



MCLEAN COUNTY REGIONAL PLANNING COMMISSION

115 E. Washington St., M103 • Bloomington, IL 61701-4089
Phone: 309-828-4331 • Fax: 309-827-4773 • www.mcplan.org

October 27, 2023

Mr. Michael Brown
Executive Director
Ecology Action Center
202 W College Ave
Normal, IL 61761

Re: Proposed Henson Recycling Campus Transfer Station, Bloomington, IL (Siting Application)

Dear Mr. Brown,

After reviewing the application, we have no comments or concerns on the proposed facility. Please let us know if you have any questions.

Best,

Raymond Lai

Raymond Lai, AICP
Executive Director

cc: Jennifer Sicks, MCRPC

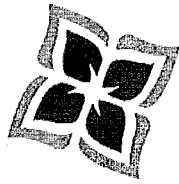
FILED
MCLEAN COUNTY, ILLINOIS

NOV 16 2023

Kathy Michael
COUNTY CLERK

MCRPC is the leader for planning tomorrow's McLean County

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ECOLOGY
ACTION CENTER

FILED
McLEAN COUNTY, ILLINOIS

NOV 16 2023

Kathy Michael
COUNTY CLERK

ecologyactioncenter.org

**McLean County Solid Waste Program Preliminary Staff Report
Pollution Control Facility Site Application
Lakeshore Recycling Systems – Henson Recycling Campus Transfer Station**

November 13, 2023

Upon reviewing the solid waste transfer facility site application, the McLean County Solid Waste Program has the following comments and concerns:

- Criteria 1: Adequate
- Criteria 2: Dependent upon the recording of the HDI subdivision plat and see additional comments below
- Criteria 3: Adequate
- Criteria 4: Adequate.
- Criteria 5: See comments below.
- Criteria 6: Adequate
- Criteria 7: Adequate
- Criteria 8: Adequate
- Criteria 9: Adequate

Not included in the application but of relevance in consideration of criteria 2 and criteria 5 is the March 2023 Illinois Environmental Protection Agency Violation Notice:

- LRS Application Criteria 2 Appendix 2-O mentions alleged violations documented by the Illinois Environmental Protection Agency from March 2023 with no additional information provided. I requested all available documents from Illinois EPA regarding these violations via a FOIA request and observed that the violations are as of yet unresolved.
- On October 13, 2023 I requested additional detail on the violations from LRS in a written memo. On October 25, 2023, Civil & Environmental Consultants (CEC) responded on behalf of LRS, stating that "*LRS does not agree that the alleged violations in the Violation Notice actually occurred*". While CEC provided a copy of their April 18, 2023 response to Illinois EPA relative to the March 13, 2023 Violation Notice, they stated that they would not provide any additional information in response to our information request outside of the public hearing due to perceived issues with ex-parte communication prohibitions. As all communications are reported and filed with the McLean County Clerk for public inspection, it is my understanding that no violations of ex-parte communications restrictions exist.

- In their April 18, 2023 communication to Illinois EPA in response to the Violation Notice, CEC appears to implicitly admit to multiple violations by stating how the violation was or is being rectified. In some cases, CEC does so while still denying the violation. For example:

b. Cease and desist the point of source discharge of fluids and contaminants to waters of the United States.

Response:

Point source discharges of fluids or contaminants are not believed to be occurring from the site. The ditch from the C&D recycling area has been cleaned up, including the removal of blowing litter and any spilled material.

- Their assertions that violations did not occur seem to be based on a rejection of the IEPA interpretation of regulations, not a denial of what was observed and documented in photos by IEPA at the site.
- CEC also states in their October 25, 2023 memo to me that “Regardless, the Violation Notice relates to the Recycling Center and does not involve the HRC Transfer Station.” However, per the Illinois Environmental Protection Act, Section 39.2 Local Siting Review, part (a)(ix),
 - “...The county board or the governing body of the municipality may also consider as evidence the previous operating experience and past record of convictions or admissions of violations of the applicant (and any subsidiary or parent corporation) in the field of solid waste management when considering criteria (ii) and (v) under this Section.”
 - The March Illinois EPA violations and any other past violations at the Henson Recycling Center are of interest and allowable for consideration in this siting process.
- It also may be of interest to consider that the March 2023 Violation Notice is not an isolated incident. A brief online search of available past Illinois EPA records for Henson Recycling Center includes the following documents:
 - September 2023 Compliance Commitment Agreement for a July 2020 Violation Notice for failure to submit an Annual Emissions Report
 - February 2017 Compliance Commitment Agreement for a August 2016 Violation Notice for five different regulation violations

Given the lack of information provided by the applicant in either the formal application or the official request for additional information relative to past violations, it may be beneficial to address this topic during the public hearing in order to better understand the status of the violations cited in March 2023 by the Illinois EPA and how the applicant plans to avoid related issues going forward.

Sincerely,



Michael Brown
McLean County Solid Waste Coordinator

Enclosures: Communications to LRS, LRS response, March 2023 IEPA Violations Notice, December 2022 IEPA Inspection Report

Attachment A:

Solid Waste Coordinator request to applicant for information regarding violations



Michael Brown <mbrown@ecologyactioncenter.org>

communication RE PCF siting application

Michael Brown <mbrown@ecologyactioncenter.org>

Fri, Oct 13, 2023 at 9:07 AM

To: KJ Loerop <KLoerop@lrsrecycles.com>

Cc: "Sierra, Trevor" <Trevor.Sierra@mcleancountyil.gov>, "Philip Dick, AICP" <philip.dick@mcleancountyil.gov>, Kathy Michael <Kathy.Michael@mcleancountyil.gov>, Kelsey Bremner <kbremner@ecologyactioncenter.org>


KJ,

Please see attached.

Thank you,

Michael

Michael Brown (he/him)
Executive Director
309-454-3169 x.11

 **LRS-Henson_Communication.10.13.2023.pdf**
104K

October 13, 2023

KJ Loerop
Lakeshore Recycling Systems, LLC
5500 Pearl Street
Rosemont, Illinois 60018

RE: Henson PCF siting application and recent IEPA violations

Dear KJ Loerop:

Please provide additional detail on the violations documented by the Illinois EPA at the Henson facility in March of 2023. The pollution control facility siting application submitted on August 18, 2023 does not sufficiently address the violations. Please provide a detailed accounting of each violation, specific remediations taken to address each, and what strategies have been implemented to prevent future reoccurrence of similar violations.

Please provide your detailed response to me in writing by October 25, 2023.

Sincerely,



Michael Brown
McLean County Solid Waste Coordinator

CC: Trevor Sierra, McLean County First Assistant State's Attorney, Civil Division

Phil Dick, McLean County Director of Building and Zoning

Kathy Michael, McLean County Clerk, for LRS/Henson PCF siting application file



Michael Brown <mbrown@ecologyactioncenter.org>

communication RE PCF siting application

Michael Brown <mbrown@ecologyactioncenter.org>

Tue, Oct 17, 2023 at 2:31 PM

To: KJ Loerop <KLoerop@lrsrecycles.com>

Cc: "Sierra, Trevor" <Trevor.Sierra@mcleancountyil.gov>, "Philip Dick, AICP" <philip.dick@mcleancountyil.gov>, Kathy Michael <Kathy.Michael@mcleancountyil.gov>, Kelsey Bremner <kbremner@ecologyactioncenter.org>, "Doug Mauntel (dwmauntel@andrews-eng.com)" <dwmauntel@andrews-eng.com>

KJ,

Can you please confirm receipt of the message I sent on October 13?

Thank you,

Michael

Michael Brown (he/him)
Executive Director
309-454-3169 x.11

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 **LRS-Henson_Communication.10.13.2023.pdf**
104K



Michael Brown <mbrown@ecologyactioncenter.org>

communication RE PCF siting application

KJ Loerop <KLoerop@lrsrecycles.com>

Tue, Oct 17, 2023 at 3:12 PM

To: Michael Brown <mbrown@ecologyactioncenter.org>

Cc: "Sierra, Trevor" <Trevor.Sierra@mcleancountyil.gov>, "Philip Dick, AICP" <philip.dick@mcleancountyil.gov>, Kathy Michael <Kathy.Michael@mcleancountyil.gov>, Kelsey Bremner <kbremner@ecologyactioncenter.org>, "Doug Mauntel (dwmauntel@andrews-eng.com)" <dwmauntel@andrews-eng.com>

Yes we have received. Sorry I was out of the country.
We will send back a written statement of LRS's response.

Get [Outlook for iOS](#)

KJ Loerop
VP of Business Development/Infrastructure
LRS
5500 Pearl Street
Rosemont, IL 60018
630-878-7588 (Phone) 603 (EXT)

LRSRECYCLES.COM | 844.NEED.LRS

From: Michael Brown <mbrown@ecologyactioncenter.org>**Sent:** Tuesday, October 17, 2023 2:31:27 PM**To:** KJ Loerop <KLoerop@LRSrecycles.com>**Cc:** Sierra, Trevor <Trevor.Sierra@mcleancountyil.gov>; Philip Dick, AICP <philip.dick@mcleancountyil.gov>; Kathy Michael <Kathy.Michael@mcleancountyil.gov>; Kelsey Bremner <kbremner@ecologyactioncenter.org>; Doug Mauntel (dwmauntel@andrews-eng.com) <dwmauntel@andrews-eng.com>**Subject:** Re: communication RE PCF siting application

[Quoted text hidden]



Michael Brown <mbrown@ecologyactioncenter.org>

communication RE PCF siting application

Michael Brown <mbrown@ecologyactioncenter.org>

Tue, Oct 17, 2023 at 4:12 PM

To: KJ Loerop <KLoerop@lrsrecycles.com>

Cc: "Sierra, Trevor" <Trevor.Sierra@mcleancountyil.gov>, "Philip Dick, AICP" <philip.dick@mcleancountyil.gov>, Kathy Michael <Kathy.Michael@mcleancountyil.gov>, Kelsey Bremner <kbremner@ecologyactioncenter.org>, "Doug Mauntel (dwmauntel@andrews-eng.com)" <dwmauntel@andrews-eng.com>

Thank you.

Michael

Michael Brown (he/him)
Executive Director
309-454-3169 x.11

[Quoted text hidden]

Attachment B:
applicant response including copy of applicant communication to Illinois EPA



Michael Brown <mbrown@ecologyactioncenter.org>

Response to Correspondence

Hock, John <jhock@cecinc.com>

Wed, Oct 25, 2023 at 4:24 PM

To: "Michael Brown (mbrown@ecologyactioncenter.org)" <mbrown@ecologyactioncenter.org>

Cc: KJ Loerop <KLoerop@lrsrecycles.com>, "Beau Harp (bharp@lrsrecycles.com)" <bharp@lrsrecycles.com>, Thomas E Kirk <TKirk@lrsrecycles.com>

Michael,

Attached is the response to your correspondence, dated October 13, 2023, regarding the regarding the Henson Disposal, Inc. Recycling Center and the proposed Henson Recycling Campus Transfer Station. A hard copy is also being mailed.

Please let us know of any additional questions you may have.

John E. Hock, P.E. | *Vice President*

Civil & Environmental Consultants, Inc.

[1230 East Diehl Road, Suite 200, Naperville, Illinois 60563](#)**direct** 630.541.0612 **office** 630.963.6026 **mobile** 630.291.6026www.cecinc.com

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318-216 - EAC Response Letter - Final.pdf
17756K



October 25, 2023

Mr. Michael Brown
McLean County Solid Waste Coordinator
Ecology Action Center
202 West College
P.O. Box 97
Normal, Illinois 61761

**Re: Henson PCF Siting Application and Recent IEPA Violations
CEC Project 318-216**

Dear Michael:

On behalf of Lakeshore Recycling Systems LLC (LRS), Civil & Environmental Consultants, Inc. (CEC) respectfully submits this letter in response to your correspondence, dated October 13, 2023 (Correspondence), regarding the Henson Disposal, Inc. Recycling Center (Recycling Center) and the proposed Henson Recycling Campus (HRC) Transfer Station.

The Illinois Environmental Protection Agency (IEPA) notified the Recycling Center of alleged violations and provided suggested resolutions in correspondence, dated March 13, 2023 (Violation Notice). Henson Disposal, Inc. (Henson) submitted a response to the Violation Notice on April 18, 2023 (Response), which (1) provided a response to the suggested resolutions, (2) requested a meeting with the IEPA to discuss the alleged violations and suggested resolutions, and (3) indicated that Henson would like to enter into a compliance commitment agreement (CCA) to resolve the matter. The Response is provided as Attachment 1. Henson and its representatives met with the IEPA on May 11, 2023.

As discussed in the Response, LRS does not agree that the alleged violations in the Violation Notice actually occurred. At this time, the IEPA has elected not to enter into the proposed CCA.

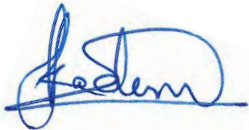
Regardless, the Violation Notice relates to the Recycling Center and does not involve the HRC Transfer Station.

Mr. Michael Brown - Ecology Action Center
CEC Project 318-216
Page 2 of 2
October 25, 2023

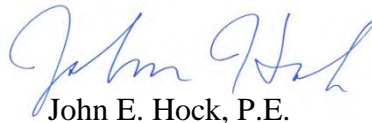
Due to ex-parte communication prohibitions applicable while siting applications are pending , we do not believe it is appropriate to provide any additional narrative regarding the Violation Notice or Response at this time. We will be prepared to answer any questions you may have at the public hearing.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Samarjeet Kadam
Assistant Project Manager



John E. Hock, P.E.
Vice President

Enclosures: Attachment 1 - Response to Violation Notice

cc: Mr. Tom Kirk, Henson Disposal, Inc. (*electronic delivery*)
Mr. George Mueller, Mueller Anderson (*electronic delivery*)

ATTACHMENT 1



April 18, 2023

Mr. James Jennings
Illinois Environmental Protection Agency
Bureau of Land #24
1021 North Grand Avenue East
PO Box 19276
Springfield, Illinois 62794-9276

Via Certified Mail
7022 2410 0000 7125 5710

**Re: Violation Notice, L-2023-00068
BOL# 1138045002 - McLean County
Henson Disposal, Inc. Recycling Center
CEC Project 318-216**

Dear Mr. Jennings:

On behalf of Henson Disposal, Inc. (Henson), Civil & Environmental Consultants, Inc. (CEC) respectfully submits this letter in response to a violation notice (VN) from the Illinois Environmental Protection Agency (IEPA), dated March 13, 2023, regarding the Henson facility located at 2148 Tri Lakes Road, Bloomington, McLean County, Illinois (site).

The VN notified the site of alleged violations of environmental laws, regulations, or permits. The VN provides suggested resolutions and requests a response to the VN within forty-five days of receipt. The written response may include a request for a meeting with representatives of the IEPA and, if a meeting is requested, it shall be held within sixty days of receipt. We understand the response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not we wish to enter into a Compliance Commitment Agreement (CCA). If we wish to enter into a CCA, we further understand that the response must include the proposed terms of the CCA.

We are requesting a meeting with the IEPA to discuss the alleged violations and suggested resolutions. We are flexible on dates at this time.

This letter also provides a response to the IEPA's suggested resolutions. The site would like to enter into a CCA. The currently proposed terms of the CCA are summarized following the responses to the suggested resolutions.

1.0 RESPONSES TO SUGGESTED RESOLUTIONS

For ease of review, the IEPA's suggested resolutions have been provided in bold text and the associated response is provided directly following.

1. Suggested Resolution - Immediately upon receipt of this Violation Notice ("VN"), the Respondent shall:

a. Cease all open dumping at the subject property.

Response:

Open dumping is not believed to be occurring at the site. Blowing litter has been cleaned up and removed from the site and will continue to be cleaned up/removed as needed. The site is permitted to accept construction or demolition debris (C&D) and woody landscape waste. During the requested meeting, we would like to clarify the acceptability of certain wastes/materials.

b. Cease and desist the point of source discharge of fluids and contaminants to waters of the United States.

Response:

Point source discharges of fluids or contaminants are not believed to be occurring from the site. The ditch from the C&D recycling area has been cleaned up, including the removal of blowing litter and any spilled material.

c. Cease and desist accepting wastes that are not allowed in the permit until proper permitting is obtained from the Illinois EPA.

Response:

The site is permitted to accept C&D and woody landscape waste. During the requested meeting, we would like to clarify the acceptability of certain wastes/materials.

d. Cease and desist accepting regulated soils until a permit is obtained from the Illinois EPA.

Response:

The site is permitted to accept C&D as defined in 415 Illinois Compiled Statutes 5/3.160 Section 3.160, which includes both general C&D and clean C&D. General C&D is defined to include non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads. Clean C&D is defined to include uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed or other asphalt pavement, or soil generated from C&D activities.

We understand the soils that meet the above definition of C&D are allowed to be accepted at the site. During the requested meeting, we would like to clarify the acceptability of soils.

e. Cease and desist use of additional space until a permit is obtained from the Illinois EPA.

Response:

We understand that C&D handling and storage activities are required to occur within the facility boundary. We also understand that the storage or staging of recycled materials (e.g., processed concrete into salable aggregates, ground wood into salable mulch) may occur outside of the permitted facility boundary. During the requested meeting, we would like to discuss what activities must occur within the facility boundary and what activities may occur outside the permitted boundary.

The storage area for screening fines is in the process of being relocated within the facility boundary. In addition, the site proposes to submit a supplemental permit application to clarify and potentially expand the exact limits of the permitted facility boundary. We understand the site permit was approved in accordance with Section 22.38 of the Act, and, as such, the facility boundary may be expanded without local siting approval.

f. Cease modifying, filling or changing a borrow pit without a permit obtained from the Illinois EPA.

