an annual report must be submitted covering facility activities during the previous calendar year. (35 Ill. Adm. Code 724.175)
24. SUBMITTAL OF REPORTS OR OTHER INFORMATION. All written reports or other written information required to be submitted by the terms of this permit shall be sent to:

Illinois Environmental Protection Agency
Division of Land Pollution Control #33
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
25. SIGNATORY REQUIREMENT. All permit applications, reports or information submitted to the Illinois EPA shall be signed and certified as required by 35 Ill. Adm. Code 702.126. (35 Ill. Adm. Code 702.151)
26. CONFIDENTIAL INFORMATION. Any claim of confidentiality must be asserted in accordance with 35 Ill. Adm. Code 702.103 and 35 Ill. Adm. Code 161.

27. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE. The Permittee shall maintain at the facility, until closure is complete, the following documents and amendments, revisions and modifications to these documents:
- a. Waste analysis plan as required by 35 Ill. Adm. Code 724.113(b) and this permit.
 - b. Personnel training documents and records as required by 35 Ill. Adm. Code 724.116(d) and this permit.
 - c. Contingency plan as required by 35 Ill. Adm. Code 724.153(a) and this permit.
 - d. Closure plan as required by 35 Ill. Adm. Code 724.212(a) and this permit.
 - e. Cost estimate for facility closure as required by 35 Ill. Adm. Code 724.242(d) and this permit.
 - f. Operating record as required by 35 Ill. Adm. Code 724.173 and this permit.
 - g. Inspection schedules as required by 35 Ill. Adm. Code 724.115(b) and this permit.
28. WASTE MINIMIZATION. The Permittee shall certify at least annually that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable, and the proposed method of treatment, storage, or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment, in accordance with 35 Ill. Adm. Code 724.173(b)(9).

GENERAL FACILITY STANDARDS

29. NOTICE OF WASTE FROM A FOREIGN SOURCE. The Permittee who has arranged to receive hazardous waste from a foreign source must notify the Illinois EPA in writing at least four weeks in advance of the date the waste is expected at the facility. (35 Ill. Adm. Code 724.112(a))
30. NOTICE OF WASTE FROM OFF-SITE. The Permittee who receives hazardous waste from an off-site source (except where the Permittee is also the generator), must inform the generator in writing that the permittee has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the facility operating record. (35 Ill. Adm. Code 724.112(b))
31. GENERAL WASTE ANALYSIS. The Permittee shall comply with the procedures described in the approved Waste Analysis Plan. (35 Ill. Adm. Code 724.113)

32. SECURITY. The Permittee shall comply with the security provisions of 35 Ill. Adm. Code 724.114(b) and (c).
33. GENERAL INSPECTION REQUIREMENTS. The Permittee shall follow the approved inspection schedule. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 35 Ill. Adm. Code 724.115(c). Records of inspections shall be kept as required by 35 Ill. Adm. Code 724.115(d).
34. PERSONNEL TRAINING. The Permittee shall conduct personnel training as required by 35 Ill. Adm. Code 724.116 and shall maintain training documents and records as required by 35 Ill. Adm. Code 724.116(d) and (e).
35. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE. The Permittee shall comply with the requirements of 35 Ill. Adm. Code 724.117.
36. CLOSURE REQUIREMENTS FOR ACCUMULATION AREAS. The Permittee shall close container storage areas, tanks, drip pads or containment buildings used for the accumulation of on-site generated hazardous waste in accordance with the requirements identified at 35 Ill. Adm. Code 722.117(a)(8).

PREPAREDNESS AND PREVENTION

37. DESIGN AND OPERATION OF FACILITY. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. (35 Ill. Adm. Code 724.131)
38. REQUIRED EQUIPMENT. The Permittee shall equip the facility with the equipment set forth in the approved contingency plan, as required by 35 Ill. Adm. Code 724.132.
39. TESTING AND MAINTENANCE OF EQUIPMENT. The Permittee shall test and maintain the equipment specified in condition 36 as necessary to assure its proper operation in time of emergency. Such testing and maintenance activities are set forth in the approved inspection schedule. (35 Ill. Adm. Code 724.133)
40. ACCESS TO COMMUNICATIONS OR ALARM SYSTEM. The Permittee shall maintain access to the communications or alarm system as required by 35 Ill. Adm. Code 724.134.

