



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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ROD R. BLAGOJEVICH, GOVERNOR DOUGLAS P. SCOTT, DIRECTOR

May 1, 2008

Certified Mail

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Don Hamman
Hamman Farms
6275 Route 71
Oswega, Illinois 60543

Charles F. Hesten
Hinshaw & Culbertson LLP
100 Park Avenue
P.O. Box 1389
Rockford, Illinois 61105-1389

Re: 0930155023 – Kendall County
Hamman Farms
Log No. PS08-054
Permit Compost
Permit Corr

RELEASER

MAY 15 2008

Dear Mr. Hamman:

REVIEWER

This letter is in response to your letter, dated April 10, 2008, and received by Illinois EPA on April 14, 2008, requesting an increase to the agronomic rate for application of landscape waste to the fields of Hamman Farms in accordance with Section 21(q) of the Illinois Protection Act.

Based upon the information provided in the April 10, 2008 submittal, the Illinois Environmental Protection Agency is allowing an application rate of no more than 80 tons/acre per year of landscape waste at Hamman Farms, until December 31, 2011, under the following conditions:

1. Only landscape waste may be applied to the fields; no man-made or other waste may be applied to the farm fields.
2. Hamman Farms shall not apply landscape waste to any field where the phosphorous content exceeds 400 lbs/acre.
3. Landscape waste may be applied to a maximum depth of 3", unless Hamman maintains appropriate records that demonstrate that the amount of landscape waste applied is less than or equal to 80 tons/acre/year.
4. Hamman Farms shall maintain records, on a daily basis, for:
 - a. amount of landscape material received (volume)
 - b. General type of landscape waste applied (grass, leaves, storm debris or other)
 - c. amount of landscape material applied
 - d. location (and acreage) where landscape waste applied
 - e. any other relevant records necessary to demonstrate that the rate of application is less than or equal to 80 tons/acre of landscape waste applied

ROCKFORD – 4302 North Main Street, Rockford, IL 61103 – (815) 987-7760 • DES PLAINES – 9511 W. Harrison St., Des Plaines, IL 60016 – (847) 294-4000

ELGIN – 595 South State, Elgin, IL 60123 – (847) 608-3131 • PEORIA – 5415 N. University St., Peoria, IL 61614 – (309) 693-5463

BUREAU OF LAND – PEORIA – 7620 N. University St., Peoria, IL 61614 – (309) 693-5462 • CHAMPAIGN – 2125 South First Street, Champaign, IL 61820 – (217) 278-5800

SPRINGFIELD – 4500 S. Sixth Street Rd., Springfield, IL 62706 – (217) 786-6892 • COLLINSVILLE – 2009 Main Street, Collinsville, IL 62234 – (618) 346-5120

MARION – 2309 W. Main St., Suite 116, Marion, IL 62959 – (618) 993-7200

5. Hamman Farms shall process, apply and incorporate the landscape waste the same day it is received on site. If Hamman Farms is unable to process, apply and incorporate the landscape waste on the date it is received, Hamman Farms shall notify Illinois EPA's Des Plaines Regional Office by phone at 847/294-4000, document the reason for the failure to process, apply and/or incorporate the landscape waste (such as inclement weather or equipment failure), document any steps taken by Hamman Farms to remedy the failure, and document the duration that Hamman Farms expects to be unable to process/apply and/or incorporate landscape waste. If, due to circumstances beyond its control, Hamman Farms finds it is unable to process, apply and incorporate the landscape waste within five days after receipt, Hamman Farms will cease its receipt of landscape waste until such time as its capacity for same-day processing, application and incorporation is restored. This condition does not supersede the requirements of Condition 6 below.
6. Hamman Farms shall process, apply and incorporate the landscape waste in a manner that prevents the generation of nuisance conditions from flies or odors. Hamman Farms shall reduce or cease the application of landscape waste, as necessary, to prevent nuisance conditions.
7. Hamman Farms shall use good agricultural practices to minimize storm water runoff from the fields. The good agricultural practice shall consist of, at a minimum, maintenance of buffer strips and field borders, and placement of phosphorous containing material beneath the top two inches of the soil surface. Landscape waste shall not be applied within 25 feet of drainage ways.
8. In accordance with good agricultural practices, Hamman Farms shall periodically (at least once every four years) perform soil testing on the fields where landscape waste is applied. Soil shall be tested for, at a minimum, the following parameters: pH, organic matter, phosphorous, potassium, magnesium, calcium and nitrate-nitrogen.

If Hamman Farms would like to continue with an application rate of landscape waste greater than 20 tons/acre per year, for calendar year 2012 and beyond, they must submit a request to continue the use of the increased agronomic rate by December 31, 2011. The request shall contain, at a minimum, the following information:

- A detailed description of all soil additives used between May 2008 and December 2011
- The results of all soil testing as described in Condition 8 above, and any corresponding agronomic recommendations generated as a result of said testing.
- If the soil testing indicates that the soil pH may need to be adjusted, information concerning soil additives that may be used to adjust the pH, including the additives to be used, chemical composition of the additives, and the planned application rate.

- Nitrogen agronomical calculations.
- A discussion the change of organic carbon and phosphorus content of the soil.
- Documentation of the farm production rate (bushels/acre) of the various crops grown at Hamman Farms.
- Any other information, as necessary, to support a request for an increase in the allowable agronomic rate.

If you have any additional questions in this matter, please contact Derek Rompot at 217/558-2150.

Sincerely,



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

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bcc: Bureau File
Des Plaines Region
DLC – Bill Ingersoll
FOS
Ted Dragovich
Steve Nightingale
Derek Rompot