Response:

The property adjacent to the site included three attached lakes (i.e., the tri lakes) since prior to 1940 (see historical photo in Attachment 1). As part of planned site development, the site desired to modify the configuration of the ponds and performed various activities including obtaining a jurisdictional determination from the United States Army Corps of Engineers (USACE) (see Attachment 2) and a building permit from McLean County (see Attachment 3). The USACE determined that the ponds were non-jurisdictional, so no additional approvals were needed from the USACE to modify the ponds. The building permit from McLean County allowed modifications of the configuration of the ponds. In general, soils were removed from the southern portion of the pond and the berms to fill in the northwest portion of the ponds and facilitate development of this portion of the property, including the construction of a building. The soils accepted by the site were intended to be used to raise the elevations of the area northwest of the ponds.

The current configuration of the ponds is shown on the Preliminary Plan for the HDI Subdivision, which was approved by McLean County in February 2023 (see Attachment 4). As shown on the Sheets 4 and 6 of preliminary plan, the area northwest of the ponds rises to approximately 6 feet above the water level in the pond. This area is now close to the anticipated construction grades, so no additional filling of this area is planned at this time.

During the requested meeting, we would like to discuss any requirements for additional filling of above grade areas adjacent to the pond.

2. Suggested Resolution - Within 90 calendar days upon receipt of the VN, the Respondent shall:

- a. Request a significant modification to the existing permit for actual space, acres and/or area being used at the facility.**

Response:

The site will submit a supplemental permit application to clarify and potentially expand the exact limits of the permitted facility boundary prior to June 2, 2023. We understand the site permit was approved in accordance with Section 22.38 of the Act, and, as such, the facility boundary may be expanded without local siting approval.

- b. Design and install a permitted leachate collection system for leachate generated at the subject property.**

Response:

C&D recycling facilities are not required to install leachate collection systems because the accepted materials are predominantly inert. The above discussed resolutions will prevent unauthorized wastes from being accepted in the future. As such, we respectfully disagree with this suggested resolution.

- c. Develop and implement a training program for all employees on the rules and procedures in order to properly handle the wastes and recyclables.**

Response:

The site's training program regarding waste/material acceptance and handling is in the process of being updated. The training program will be provided within ninety days of receipt of the VN, including information covered during the training and a sign-in sheet demonstrating that all current employees have been re-trained on material acceptance and handling.

- d. Develop and implement a load checking program that includes all necessary steps and records for wastes and recyclables handled.**

Response:

The site's load checking program is in the process of being updated. The training program will be provided within ninety days of receipt of the VN, including information covered during the training and a sign-in sheet demonstrating that all applicable employees have been re-trained on load checking.

- e. Develop and implement a litter control program that may include fences, berms, closed top containers and picking up of strewn items.**

Response:

The site's litter control program is in the process of being updated. The training program will be provided within ninety days of receipt of the VN, including

information covered during the training and a sign-in sheet demonstrating that all applicable employees have been re-trained on litter control.

- f. Pay the Quarterly Submission of Payment based on the quantity of CCDD and uncontaminated soil for use as fill material. The payment must be received by the Agency on or before April 15, July 15, October 15, and January 15.**

Response:

We understand that the quarterly fee payment referenced above is only required for clean C&D accepted at permitted facilities (as required by Title 35 of the Illinois Administrative Code Part 1150.300). As discussed above, the site is not a permitted CCDD fill site so the material accepted is not subject to the CCDD quarterly fee payment. As such, we respectfully disagree with this suggested resolution.

- 3. Suggested Resolution - Recordkeeping. Within 45 calendar days upon receipt of the VN, the Respondent shall submit copies of records reflecting remedial actions undertaken to address the above-referenced violations, including but not limited to transportation receipts, disposal receipts, and photographs reflecting the completion of the suggested resolutions identified above, to:**

**Illinois EPA Champaign Regional Office
Attn: Michael Mullins
2125 South First Street
Champaign, Illinois 61820**

Response:

Within forty-five days of receipt of the VN, the site will provide copies of records reflecting remedial actions undertaken to address the alleged violations.

2.0 PROPOSED TERMS OF COMPLIANCE COMMITMENT AGREEMENT

As indicated above, Henson would like to enter into a CCA. Based upon the above information, we propose that the terms of the CCA require the following:

- Submittal of a supplemental permit application to clarify and potentially expand the exact limits of the permitted facility boundary prior to June 2, 2023.
- Provide the following training programs and documentation that all applicable facility personnel have been re-trained within ninety days of receipt of the VN.
 - Waste/material acceptance and handling;
 - Load checking;
 - Litter control; and
 - Spill control and response.

Mr. James Jennings - Illinois Environmental Protection Agency
VN Response
CEC Project 318-216
Page 6 of 6
April 18, 2023

3.0 CLOSING

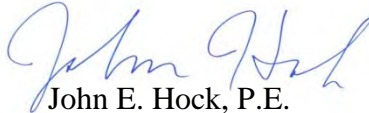
We look forward to meeting with the IEPA to resolve the alleged violations. If you have any questions regarding this response in the meantime, please feel free to contact us.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Brad E. Renwick, P.G.
Principal



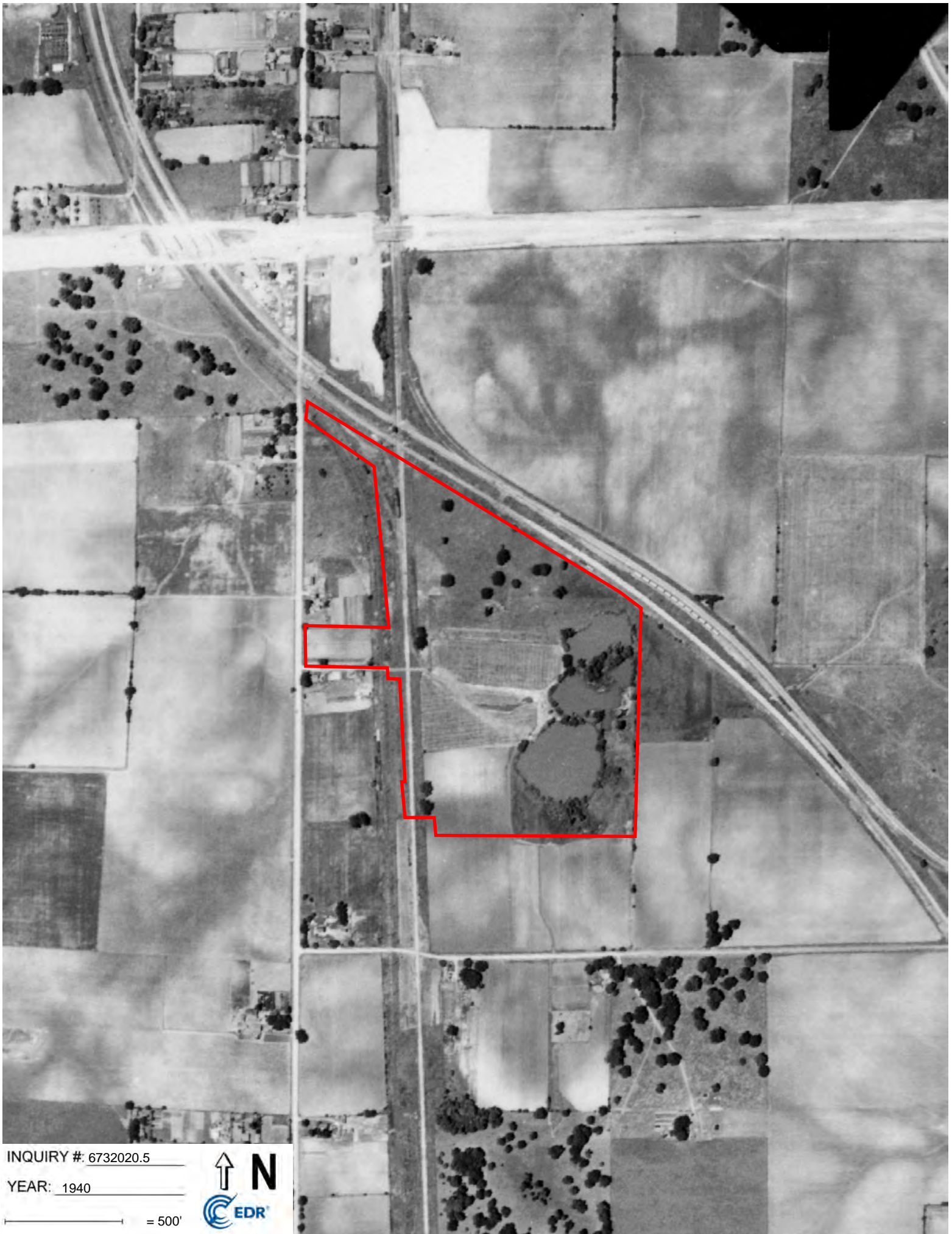
John E. Hock, P.E.
Vice President

Enclosures: Attachment 1 - Historical Aerial Photograph
Attachment 2 - Jurisdictional Determination from USACE
Attachment 3 - Building Permit from McLean County
Attachment 4 - Preliminary Plan

cc: Mr. Tom Kirk, Henson Disposal, Inc. (*electronic delivery*)
Mr. George Mueller, Mueller Anderson (*electronic delivery*)

ATTACHMENT 1

HISTORICAL AERIAL PHOTOGRAPH



INQUIRY #: 6732020.5

YEAR: 1940

— = 500'



ATTACHMENT 2

JURISDICTIONAL DETERMINATION FROM USACE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, ROCK ISLAND DISTRICT
PO BOX 2004 CLOCK TOWER BUILDING
ROCK ISLAND, ILLINOIS 61204-2004

December 19, 2018

Operations Division

SUBJECT: CEMVR-OD-P-2018-1330

Mr. David P. Brown, PLS
Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
505 North Main Street
Bloomington, Illinois 61701

DEC 21 2018

Dear Mr. Brown:

Our office reviewed all information provided to us concerning the request for a Jurisdictional Determination at the expansion site for the Henson Disposal and Recycling Center in Section 15, Township 23 North, Range 2 East, McLean County, Illinois.

Our office has completed an Approved Jurisdictional Determination (AJD) for your project area, and we determined there are 2.8 acres of forested wetland and 5 acres of deep water habitat present that are non-jurisdictional waters.

This letter contains an AJD for the subject property. If you object to this jurisdictional determination, you may request an administrative appeal under Corps regulations found at 33 CFR Part 331. Enclosed is a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this approved jurisdictional determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the following address:

Administrative Appeals Officer
U.S. Army Corps of Engineers
Mississippi Valley Division
ATTN: CEMVD-PD-KM
Post Office Box 80
Vicksburg, Mississippi 39181-0080

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP.

It is not necessary to submit an RFA form to the Division Office if you do not object to the approved jurisdictional determination contained in this letter.

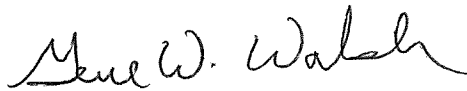
You are advised that this determination for your project is valid for five years from the date of this letter. If the project is not completed within this five-year period or your project plans change, you should contact our office for another determination.

The Rock Island District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the attached postcard and return it or go to our Customer Service Survey found on our web site at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. (Be sure to select "Rock Island District" under the area entitled: Which Corps office did you deal with?)

Finally, since we are unable to access the information on the thumb drive which was submitted to our office, we are returning it with this letter.

Should you have any questions, please contact our Regulatory Branch by letter, or call me at 309/794-5674.

Sincerely,



Gene W. Walsh
Project Manager
Illinois/Missouri Section
Regulatory Branch

Enclosures



®

Regulatory Program



®

INTERIM APPROVED JURISDICTIONAL DETERMINATION FORM U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in the Interim Approved Jurisdictional Determination Form User Manual.

SECTION I: BACKGROUND INFORMATION

A. COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (AJD): 19-DEC 18

B. ORM NUMBER IN APPROPRIATE FORMAT (e.g., HQ-2015-00001-SMJ): CEMVR-OD-P-2018-1330

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: IL County/parish/borough: McLean City: Bloomington

Center coordinates of site (lat/long in degree decimal format): Lat. 40.452222, Long. -88.977222.

Map(s)/diagram(s) of review area (including map identifying single point of entry (SPOE) watershed and/or potential jurisdictional areas where applicable) is/are: attached in report/map titled

Other sites (e.g., offsite mitigation sites, disposal sites, etc.) are associated with this action and are recorded on a different jurisdictional determination (JD) form. List JD form ID numbers (e.g., HQ-2015-00001-SMJ-1):

D. REVIEW PERFORMED FOR SITE EVALUATION:

Office (Desk) Determination Only. Date:

Office (Desk) and Field Determination. Office/Desk Dates: 18 DEC 18 Field Date(s): 07 NOV 18.

SECTION II: DATA SOURCES

Check all that were used to aid in the determination and attach data/maps to this AJD form and/or references/citations in the administrative record, as appropriate.

Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant. Title/Date: USGS Stream Stats, 11-27-2018, Site Plan, 10/17/2018.

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Data sheets/delineation report are sufficient for purposes of AJD form. Title/Date: Report of Wetland

Delineation for Destihl Brewery Development, 09-16-2015.

Data sheets/delineation report are not sufficient for purposes of AJD form. Summarize rationale and include information on revised data sheets/delineation report that this AJD form has relied upon:

Revised Title/Date:

Data sheets prepared by the Corps. Title/Date:

Corps navigable waters study. Title/Date:

CorpsMap ORM map layers. Title/Date:

USGS Hydrologic Atlas. Title/Date:

USGS, NHD, or WBD data/maps. Title/Date:

USGS 8, 10 and/or 12 digit HUC maps. HUC number:

USGS maps. Scale & quad name and date: Bloomington East, IL 1981.

USDA NRCS Soil Survey. Citation: Google Earth Overlay.

USFWS National Wetlands Inventory maps. Citation: Bloomington East, IL 1987.

State/Local wetland inventory maps. Citation:

FEMA/FIRM maps. Citation: ORM Overlay.

Photographs: Aerial. Citation: or Other. Citation:

LiDAR data/maps. Citation:

Previous JDs. File no. and date of JD letter:

Applicable/supporting case law:

Applicable/supporting scientific literature:

Other information (please specify):

SECTION III: SUMMARY OF FINDINGS

Complete ORM "Aquatic Resource Upload Sheet" or Export and Print the Aquatic Resource Screen from ORM for All Waters and Features, Regardless of Jurisdictional Status – Required

A. RIVERS AND HARBORS ACT (RHA) SECTION 10 DETERMINATION OF JURISDICTION:

"navigable waters of the U.S." within RHA jurisdiction (as defined by 33 CFR part 329) in the review area.

• **Complete Table 1 - Required**

NOTE: If the navigable water is not subject to the ebb and flow of the tide or included on the District's list of Section 10 navigable waters list, DO NOT USE THIS FORM TO MAKE THE DETERMINATION. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Section 10 RHA navigability determination.

B. CLEAN WATER ACT (CWA) SECTION 404 DETERMINATION OF JURISDICTION: "waters of the U.S." within CWA jurisdiction (as defined by 33 CFR part 328.3) in the review area. Check all that apply.

(a)(1): All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (Traditional Navigable Waters (TNWs))

• **Complete Table 1 - Required**

This AJD includes a case-specific (a)(1) TNW (Section 404 navigable-in-fact) determination on a water that has not previously been designated as such. Documentation required for this case-specific (a)(1) TNW determination is attached.

(a)(2): All interstate waters, including interstate wetlands.

• **Complete Table 2 - Required**

(a)(3): The territorial seas.

• **Complete Table 3 - Required**

(a)(4): All impoundments of waters otherwise identified as waters of the U.S. under 33 CFR part 328.3.

• **Complete Table 4 - Required**

(a)(5): All tributaries, as defined in 33 CFR part 328.3, of waters identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 5 - Required**

(a)(6): All waters adjacent to a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3, including wetlands, ponds, lakes, oxbows, impoundments, and similar waters.

• **Complete Table 6 - Required**

Bordering/Contiguous.

Neighboring:

(c)(2)(i): All waters located within 100 feet of the ordinary high water mark (OHWM) of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3.

(c)(2)(ii): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 and not more than 1,500 feet of the OHWM of such water.

(c)(2)(iii): All waters located within 1,500 feet of the high tide line of a water identified in paragraphs (a)(1) or (a)(3) of 33 CFR part 328.3, and all waters within 1,500 feet of the OHWM of the Great Lakes.

(a)(7): All waters identified in 33 CFR 328.3(a)(7)(i)-(v) where they are determined, on a case-specific basis, to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 7 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(7) waters identified in the similarly situated analysis. - Required**

Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

(a)(8): All waters located within the 100-year floodplain of a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3 not covered by (c)(2)(ii) above and all waters located within 4,000 feet of the high tide line or OHWM of a water identified in paragraphs (a)(1)-(a)(5) of 33 CFR part 328.3 where they are determined on a case-specific basis to have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.

• **Complete Table 8 for the significant nexus determination. Attach a map delineating the SPOE watershed boundary with (a)(8) waters identified in the similarly situated analysis. - Required**

Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.

C. NON-WATERS OF THE U.S. FINDINGS:

Check all that apply.

