

RESOLUTION
#R2009-47

Whereas, the DeKalb County Board did, on September 19, 2007, adopt Ordinance 2007-12 modifying the DeKalb County Code (Article III, sections 50-51 through 50-58 known as the Pollution Control Facility Siting Ordinance) to bring those sections into compliance with current Illinois laws, and

Whereas, on that same date the DeKalb County Board also adopted Resolution 2007-65 providing for Rules and Procedures for the Pollution Control Facility Committee which were supplementary to the Ordinance, and

Whereas, it has been suggested by the County's engineering consultants and agreed by legal staff that certain changes to the Articles of Rules and Procedures would help clarify the intent of that document in advance of any hearings, and

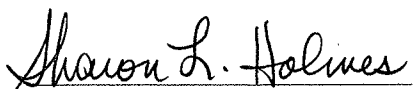
Whereas, those recommended changes that are highlighted in the Articles of Rules and Procedures that is attached to this Resolution and hereby incorporated by reference have been reviewed and approved by the DeKalb County Executive Committee.


NOW, THEREFORE, BE IT RESOLVED the DeKalb County Board does concur in the recommended changes in the attached Articles of Rules and Procedures and does hereby adopt them as presented herein.

PASSED AT SYCAMORE, ILLINOIS THIS 19TH DAY OF AUGUST 2009 A.D.

ATTEST:

SIGNED:


Sharon L. Holmes
County Clerk


Ruth Anne Tobias
County Board Chairman

ARTICLES OF RULES AND PROCEDURES POLLUTION CONTROL FACILITY COMMITTEE

ARTICLE I: GENERAL PROVISIONS

- Section 1:** These rules and procedures are supplementary to the provisions of the DeKalb County Pollution Control Facility Siting Ordinance (the "Ordinance") and relate to procedures of the Pollution Control Facility Committee (the "Committee"). References and terms herein shall be defined as in the Ordinance.
- Section 2:** The State's Attorney shall be consulted where the powers of the Committee are not clearly defined.

ARTICLE II: RESPONSIBILITIES AND DUTIES

- Section 1:** The Committee shall have a Chairman and an Acting Chairman, as provided for in the Ordinance.
- Section 2:** The Chairman shall supervise the affairs of the Committee and preside at all meetings and public hearing(s). All meetings shall comply with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.)
- Section 3:** In absence of the Chairman, the acting Chairman shall perform all duties and exercise all powers of the Chairman.
- Section 4:** A court reporter shall be employed by the Committee, and shall be present at any and all public hearings on an application for local siting approval and shall provide the Committee with a certified transcript of the hearing as soon as possible. A secretary may be employed by the Committee to assist the hearing officer during the hearing process.

ARTICLE III: MEETINGS AND HEARINGS

- Section 1:** Meetings and hearings shall be called by the Chairman at such times as may be deemed necessary. At public hearings conducted pursuant to the Ordinance wherein evidence is taken, arguments made or procedures discussed, the hearing officer may schedule continued hearings.
- Section 2:** The Chairman shall provide at least forty-eight (48) hours notice to all Committee members of any special meeting called by him/her. The forty-eight (48) hour notice requirement does not apply to continued public hearings for local siting approval pursuant to the Ordinance.

Section 3: All meetings and hearings shall comply with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.).

Section 4: A quorum of the Committee, for purposes of voting on the recommendation to the County Board regarding the site approval application, shall be four (4) members. No Committee members need be present when public hearings under the Ordinance are being conducted by the hearing officer and the meeting is being transcribed as provided herein.