41. **REQUIRED AISLE SPACE.** The Permittee shall maintain aisle space as required by 35 Ill. Adm. Code 724.135 and National Fire Protection Association (NFPA) requirements.
42. **ARRANGEMENTS WITH STATE AND LOCAL AUTHORITIES AND EMERGENCY RESPONSE CONTRACTORS.** The Permittee shall attempt to make emergency response arrangements with State and local authorities and agreements with State emergency response teams and emergency response contractors and equipment suppliers as required by 35 Ill. Adm. Code 724.137. If State or local officials refuse to enter in preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

CONTINGENCY PLAN

43. **IMPLEMENTATION OF PLAN.** The provisions of the contingency plan must be carried out by the Permittee immediately whenever there is a fire, explosion, or release of hazardous waste or constituents which threaten human health or the environment (35 Ill. Adm. Code 724.151(b)). At a minimum, this includes any fire or explosion which occurs in an area where hazardous waste is being managed (treated, stored, or disposed) (35 Ill. Adm. Code 703.241). Within fifteen (15) days of any incident that requires implementation of the contingency plan, the owner or operator must submit a written report to the Illinois EPA as required by 35 Ill. Adm. Code 724.156(j).
44. **COPIES OF PLAN.** A copy of the contingency plan, including any revisions, must be maintained at the facility and submitted to all local police and fire departments, hospitals and State and local emergency response teams as required by 35 Ill. Adm. Code 724.153.
45. **AMENDMENTS TO PLAN.** The Permittee shall review and immediately amend, if necessary, the contingency plan, as required by 35 Ill. Adm. Code 724.154.
46. **EMERGENCY COORDINATOR.** A trained emergency coordinator shall be available at all times in case of an emergency as required by 35 Ill. Adm. Code 724.155 and 724.156.

MANIFEST SYSTEM RECORD KEEPING AND REPORTING

47. **MANIFEST SYSTEM.** The Permittee shall comply with the manifest requirements of 35 Ill. Adm. Code 724.171, 724.172 and 724.176.
48. **OPERATING RECORD.** The Permittee shall maintain a written operating record at the facility in accordance with 35 Ill. Adm. Code 724.173.

49. ANNUAL REPORT. The Permittee shall prepare and submit an annual report to the Illinois EPA prior to March 1st of each year in accordance with the requirements of 35 Ill. Adm. Code 724.175.

CLOSURE

50. PERFORMANCE STANDARD. The Permittee shall close the facility as required by 35 Ill. Adm. Code 724.211 and in accordance with the approved closure plan.
51. AMENDMENT TO CLOSURE PLAN. The Permittee must amend the closure plan whenever there is a change in the expected year of closure or whenever a change in the facility operation plans or facility design affects the closure plan pursuant to 35 Ill. Adm. Code 724.212(c).
52. NOTIFICATION OF CLOSURE. The Permittee shall notify the Illinois EPA at least sixty (60) days prior to the date it expects to begin closure. (35 Ill. Adm. Code 724.212(d))
53. TIME ALLOWED FOR CLOSURE. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and complete closure activities in accordance with the schedule(s) specified in the closure plan. (35 Ill. Adm. Code 724.213)
54. DISPOSAL AND/OR DECONTAMINATION OF EQUIPMENT. When closure is completed, the Permittee shall decontaminate and/or dispose of all facility equipment and structures as required by the approved closure (35 Ill. Adm. Code 724.214) plan.
55. CERTIFICATION OF CLOSURE. When closure is completed, the Permittee shall submit certification to the Illinois EPA in accordance with 35 Ill. Adm. Code 724.215 that the facility has been closed as specified by the approved closure plan.
56. COST ESTIMATE FOR FACILITY CLOSURE. The Permittee's original closure cost estimate, prepared in accordance with 35 Ill. Adm. Code 724.242, must be:
- a. Adjusted for inflation sixty (60) days prior to the anniversary date of the establishment of the financial instrument(s) used to comply with 35 Ill. Adm. Code 724.243. However, if the owner/operator is using the financial test or corporate guarantee, it must be updated for inflation within thirty (30) days after close of the firm's fiscal year, and before the submission of updated information to the Illinois EPA as specified in Section 724.243(f).
 - b. Revised no later than 30 days after the Illinois EPA has approved a request to modify the closure plan, if the change in the closure plan increases the cost of closure.