- The review area is comprised entirely of dry land.
- Potential-(a)(7) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(7) waters identified in the similarly situated analysis. - Required**
- Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.
- Potential-(a)(8) Waters: Waters that DO NOT have a significant nexus to a water identified in paragraphs (a)(1)-(a)(3) of 33 CFR part 328.3.
- **Complete Table 9 and attach a map delineating the SPOE watershed boundary with potential (a)(8) waters identified in the similarly situated analysis. - Required**
- Includes water(s) that are geographically and physically adjacent per (a)(6), but are being used for established, normal farming, silviculture, and ranching activities (33 USC Section 1344(f)(1)) and therefore are not adjacent and require a case-specific significant nexus determination.
- Excluded Waters (Non-Waters of U.S.), even where they otherwise meet the terms of paragraphs (a)(4)-(a)(8):
- **Complete Table 10 - Required**
- (b)(1): Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the CWA.
- (b)(2): Prior converted cropland.
- (b)(3)(i): Ditches with ephemeral flow that are not a relocated tributary or excavated in a tributary.
- (b)(3)(ii): Ditches with intermittent flow that are not a relocated tributary, excavated in a tributary, or drain wetlands.
- (b)(3)(iii): Ditches that do not flow, either directly or through another water, into a water identified in paragraphs (a)(1)-(a)(3).
- (b)(4)(i): Artificially irrigated areas that would revert to dry land should application of water to that area cease.
- (b)(4)(ii): Artificial, constructed lakes and ponds created in dry land such as farm and stock watering ponds, irrigation ponds, settling basins, fields flooded for rice growing, log cleaning ponds, or cooling ponds.
- (b)(4)(iii): Artificial reflecting pools or swimming pools created in dry land.¹
- (b)(4)(iv): Small ornamental waters created in dry land.¹
- (b)(4)(v): Water-filled depressions created in dry land incidental to mining or construction activity, including pits excavated for obtaining fill, sand, or gravel that fill with water.
- (b)(4)(vi): Erosional features, including gullies, rills, and other ephemeral features that do not meet the definition of tributary, non-wetland swales, and lawfully constructed grassed waterways.¹
- (b)(4)(vii): Puddles.¹
- (b)(5): Groundwater, including groundwater drained through subsurface drainage systems.¹
- (b)(6): Stormwater control features constructed to convey, treat, or store stormwater that are created in dry land.¹
- (b)(7): Wastewater recycling structures created in dry land; detention and retention basins built for wastewater recycling; groundwater recharge basins; percolation ponds built for wastewater recycling; and water distributary structures built for wastewater recycling.
- Other non-jurisdictional waters/features within review area that do not meet the definitions in 33 CFR 328.3 of (a)(1)-(a)(8) waters and are not excluded waters identified in (b)(1)-(b)(7).
- **Complete Table 11 - Required.**

D. ADDITIONAL COMMENTS TO SUPPORT AJD: A recent field investigation documented an outlet pipe situated 2-3 feet above the elevation of the adjacent land on the northern end of the manmade lagoon system. Water only discharges from the pipe during high water events, and there is no continuous or perennial flow from the lagoons into the adjacent wetland. Water flows from the emergent/forested wetland complex into a culvert under the railroad tracks and then into an underground storm sewer system. There is no surface connection between the lagoons and

¹ In many cases these excluded features will not be specifically identified on the AJD form, unless specifically requested. Corps Districts may, in case-by-case instances, choose to identify some or all of these features within the review area.

the nearest downstream water of the U.S. (i.e., Little Kickapoo Creek) which is located almost 1.5 miles to the northeast of the project site. Water flows through the storm sewer system into a stormwater basin and then eventually into Little Kickapoo Creek.

Jurisdictional Waters of the U.S.

Default field entry is "N/A". Delete "N/A" and fill out all fields in the table where applicable for waters/features present in the review area.

Table 1. (a)(1) Traditional Navigable Waters

(a)(1) Waters Name	(a)(1) Criteria	Rationale to Support (a)(1) Designation Include High Tide Line or Ordinary High Water Mark indicators, when applicable.
N/A	Choose an item.	N/A

Table 2. (a)(2) Interstate Waters

(a)(2) Waters Name	Rationale to Support (a)(2) Designation
N/A	N/A

Table 3. (a)(3) Territorial Seas

(a)(3) Waters Name	Rationale to Support (a)(3) Designation
N/A	N/A

Table 4. (a)(4) Impoundments

(a)(4) Waters Name	Rationale to Support (a)(4) Designation
N/A	N/A
N/A	N/A

Table 5. (a)(5) Tributaries

(a)(5) Waters Name	Flow Regime	(a)(1)-(a)(3) Water Name to which this (a)(5) Tributary Flows	Tributary Breaks	Rationale for (a)(5) Designation and Additional Discussion. Identify flowpath to (a)(1)-(a)(3) water or attach map identifying the flowpath; explain any breaks or flow through excluded/non-jurisdictional features, etc.
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A
N/A	Choose an item.	N/A	Choose an item.	N/A

Table 6. (a)(6) Adjacent Waters

(a)(6) Waters Name	(a)(1)-(a)(5) Water Name to which this Water is Adjacent	Rationale for (a)(6) Designation and Additional Discussion. Identify the type of water and how the limits of jurisdiction were established (e.g., wetland, 87 Manual/Regional Supplement); explain how the 100-year floodplain and/or the distance threshold was determined; whether this water extends beyond a threshold; explain if the water is part of a mosaic, etc.
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A

Table 7. (a)(7) Waters

SPOE Name	(a)(7) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; discuss whether any similarly situated waters were present and aggregated for SND; discuss data, provide analysis, and summarize how the waters have more than speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 8. (a)(8) Waters

SPOE Name	(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water has a Significant Nexus	Significant Nexus Determination Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to subject water and aggregated for SND; discuss data, provide analysis, and then summarize how the waters have more than speculative or insubstantial effect the on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water, etc.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Non-Jurisdictional Waters

Default field entry is "N/A". Delete "N/A" and fill out all fields in the table where applicable for waters/features present in the review area.

Table 9. Non-Waters/No Significant Nexus

SPOE Name	Non-(a)(7)/(a)(8) Waters Name	(a)(1)-(a)(3) Water Name to which this Water DOES NOT have a Significant Nexus	Basis for Determination that the Functions DO NOT Contribute Significantly to the Chemical, Physical, or Biological Integrity of the (a)(1)-(a)(3) Water. Identify SPOE watershed; explain how 100-yr floodplain and/or the distance threshold was determined; discuss whether waters were determined to be similarly situated to the subject water; discuss data, provide analysis, and summarize how the waters did not have more than a speculative or insubstantial effect on the physical, chemical, or biological integrity of the (a)(1)-(a)(3) water.
N/A	N/A	N/A	N/A
N/A	N/A	N/A	N/A

Table 10. Non-Waters/Excluded Waters and Features

Paragraph (b) Excluded Feature/Water Name	Rationale for Paragraph (b) Excluded Feature/Water and Additional Discussion.
N/A	N/A
N/A	N/A

Table 11. Non-Waters/Other

Other Non-Waters of U.S. Feature/Water Name	Rationale for Non-Waters of U.S. Feature/Water and Additional Discussion.
2018-1330a (Deep Water Habitat), 2018-1330b (Forested Wetland)	<p>The lagoon system comprised on three interconnected ponds (2018-1330a) and the adjacent forested wetland (2018-1330b) were determined to be non-jurisdictional under the 2015 Rule because they are located outside the 4000-foot threshold of other waters of the U.S., and they are located outside the 100-year floodplain of Little Kickapoo Creek.</p> <p>(See attached topo map and satellite image.)</p>

B50DPEWW Rock Island District MVR - CEMVR

ORM2 coe-wpcund62dcp

orm_regulator Role Preferences [ORM Home] [ORM Reports] [JD Viewer] Logout

Home Maps Search Create References

Folder Location Aquatic Resources Jurisdiction Impacts/Mitigation Map Letters Documents Contacts Regulators Comments Summary

Help

Successfully Reopened.

DA Number: MVR-2018-01330-EWW (Destini Brewery Development)
Applicant: No Applicant Found (Agent: David Brown (Lewis, Yockey & Brown, Inc.))

CWR Aquatic Resource ILLINOIS

1. Aquatic Resource Name* 2018-1330a

2. Cowardin System* Lacustrine

2.1 Cowardin Class* L1-LACUSTRINE, LIMNETIC

3. Aquatic Resource Type* Other non-jurisdictional waters/features - Outside the distance threshold or 100 yr floodplain

4. HGM Class - Please Select a Value -

5. Local Waterway Name

6. Measurement Type* Area

6.1 Area 5

6.2 Area Units Acres

7. Geometry* Complete

7.1 Create/Edit Geometry From* Enter Coordinates

7.2 Spatial Reference Type Lat/Lon

7.2.1 Coordinate System Longitude / Latitude (NAD 83)

7.3 Site Coordinate (Y or Latitude) 40.4543703269227

7.4 Site Coordinate (X or Longitude) -88.9768749004087
(Longitude Negative in Western Hemisphere)

Save & Refine w/CM2 Map

Degrees Minutes Seconds

Latitude: [] [] []

Longitude: [] [] []

Convert to DD

Commands

Save Finalize Return to List

BS0DPEVWV Rock Island District: MVR - CEMVR

ORM2 coe-wpound62dep

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Home Maps Search Create References

Folder Location Aquatic Resources Jurisdiction Impacts/Mitigation Map Letters Documents Contacts Regulators Comments Summary

Help

Successfully Reopened.

DA Number: MVR-2018-01330-EWW (Destihl Brewery Development)
Applicant: No Applicant Found (Agent: David Brown (Lewis, Yockey & Brown, Inc.))

CWR Aquatic Resource ILLINOIS

Form fields for Aquatic Resource details: 1. Aquatic Resource Name (2018-1330b), 2. Cowardin System (Palustrine), 2.1 Cowardin Class (PFO-PALUSTRINE, FORESTED), 3. Aquatic Resource Type (Other non-jurisdictional waters/features...), 4. HGM Class (- Please Select a Value -), 5. Local Waterway Name, 6. Measurement Type (Area), 6.1 Area (2.8), 6.2 Area Units (Acres), 7. Geometry (Complete), 7.1 Create/Edit Geometry From (Enter Coordinates), 7.2 Spatial Reference Type (Lat/Lon), 7.2.1 Coordinate System (Longitude / Latitude (NAD 83)), 7.3 Site Coordinate (Y or Latitude) (40.4529562028443), 7.4 Site Coordinate (X or Longitude) (-88.9768541724887)

Degrees Minutes Seconds

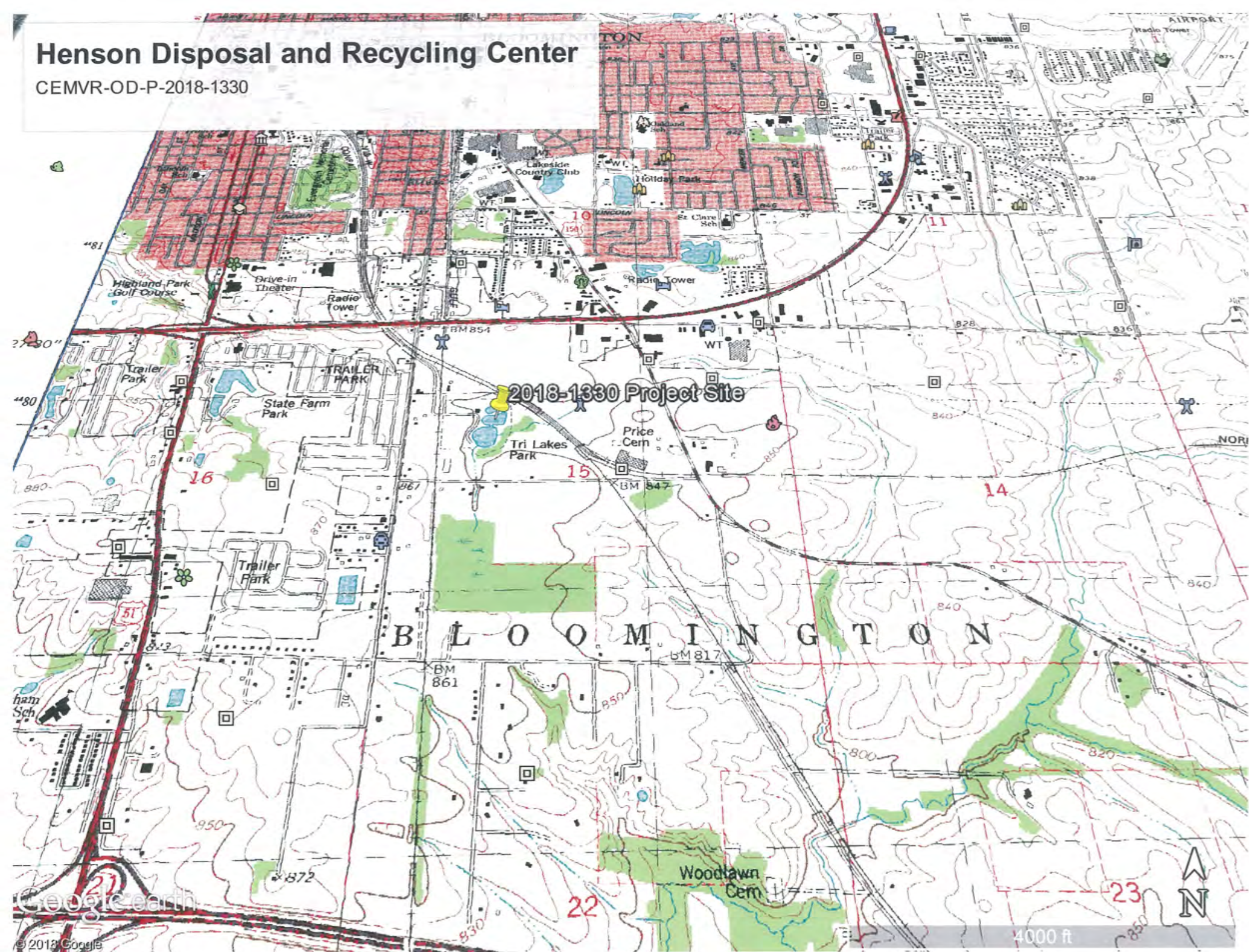
Latitude: [][][]
Longitude: [][][]
Convert to DD

Commands

Save Finalize Return to List

Henson Disposal and Recycling Center

CEMVR-OD-P-2018-1330



Henson Disposal and Recycling Center

CEMVR-OD-P-2018-1330

2018-1330 Project Site

Google earth

© 2018 Google



2000 ft



ATTACHMENT 3

BUILDING PERMIT FROM MCLEAN COUNTY



Department of Building and Zoning
 115 E. Washington RM. M102
 Bloomington, IL 61702-2400
 Phone: (309)888-5160 Fax: (309)888-5768
www.mcleancountyil.gov

McLean County

Building Permit

Permit Number: 2019078

Applicant

Name: Henson Disposal, Inc
Address: PO Box 1058
 Bloomington, IL 61702

Approval Date: 03/22/2019

Phone: 309-261-6893

Parcel

Parcel Number: 21-15-152-010

Zoning: M-2

Address: 2020 Bunn St

BLOOMINGTON, IL 61704-7425

Addition:

Block: **Lot(s):**

Legal Description: (EX BEG NW COR LOT 2 : E50.16ft, S285.53ft, W50.04ft N TO POB & EX S500ft W25ft) LOT 2 OWNERS SUB LOT 6 SUB 15-23-2E & PT NW 15-23-2E 19.83 ACRES

Section/Township/Range: 15 23N 2E

Owner

Name: TKNTK LLC
Address: 2020 Bunn Street
 Bloomington, IL 61704

Phone: 261-6893

Contractor

Fees and Receipts

*Other Fees (\$3.00/each...(Auto) \$100.00

Total Fees: **\$100.00**
Total Receipts: **\$0.00**

Description

Structure Use: Commercial

Purpose: Pond

Construction Value: \$10000.00

Health Dept. Info:

Project Description: Pond Accessory to a Storm Water Management Facility

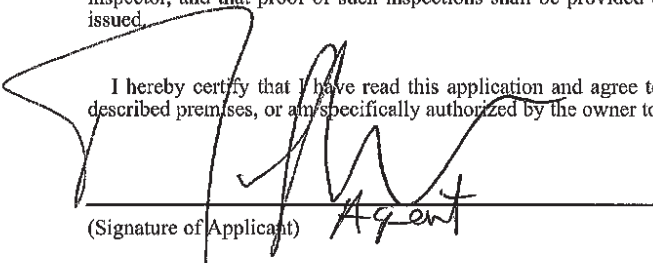
Inspections

Application is hereby made for a PERMIT to construct, erect, alter or move a building structure or land improvement AND an OCCUPANCY PERMIT as required under the Zoning Ordinance or the County of McLean. In making this application, the applicant represents all the preceding statements and any attached plans, drawings and specifications as a true and complete description of the proposed new or altered uses and/or buildings or structures. The applicant agrees that the permit applied for, if granted, is issued on the representations made herein and that any permit issued may be suspended or revoked on any breach of representations or conditions or on any unauthorized changes in plans and/or specifications.

It is understood that any permit issued on this application will not grant any right or privilege to erect, alter or move any building, structure or land improvement or to use any premises for any purpose or in any manner prohibited by the zoning ordinance or by any other ordinances, codes or regulations of the County of McLean; nor will such permit grant any right to violate any other laws or to violate any easement, covenant or other private agreement. It is further understood that unless construction is substantially under way within 180 days (unless this period should be extended by the County Board), the construction permit shall become null and void without notice. It is further understood that an Occupancy Permit must be issued before occupancy or use of the building, structure or land improvement. The applicant agrees to notify the Department of Building and Zoning at the stages of construction stated on the construction permit, if granted; and the applicant further agrees to allow authorized employees of the Department of Building and Zoning to enter upon the premises for the purpose of making inspections at reasonable times during the period of construction and before issuance of an Occupancy Permit.