Section 5: For purposes of the hearing, a "participant" may only be one of the following: an owner of property subject to notification under Section 50-54(a)(3) of the Ordinance; an attorney representing said property owners; or an official or attorney representing a township or a municipality located within one and one half miles of the proposed facility. All other parties will be limited to public comment during the public comment time of the public hearing or to written comment through the written comment period

Section 6: Submission of Evidence

- A. Any exhibits that a participant, other than the applicant, anticipates using during the public hearing shall be submitted to the County at least five (5) days prior to its anticipated use. All participants shall submit at least thirty (30) copies of all exhibits. A copy shall be furnished to the applicant by the County. All participants, other than the applicant, must register with the County Clerk at least seven (7) days prior to the start of the public hearing.
- B. Members of the public who speak during the public comment time of the public hearing shall submit any exhibits they expect to use to the County prior to the time designated for the public to speak. At least three (3) copies of all such exhibits shall be submitted. The applicant shall be provided one (1) of the three copies.
- C. Any additional exhibits to be used by the applicant during the public hearing and not a part of the application shall be submitted at least twenty-four (24) hours prior to the commencement of the public hearing. At least twenty (20) copies of all additional exhibits shall be submitted. Any additional exhibit used by the applicant, that ~~in any way~~ the Committee determines significantly changes information provided with the application, ~~or provides information not submitted as a part of the application, shall~~ may be considered an amendment to the application and all sections of the Ordinance pertaining to amendments shall take effect.
- D. Any exhibits, other than those included in the application, submitted by the applicant or any participant must be on paper no larger than 8½" x 11" in size. If larger exhibits are submitted, they must also be submitted in the requested reduced-size format.
- E. The time limits for submission of evidence may be waived by the Hearing Officer if he/she determines that the participant could not reasonably have anticipated the use of said exhibit at the time that submission was due.

- F. All parties wishing to testify or cross-examine must submit written notification of said intent to the County Clerk at least seven (7) days before the first date of the hearing. If the hearing should extend beyond one session, no additional parties shall be allowed to testify or cross examine.
- G. In order to insure fundamental fairness, compliance with the Act, allow for unforeseeable circumstances, and to protect the public interest, the Committee, by majority vote of members present and voting, may waive any requirements of this section.

Section 7: Conduct of the Hearing

- A. The Applicant for siting approval shall have the burden of proof and the burden of going forward with the evidence as to the suitability of the site location for the proposed use.
- B. At the hearing, the Applicant may appear on his/her own behalf, or be represented by counsel or agent.
- C. The hearing officer shall call the hearing to order and shall allow the Applicant and the County or their counsel or agent, to make an opening statement. The hearing officer may allow objectors or their counsel to make an opening statement.
- D. The Committee shall then hear testimony from the Applicant and/or any witnesses the Applicant may wish to call. Upon the close of the Applicant's testimony, any other participants may offer any witnesses and evidence they may wish to present. These other participants may or may not be represented by counsel. Upon the close of the Applicant's and other participants' testimony and evidence, the County may present any witnesses and evidence it may wish to present, unless the County is the Applicant, in which case it shall proceed as set out above. The hearing officer shall decide the order of presentation of testimony subject to these rules.

All witnesses shall testify under oath. Testimony may include the use of exhibits. All witnesses shall be subject to reasonable examination as follows: direct, cross, redirect, recross, etc. After all participants have presented testimony, reasonable rebuttal, sur-rebuttal, etc., may be allowed at the discretion of the hearing officer. All parties who have provided notification under Section 6.F shall have the opportunity to examine witnesses, limited in time and duration by the hearing officer to assure completion of the hearings in accordance with the deadlines of the Act. Other persons shall be allowed to submit questions to the hearing officer, who shall exercise discretion in the manner in which such questions are to be posed to witnesses. Sufficient examination of witnesses is to be allowed so as to provide for fundamental fairness.

- E. All parties who have provided notification under Section 6.F shall have the right to present testimony and witnesses. Any such person shall have the right to be represented by an attorney.

- F. The hearing officer may exclude irrelevant, immaterial, incompetent or unduly repetitious testimony or other evidence. The hearing officer shall rule on all questions relating to the admissibility of evidence. These rulings shall not be appealable to the County Board.
- G. (1) At any time prior to completion by the Applicant of the presentation of the Applicant's factual evidence and an opportunity for cross-questioning by the County and any participants, the Applicant may file not more than one amended application upon payment of additional fees pursuant to Section 50-54(a)(3) of the Ordinance. Provided, however, that the time limitation for final action set forth in Section 39.2(e) of the Act, as amended, and Section 50-57(b) of the Ordinance, shall be extended for an additional period of 90 days.
- (2) Within seven (7) days of the filing of the amendment(s), the Chairman of the Committee, pursuant to Section 50-56(c) of the Ordinance, shall notify the Applicant of the date of the public hearing, said public hearing to be held pursuant to these Articles of Rules and Procedures.
- H. Any Committee member who has, or feels he/she has, any disqualifying interest in the property or affairs of the Applicant may be excused from participating in any hearing or decision of the Committee.