- c. Kept on record at the facility and updated. (35 Ill. Adm. Code 724.242)
- d. Made immediately available to Illinois EPA personnel upon Illinois EPA request.
- f. Maintained at the value approved by Illinois EPA with annual adjustment for inflation and cannot be decreased unless approved by the Illinois EPA in a permit modification.

57. **FINANCIAL ASSURANCE FOR FACILITY CLOSURE.** The Permittee shall demonstrate compliance with 35 Ill. Adm. Code 724.243 by providing documentation of financial assurance, as required by 35 Ill. Adm. Code 724.251, in at least the amount of the cost estimates required by the previous Permit Condition. Changes in financial assurance mechanisms must be approved by the Illinois EPA pursuant to 35 Ill. Adm. Code 724.243.

Financial assurance documents submitted to Illinois EPA should be directed to the following address:

Illinois Environmental Protection Agency
Bureau of Land #24
Financial Assurance Program
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

58. **LIABILITY REQUIREMENTS.** The Permittee shall demonstrate continuous compliance with the requirements of 35 Ill. Adm. Code 724.247 and the documentation requirements of 35 Ill. Adm. Code 724.251.
59. **INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS.** The Permittee shall comply with 35 Ill. Adm. Code 724.248 whenever necessary.

LAND DISPOSAL RESTRICTIONS

60. **DISPOSAL PROHIBITION.** Any waste identified in 35 Ill. Adm. Code Part 728, Subpart C, or any mixture of such a waste with nonrestricted wastes, is prohibited from land disposal unless it meets the standards of 35 Ill. Adm. Code Part 728, Subpart D, or unless it meets the requirements for exemptions under Subpart C. "Land disposal" means placement in or on the land and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, or vault intended for disposal.

61. DILUTION PROHIBITION. The Permittee shall not in any way dilute a restricted waste or residual from treatment of a restricted waste as a substitute for adequate treatment in order to achieve compliance with 35 Ill. Adm. Code 728, Subpart D (35 Ill. Adm. Code 728.103).

62. WASTE ANALYSIS.

- a. The Permittee must test any waste or extract developed, using the test method identified in Appendix I of 40 CFR Part 268, or use knowledge of the waste, to determine if the waste is restricted from land disposal.
- b. For any waste with treatment standards expressed as concentrations in the waste extract, the Permittee must test the treatment residues or an extract of such residues developed using the test method described in Appendix I of 40 CFR Part 268, to assure that the treatment residues or extract meet the applicable treatment standard.
- c. If the treatment residues do not meet the treatment standards, or if the Permittee ships any restricted wastes to a different facility, the Permittee shall comply with the requirements applicable to generators in 35 Ill. Adm. Code 728.107 and 728.150(a)(1).

63. STORAGE RESTRICTIONS

- a. The Permittee shall not store hazardous wastes restricted from land disposal under 35 Ill. Adm. Code Part 728, Subpart C unless such wastes are stored only in containers or tanks, and are stored solely for the purpose of the accumulation of such quantities as is necessary to facilitate proper recovery, treatment, or disposal, and: (1) each container is clearly marked to identify its contents and the date each period of accumulation begins; (2) each tank is clearly marked to identify its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, as required by 35 Ill. Adm. Code 728.150.
- b. The Permittee must comply with the operating record requirements of 35 Ill. Adm. Code 724.173.