Excluding Residences and Residential Accessory Buildings, I understand that I am responsible for obtaining state required inspections by a state certified inspector, and that proof of such inspections shall be provided to the McLean County Department of Building and Zoning before an occupancy permit will be issued.

I hereby certify that I have read this application and agree to the terms and conditions stated herein, and I further certify that I am either the owner of the described premises, or am specifically authorized by the owner to sign this application and to agree to such terms and conditions for and on behalf of said owner.



(Signature of Applicant) Agent

Date: 3/22/2019

This permit is issued only for the construction described herein, done according to plans submitted with the application, and is subject to suspension or revocation if construction is not done consistent with said plans and with zoning regulations. The building, structure or land improvement for which this Construction Permit is issued shall not be occupied or used in whole or in part until construction is complete and private covenants which may be applicable to the property or its use.

Applicant shall notify the Director of Building and Zoning when the following stages of construction are reached so that inspections may be made:

1. When foundation is staked out and before any excavating or construction is stated.
2. When foundation is completed
3. When construction is completed and prior to occupancy

Certification is hereby made that this application with a companying plans and specifications for construction on the above-described premises and the proposed use thereof conforms to the applicable regulations of the McLean County Zoning Ordinance. Therefore, this permit is hereby issued.

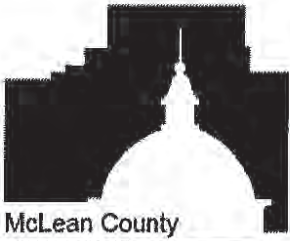


Building and Zoning Official
McLean County, Illinois

Date: 4/18/19

This permit shall expire unless construction authorized herein is substantially under way within 180 days.

Permit Number: 2019078



Department of Building and Zoning
115 E. Washington RM. M102
Bloomington, IL 61702-2400
Phone: (309)888-5160 Fax: (309)888-5768
www.mcleancountyil.gov

Receipt Record

Receipt Number:

Received From: Lewis Yockey & Brown

Date: 4/18/2019 7:44:04 AM

Permit #: 2019078

Received by: Brad Adams

Amount: \$100.00

Comments: CK#2759 & CK#2760 / 1668

Fees:

*Other Fees

(\$3.00/each...(Auto)

\$100.00

\$100.00

Receipt Issued By: _____

A handwritten signature in black ink, appearing to read "Brad Adams", is written over a horizontal line.

McLEAN COUNTY
Department of
BUILDING AND ZONING
 115 E. Washington St. - Room M-102
 P.O. Box 2400 • Bloomington, IL 61702-2400
 (309) 888-5160 • FAX (309) 888-5768

Customer's Order No. BP-19-78 Date March 22 2019
 Name Lewis, Yocky & Brown, Inc. / Hanson Disposal
 Address 505 N. Main St., Bloomington

QUAN.	DESCRIPTION	PRICE	AMOUNT
1	ford accessory to a storm water management facility		100.00
	CR# 2759 \$30.00		
	CR# 2760 \$70.00		
	TAX		
	TOTAL		100.00

0001668 Rec'd by [Signature]

All claims and returned goods MUST be accompanied by this bill.

Thank You



ATTACHMENT 4

PRELIMINARY PLAN

PRELIMINARY PLAN HDI SUBDIVISION

A PART OF THE NW1/4 OF SECTION 15, T.23N., R.2E.,
3 P.M., McLEAN COUNTY, ILLINOIS

OWNER: TKNkK, LLC
2148 TRI LAKES ROAD
BLOOMINGTON, IL 61704
ATTN: TOM KIRK
PHONE: 309.261.6893

DEVELOPER: HENSON DISPOSAL, LLC
2148 TRI LAKES ROAD
BLOOMINGTON, IL 61704
ATTN: TOM KIRK
PHONE: 309.261.6893

ATTORNEY: RICHARD M. GUERARD, ESQ.
310 S COUNTY FARM ROAD, SUITE H
WHEATON, IL 60187-2406
ATTN: RICHARD M. GUERARD
PHONE: 630.698.4700

Legal Description of Subject Premises

A part of Lot 1 in the Subdivision of the NW1/4 of Section 15; a part of Lot 2, 3, 4 and 5 in Re-Survey of the W1/2 of the NW1/4 of Section 15; a part of Lot 2 in Owner's Subdivision in the NW1/4 of Section 15; a part of the Illinois Central Gulf Railroad Company's abandoned Amboy District right of way in the NW1/4 of Section 15; Lot 2 and 3 in Flatbush Subdivision in the NW1/4 of Section 15; all of Tri Lakes Road right of way in the NW1/4 of Section 15 vacated in Document No. 2017-13365 in the McLean County Recorder of Deeds Office; all in Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Commencing at the southwest corner of the NW1/4 of said Section 15 also being the southwest corner of Lot 5 in Re-Survey of the W1/2 of the NW1/4 of said Section 15; thence N.02°-53'-43"W. 165.00 feet on the west line of said Lot 5 and west line of the NW1/4 of said Section 15 to the Point of Beginning; thence continuing N.02°-53'-43"W. 540.53 feet on the west line of Lot 5 and 4, being the west line of the NW1/4 of said Section 15; thence N.84°-51'-14"E. 415.42 feet to the west line of Lot 2 in Flatbush Subdivision, recorded as Document No. 2004-1254 in the McLean County Recorder of Deeds Office, lying 68 feet west of the centerline of the former Illinois Central Gulf Railroad Company's Amboy District main track and right of way; thence N.05°-08'-46"W. 429.71 feet on said west line of Lot 2 in Flatbush Subdivision; thence S.87°-06'-17"W. 274.18 feet on the westerly line of said Lot 2 and westerly extension thereof parallel with the south line of Lot 3 in said Flatbush Subdivision; thence N.02°-53'-43"W. 49.98 feet to the south line of said Lot 3 in Flatbush Subdivision; thence S.87°-06'-17"W. 84.04 feet to the southwest corner of said Lot 3 in Flatbush Subdivision; thence N.02°-53'-43"W. 189.41 feet to the northwest corner of said Lot 3 in Flatbush Subdivision; thence N.88°-59'-48"E. 309.36 feet to the northeast corner of said Lot 3 in Flatbush Subdivision; thence N.05°-08'-46"W. 385.71 feet on the west line of Tri Lakes Road right of way as occupied and described in Deed Book 732, Page 241 and as vacated in Document No. 2017-13365 in the McLean County Recorder of Deeds Office, said west line lying 105 feet west of the centerline of the former Illinois Central Gulf Railroad Company's Amboy District main track and right of way; thence S.88°-17'-15"W. 334.10 feet to the west line of Lot 3 in Re-Survey of the W1/2 of the NW1/4 of said Section 15, also being the west line of the NW1/4 of Section 15; thence N.02°-53'-43"W. 480.92 feet on the west line of Lot 3 and Lot 2 in Re-Survey of the W1/2 of the NW1/4 of Section 15, to the northeast corner of Lot 8 in School Commissioners Subdivision in the NE1/4 of Section 16, Township 23 North, Range 2 East of the Third Principal Meridian; thence N.02°-41'-19"W. 109.54 feet on the west line of Lot 2 in Re-Survey of the W1/2 of the NW1/4 of Section 15 to the southerly right of way line of the former Peoria and Eastern Railway Company; thence S.57°-41'-19"E. 285.07 feet on said south right of way line of the former Peoria and Eastern Railway Company; thence S.62°-12'-59"E. 529.35 feet on said right of way line; thence southeasterly on said right of way line 836.14 feet on a curve concave to the southwest having a radius of 5,679.58 feet, central angle of 08°-26'-06" and chord of 835.39 feet bearing S.58°-06'-32"E. from the last described course to the north line of Lot 2 in Owner's Subdivision in the NW1/4 of said Section 15 according to the Plat thereof recorded in Plat Book 9, Page 82 in the McLean County Recorder of Deeds Office; thence southeasterly 66.66 feet on a curve concave to the southwest having a central angle of 00°-40'-21", radius of 5,679.58 feet and a chord of 66.66 feet bearing S.56°-10'-13"E. from the chord of the last described arc to the east line of said Lot 2 in Owner's Subdivision; thence S.02°-31'-47"E. 920.11 feet to the south line of said Lot 2; thence S.87°-25'-14"W. 882.23 feet to the southwest corner of said Lot 2 on the east line of Lot 1 in said Flatbush Subdivision; thence N.05°-08'-46"W. 83.55 feet to the southeast corner of Lot 2 in said Flatbush Subdivision; thence S.84°-51'-14"W. 141.00 feet to the southwest corner of said Lot 2, also being the northeast corner of Lot 1 in said Flatbush Subdivision; thence S.05°-08'-46"E. 577.73 feet on the west line of said Lot 1 and southerly extension thereof to south line of the said NW1/4 of Section 15 lying 9.01 feet east of the southeast corner of Lot 5 in said Re-Survey of the W1/2 of the NW1/4 of Section 15; thence S.87°-25'-14"W. 59.00 feet on the south line of said Lot 5 and south line of the NW1/4 of Section 15; thence N.05°-08'-46"W. 165.17 feet; thence S.87°-25'-14"W. 353.06 feet to the Point of Beginning, containing 41.72 acres, more or less, with assumed bearings given for description purposes only.



LEGEND	
[Symbol]	BOUNDARY OF SUBJECT PREMISES
[Symbol]	1/4" IRON ROD SET
[Symbol]	1/4" IRON ROD FOUND
[Symbol]	EASEMENT LIMITS
[Symbol]	CORPORATE LIMITS
[Symbol]	EXISTING BUILDING
[Symbol]	EXISTING FENCE
[Symbol]	EXISTING SANITARY MANHOLE
[Symbol]	EXISTING SEPTIC FIELD
[Symbol]	EXISTING SANITARY SEWER
[Symbol]	EXISTING HYDRANT
[Symbol]	EXISTING WATER VALVE
[Symbol]	EXISTING WATER MAIN MANHOLE
[Symbol]	EXISTING WELL
[Symbol]	EXISTING WATER MAIN
[Symbol]	EXISTING STORM MANHOLE
[Symbol]	EXISTING STORM INLET
[Symbol]	EXISTING STORM SEWER
[Symbol]	EXISTING LIGHT POLE
[Symbol]	UTILITY POLE
[Symbol]	GUY ANCHOR
[Symbol]	HANDHOLE
[Symbol]	TELEPHONE PEDESTAL
[Symbol]	FIBER VAULT
[Symbol]	OVERHEAD ELECTRIC
[Symbol]	GAS VALVE
[Symbol]	GAS MANHOLE
[Symbol]	GAS
[Symbol]	SIGN
[Symbol]	MAILBOX
[Symbol]	AIR CONDITIONING UNIT
[Symbol]	SATELLITE DISH
[Symbol]	EXISTING BOLLARD
[Symbol]	WOODEN POST
[Symbol]	GATE POST
[Symbol]	SEPTIC TANK
[Symbol]	CISTERN
[Symbol]	LANDSCAPED AREA
[Symbol]	DECIDUOUS TREE
[Symbol]	EXISTING GUARDRAIL
[Symbol]	EXISTING GRAVEL
[Symbol]	EXISTING ASPHALT
[Symbol]	EXISTING WATER
[Symbol]	EXISTING CONTOUR
[Symbol]	EXISTING FLOOD ROUTE
[Symbol]	FRONT YARD SETBACK - 40' TYPICAL
[Symbol]	PROPOSED EASEMENT LIMITS
[Symbol]	PROPOSED OR EXISTING INVERT
[Symbol]	PROPOSED SANITARY MANHOLE
[Symbol]	PROPOSED SANITARY SERVICE
[Symbol]	PROPOSED SANITARY SEWER
[Symbol]	PROPOSED HYDRANT
[Symbol]	PROPOSED WATER VALVE
[Symbol]	PROPOSED WATER SERVICE
[Symbol]	PROPOSED WATER MAIN
[Symbol]	PROPOSED STORM SEWER
[Symbol]	PROPOSED LIGHT POLE
[Symbol]	PROPOSED PAVEMENT ELEVATION
[Symbol]	PROPOSED PAVEMENT SLOPE
[Symbol]	PROPOSED FLOOD ROUTE
[Symbol]	PROPOSED DIRECTION OF DRAINAGE

PRELIMINARY PLAN NOTES:

- THIS SUBJECT PROPERTY CONTAINS 41.72 ACRES WHICH IS ZONED M-2 IN McLEAN COUNTY. THE SUBDIVISION SHALL CONSIST OF SIX (6) LOTS, ONE OUTLOT, AND A NEW PUBLIC STREET TO BE KNOWN AS HDI COURT. COMPARABLE ZONING CLASSIFICATION IN THE CITY OF BLOOMINGTON REQUIRES ZERO-FOOT SETBACK. THE PROPERTY WILL NOT BE ANNEXED TO THE CITY OF BLOOMINGTON AT THIS TIME.
- TOPOGRAPHIC INFORMATION IS SHOWN AT ONE-FOOT (1-FOOT) CONTOUR INTERVAL AS DETERMINED BY AERIAL FIELD SURVEY METHODS PROVIDED BY CIVIL & ENVIRONMENT CONSULTANTS, INC. DATED APRIL 2022.
- NO PORTION OF THIS PROPERTY LIES WITHIN THE SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 17113C0503E REVISED JULY 16, 2008.
- HDI COURT WILL BECOME A PUBLIC STREET UPON APPROVAL OF CONSTRUCTION AND ACCEPTANCE FOR MAINTENANCE BY BLOOMINGTON TOWNSHIP AND THE McLEAN COUNTY ENGINEER.
- PROPOSED SANITARY SEWERS AND WATER MAINS WILL BECOME A PUBLIC FACILITY UPON APPROVAL OF CONSTRUCTION AND ACCEPTANCE FOR MAINTENANCE BY THE CITY OF BLOOMINGTON.
- PROPOSED STORM SEWERS WILL BECOME A PUBLIC FACILITY UPON APPROVAL OF CONSTRUCTION AND ACCEPTANCE FOR MAINTENANCE BY BLOOMINGTON TOWNSHIP AND THE McLEAN COUNTY ENGINEER. THE PROPOSED STORM SEWER THAT RUNS FROM LOT 1 EAST ACROSS LOT 2 SHALL BE MAINTAINED BY THE OWNER.
- PROPOSED OUTLOT A WILL SERVE AS PRIVATE STORM WATER DETENTION FOR LOTS 1-5 AND IN PART FOR LOT 6. LOT 6 CONTAINS A STORM WATER DETENTION BASIN PREVIOUSLY APPROVED BY McLEAN COUNTY FOR AN ONGOING CONCRETE BATCH PLANT OPERATION. PRIVATE STORM WATER DETENTION BASINS ON OUTLOT A AND LOT 6 SHALL BE MAINTAINED BY THE OWNER. DRAINAGE CALCULATIONS FOR MODIFICATION OF THE EXISTING TRI LAKES WATER IMPOUNDMENT PERTAINING TO STORM WATER DETENTION WILL BE SUBMITTED TO McLEAN COUNTY FOR REVIEW AND APPROVAL WITH CONSTRUCTION PLANS FOR THE SUBDIVISION.
- FINAL DRAINAGE CALCULATIONS, CROSS SECTIONS OF PROPOSED DRAINAGE WAYS, LOT DRAINAGE, AND EROSION CONTROL PLAN WILL BE SUBMITTED AS PART OF THE CONSTRUCTION PLANS TO BE APPROVED BY McLEAN COUNTY.
- THE SUBJECT PREMISES SUBDIVISION IS ADJACENT TO THE CORPORATE LIMITS OF THE CITY OF BLOOMINGTON. PUBLIC IMPROVEMENTS, INCLUDING STORM WATER DETENTION REQUIREMENTS AND FINAL PAVEMENT DESIGN, WILL MEET THE CITY OF BLOOMINGTON CONSTRUCTION STANDARDS AND SPECIFICATIONS. THE HDI COURT AND BUNN STREET INTERSECTION GEOMETRICS SHALL BE DETERMINED AS PART OF THE CONSTRUCTION PLANS. THE CONSTRUCTION PLANS SHALL BE APPROVED BY THE CITY OF BLOOMINGTON.

PRELIMINARY PLAN WAIVERS REQUESTED:

- A WAIVER IS REQUESTED TO ALLOW PUBLIC STREETS TO BE CONSTRUCTED WITH SIDEWALK ON ONE SIDE OF THE STREET ONLY ALONG HDI COURT. THE SIDEWALK WILL BE CONSTRUCTED ON THE NORTH SIDE OF HDI COURT.

RECOMMENDATION OF PRELIMINARY PLAN APPROVAL BY THE COMMITTEE OF THE McLEAN COUNTY BOARD

NOTICE IS HEREBY GIVEN THAT THE PRELIMINARY PLAN OF THE SUBDIVISION SHOWN HEREON IS RECOMMENDED BY COMMITTEE OF THE COUNTY BOARD, COUNTY OF McLEAN, ILLINOIS, FOR COUNTY BOARD APPROVAL WITH THE MODIFICATIONS (IF ANY) AS NOTED IN ATTACHMENT A WHICH IS ATTACHED HERETO.

THE COUNTY BOARD OF McLEAN COUNTY, ILLINOIS

DATE February 24, 2023

BY [Signature] CHAIRPERSON

BY [Signature] SECRETARY

NOTICE OF APPROVAL OF PRELIMINARY PLAN BY THE COUNTY BOARD OF McLEAN COUNTY, ILLINOIS

NOTICE IS HEREBY GIVEN THAT THE PRELIMINARY PLAN OF THE SUBDIVISION SHOWN HEREON HAS RECEIVED APPROVAL BY THE COUNTY BOARD, AND UPON COMPLIANCE BY THE SUBDIVIDER WITH THE REQUIREMENTS OF QUALIFICATION GOVERNING THE APPROVAL OF PRELIMINARY PLANS AND WITH OTHER REVISIONS AND STIPULATIONS THAT MAY BE REQUIRED, AS NOTED ON ATTACHMENT A WHICH IS ATTACHED HERETO, THE COUNTY BOARD WILL RECEIVE THE FINAL PLAT OF SUCH SUBDIVISION OR PORTION THEREOF FOR CONSIDERATION WHEN SUBMITTED BY THE SUBDIVIDER IN SUCH FORM AND WITHIN SUCH TIME AS REQUIRED BY THE RESOLUTION.