ARTICLE IV: FACTORS TO BE CONSIDERED BY THE COMMITTEE IN MAKING IT'S DECISION

In making its recommendation on the pending application, the Committee shall base its decision on the factors listed in the Ordinance.

ARTICLE V: NOTICES

Section 1: Notice shall be given in the manner prescribed by the Ordinance and the Act.

Section 2: All notices shall contain the following information:

- A. The name and address of the Applicant requesting site location approval.
- B. The owner of the site and, in case ownership is in a land trust, the names and addresses of the beneficiaries of said trust.
- C. The legal description of the site.
- D. The street address of the property, and if there is no street address applicable to the property, a description of the site with reference to location, ownership

or occupancy or in some other manner that will reasonably identify the property to residents of the area.

- E. The nature and size of the proposed development.
- F. The probable life of the proposed activity.
- G. The date, time and location of the public hearing.
- H. A statement that the application is available to the public in the office of the County Clerk, and that copies of the application are available upon payment of actual cost of reproduction, as outlined in the constraints of the Freedom of Information Act (5 ILCS 140/1 et. seq.).

ARTICLE VI: FEES

The Fee, as described in the Ordinance, Section 50-54(a)(2), must be paid by the Applicant at the time an application is filed and at the time an amendment is filed, before the application may be considered. If a pre-filing review is performed by the County, then the pre-filing deposit must be paid by the Applicant at the time the memorandum of understanding is signed by the Chairman of the County Board.

ARTICLE VII: COMMITTEE RECOMMENDATION

Section 1: The Committee shall meet after the public hearing to make its recommendation as to site approval to the County Board. This meeting shall comply with the Illinois Open Meetings Act (5 ILCS 120/1 et seq.), but no further evidence, testimony or input from the parties or the public will be allowed.

Section 2: At this meeting, the Committee shall vote as to its recommendation on the application (and amendment, if applicable) and submit a written report on that vote to the County Board. This report must be filed with the County Clerk as soon as practicable.

ARTICLE VIII: WAIVER OF RULES

In order to insure fundamental fairness, compliance with the Act, allow for unforeseeable circumstances and to protect the public interest, the Committee, by majority vote of members present and voting, may waive any of these Articles.

ARTICLE IX: APPLICATION

Section 1: General Procedures

- A. An application for a Pollution Control Facility shall be presented as described in the Ordinance and these Articles. Additional pages shall be attached where the space provided is insufficient.
- B. The Applicant shall submit thirty (30) copies of the completed application including a minimum of six (6) full sized copies of all exhibits and twenty-four (24) reduced copies of all exhibits as described in the following sections. One additional copy shall be provided in electronic format on CD or DVD.
- C. Applications shall be formatted on eight and one half inch by eleven inch (8 ½ x11) paper except where oversized maps, engineering drawings, etc. are required for clarity. Reduced copies of oversized exhibits should be provided on eleven by seventeen inch (11x17) paper. The pages of the application and all exhibits shall be consecutively numbered and securely bound in the left hand margin with a binding which allows the document to lie flat when opened. Applicants are encouraged to use recycled-content paper.
- D. All sections of the application shall be clearly marked and submitted with dividers. Exhibits and drawings shall be clearly marked as to what sections they pertain. Notwithstanding the specific application requirements detailed herein, applicants must include all information which the Applicant believes necessary to demonstrate compliance with the standards of the Ordinance.
- E. The application shall be signed by the Applicant or, if the Applicant is filed by a corporation, it shall be signed by its principal executive officer.
- F. The application shall be deemed amended if, at any time after the official filing date, the Committee determines that the Applicant either has made significant changes any of to the information contained in the application, or submits any additional substantial information, either written or oral, regarding the application. Information that the Committee requests the Applicant to provide to clarify the Application shall not be considered an amendment.