64. NEW DETERMINATIONS OF PROHIBITED WASTES. Wastes which are prohibited from land disposal under 35 Ill. Adm. Code Part 728, Subpart C, or for which treatment standards have been established under 35 Ill. Adm. Code 728, Subpart D, subsequent to the date of issuance of this permit, shall be subject to Conditions IV.60 through IV.63.

SECTION V: REPORTING AND NOTIFICATION REQUIREMENTS

The reporting and notification requirements of each section of the RCRA Permit are summarized below. This summary is provided to highlight the various reporting and notification requirements of this permit.

Condition	Submittal	Due Date
Section II: Corrective Action		
C.7	Yearly report of post-closure care activities	July 15 of the following year
C.9	Corrective Action Evaluation Report	5 years from the effective date of renewed permit and every 5 years thereafter
C.10	Corrective Action Completion Demonstration Report	After February 1, 2038
D.3	Notify the Illinois EPA if any well: has been damaged, the structural integrity has been compromised, or has become consistently dry or unserviceable. A proposal for a replacement well(s) must be included with this submittal	Within 30 days of discovery
D.5	Submit completed boring logs, construction diagrams, state plane coordinates, and data sheets from well installation and development of each new or replacement well	Within 30 days of the date that the well is plugged and abandoned
D.8	Elevation of bottom of all wells	Collect during second semi-annual sampling and report by January 15
D.8	Elevation of top of casing of well	Every 5 years, or at the request of the Illinois EPA, or whenever elevation changes
D.14	Sample each well semi-annually	April-June, report July 15; October-December, report January 15
H.1	Newly identified SWMU(s)	Within 60 days after discovery
I	Notify Illinois EPA of release from SWMU	Within 60 days after discovery
J.3	Provide financial assurance	Within 60 days after cost estimates are approved
J.4	Update financial assurance	As needed annually for inflation

Condition	Submittal	Due Date
SECTION III: SPECIAL CONDITIONS		
A	Current 39i certification and supporting documents	With all applications for a permit
SECTION IV: STANDARD CONDITIONS		
7	Complete application for a new permit	180 days prior to permit expiration
11	Provide information requested by Illinois EPA and copies of records required to be kept by this permit	Submittal date to be determined by Illinois EPA
14	Notify Illinois EPA of planned physical alterations or additions	As soon as possible
16	Notify Illinois EPA of changes which may result in permit noncompliance	Within 15 days of change
17	Application for permit modification indicating permit is to be transferred	At least 90 days prior to transfer date
19	Submission of any information required in a compliance schedule	14 days after each schedule date
20	Report to the Illinois EPA any non-compliance which may endanger health or environment:	
	By telephone	24 hours after discovery, and
	In writing	5 days after discovery
21	Report all other instances of non-compliance	March 1 of each year along with Annual Report
29	Notify Illinois EPA in writing of expected receipt of hazardous waste from foreign source	At least 4 weeks prior to receipt of waste
43	Implementation of contingency plan:	
	Notify appropriate State and local agencies with designated response roles	As needed
	Notify appropriate local officials	Immediately, if emergency coordinator's assessment indicates evacuation of local area is advisable
	Notify the Illinois EPA (217/782-3637) or Illinois EMA (217/782-7860) if emergency coordinator determines there has been a release, fire or explosion which could threaten human health or the environment, outside the facility	Immediately after determination made
	Notify Illinois EPA and appropriate State and local authorities, in writing, that facility is in compliance with 35 Ill. Adm. Code 724.156(h)	Prior to resuming operation in affected areas

