

December 31, 2022

Ms. Barbara Jacobs, Vice President  
Estate of Janet Baize, Bank of Herrin – Executor  
101 South Park Avenue  
Herrin, Illinois 62948

RE: Auction of Property Containing the Herrin Landfill  
Status of Landfill Permit No. 1975-62-DE

Dear Ms. Jacobs:

I was called twice by Mr. John Crawford on December 30, 2022. The purpose of his calls was to request that I provide you with this letter which discusses the status of the permitted landfill located on Bandyville Road on property which is currently in the Janet Baize Estate. It is my understanding that this property will be auctioned sometime in January 2023.

As you are probably aware, I have been the City of Herrin's consultant for all matters related to the landfill. I have been working in this capacity since May, 2017 and therefore have detailed knowledge of all environmental and regulatory matters related to the landfill.

The Herrin Municipal Landfill (HML) is currently in a closed state with all maintenance and required environmental monitoring being paid for or provided by the City of Herrin. All activities currently being performed are required by the HML's permit, permitted post-closure care plan, and Illinois Environmental Protection Agency (IEPA) regulations. These maintenance and monitoring activities will continue in perpetuity because the IEPA will not release the City of Herrin from the current permit.

I will provide you with some history of permitting and discussions with the IEPA so that you and any other interested parties can understand why the permit, maintenance activities, and environmental monitoring requirements at the HLF will continue in perpetuity.

I was hired by the City of Herrin in early 2017 to bring the landfill up to standards so that an application could be submitted requesting that the permit for the HML be released. This submission is known as an Affidavit for Certification of Post-Closure Care (Affidavit). After two years of repairs, environmental monitoring, and running statistical analysis on groundwater monitoring results, an Affidavit was submitted to IEPA in February 2019 requesting the IEPA release the permit for the HML. This Affidavit was denied by the IEPA after their review of the application. The reason given for the denial was that the HML was still generating leachate which required regulation. The IEPA would not release the permit as long as leachate was being generated.

Based on the design and construction of the existing cap over the HML, leachate will be generated in perpetuity. Therefore, the permit must also be maintained in perpetuity. With the permit being maintained in perpetuity, the City of Herrin will be required to accomplish the following typical activities to maintain compliance with the permit and IEPA regulations:

1. Groundwater monitoring, analysis, and statistical analysis. This activity includes permit modifications based on the results of the analysis.
2. Mowing at a minimum of once per year.
3. Annual inspections.
4. Repair and seeding of eroded areas.
5. Filling and seeding low spots that occur due to differential settlement.

The above-listed activities are on-going.

It should be noted that a supplemental permit modification was approved by the IEPA on March 23, 2022 which placed three groundwater monitoring wells in assessment. The assessment is on-going with a report due to IEPA on March 15, 2023.

You should be aware that whoever purchases the property will be listed on future permits issued by IEPA as the "OWNER," just as the Estate of Janet Baize is listed on the current permit as "OWNER." In the same manner as you have cooperated with the City of Herrin by signing IEPA required documents when supplemental permit modifications are submitted, any future owner of the HML property will need to cooperate with the City of Herrin by signing IEPA required documents when supplemental permit modifications are prepared and then submitted to IEPA. We are anticipating the submission of another supplemental permit modification before the end of January, 2023. This anticipated supplemental permit modification is related to groundwater monitoring.

Should you need further clarification or explanation on regulatory issues related to the HML, I can be contacted at 618-534-7856.

Sincerely,



James D. Martin, P.E.