APPLICATION FOR POLLUTION CONTROL FACILITY SITING APPROVAL

A. IDENTIFICATION

1. Name of Applicant _____

2. Address of Applicant _____
(Street, P.O. Box, RR)

City State Zip Code

Telephone _____
(Area Code) (Number)

3. Name of Operator _____

4. Address of Operator _____
(Street, P.O. Box, RR)

City State Zip Code

Telephone _____
(Area Code) (Number)

5. For both the Applicant and the proposed Operator, provide the following information:

- (a) If a partnership, submit names and addresses of all partners. If a corporation, submit names and addresses of all Officers and Directors, and the names and addresses of all shareholders owning ten percent (10%) or more of the capital stock of said corporation.
- (b) If a corporation, submit a copy of the Articles of Incorporation as an exhibit. If the corporation is more than fifty percent (50%) owned by another corporation, the requirements of this part shall be applicable to said corporation.
- (c) Submit audited financial statements of the Applicant and operator for the five (5) preceding years. If a new corporation, provide statement for years available.

B. OPERATION CLASSIFICATION

1. Type of Pollution Control Facility proposed (Check applicable box or boxes)

- Waste storage site
- Sanitary landfill or other disposal Site
- Transfer Station
- Incinerator
- Other: Explain:

2. Type(s) of wastes proposed to be deposited or processed at the site, as defined in the Illinois Environmental Protection Act ("Act"):

C. SITE LOCATION

1. Name of Site _____

Address of Site _____
(Street, P.O. Box, RR)

City State Zip Code

County Township

2. Legal Description of Site (Attach Plat of Survey)

3. Attach a copy of the United States Geological Survey (U.S.G.S.) topographic quadrangle map of the area which includes the site (7.5 minute quadrangle, if published).

Quadrangle Map provided: _____
(Name) (Date)

4. Outline the location and extent of the site on the U.S.G.S. topography quadrangle map.
5. General characteristics (Flood plain, hillside, field, strip mine, quarry, gully, gravel pit, swamp, etc.) Briefly describe:

6. Attach copies of all insurance policies relevant to the premises and the operations carried on at the location for which the Applicant seeks site location approval. Describe the insurance policies carried by the Applicant to cover single incidents and gradual and fortuitous incidents, as well as insurance coverage which the Applicant intends to obtain. Include information concerning the environmental liability insurance the applicant has obtained for this facility. Include closure and post-closure care cost estimates and the expected financial methods to cover these items.

7. List any agreements with a unit of local government that places conditions, limitations, compensation or other requirements on the location, construction or operation of the Facility or on its Operator including references to ordinances or resolutions. Also, attach a copy of such agreements to this application.

D. SITE HISTORY (Check applicable box or boxes)

1. () This is a proposed operation
 () This is a proposed expansion of an existing operation:
 Illinois EPA Waste Storage, Treatment or Disposal Permit No. _____

 () Site is currently under other Illinois EPA Permit
 Illinois EPA Permit No. _____

 () No Illinois EPA Permit

2. Existing land use on site:

3. Present zoning classification of site (if any):

4. List any covenants recorded against the site:

E. NOTICE TO ADJOINING LAND OWNERS

There shall be filed with the application copies of the pre-filing notices required to be served to landowners under Section 56-54(a)(3) of the Ordinance, together with evidence of service thereof as provided in said Act. Additional notices required in the Ordinance shall be filed with the application.

F. SPECIFIC INFORMATION BY CRITERIA

1. The Applicant shall submit the information requested hereafter as part of the application.

2. The format of this part of the application shall be as follows:
 - a. This part of the application shall be divided into nine (9) sections corresponding to the nine (9) criteria given in Section 39.2(b) of the Act. These subsections shall be clearly marked with dividers or other suitable means. Exhibits and drawings shall be clearly marked with respect to which section and subsection they pertain.

 - b. A tenth section shall be included that provides documentation concerning the previous operating experience and past record of convictions or admissions

of violations of the Applicant (and any subsidiary or parent corporation of Applicant) in the field of solid waste management.