Condition	Submittal	Due Date
	Report to Illinois EPA details regarding incident which required implementation of contingency plan	Within 15 days after event
49	Submit annual report required by 35 Ill. Adm. Code 724.175	March 1 of each year
51	Application for permit modification amending closure plan	Within 30 days after discovery of need for modification
52	Notify Illinois EPA date expect to begin closure	60 days prior to date expect closure to begin
55	Submit closure certification	Within 60 days after completion of closure
56(a)	Adjust closure cost estimate for inflation	Within 60 days after anniversary date or 30 days after the close of the facility's fiscal year
56(b)	Revision of closure cost estimate	As needed
57	Change in financial assurance mechanism for closure	As needed
58	Change in coverage for sudden and non-sudden accidental occurrences	As needed
59	Notify Illinois EPA of commencement of voluntary or involuntary bankruptcy proceedings	Within 10 days after commencement of proceeding

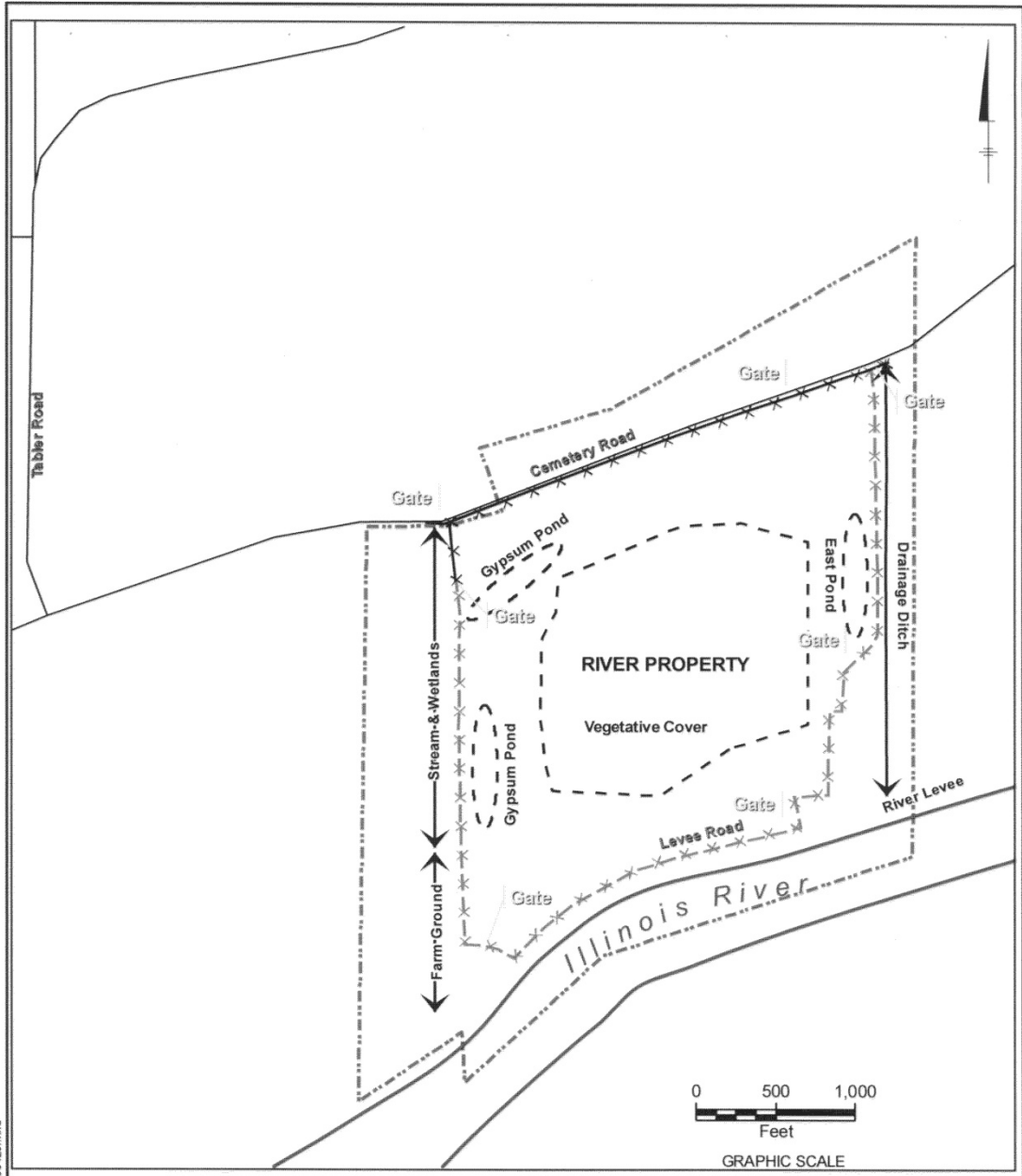
ATTACHMENT A

RIVER PROPERTY MAP

0630605174 -- Grundy County

RRR Grundy, LLC – River Property

ILR000161448



CITY: MPLS DIV: GROUP: IM DB: MG LD: AS PIC: PM: TM: TR:
 Project:
 GIS: Project: LyondellArcMap\Morris_B4_20100428.mxd

- Legend**
- X-X 8' Chainlink Fence
 - x-x 3-Strain Barbwire Fence
 - - - Approximate SWMU Location
 - Property Boundary

MORRIS, ILLINOIS
RIVER PROPERTY
ARCADIS

ATTACHMENT B

APPROVED PERMIT APPLICATION IDENTIFICATION

0630605174 -- Grundy County

RRR Grundy, LLC – River Property

ILR000161448

APPROVED PERMIT APPLICATION IDENTIFICATION

<u>DOCUMENT</u>	<u>DATED</u>	<u>RECEIVED</u>
1. Renewal Permit Application	October 25, 2021	October 28, 2021
2. Revised Application Pages	June 13, 2022	June 16, 2022
3. Revised Application Pages	June 23, 2022	June 28, 2022

ATTACHMENT C

MONITOR WELL PLUGGING AND ABANDONMENT PROCEDURES

0630605174 -- Grundy County

RRR Grundy, LLC – River Property

ILR000161448

ILLINOIS EPA MONITOR WELL PLUGGING AND ABANDONMENT PROCEDURES

