

Item #10:
Village Trustee Schmitt

David Lothspeich

From: Willis, Walter S. [WWillis@swalco.org]
Sent: Friday, November 16, 2012 10:12 AM
To: Andy Peterson: Highwood Alderman; Ann Kafka: North Barrington Trustee; Anthony Blumburg: HP Councilman; Barb Plachy: Park City Deputy Clerk; Bob Cerretti: Round Lake Park Trustee; Brad Burke: Lincolnshire Village Manager; Bruce Bassett: Grayslake Trustee; Bruce Mack: Great Lakes; Christopher Martin: Lake Barrington Village Administrator; Chuck Black: Wauconda Trustee; Cindy Hebda: Vernon Hills Trustee; Dan Miller: Fox Lake Street Dept. Superintendent; Dave Kilbane: Round Lake Beach Village Administrator; David Brown: Vernon Hills Director of Public Works; David Corrigan: Port Barrington Trustee; David Heyden: Lake Zurich Village Engineer; David Knapp: Highland Park City Manager; David Lothspeich; Debra Baggett: Tower Lakes Deputy Village Clerk; Dennis Dorsey: Green Oaks Trustee; Dennis Heimbrod: Director of Public Works - Antioch; Don Newby: Round Lake Trustee; Donn Stiner: Great Lakes; Donna Erfort: Port Barrington Village Administrator; Donna Lobaito: Hawthorn Woods Chief Administrative Officer; Donny Schmit: Fox Lake Trustee; Drew Irvin: Lake Bluff Village Administrator; Erik Jensen: Gurnee Management Analyst; Frank (Bud) Rothing: Bannockburn Trustee; Frank Flammini: Zion Public Works Commissioner; George Russell: Lake Bluff Village Engineer; Gery Herrmann: North Barrington Trustee; Glenn Ryback: Wadsworth Mayor; Harold Hoppe: Third Lake Trustee; Jackie Soccorso: Wauconda Director Environmental Quality; Jeff Gately: Hainesville Public Works Supervisor; Jeff Katzel: Round Lake Heights Trustee; Jennifer Hughes: Lincolnshire Director of Public Works; Jim Connors: Deer Park Village Administrator; Jim Moran: Trustee - Libertyville; Joe Napolitano: North Chicago Director of Community Dev.; Joe Skurla: Tower Lakes Trustee; Joel Brumlik: Winthrop Harbor Police Chief; John Hucker: Acting Mayor Beach Park; John Little: Island Lake Director; John Norris: Riverwoods Trustee; John Wagener: Green Oaks Trustee
Subject: Transfer Station Siting Application
Attachments: Groot RLP Notice of Intent to File.pdf

Dear Board Members,

This past Tuesday I attended a public meeting held by the IEPA regarding the construction and demolition debris recycling facility being proposed by Groot in Round Lake Park. At that meeting I learned that Groot had also filed a notice of intent (attached) to file a siting application for a garbage transfer station at a site just east of the C&D recycling facility at the northeast corner of the intersection of Route 120 and Porter Drive. According to the notice, Groot will file its application with Round Lake Park on November 30, 2012.

As you may recall when we updated the Solid Waste Management Plan in 2009 we did allow for the siting of garbage transfer stations as long as the requirements of the Plan were met. Groot had approached SWALCO and Lake County in 2010 to discuss entering into a host agreement for a garbage transfer station on property they had recently bought in Round Lake Park. Negotiations stalled due to concerns about the loss of revenue for Lake County from its landfill host fees and SWALCO from its surcharge fee (Groot indicated to us that it would ship the garbage out of the county and therefore we would no longer receive our local surcharge fee and Lake County would no longer receive its host fees on this tonnage). It is important to note that the 2009 Plan Update explicitly states that before a siting application can be filed for a pollution control facility, such as a garbage transfer station, that two key provisions must be met:

1. The developer (Groot in this case) must enter into host agreements with the governing body with siting jurisdiction (Round Lake Park), SWALCO and Lake County. To date, the only host agreement I have been told has been negotiated is one with Round Lake Park (I have not seen this agreement). Groot has not negotiated agreements with SWALCO or Lake County which is a requirement of the Plan.
2. The developer must hold a public meeting (actually prior to finalizing the host agreements) to present the findings of its life cycle assessment demonstrating that its proposed disposal option is superior to the current system for three of four environmental parameters (net annual energy consumption, sulfur dioxide emissions,

nitrogen oxide emissions and carbon dioxide emissions), one of which must be carbon dioxide emissions. Groot has not held such a meeting.

Over the last couple of days I have talked to several members, including Lake County (Barry Burton) about this development. I also called Round Lake Park yesterday and spoke to Mayor McCue. During these conversations I pointed out that Groot's siting application, if filed on November 30th, will not be compliant with the Plan. This is very important because one of the nine siting criteria that the project will be judged on is whether it is consistent with the Lake County Solid Waste Management Plan. That is why we are so careful in our Plan to be very clear about our requirements vis-à-vis pollution control facilities. I will be presenting a board item for action at our November 29th meeting to oppose Groot's proposed transfer station due to it not being compliant with our Plan.

I am disappointed that this is the approach Groot has decided to take. No attempt was made to contact SWALCO or Lake County to re-start negotiations. It is even more disappointing because Groot was on the Citizens Advisory Committee that developed these recommendation for transfer stations and was at the final meeting when the draft Plan (with the requirements listed above clearly in the draft) was unanimously approved by the CAC. Having voted in favor of the Plan I thought that Groot would abide by it.

Moving forward, if Groot does file its application on November 30th and if the SWALCO board agrees to oppose it, we will have to actively oppose it during the hearings (which must be held no sooner than 90 days or later than 120 days from the date it is filed). That will mean providing testimony regarding our Plan (and possibly other siting criteria) and making the case that the proposed transfer station is not compliant with it. I do not like being put in a position to actively oppose a project being considered by a SWALCO member but I don't know that we have a choice. The Plan is a very important and meaningful document, and I believe we must enforce its provisions.

If you have any questions, please contact me.

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11-9-12



COPY

NOTICE OF INTENT TO FILE A REQUEST
FOR LOCAL SITING APPROVAL OF A NEW POLLUTION CONTROL FACILITY
WITH THE VILLAGE OF ROUND LAKE PARK, ILLINOIS

YOU ARE HEREBY NOTIFIED, pursuant to Section 39.2(b) of the Illinois Environmental Protection Act (the "Act"), 415 ILCS 5/39.2(b), that the Applicant, Groot Industries, Inc. ("Groot"), whose address is 2500 Landmeier, Elk Grove Village, Illinois 60007, will file its request for siting approval for a new pollution control facility with the Village of Round Lake Park, Illinois, on November 30, 2012. In its request for siting approval, the Applicant will seek approval to site, permit, construct, develop and operate a transfer station as defined by Section 3.500 of the Illinois Environmental Protection Act (the "Act") (415 ILCS 5/3.500) (the "Groot Transfer Station").

The proposed facility would be a non-hazardous transfer station which will accept non-hazardous waste for temporary storage, consolidation, and further transfer to a waste disposal/treatment facility. The Applicant will develop and operate the transfer station only as approved by the Illinois Environmental Protection Agency, other applicable regulatory agencies, and as authorized by applicable statute and regulation. The waste accepted for transfer will be general municipal waste generated by residential, commercial and industrial sources. The proposed facility has a projected life of a minimum of twenty (20) years.