3. Section One

The Applicant shall provide sufficient detail to demonstrate that the facility is necessary to accommodate the waste needs of the area it is intended to serve. For the purposes of this section, the needs of the area shall include not only the need for adequate capacity to process or dispose of the generated solid waste but also the need to ensure sufficient competition within the private sector to control price increases and maintain high quality of service in both the residential and commercial sectors. At a minimum, this section shall include:

- a. An explicit definition of the intended service area for the proposed facility including a map of the service area boundaries.
- b. A determination of currently permitted and potential disposal capacity in and available to the service area and the current and projected costs of that capacity.
- c. A determination of the current and projected waste types and quantities generated within, imported into, and exported out of the service area. The projection of waste quantities over the life of the proposed facility shall be based on the best available information and clear, substantiated assumptions.
- d. Detailed calculations of the capacity and life of the proposed facility. If Facility is a landfill, transfer station or incinerator, the proposed life of the facility must include a minimum of 20 years of disposal and/or processing capacity for non-hazardous solid waste from DeKalb County or an analysis and reasons for a different capacity.
- e. A discussion of the sources and reliability of information contained in this section.

4. Section Two

The Applicant shall provide sufficient detail to demonstrate that the proposed facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected. The Applicant shall subdivide this section of the application into three subsections: Location Subsection, Design Subsection, and Operation Subsection. The minimum requirements for these subsections are given below.

- a. Location Subsection. This subsection shall contain a location report that describes the existing hydrogeological, ecological, surface hydrological, and historical conditions of the proposed site and the surrounding area. The report shall contain location standards documentation, narrative drawings, figures, and other material necessary to provide an accurate description of

the proposed location. Components of the location report shall include, but not be limited to:

- i. If the application is for a sanitary landfill, a Site Location Map showing the proposed site and the surrounding area defined by a line six (6) miles from the edge of the proposed property. This or a separate map shall graphically show the location of the 100-year floodplain, setback zones defined by Sections 14.2 and 14.3 of the Act, and any other location restrictions contained in federal, state, and local regulations. Locations of all known wells and potable water supply sources shall be shown on the map within a 1-mile radius.

If the application is for any other PCF, a Site Location Map showing the proposed site and the surrounding area defined by a line two and one half miles from the edge of the proposed property. This map or a separate map shall show the distance to the nearest property zoned primarily for residential uses and the nearest residential dwelling. Locations of all known wells and potable water supply sources within a 1-mile radius shall be shown on the map.

- ii. Legal descriptions of both the proposed property and the proposed waste boundary. The legal descriptions shall be prepared by an Illinois Registered Professional Land Surveyor.
- iii. Documentation verifying that the proposed site is not in violation of any location standard or restriction specified by all applicable federal, state, and local regulations and guidelines.
- iv. A study of the proposed site's geology and hydrogeology. If the application is for a sanitary or hazardous waste landfill, the study shall conform to all the Phase I, Phase II and Phase III investigation requirements of 35 IAC §811.315 and §812.314. Copies of all boring logs and soil and water sample analyses collected during the investigation shall be attached to the application.
- v. A study of the history of the proposed site and the surrounding area defined by a line one-half mile from the edge of the proposed property. The study shall include, but not be limited to, copies of correspondence with the Illinois State Historical Society regarding historically significant features at the proposed site, aerial photos depicting the historical development of the area, and other information necessary to characterize the history of the proposed site.
- vi. A study of the indigenous plant and animal life for the proposed site and the surrounding area defined by a line one-half mile from the edge of the proposed property. The study shall also include the

identification and discussion of any endangered or threatened species that are known to inhabit the site and the surrounding area.

b. Design Subsection. This subsection shall contain a design report that describes the physical attributes of the proposed facility. The report shall contain narratives, calculation, drawings, figures, and other material necessary to provide an accurate depiction of the facility. Components of the design report shall include, but not be limited to:

- i. A Site Plan Map, prepared and certified by a registered land surveyor, with an appropriate scale, which shows the location of all design components at the proposed site. This map shall include but not be limited to:
 - 1) All changes in topography to be made;
 - 2) Five foot contour interval on sites, or portions thereof, where the relief exceeds 20 feet, and two foot contour intervals on sites or portions thereof having less than 20 feet of relief; the location of all buildings, ponds, streams, wooded areas, bedrock outcrops, underground and overhead utilities, roads, fences, culverts, drainage ditches, drain tiles, easements, streets, boundaries, areas previously mined or where the soil has been disturbed from its natural condition, and locations and elevations of borings made; as they will exist upon completion of development of the site, including new construction proposed;
 - 3) The location of and description of all monitoring devices which will be utilized at the site.