		Well Construction	Plugging Procedure
I. Unconsolidated Sediment Wells	I-A	...if backfilled with cement grout above bentonite seal and/or sandpack:	<ol style="list-style-type: none"> 1. Cut casing off at desired depth. 2. Mix neat cement slurry (5 gal. water per 94 lb. bag cement). 3. Insert tremie pipe (1" i.d. pvc) into well and extend to bottom. 4. Slowly pump slurry under low pressure through tremie pipe. 5. Slowly withdraw tremie pipe - making sure bottom of pipe remains below pure slurry. 6. Continue slow pumping until all formation water and the watery slurry mix is displaced from top of casing.
	I-B	...if backfilled with soft sediments (cuttings) above bentonite seal and/or sandpack:	<ol style="list-style-type: none"> 1. Knock out and remove thin surface concrete plug, if present. 2. Re-auger entire length of well. 3. Remove well casing from re-augured borehole. 4. Mix neat cement slurry (5 gal. water per 94 lb. bag cement). 5. Insert tremie pipe (1" i.d. pvc) into augers and extend to bottom. 6. Slowly pump slurry under low pressure through tremie pipe. 7. Continue slow pumping until all formation water and the water slurry mix is displaced from top of casing. 8. Slowly withdraw tremie pipe - making sure bottom of pipe remains below pure slurry. 9. Pull a flight of augers (5" if in unstable materials and hole collapse is likely or 10" if in competent material and collapse is unlikely). 10. Top off cement slurry after each flight is removed.
	I-C	...if monitor well construction is unknown:	<ol style="list-style-type: none"> 1. Follow procedures in I-A.
II. Bedrock Wells	II-A	...All bedrock monitor wells:	<ol style="list-style-type: none"> 1. Cut casing off at desired depth. 2. Mix neat cement slurry (5 gal. water per 94 lb. bag cement). 3. Insert tremie pipe (1" i.d. pvc) into well and extend to bottom. 4. Slowly pump slurry under low pressure through tremie pipe. 5. Slowly withdraw pipe making sure bottom of pipe remains below pure slurry. 6. Continue slow pumping until all formation water and the watery slurry mix is displaced from top of casing.