THE COUNTY BOARD OF McLEAN COUNTY, ILLINOIS

BY [Signature] COUNTY BOARD CHAIRMAN

DATE February 23, 2023

RECEIVED
FEB 01 2023
ZONING

ATTEST BY [Signature] COUNTY CLERK
DATE Feb 16, 2023

INDEX OF SHEETS

SHEET NO.	DESCRIPTION
1	COVER SHEET
2	COMPREHENSIVE PLAN
3 - 6	UTILITY PLAN

BENCHMARKS:

NO.	DESCRIPTION	ELEVATION
1	T/FH @ SW CORNER BUNN/HAMILTON	866.01
2	SPINDLE SET IN PP - N SIDE OF PARKING AREA WEST OF TRI LAKES CLUBHOUSE BUILDING	852.84

DAVID P. BROWN, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2725, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE PLAT SHOWN HEREON IS AN ACCURATE REPRESENTATION OF A SURVEY MADE UNDER MY DIRECTION.

[Signature] 09/06/2022
DAVID P. BROWN IPLS NO. 2725 DATE



THIS PRELIMINARY PLAT WAS PREPARED BY LEWIS, YOCCKEY & BROWN, INC., 505 NORTH MAIN STREET, BLOOMINGTON, ILLINOIS.

[Signature] 09/06/2022
ERIN L. ESTABROOK ILPE NO. 51348 DATE



LYB
www.lybinc.com

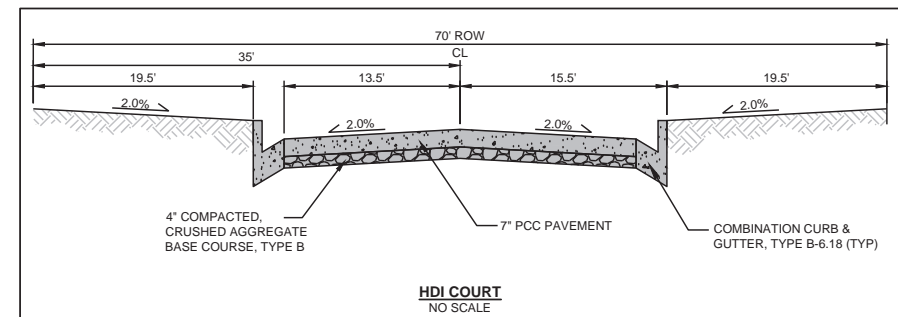
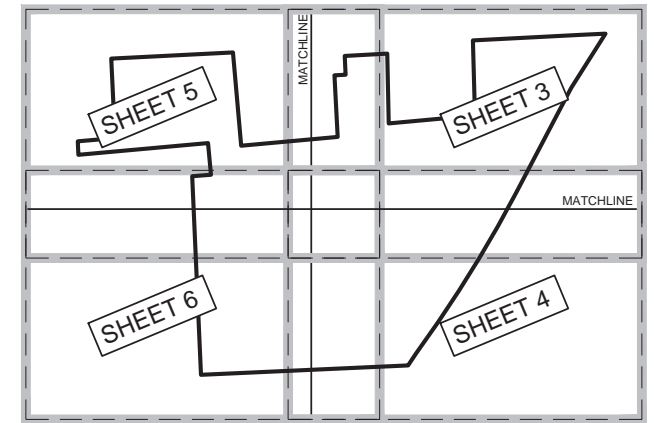
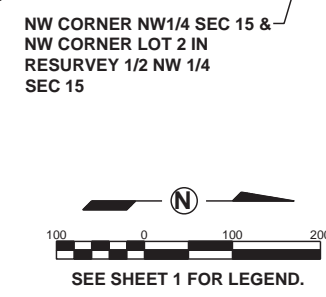
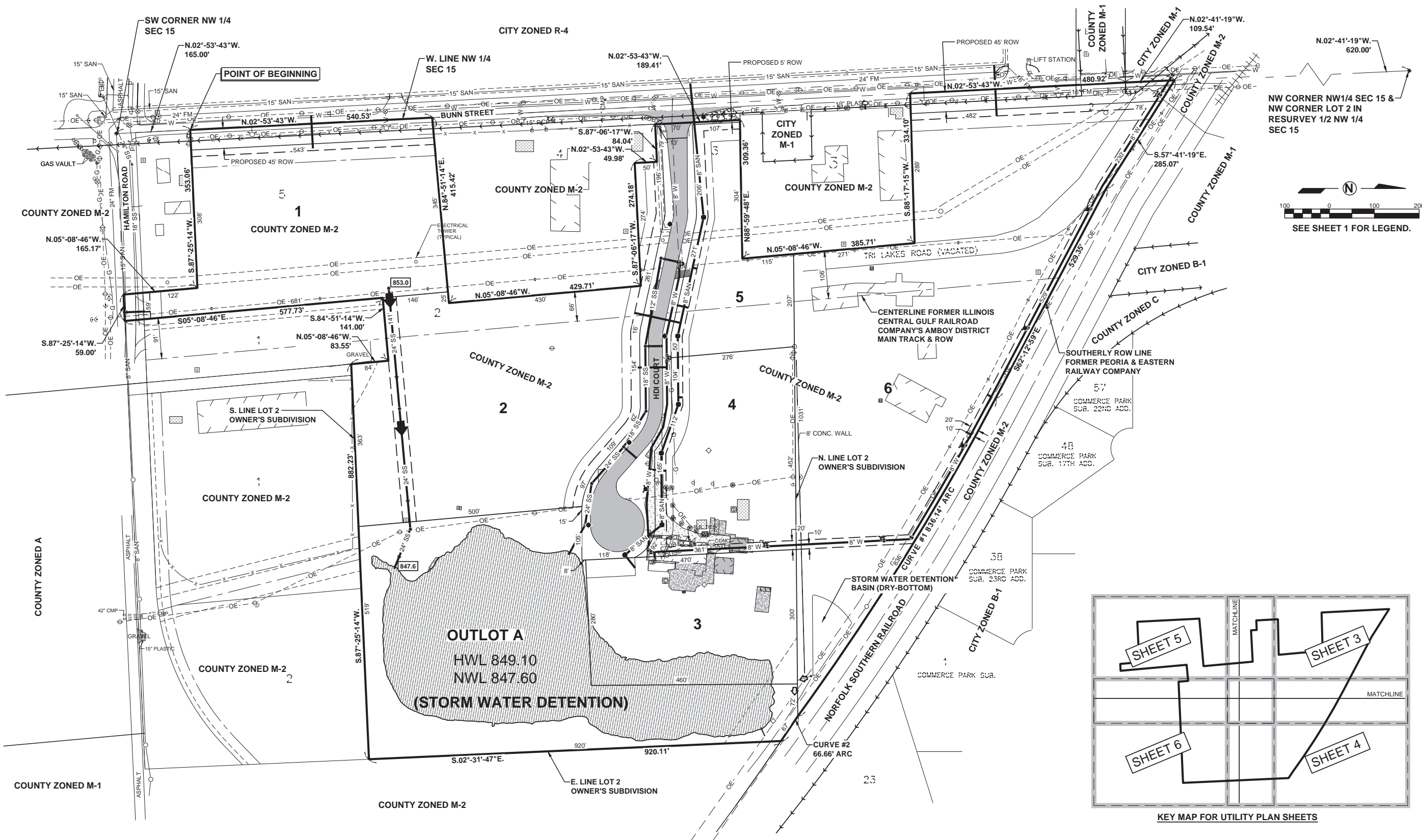
Lewis, Yockey & Brown, Inc.
Consulting Engineers & Land Surveyors
Professional Design Firm Registration #184.000806
505 North Main Street, Bloomington, Illinois
Ph. (309) 829-2552

REVISED	
11/28/2022	-
12/20/2022	-
01/16/2023	-
01/26/2023	-

DRN. ELE
DSN. ELE
APP. DPB

HDI SUBDIVISION
BUNN STREET, McLEAN COUNTY, ILLINOIS
PRELIMINARY PLAN
COVER SHEET

SHEET
1
OF 3
JOB #
4920.07



ALL EXISTING BUILDINGS, AGGREGATE PAVEMENT, ASPHALT PAVEMENT, AND CONCRETE PAVEMENT ARE TO BE REMOVED ON LOTS 3, 4, AND 5. WELLS AND SEPTIC SYSTEM ELEMENTS ON LOTS 2, 3, 4, AND 6 SHALL BE ABANDONED IN ACCORDANCE WITH MCLEAN COUNTY HEALTH DEPARTMENT REGULATIONS.

BOUNDARY CURVE CURVE #1 DATA	BOUNDARY CURVE CURVE #2 DATA
$\Delta = 08^{\circ}-26'-06''$	$\Delta = 00^{\circ}-40'-21''$
$R = 5679.58'$	$R = 5679.58'$
$L = 836.14'$	$L = 66.66'$
$T = 418.83'$	$T = 33.33'$
$C = 835.39'$	$C = 66.66'$
$CB = S.58^{\circ}-06'-32''E.$	$CB = S.56^{\circ}-10'-13''E.$

REVISED	-
11/29/2022	-
12/20/2022	-
01/16/2023	-
BK.	-
DRN.	JSB/ELE
DSN.	LDV/ELE
APP.	DPB

HDI SUBDIVISION
 BUNN STREET, MCLEAN COUNTY, ILLINOIS
 PRELIMINARY PLAN
 COMPREHENSIVE PLAN

REVISED	-
11/29/2022	-
12/20/2022	-
01/16/2023	-
BK.	-
DRN.	JSB/ELE
DSN.	LDY/ELE
APP.	DPB

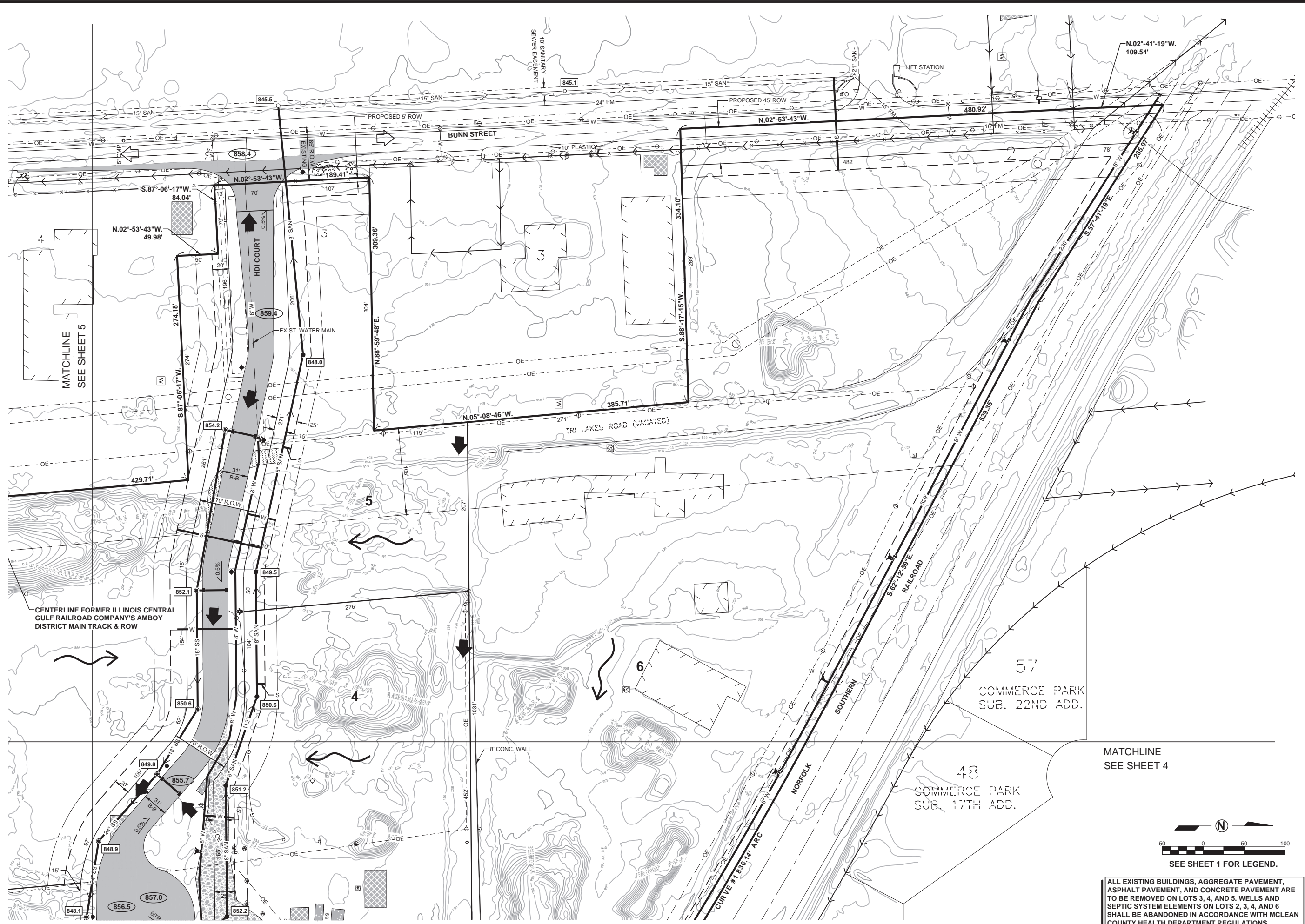
HDI SUBDIVISION
 BUNN STREET, MCLEAN COUNTY, ILLINOIS
 PRELIMINARY PLAN
 UTILITY PLAN

SHEET

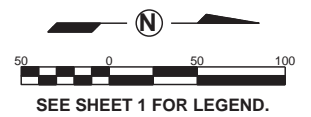
3

OF: 6
 JOB #:

4920.07



MATCHLINE
 SEE SHEET 4



ALL EXISTING BUILDINGS, AGGREGATE PAVEMENT,
 ASPHALT PAVEMENT, AND CONCRETE PAVEMENT ARE
 TO BE REMOVED ON LOTS 3, 4, AND 5. WELLS AND
 SEPTIC SYSTEM ELEMENTS ON LOTS 2, 3, 4, AND 6
 SHALL BE ABANDONED IN ACCORDANCE WITH MCLEAN
 COUNTY HEALTH DEPARTMENT REGULATIONS.

MATCHLINE
 SEE SHEET 5

CENTERLINE FORMER ILLINOIS CENTRAL
 GULF RAILROAD COMPANY'S AMBOY
 DISTRICT MAIN TRACK & ROW

REVISED	-
11/29/2022	-
12/20/2022	-
01/16/2023	-
BK:	-
DRN:	JSB/ELE
DSN:	LDY/ELE
APP:	DPB

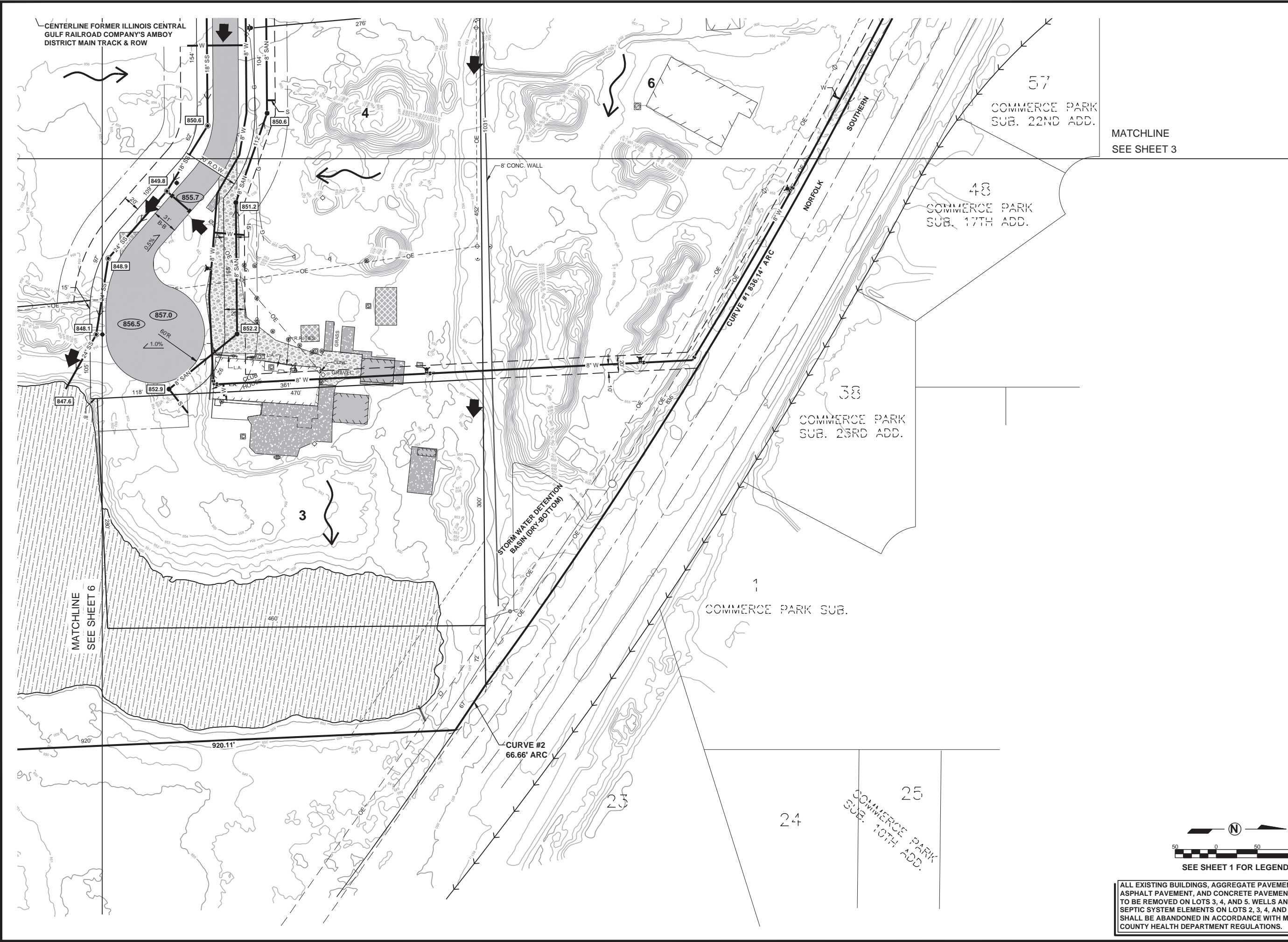
HDI SUBDIVISION
 BUNN STREET, MCLEAN COUNTY, ILLINOIS
 PRELIMINARY PLAN
 UTILITY PLAN