If the application is for a sanitary landfill, the Site Plan Map shall also meet the requirements of 35 IAC §812.107. If the site is proposed to be utilized as a landfill, there shall also be filed a separate topographic map, prepared and certified by a registered land surveyor, showing the proposed final contours of the closed and covered site.

- ii. A narrative description of the facility. If the application is for a sanitary landfill, the description shall meet the requirements of 35 IAC §812.108.
- iii. Design drawings necessary to adequately describe the components and systems of the facility during construction, operation, and closure. The phasing of construction shall also be depicted by the design drawings. If the application is for a sanitary landfill, the drawings shall meet the pertinent requirements of 35 IAC §812.110 [stormwater], 114 [closure], 306 a) 1, 4, 5 [liner], 307 [leachate collection], 309 (b) [gas monitoring], and 313 [final cover].

- iv. If the application is for a sanitary landfill, the calculations shall verify that each design component meets the applicable requirements of 35 IAC §811.103, 110, 306, 307, 308, 310, and 314. The design report and calculations shall meet the requirements of 35 IAC §812.110, 306 [excluding 306(a)(3)(B)], 307, 309, and 313.
 - v. If a National Pollutant Discharge Elimination System (NPDES) permit has been issued for any part of the site or an adjoining site owned or operated by the applicant, please attach a copy. If a NPDES permit will be necessary for the proposed facility, attach said application for a permit.
 - vi. Describe how the facility will meet the requirements of the DeKalb County Grading, Stormwater Detention and Site Development Ordinance (Ord. No. 00-30)
 - vii. Describe how the facility design will accomplish control of all regulated air emissions. As applicable, discuss how Maximum Achievable Control Technology (MACT) will be implemented.
 - viii. A description of the correlation between the design and the site location. This section shall identify suitable and non-suitable features of the location and describe corresponding design attributes intended to abate non-suitable features.
- c. Operation Subsection. This subsection shall contain an Operations Report that consists of an Operating Plan, a Construction Quality Assurance Plan, and a Closure/Post-Closure Care Plan. If the application is for a sanitary landfill, these plans shall meet the appropriate requirements of 35 IAC §811 and §812. The plans shall also show that the operation of the facility will comply with all applicable local regulations. Components of the Operations Report shall include, but not be limited to:
- i. A description of the types of wastes or other materials proposed to be received or produced at the facility, and, if applicable, identification of the time frame when such materials are proposed to be received or produced. For each type of waste or material identified, provide the maximum daily receipt and throughput, process capacity, and/or production.
 - ii. An Operating Plan that explicitly describes the operations at the facility during all phases of operation at the proposed site. This Plan shall include, but not be limited to, personnel requirements, personnel training, equipment requirements, construction phasing, waste handling, monitoring requirements, hours of operation, equipment operation, stormwater control, air emissions control, odor control,

dust control, litter control, vector control, noise control, systems maintenance, equipment maintenance.

- iii. If the application is for a sanitary landfill, a Construction Quality Assurance Plan that ensures the facility will be constructed in accordance with 35 IAC §811 Subpart E. This Plan shall meet the applicable requirements of 35 IAC §812 and shall define the duties of a construction quality assurance officer, describe all sampling and testing procedures, define explicit acceptance criteria, and provide a description of the statistical basis being the sampling and testing regime.
- iv. A Closure/Post-Closure Care Plan that describes the steps that will be taken to close the proposed facility and the steps necessary to provide proper post-closure care. If the application is for a sanitary landfill, this Plan shall include details of the components required by 35 IAC §811.110 (a through d), and 111 d)1) and the Plan shall meet the requirements of 35 IAC §812.114 and 115. The Applicant shall also provide sufficient information proving that financial assurance is available for the proposed site.