The legal description of the property on which the proposed Groot Transfer Station is to be located is as follows:

THAT PART OF LOT 5 IN LEO DEMEYER'S FIRST ADDITION TO ROUND LAKE PARK, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28 AND PART OF THE WEST HALF OF THE NORTHWEST

QUARTER OF SECTION 33, TOWNSHIP 45 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 1957 AS DOCUMENT NO. 965885 IN BOOK 34 OF PLATS ON PAGE 34, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 5; THENCE SOUTHWESTERLY ALONG THE SOUTHERLY LINE OF SAID LOT 5 ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF STATE ROUTE NO. 120, A DISTANCE OF 481.52 FEET; THENCE NORTHWESTERLY AT AN ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS AS MEASURED FROM EAST TO NORTH FROM THE SOUTHERLY LINE OF SAID LOT 5, ALONG THE EASTERLY RIGHT OF WAY LINE OF PORTER DRIVE, A DISTANCE OF 340.45 FEET, TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID PORTER DRIVE, BEING A CURVED LINE, HAVING A RADIUS OF 437.72 FEET, AND BEING CONCAVE NORTHWESTERLY, A DISTANCE OF 15.50 FEET TO A CURVE; THENCE NORTHERLY ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1010.00 FEET, TANGENT TO A LINE FORMING AN ANGLE OF 161 DEGREES 24 MINUTES 10 SECONDS FROM A LINE TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT (MEASURED CLOCKWISE THEREFROM) FOR A DISTANCE OF 48.13 FEET TO A LINE WHICH IS 772.55 SOUTHERLY OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 5; THENCE EASTERLY ALONG SAID PARALLEL LINE 563.47 FEET TO THE EAST LINE OF SAID LOT 5; THENCE SOUTHERLY ALONG SAID EAST LINE OF SAID LOT 5 BEING THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 250 FEET TO THE POINT OF BEGINNING, IN LAKE COUNTY, ILLINOIS.

The proposed Groot Transfer Station is to be located at the Northeast corner of the intersection of West Belvidere Road and Porter Drive in the Village of Round Lake Park, Illinois, and will be 3.897 acres in size/area.

YOUR RIGHT TO COMMENT ON THE REQUEST

On November 30, 2012, the Applicant will file with the Village of Round Lake Park, Illinois, its Request for Siting Approval ("Request") in both electronic and paper format. The Request will include the substance of the Applicant's proposal and supporting documents.

The Request filed by the Applicant with the Village of Round Lake Park will be available for inspection in the Round Lake Park Clerk's Office located at The Round

Lake Park Village Hall, 203 E. Lake Shore Drive, Round Lake Park, Illinois, during normal business hours daily, not including weekends or holidays. Copies of the Request, or any part thereof will be available upon payment of the actual cost of reproduction, as outlined in the Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) and Section 39.2(c)(ii) of the Illinois Environmental Protection Act (the "Act") (415 ILCS 5/39.2(c)(ii)).

The Village of Round Lake Park must hold at least one public hearing no sooner than 90 days, but no later than 120 days from its receipt of the Request for Siting Approval. Notice by publication of such hearing will be provided. You may appear at the hearing and may participate in the proceedings, provided you register with the Round Lake Park Village Clerk as a party to the proceeding prior to the commencement of the hearing in the manner set forth in the Village of Round Lake Park Siting Ordinance. Any person may also file written comments with the Village Clerk or make oral public comment at the public hearing concerning the appropriateness of the proposed site for its intended purpose in the manner set forth at Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2) and the Village of Round Lake Park Siting Ordinance. The Round Lake Park Village Board of Trustees shall consider any comment received or postmarked from the date of acceptance of the application through and until thirty (30) days after the date of the last public hearing. Said written comments shall be mailed or delivered to the Round Lake Park Village Clerk at the Round Lake Park Village Hall at the address noted above. For further information concerning the hearing procedures and your right to participate and/or comment, please consult the Act (415 ILCS 5/39.2) and the Village of Round Lake Park Siting Ordinance.

Respectfully submitted,

GROOT INDUSTRIES, INC.


By: _____
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Its: ATTORNEY

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