SHEET

4

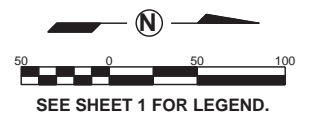
OF: 6
 JOB #:

4920.07



MATCHLINE
 SEE SHEET 3

MATCHLINE
 SEE SHEET 6

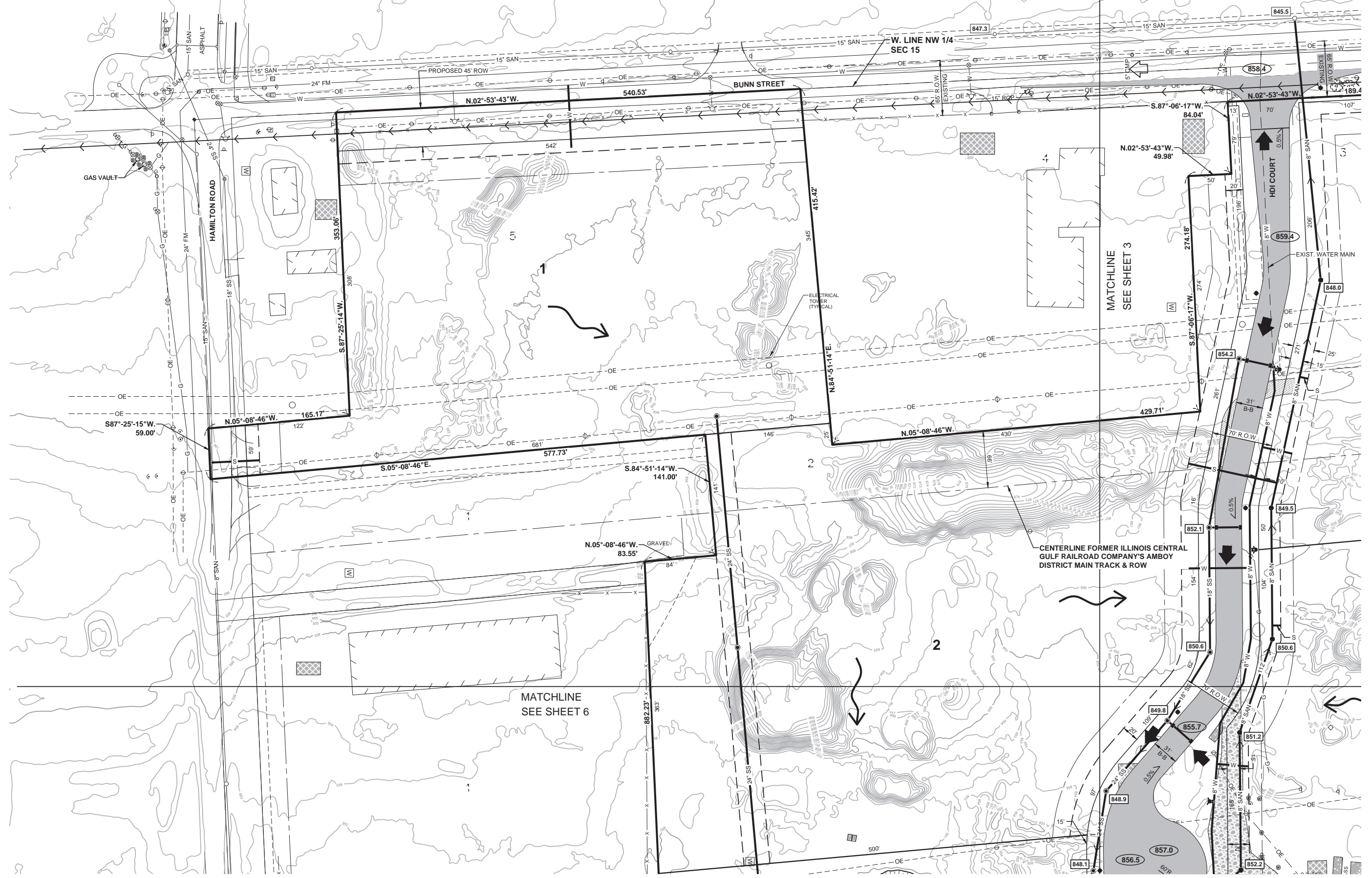


ALL EXISTING BUILDINGS, AGGREGATE PAVEMENT, ASPHALT PAVEMENT, AND CONCRETE PAVEMENT ARE TO BE REMOVED ON LOTS 3, 4, AND 5. WELLS AND SEPTIC SYSTEM ELEMENTS ON LOTS 2, 3, 4, AND 6 SHALL BE ABANDONED IN ACCORDANCE WITH MCLEAN COUNTY HEALTH DEPARTMENT REGULATIONS.



SEE SHEET 1 FOR LEGEND.

ALL EXISTING BUILDINGS, AGGREGATE PAVEMENT, ASPHALT PAVEMENT, AND CONCRETE PAVEMENT ARE TO BE REMOVED ON LOTS 3, 4, AND 5. WELLS AND SEPTIC SYSTEM ELEMENTS ON LOTS 2, 3, 4, AND 6 SHALL BE ABANDONED IN ACCORDANCE WITH MCLEAN COUNTY HEALTH DEPARTMENT REGULATIONS.



www.lybinc.com

Lewis, Yockey & Brown, Inc.
 Consulting Engineers & Land Surveyors
 Professional Design Firm Registration #184.000806
 505 North Main Street, Bloomington, Illinois
 Ph. (309) 829-2552

REVISED	-
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APP:	DPB

HDI SUBDIVISION
 BUNN STREET, MCLEAN COUNTY, ILLINOIS
 PRELIMINARY PLAN
 UTILITY PLAN

SHEET
5
 OF: 6
 JOB #: 4920.07

REVISED	-
11/29/2022	-
12/20/2022	-
01/16/2023	-
BK.	-
DRN.	JSB/ELE
DSN.	LDY/ELE
APP.	DPB

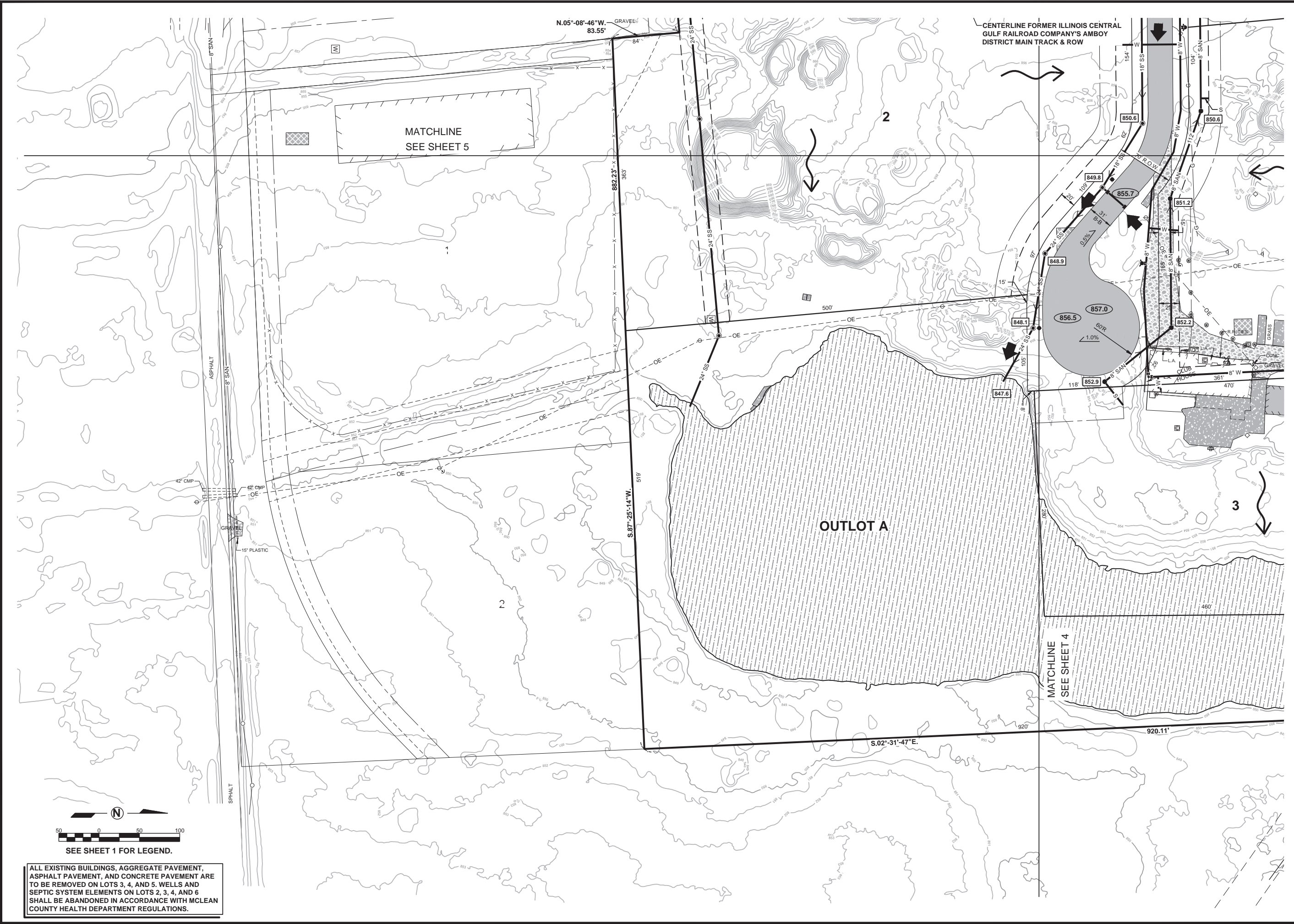
HDI SUBDIVISION
 BUNN STREET, MCLEAN COUNTY, ILLINOIS
 PRELIMINARY PLAN
 UTILITY PLAN

SHEET

6

OF: 6
 JOB #:

4920.07

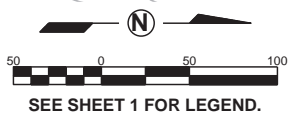


MATCHLINE
 SEE SHEET 5

OUTLOT A

MATCHLINE
 SEE SHEET 4

CENTERLINE FORMER ILLINOIS CENTRAL
 GULF RAILROAD COMPANY'S AMBOY
 DISTRICT MAIN TRACK & ROW



SEE SHEET 1 FOR LEGEND.

ALL EXISTING BUILDINGS, AGGREGATE PAVEMENT,
 ASPHALT PAVEMENT, AND CONCRETE PAVEMENT ARE
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 SEPTIC SYSTEM ELEMENTS ON LOTS 2, 3, 4, AND 6
 SHALL BE ABANDONED IN ACCORDANCE WITH MCLEAN
 COUNTY HEALTH DEPARTMENT REGULATIONS.

Attachment C:
March 13, 2023 Illinois Environmental Protection Agency Violations Notice
to Henson Recycling Center



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
TDD 217/782-9143

CERTIFIED MAIL # 7022 2410 0001 5388 3510
RETURN RECEIPT REQUESTED

March 13, 2023

Henson Disposal Inc
Attn: Tom Kirk
705 N East Street
Bloomington, Illinois 61702

IEPA-DIVISION OF RECORDS MANAGEMENT

Re: Violation Notice L-2023-00068
BOL #1138045002 - McLean County
Bloomington/Henson Bloomington Recycling Center
Compliance File

RELEASABLE

MAY 4, 2023

REVIEWER

MED

Dear Tom Kirk:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act, 415 ILCS 5/31(a)(1), and is based on an inspection completed on December 6, 2022 by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in the attachment to this notice. The attachment includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this notice. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether you wish to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If you wish to enter into a CCA, the written response must also include proposed terms for the CCA, including dates for achieving each commitment, and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

The Illinois EPA will review the proposed terms for a CCA provided by you and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, you must respond in writing either by

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

agreeing to and signing the proposed CCA or by notifying the Illinois EPA that you reject the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois Environmental Protection Agency
Attn: James Jennings, Manager
Bureau of Land # 24
1021 North Grand Ave. East
Springfield, Illinois 62794-9276

Please include the Violation Notice Number L-2023-00068 and the Site Identification Number 1138045002 on all written communications and supporting documents.

The complete requirements of the Illinois Environmental Protection Act and any Illinois Pollution Control Board regulations cited herein or in the inspection report can be viewed at:

<http://www.ipcb.state.il.us/SLR/TheEnvironmentalProtectionAct.asp>

and

<http://www.ipcb.state.il.us/SLR/PCBandIEPAEnvironmentalRegulations-Title35.asp>

If you have questions regarding this matter, please contact Michael Mullins at the following email address: Michael.Mullins@Illinois.gov or at (217) 278-5819.

Sincerely,



Victoria Slayton, MPA
Deputy Section Manager
Materials Management and Compliance Section
Illinois EPA

Enclosure: Violation Notice Attachment

CC:
Richard T. Marvel
221 East Front Street
Bloomington, IL 61701

Violation Notice Attachment

Henson Disposal Inc (“Respondent”) owns the business located at 2148 Tri Lakes Road in Bloomington, Illinois (“the subject property”). On December 6, 2022, the Illinois EPA inspected the subject property. During the inspection, apparent violations of the Illinois Environmental Protection Act and Illinois Pollution Control Board (“Board”) Regulations and Permit No. 2011-089-DE/OP dtd (the “Permit”) were observed. These apparent violations are discussed in further detail below.

1. Applicable Authorities

- i) Illinois law prohibits any person from:
 - a) Causing or allowing the discharge of any contaminants into the environment so as to cause water pollution in Illinois. *See* 415 ILCS 5/12(a).
 - b) Depositing any contaminants onto the land so as to create a water pollution hazard. *See* 415 ILCS 5/12(d).
 - c) Causing, threatening, or allowing the discharge of any contaminant without or in violation of an NPDES permit. *See* 415 ILCS 5/12(f).
 - d) Causing or allowing open dumping of any waste in Illinois. *See* 415 ILCS 5/21(a).
 - e) Conducting any waste-storage, waste-treatment, or waste-disposal operation without a permit granted by the Illinois EPA or in violation of any conditions imposed by such permit *See* 415 ILCS 5/21(d)(1).
 - f) Disposing, treating, storing, or abandoning any waste into Illinois at or to sites not meeting the requirements of the Act. *See* 415 ILCS 5/21(e).
 - g) Causing or allowing the open dumping of any waste in a manner which results in litter. *See* 415 ILCS 5/21(p)(1).
 - h) Causing or allowing the open dumping of any waste in a manner which results in deposition of waste in standing or flowing waters. *See* 415 ILCS 5/21(p)(4).
 - i) Causing or allowing the open dumping of waste in a manner which results in standing or flowing liquid discharge from the dump site. *See* 415 ILCS 5/21(p)(6).

- j) Conducting any clean construction or demolition debris fill operation in violation of the Act or Board regulations. *See* 415 ILCS 5/22.51(a).
 - k) Using soil other than uncontaminated soil as fill material at a clean construction or demolition debris fill operation. *See* 415 ILCS 5/22.51(g)(1).
- ii) Board Regulations state that:
- a) No person may accept any special waste for disposal, storage or treatment within Illinois from special waste transporter unless the special waste transporter has a valid special waste hauling permit issued by the Agency. *See* 35 Ill. Adm. Code 809.302(a).
 - b) No person shall conduct any CCDD fill operation in violation of the Act or any regulations or standards adopted by the Board. *See* 35 Ill. Adm. Code 1100.201(a).
 - c) CCDD fill operations must not accept waste for use as fill. *See* 35 Ill. Adm. Code 1100.201(b).
 - d) No person shall use soil other than uncontaminated soil as fill material at a CCDD fill operation. *See* 35 Ill. Adm. Code 1100.201(d).
 - e) The owner or operator for all soil, including soil mixed with CCDD, must obtain a certification from the source site owner or source site operator that the site is not a potentially impacted property and is presumed to be uncontaminated soil, and soil pH is within the range of 6.25 to 9.0. *See* 35 Ill. Adm. Code 1100.205(a)(1).
 - f) The owner or operator certifications required under subsections 1100.205(a)(1)(A) and 1100.205(a)(1)(B) must be on forms and in a format prescribed by the Agency. *See* 35 Ill. Adm. Code 1100.205(a)(2).
 - g) The owner or operator must confirm and document that the CCDD or uncontaminated soil was not removed from a site as part of a cleanup or removal of contaminants, including, but not limited to, activities conducted under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; as part of a Closure or Corrective Action under the Resource Conservation and Recovery Act, as amended, or under an Agency remediation program, such as the Leaking Underground Storage Tank Program or Site Remediation Program, but excluding sites subject to Section 58.16 of the Act when there is no presence or likely presence of a release or a substantial threat of a release of a regulated substance at, on, or from the real property. *See* 35 Ill. Adm. Code 1100.205(a)(3).