5. Section Three

The application shall contain a study of how the proposed facility will minimize incompatibilities with the surrounding area and will minimize the effect on the value of the surrounding area. The study shall consider all design features, operating procedures, and location aspects of the facility. The proposed methods and features shall comply with, and shall be used for the facility to comply with all federal, state, and local regulations. At a minimum, this section shall include:

- i. Provide a map at an appropriate scale showing the current land use of all properties within two and one half miles of the boundary of the proposed facility.
- ii. Detailed drawings and narratives for screening features that are proposed for the facility. This shall include, but not be limited to, berming plans, plant descriptions, planting details, fencing details, existing photographs, and renderings.
- iii. A description of noise control methods and features that are planned for the site and calculations of the estimated maximum noise levels at the site boundaries and impacting the nearest residential land use area.
- iv. A description of dust control measures for the proposed facility. Those methods may include, but not be limited to, watering, temporary vegetation, and other suitable methods.

- v. A description of odor control methods and equipment that will be used at the proposed site. These methods and equipment shall provide sufficient control of odors so that they may not be detected beyond the property limits of the proposed site.
- vi. A description of litter control methods and equipment that will be used at the proposed site. These methods and equipment may include, but not be limited to, permanent fencing, temporary fencing, vacuum trucks, manual collection, or a combination of these.
- vii. A description of methods to control insects, rodents, birds and other vectors that may pose a health hazard or nuisance off site.
- viii. A study of the proposed facility's impact on the surrounding property values. Existing property values for the surrounding area shall be determined. A case study shall be performed on a similar site that determines property values prior to facility siting, during construction and operation, and post-closure. If the proposed facility is an expansion of an existing site, the case study shall use the existing site as the subject. Upon completion of the case study, the property values on the surrounding area shall be projected based on the case study.

6. Section Four

The Applicant shall provide sufficient detail to show that the proposed site is outside the boundary of the 100-year floodplain or that the site is floodproofed. At a minimum, this section shall include:

- i. Drawings and narratives indicating that the proposed site is outside the boundary of the 100-year floodplain. At a minimum, Flood Insurance Rate Map(s) from FEMA shall be included; or
- ii. The Applicant shall provide design drawings, calculations, and appropriate permits to prove the site is floodproofed.

7. Section Five

The application shall contain a detailed Plan of Operations that is designed to minimize the danger from fires, spills or other operational accidents. This section shall be in addition to the Operating Plan included in Section 2. Components of this section shall include, but not be limited to:

- i. Narratives, drawings, and exhibits that describe response procedures, checklists, personnel needs, equipment needs, and outside emergency services.

- ii. Where emergency response from an outside organization is required by the Plan, the application shall contain documentation that the outside organization has been notified.

8. Section Six

The Applicant shall provide a study of the existing and proposed traffic patterns to or from the facility. The study shall show that the proposed traffic patterns are designed to minimize the impact on existing traffic patterns. The Applicant shall include comments from the County Highway Department and the County Sheriff's Department concerning the completed study and shall include responses to these comments. In completing the study, the Applicant, at a minimum, shall consider:

- i. The average and peak volume of waste handled by the facility and the corresponding average and peak hauling traffic.
- ii. Traffic generated due to the construction of the proposed facility.
- iii. Traffic due to the delivery of material and supplies to the proposed site.
- iv. The number of employees that will be traveling to and from the facility.
- v. The location of ingress and egress to the proposed site. Sight distance and gap analyses at the entrance and exit of the facility must show that the gaps in traffic are sufficient to not cause level of services to fall below acceptable levels and the sight distance requirements are met.
- vi. Entrances, driveways, types of roads and weight limits on roads in the vicinity of the proposed facility
- vii. Any mud tracking that may occur due to construction and operation of the proposed facility.
- viii. The accident history of the surrounding area and the effect the proposed facility may have on accident-prone areas.
- ix. Traffic projections of future, non-facility related traffic.