- h) The owner or operator must conduct testing to determine that the soil is uncontaminated or obtain documentation to show that the soil was tested in accordance with the requirements of Subpart F of this part. *See* 35 Ill. Adm. Code 1100.205(a)(4).
- i) The owner or operator must conduct routine inspections of every load before its acceptance at the facility with a photo ionization detector utilizing a lamp of 10.6 eV or greater or an instrument with a flame ionization detector. *See* 35 Ill. Adm. Code 1100.205(b).
- j) An inspector designated by the facility must inspect every load before its acceptance at the facility utilizing an elevated structure, a designated ground level inspection area, or another acceptable method as specified in the Agency permit. *See* 1100.205(b)(1)(A).
- k) Cameras or other devices may be used to record the visible contents of shipments. Where such devices are employed, their use should be designated on a sign posted near the entrance to the facility. *See* 1100.205(b)(1)(B).
- l) The owner or operator must document the inspection results. The documentation for each inspection must include, at a minimum, the following:
 - i) The date and time of the inspection, the date the CCDD or uncontaminated soil was received, the weight or volume of the CCDD or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and source site operator, and the location of the site of origin of the CCDD or uncontaminated soil;
 - ii) The results of the routine inspection required under subsection (b)(1) of this Section, including, but not limited to, the monitoring instruments used, whether the load was accepted or rejected, and for rejected loads the reason for the rejection;
 - iii) The results of any random inspection required under subsection (b)(2) of this Section, including, but not limited to, the monitoring instruments used, whether the load was accepted or rejected, and for rejected loads the reason for the rejection; and
 - iv) The name of the inspector. *See* 35 Ill. Adm. Code 1100.205(b)(3).

- m) If material other than CCDD or uncontaminated soil is found or suspected, the owner or operator must reject the load and present the driver of the rejected load with written notice of the following:
 - i) That only CCDD or uncontaminated soil is accepted for use as fill at the facility;
 - ii) The reasons for rejections of the load, that the material must not be taken to another fill operation, except as provided in subsection (b)(4)(A)(iv) or the material must be disposed of at a permitted landfill;
 - iii) That, for all inspected loads, the owner or operator is required to record and make available for Agency inspection, at a minimum, the date and time of the inspection, the weight or volume of the CCDD or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and source site operator, and the location of the site of origin of the fill; and
 - iv) That a load rejected from a fill operation may be accepted by the same fill operation or another fill operation if the requirements of subsection (a)(5) are satisfied. *See* 35 Ill. Adm. Code 1100.205(b)(4).
- n) The owner or operator must maintain an operating record at a facility or in some alternative location specified in the Agency Permit. The owner or operator must make the operating record available for inspection and copying by the Agency upon request during normal business hours. *See* 35 Ill. Adm. Code 1100.210.
- o) Copies of all records required to be kept under this Part shall be retained by the site operator for three years and must be made available at the site during the normal business hours of the operator for inspection and photocopying by the Agency. *See* 35 Ill. Adm. Code 1150.110.
- p) The operator of a CCDD fill operation shall keep a Daily Record of the CCDD and the uncontaminated soil accepted for use as fill material at the CCDD fill operation. *See* 35 Ill. Adm. Code 1150.200(a).

- q) Payment of the fee due under Section 22.51b of the Act must be made on a quarterly basis with the submission of the Quarterly Fill Summary. The payment must be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and must cover the preceding three calendar months. The fee payment due must be calculated by multiplying the quantity of CCDD and uncontaminated soil accepted for use as fill material, in tons weighed or cubic yards measured, as reported on the Quarterly Fill Summary, times the applicable rate in Section 22.51b of the Act. *See* 35 Ill. Adm. Code 1150.300.

iii) The Permit requires:

- a) The construction-demolition debris recycling consists of 6.16 acres on the east and west sides of 2148 Tri Lakes Road, Bloomington, more particularly described in the application. The operator shall not cause or allow the modification to the design or operation of this facility or accept any type of debris for recycling except as authorized in a permit issued by the Illinois EPA. *See* Permit Condition #1.
- b) There be no deviations from the approved plans and specifications unless a written request for modification has been submitted to the Illinois EPA and a supplemental written permit has been issued. *See* Permit Condition #3.
- c) The facility shall be designed, constructed, operated, and maintained to prevent litter and other debris from leaving the facility property. Facility features (e.g., windbreaks, fencing, netting, etc) shall be among the measures considered to ensure that the debris does not become wind strewn and no other provisions of the Act are violated. *See* Permit Condition #9.

2. **Alleged Violations**

The Illinois EPA inspector observed a semi-trailer leaking white liquid, which may have caused, threatened, or allowed water pollution within the sites boundary's and accordingly violated Illinois law. *See* 415 ILCS 5/12(a); 415 ILCS 5/12(d); 415 ILCS 5/12(f).

The Illinois EPA inspector observed open dumping, including but not limited to wood, concrete, and litter at the subject property, which violates Illinois law. *See* 415 ILCS 5/21(a); 415 ILCS 5/21(d)(1); 415 ILCS 5/21(e); 415 ILCS 5/21(p)(1); 415 ILCS 5/21(p)(4); 415 ILCS 5/21(p)(6); Permit Condition #9.

The Illinois EPA inspector observed filling, without a permit, of speculatively reclaimed soil. *See* 415 ILCS 5/22.51(a); 415 ILCS 5/22.51(g)(1); 35 Ill. Adm. Code 1100.201(a); 35 Ill. Adm. Code 1100.201(b); 35 Ill. Adm. Code 1100.201(d); 35 Ill. Adm. Code 1100.205(a)(1).

Respondent failed to inspect every load before its acceptance at the facility and reject material other than CCDD or uncontaminated soil. *See* 35 Ill. Adm. Code 809.302; 35 Ill. Adm. Code 1100.205(a)(2); 35 Ill. Adm. Code 1100.205(b); 35 Ill. Adm. Code 1100.205(b)(1)(A); 35 Ill. Adm. Code 1100.205(b)(1)(B); 35 Ill. Adm. Code 1100.205(b)(4).

Respondent failed to produce certifications and/or documents required on past uses of the site where the soil originated as well as an operating record at the facility. *See* 35 Ill. Adm. Code 1100.205(a)(3); 35 Ill. Adm. Code 1100.210; 35 Ill. Adm. Code 1150.110; 35 Ill. Adm. Code 1150.200(a).

Respondent failed to conduct and document testing to determine that the soil used for fill is uncontaminated. *See* 35 Ill. Adm. Code 1100.205(a)(4); 35 Ill. Adm. Code 1100.205(b)(3).

Respondent failed to pay the Quarterly Submission of Payment based on the quantity of CCDD and uncontaminated soil for use as fill material. The payment must be received by the Agency on or before April 15, July 15, October 15, and January 15. *See* 35 Ill. Adm. Code 1150.300.

Respondent failed to follow the approved plans and specifications for allowing the modification to the design or operation of this facility, which violates the Permit. *See* Permit Condition #1; Permit Condition #3.

3. Suggested Resolutions

- i) **Immediately upon receipt of this Violation Notice (“VN”), the Respondent shall:**
 - a) Cease all open dumping at the subject property.
 - b) Cease and desist the point of source discharge of fluids and contaminants to waters of the United States.
 - c) Cease and desist accepting wastes that are not allowed in the permit until proper permitting is obtained from the Illinois EPA.
 - d) Cease and desist accepting regulated soils until a permit is obtained from the Illinois EPA.
 - e) Cease and desist use of additional space until a permit is obtained from the Illinois EPA.
 - f) Cease modifying, filling or changing a borrow pit without a permit obtained from the Illinois EPA.

- ii) **Within 90 calendar days upon receipt of the VN**, the Respondent shall:
 - a) Request a significant modification to the existing permit for actual space, acres and/or area being used for the facility.
 - b) Design and install a permitted leachate collection system for leachate generated at the subject property.
 - c) Develop and implement a training program for all employees on the rules and procedures in order to properly handle the wastes and recyclables.
 - d) Develop and implement a load checking program that includes all necessary steps and records for wastes and recyclables handled.
 - e) Develop and implement a litter control program that may include fences, berms, closed top containers and picking up of strewn items.
 - f) Pay the Quarterly Submission of Payment based on the quantity of CCDD and uncontaminated soil for use as fill material. The payment must be received by the Agency on or before April 15, July 15, October 15, and January 15.

- iii) Recordkeeping. **Within 45 calendar days upon receipt of the VN**, the Respondent shall submit copies of records reflecting remedial actions undertaken to address the above-referenced violations, including but not limited to transportation receipts, disposal receipts, and photographs reflecting the completion of the suggested resolutions identified above, to:

Illinois EPA Champaign Regional Office
*Attn: **Michael Mullins***
2125 South First Street
Champaign, Illinois 61820

Attachment D:
December 6, 2022 Illinois Environmental Protection Agency Inspection Report
of Henson Recycling Center

Illinois Environmental Protection Agency
Bureau of Land – Field Operations Section
Inspection Report

General Facility Information

BOL ID	1138045002	Evaluation Date	12/6/2022
USEPA Id		Region	Champaign
Site Name	Henson Bloomington Recycling Ctr.	County	McLean
Address	2148 Tri Lakes Rd.	Phone	309-829-5021
City/State/Zip	Bloomington, IL 61704	EJ Status	
Limited English	<input type="checkbox"/>	Primary Language	

Observations

Time	0930-1130
Weather Conditions	Overcast and fog
Temperature	41 Fahrenheit
Photos Taken	Yes
Samples Collected	No

Evaluation Type

Solid Waste Program - GCDD Recycling Site Inspection

Owner

Henson Disposal Inc
Attn: Kirk Tom
705 N E St
Bloomington, IL 61702

Operator

Henson Bloomington Recycling Ctr
Attn : Kirk Timothy
2148 Tri Lakes Rd
Bloomington, IL 61704

Inspection Participants

<u>Person</u>	<u>Affiliation</u>	<u>Phone</u>
Michael Mullins	IEPA FOS Primary Inspector	(217) 278-5819

Persons Interviewed

<u>Person</u>	<u>Phone</u>	<u>E-Mail</u>
Kirk, Tom	309-829-5021	kirkdemolition@yahoo.com
Hatfield, Blake		

Permit

<u>Application Date</u>	<u>Log #</u>	<u>Issue Date</u>	<u>Expiration Date</u>	<u>Mod/Sp #</u>	<u>Mod/Sp Date</u>
	Solid Waste: 2011-089-DE/OP dtd 07/19/2011				

IEPA-DIVISION OF RECORDS MANAGEMENT

RELEASABLE

MAY 4, 2023

Active Enforcement Orders

CACO
NONE

Consent Decree

CAFO

IPCB

Federal Court

State Court

Executive Summary

I inspected this permitted and active construction and demolition debris recycling center that also recycles landscape waste on December 6, 2022. The purpose was to determine the site's compliance with solid waste landfill portions of the Illinois Environmental Protection Act, the Title 35 Illinois Administrative Code regulations, and the site's Illinois EPA-issued permit, 2011-089-DE/OP. I inspected in accordance with authority granted under Section 4(c) and 4(d) of the Environmental Protection Act and Standard Condition 4 of the site's permit.

Violations were noted during this inspection. Alleged violations include accepting and point source discharging an unknown liquid to the environment, the unpermitted filling of a borrow pit, acceptance of special waste, open dumping of wind-power turbine blades and excessive litter on and off-site.

Evaluation Narrative

I conducted a non-scheduled permitted facility inspection starting at 9:30 a.m. on December 6, 2022. I started my inspection at the landscape waste/brush area. Upon arrival I was met by Joe Bober, equipment operator, who assisted me during the landscape waste area inspection. Joe and another worker were processing brush into mulch. The holding area was observed about 2/3 full of brush and processed shredded brush (photos 1-2). Brush still comes primarily from private individuals and tree/landscape companies. The City of Bloomington had terminated its contract and no longer disposes of brush at this facility. One noted difference in the brush was the absence of litter. Joe said the landscape companies bring clean brush for processing.

The tub grinder was observed on the south side of the site and operating. The trommel screen was also just east of the processed piles and appeared to have been recently operating. Most of the processed material was going to mulch processors to dye and sell to users as mulch. Joe said a recent order from a truck stop of 600 cubic yards was a big order. The facility normally processes daily.

My second area to inspect was the construction & demolition debris waste facility on the northern part of the property. Upon arrival I went to the scale house where I met Derek, scale operator. I let him know I was there and ask who was on-site at that time. Derek said that Blake Hatfield was somewhere, and owner Tom Kirk was on-site with a tour. On the scale was a tandem dump truck from City of Bloomington with a load of soil with litter. I asked Derek what the "city" was bringing to the facility and his response was "spoils", I quickly asked for clarification of what "spoils" are and Derek said it is from when a water main breaks or a sewer must be dug up. The soil, rock, sand, litter, broken pipe and anything else that would be excavated would be the "spoils". I was aware of that waste and in the days when Bloomington had a landfill, it went directly to the landfill. I later followed a dump truck to where they dumped the "spoils", and it was on the banks of the lake (photos 18-22). I recall when Tri-lakes had three lakes, today I only noticed one that appeared a fill operation to remove the last lake.

The receiving area had a few days of volume to be processed (photos 11-12). Several workers were observed handling and processing waste being received.

As I walked through the receiving area and noticed a semi-trailer leaking a white liquid (photos 5-10). It appeared that a worker was using an excavator to place wastes into the trailer. No one knew what the liquid contained. The flow was a steady stream of white liquid, and I followed the flow to the ditch (stormwater ditch) between the Kirk Property and

Roanoke Concrete (photo 6). The stormwater ditch flowed to the south and was full of litter.

Observed to the south of the receiving area was a large pile of waste wood. A large volume of the waste wood appeared to be broken pallets and dimensional lumber with some utility poles (photos 14,16, 17). Also observed in the wood waste area was some wind turbine blades (photo 15) that have been there a few years. These items do not appear to be Construction and Demolition Debris (C&D).

Observed southeast of the receiving area was a large pile of broken concrete (photo 23). I then walked along Tri-Lakes Road toward the entrance of the property (photo 24). Tri-Lakes Road is no longer passable due to the extension of processing equipment that is on or going across the roadway. Along Tri-Lakes Road was a lot of litter on the ground (photos 25-26) and in the ditch and culvert (photo 27).

As I was preparing to leave the facility, I walked past the receiving area and observed an Area Disposal Roll-off truck unloading a roll-off that appeared to be hauling an industrial process waste in the form of air filters and packing material for the filters (photos 28,29).

I then met with Tom Kirk, Owner and Blake Hatfield, Operations Manager about what I observed. I asked about the liquid leaking from the trailer. Tom said he did not know what it was and implied that it was okay because all liquids on the facility are collecting in a retention basin on the property. I inquired if the facility had any requirements to maintain water quality standards for any water leaving the property and the response was that the facility was supposed to do water sampling. The leaking trailer would be a point source discharge and not covered by general stormwater permit as the waste would not be stormwater. I did not follow the ditch and contaminant in the ditch to the pond. When interviewing Tom Kirk, he stated that the ditch goes to a pond and the water and whatever is in the water remains on-site and was approved by IEPA Water Pollution Section. The point of discharge and the pond was approximately 1000 feet apart as determined by photo interpretation.

I asked Tom about the wood wastes in the large piles to the south. Tom said that the waste was from Rivian and several truck loads were received each day. The wood was from pallets and packing materials that Rivian receives parts in. Tom said that he had no formal agreements with Rivian and that Rivian could increase the volume or cease bring the waste without notice with no agreements.

I informed Tom that I observed a lot of litter outside the facility and in the ditches and culverts. Tom said that they would clean-up the area. I then pointed out that the current operation was outside the permitted boundaries in the 2011 permit. Tom said that he was informed by his consulting company that it had been taken care of.

I inquired with Tom about accepting waste "spoils" from the City of Bloomington and the filling in of the lakes. Tom said that his consultant told him about three years ago that approval had been given to fill the lakes. Tom also indicated that he was no longer filling the lakes. I did call an IEPA inspector who has knowledge of "soil fill" operations and no knowledge of anyone in the Tri-lakes area having such approval or even an application requesting approval. Based on aerial photos and timing, the ponds at Tri-Lakes were borrow pits for soils building the overpass(s) for Veterans Parkway to the north of the site.

I asked Tom about operating outside the permitted boundaries of the permit. Tom said that his consultant had informed him that the issue was resolved several years ago. I explained to Tom that the 2011 was the most recent permit granted and it included a six-acre footprint.

The last area that I looked at was the property west of Tri-Lakes Road and near the entrance. A large pile of waste had accumulated in that area that appears to be outside of the permitted area of the facility (photo 31). I observed a City of Bloomington tandem dump truck tracking mud from the site onto Bunn Street (photo 32):

This facility has continued to expand over the years that it has been in operation. The permitted footprint was for 6.16 acres, as shown in the diagram sketch from 2011, in the permit application. Tracts 2,3,4 show what was proposed at the site and those tracts make up about 5.99 acres of the 6.16 acres permitted. The facility was using about 34.1 acres in

2022. The facility permit, supplemental permits have not kept up with the expansion and the facility currently operates outside the permitted boundaries.