9. Section Seven

If the proposed facility will be treating, storing or disposing of hazardous wastes, the Applicant shall include an Emergency Response Plan for the proposed facility. The Emergency Response Plan shall include notification, containment, and evacuation procedures to be used in case of an accidental release. The Plan must be approved by any outside person, organization, or Agency that will participate in the implementation of the Emergency Response Plan. Documentation of this approval shall be submitted in the application.

If the proposed facility will not be treating, storing, or disposing of hazardous waste, the application shall contain a certification stating that this is the case.

10. Section Eight

The application shall contain a detailed description of how the proposed facility is consistent with DeKalb County's Solid Waste Management Plan.

An Applicant requesting site location approval of a transfer station, mixed waste processing facility, refuse-derived fuel facility, or an organic and/or mixed municipal waste composting facility must comply with the following requirements (as applicable):

- i. Provide the expected tip fee at the facility and compare with other waste handling facility fees for non-hazardous solid waste from DeKalb County,
- ii. Demonstrate the existence of markets for recyclables recovered via the proposed technology through inclusion of letters of agreement or other documented arrangements for the delivery of recyclables;
- iii. Identify existing facilities (operated by the Applicant or other entity) in the United States using the same technology as that proposed for a facility in DeKalb County; and
- iv. If the application is for refuse-derived fuel facility, demonstrate the existence of markets for the refuse-derived fuel to be produced through inclusion of letters of agreement or other documented arrangements for the delivery of fuel.
- v. If the application is for a transfer station, demonstrate that recycling capabilities will be provided either at the site or at a regional recycling facility prior to transportation to a final disposal facility.

11. Section Nine

The application shall include details regarding groundwater recharge areas on or ~~within one mile of~~ ~~near~~ the proposed site. If the site is located in a regulated recharge area, the application shall contain sufficient detail to show that all regulations promulgated by the Illinois Pollution Control Board regarding regulated recharge areas have been and will be complied with.

12. Section Ten

The application shall include information regarding the previous operating experience of the Applicant which shall be considered in evaluating Criteria Two and Five. At a minimum, this information shall include:

- i. The name, address and telephone of the proposed operator if different from the Applicant.
- ii. Audited financial statements of the Applicant and operator for the past five years.
- iii. If the Applicant is a sole proprietorship or a partnership, names and addresses of all individuals holding an interest shall be included.
- iv. If the applicant is a corporation, the names and addresses of all officers and directors, the names and addresses of all shareholders owning ten percent or more of the capital stock of said corporation, the telephone number of the corporation and the current Articles of Incorporation thereof. If more than ten percent of its capital stock is owned by another corporation, either directly or derivatively, then the requirements of this part shall be applicable to said other corporation or corporations also.
- v. Copies of all insurance policies the Applicant and the operator carries or will carry for the proposed site.
- vi. Full and detailed disclosure of all litigation, reported violations, consent orders, or consent agreements of the Applicant (and any subsidiary or parent company, or individuals of a partnership) in the field of waste management.
- vii. A listing of solid waste management facilities owned and/or operated by the Applicant.
- viii. A description of all facilities closed by the Applicant or operator including, but not limited to, the reason for closing the facility, the cost to close, the status of post-closure, and any post-closure clean-up required.

13. Additional Information

Additional information may be included as an appendix to the application if the Applicant deems this information helpful and/or necessary.

G. SIGNATURE AND NOTARY

I hereby affirm that all information contained in this application is true and complete to the best of my knowledge and belief

Signature of Applicant: _____ (Date)

Notary: _____ (Seal) (Date)

Signature of
Proposed Operator(s):

(Date)

(Date)

(Date)

Notary:

(Seal)

(Date)

Signature of
Engineer/Land Surveyor:

(Date)

Illinois Registration Numbers:

(Seal)

Signature of other person(s), technical and non-technical, who have supplied data contained in the
submittal:

(Signature) (Date)

(Registration Number, Position, Title) (Date)

(Signature) (Date)

(Registration Number, Position, Title) (Date)

These Article of Rules and Procedures shall take effect on the _____ day of _____, 2007.

DATED

Chairman, DeKalb County Board

[SEAL]

ATTESTED

DeKalb County Clerk

VOTING AYE: _____

VOTING NAY: _____

ABSTAINING: _____

ABSENT: _____