Suggested resolutions for alleged violations.

- 1) Request a significant modification to existing permit for actual space, acres and/or area actually being used for the facility. Cease and desist use of additional space until granted in a permit.
- 2) Cease and desist the point source discharge of fluids and contaminants to Waters of the United States. Design and install a permitted leachate collection system for leachate generated as part of doing business at this facility.
- 3) Develop and implement a training program for all employees to the rules, procedures and proper handling of wastes and recyclables.
- 4) Development and implement a load checking program that includes all necessary steps and records for wastes and recyclables handled.
- 5) Cease and desist accepting regulated soils until a permit is obtained from the Illinois EPA.
- 6) Do not modify, fill in or change a borrow pit without permit for the Illinois EPA.
- 7) Implement a litter control program that may include fences, berms, closed top containers and picking up of strewn items.
- 8) Cease and desist accepting wastes that are not allowed in the permit until proper permitting is granted.

Summary of Apparent Violation(s)			
Status	Date	Violation	Narrative
New	12/6/2022	1100.201(a)	Conduct any CCDD fill operation in violation of the Act or any regulations or standards adopted by the Board
New	12/6/2022	1100.201(b)	CCDD fill operations must not accept waste for use as fill.
New	12/6/2022	1100.201(d)	No person shall use soil other than uncontaminated soil as fill material at a CCDD fill operation. [415 ILCS 5/22.51(g)(1)]
New	12/6/2022	1100.205(a)(1)	Did not for all soil, including soil mixed with CCDD, obtain: a certification from the source site owner or source site operator that the site is not a potentially impacted property, and is presumed to be uncontaminated soil, and soil pH is within the range of 6.25 to 9.0. A certification under this subsection (a)(1)(A) must include soil pH testing results to show that the soil pH is within the range of 6.25 to 9.0. If soil is consolidated from more than one source site, a certification must be obtained from each source site owner or source site operator; or a certification from a PE or PG that the soil is uncontaminated soil, and the soil pH is within the range of 6.25 to 9.0. A certification under this subsection (a)(1)(B) must include analytical soil testing results to show that soil chemical constituents comply with the maximum allowable concentrations established pursuant to Subpart F of this Part, and the soil pH is within the range of 6.25 to 9.0.
New	12/6/2022	1100.205(a)(2)	Fail to obtain certifications required under subsections (a)(1)(A) and (a)(1)(B) must be on forms and in a format prescribed by the Agency and must provide, at a minimum: A) For source site owners or source site operators who certify under subsection (a)(1)(A), the form must provide, at a minimum: i) Description of the current and past uses of the site where the soil originated, giving consideration to, but not limited to: use of the site for commercial or industrial purposes; presence of any storage tanks (aboveground or underground) being located on the site; use of the site for waste treatment or disposal; any governmental notification of environmental violations pertaining to the site; any contamination in any private wells on site that exceeds the Board's groundwater quality standards; any transformers or capacitors manufactured before 1979 being used, stored, or disposed of on the site; and any fill dirt used at the site from either an unknown source or a site; ii) Soil pH testing results to show that the soil pH is within the range of 6.25 to 9.0; iii) A certification using the following language: In accordance with the Environmental Protection Act [415 ILCS 5/22.51 or 22.51a] and 35 Ill. Adm. Code 1100.205(a), I _____ (owner or operator of source site) certify that this site is not a potentially impacted property and the soil is presumed to be uncontaminated soil. I also certify that the soil pH is within the range of 6.25 to 9.0. Additionally, I certify that I am either the site owner or site operator or a duly authorized representative of the site owner or site operator and am authorized to sign this form. Furthermore, I certify that all information submitted, including but not limited to all attachments and other information, is, to the best of my knowledge and belief, true, accurate and complete. B) For PE or PG who certify under subsection (a)(1)(B), the following language: I _____ (name of licensed professional engineer or geologist) certify under penalty of law that the

			information submitted, including but not limited to all attachments and other information, is, to the best of my knowledge and belief, true, accurate and complete. In accordance with the Environmental Protection Act [415 ILCS 5/22.51 or 22.51a] and 35 Ill. Adm. Code 1100.205(a), I certify that the soil from this site is uncontaminated soil. I also certify that the soil pH is within the range of 6.25 to 9.0. All necessary documentation is attached.
New	12/6/2022	1100.205(a)(3)	Fail to confirm and document that the CCDD or uncontaminated soil was not removed from a site as part of a cleanup or removal of contaminants, including, but not limited to, activities conducted under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; as part of a Closure or Corrective Action under the Resource Conservation and Recovery Act, as amended, or under an Agency remediation program, such as the Leaking Underground Storage Tank Program or Site Remediation Program, but excluding sites subject to Section 58.16 of the Act when there is no presence or likely presence of a release or a substantial threat of a release of a regulated substance at, on, or from the real property.
New	12/6/2022	1100.205(a)(4)	Did not conduct testing to determine that the soil is uncontaminated or obtain documentation to show that the soil was tested in accordance with the requirements of Subpart F of this Part.
New	12/6/2022	1100.205(b)	Did not conduct routine inspections of every load before its acceptance at the facility with a photo ionization detector utilizing a lamp of 10.6 eV or greater or an instrument with a flame ionization detector.
New	12/6/2022	1100.205(b)(1)(A)	An inspector designated by the facility must inspect every load before its acceptance at the facility utilizing an elevated structure, a designated ground level inspection area, or another acceptable method as specified in the Agency permit.
New	12/6/2022	1100.205(b)(1)(B)	Cameras or other devices may be used to record the visible contents of shipments. Where such devices are employed, their use should be designated on a sign posted near the entrance to the facility
New	12/6/2022	1100.205(b)(3)	Fail to document Inspection Results: The documentation for each inspection must include, at a minimum, the following: A) The date and time of the inspection, the date the CCDD or uncontaminated soil was received, the weight or volume of the CCDD or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and source site operator, and the location of the site of origin of the CCDD or uncontaminated soil; B) The results of the routine inspection required under subsection (b)(1) of this Section, including, but not limited to, the monitoring instruments used, whether the load was accepted or rejected, and for rejected loads the reason for the rejection; C) The results of any random inspection required under subsection (b)(2) of this Section, including, but not limited to, the monitoring instruments used, whether the load was accepted or rejected, and for rejected loads the reason for the rejection; and D) The name of the inspector.
New	12/6/2022	1100.205(b)(4)	Rejection of Loads A) If material other than CCDD or uncontaminated soil is found or suspected, the owner or operator must reject the load and present the driver of the rejected load with written notice of the following:

			<p>i) That only CCDD or uncontaminated soil is accepted for use as fill at the facility; ii) The reasons for rejections of the load, that the material must not be taken to another fill operation, except as provided in subsection (b)(4)(A)(iv) or the material must be disposed of at a permitted landfill; iii) That, for all inspected loads, the owner or operator is required to record and make available for Agency inspection, at a minimum, the date and time of the inspection, the weight or volume of the CCDD or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and source site operator, and the location of the site of origin of the fill; and; iv) That a load rejected from a fill operation may be accepted by the same fill operation or another fill operation if the requirements of subsection (a)(5) are satisfied</p>
New	12/6/2022	1100.210	<p>The owner or operator failed to maintain an operating record at the facility or in some alternative location specified in the Agency permit. The owner or operator must make the operating record available for inspection and copying by the Agency upon request during normal business hours. Information maintained in the operating record must include, but is not limited to, the following: a) Any information submitted to the Agency pursuant to this Part, including, but not limited to, copies of all permits, permit applications, and annual reports; b) Written procedures for load checking, load rejection notifications, and training required under Section 1100.205 of this Part.</p>
New	12/6/2022	1150.110	<p>Copies of all records required to be kept under this Part shall be retained by the site operator for three years and must be made available at the site during the normal business hours of the operator for inspection and photocopying by the Agency.</p>
New	12/6/2022	1150.200(a)	<p>The operator of a CCDD fill operation shall keep a Daily Record of the CCDD and the uncontaminated soil accepted for use as fill material at the CCDD fill operation.</p>
New	12/6/2022	1150.300	<p>Section 1150.300 Quarterly Submission of Payment a) Payment of the fee due under Section 22.51b of the Act must be made on a quarterly basis with the submission of the Quarterly Fill Summary. The payment must be received by the Agency on or before April 15, July 15, October 15 and January 15 of each year and must cover the preceding three calendar months. b) The fee payment due must be calculated by multiplying the quantity of CCDD and uncontaminated soil accepted for use as fill material, in tons weighed or cubic yards measured, as reported on the Quarterly Fill Summary, times the applicable rate in Section 22.51b of the Act.</p>
New	12/6/2022	12(a)	<p>Cause, threaten or allow water pollution in Illinois</p>
New	12/6/2022	12(d)	<p>Create a water pollution hazard</p>
New	12/6/2022	12(f)	<p>Cause, threaten or allow discharge without or in violation of an NPDES permit</p>
New	12/6/2022	21(a)	<p>Cause or allow open dumping</p>
New	12/6/2022	21(d)(1)	<p>Conduct a waste storage, treatment, or disposal operation without a permit</p>
New	12/6/2022	21(e)	<p>Dispose, treat, store, abandon any waste, or transport any waste into Illinois at or to sites not meeting requirements of the Act</p>

New	12/6/2022	21(p)(1)	Cause or allow open dumping of any waste in a manner which results in litter
New	12/6/2022	21(p)(4)	Cause or allow open dumping of any waste in a manner which results in deposition of waste in standing or flowing waters
New	12/6/2022	21(p)(6)	Cause or allow open dumping of any waste in a manner which results in standing or flowing liquid discharge from the dump site
New	12/6/2022	22.51(a)	Conduct any clean construction or demolition debris fill operation in violation of the Act or any regulations
New	12/6/2022	22.51(g)(1)	No person shall use soil other than uncontaminated soil as fill material at a clean construction or demolition debris fill operation.
New	12/6/2022	809.302(a)	Acceptance of special waste from a waste transporter without a waste hauling permit and manifest
New	12/6/2022	PC: #1	The construction-demolition debris recycling consists of 6.16 acres on the east and west sides of 2148 Tri Lakes Road, Bloomington, more particularly described in the application. The operator shall not cause or allow the modification to the design or operation of this facility or accept any type of debris for recycling except as authorized in a permit issued by the Illinois EPA.
New	12/6/2022	PC: #3	There be no deviations from the approved plans and specifications unless a written request for modification has been submitted to the Illinois EPA and a supplemental written permit has been issued.
New	12/6/2022	PC: #9	The facility shall be designed, constructed, operated and maintained to prevent litter and other debris from leaving the facility property. Facility features (e.g., windbreaks, fencing, netting, etc) shall be among the measures considered to ensure that the debris does not become wind strewn and no other provisions of the Act are violated.

Attachment Listing

Type	Description
NONE	

Site Diagram

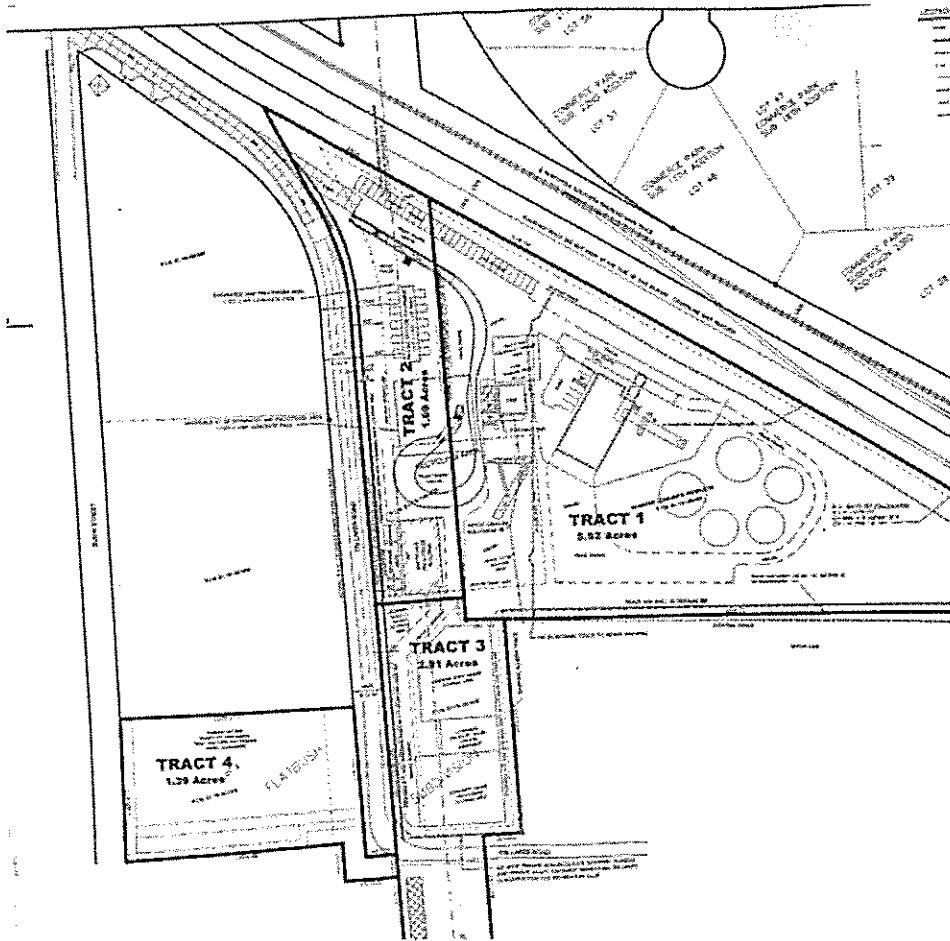


2011 operational footprint

Site Diagram



Site Diagram



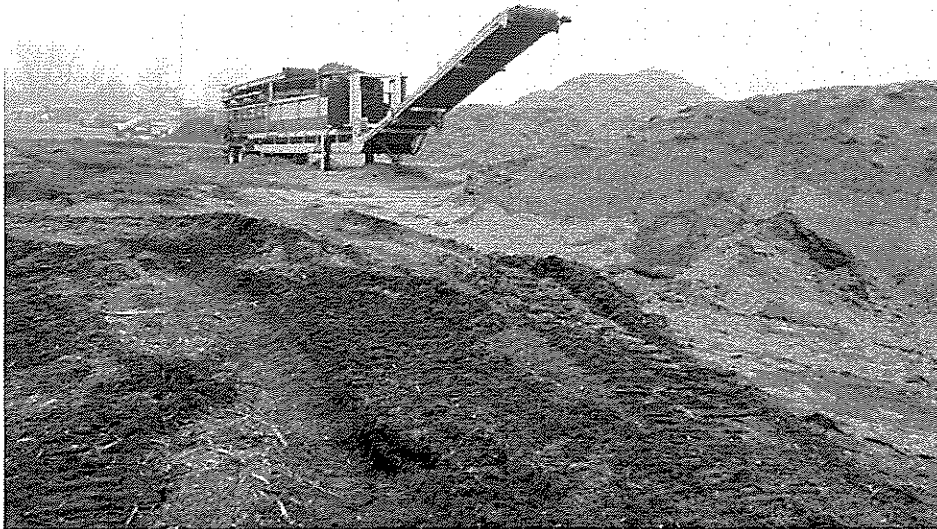
Digital Photographs

Bureau Id: 1138045002
Photo No.: 1
Photo Date: 12/6/2022
Photo Time: 9:53:22 AM
Direction: Northeast
Taken By: Michael Mullins



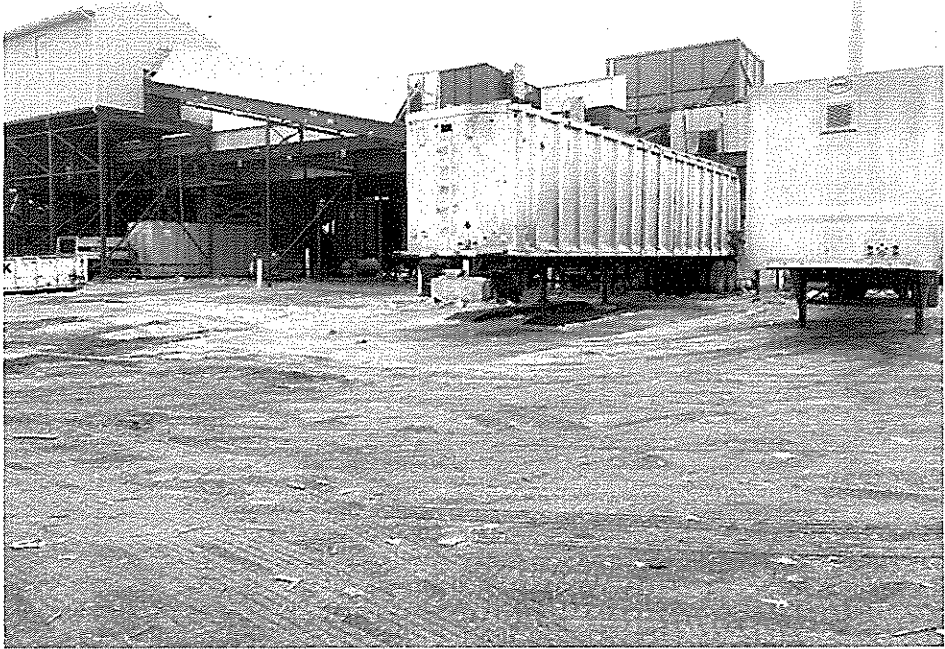
Processing brush into mulch

Bureau Id: 1138045002
Photo No.: 2
Photo Date: 12/6/2022
Photo Time: 9:54:52 AM
Direction: Northeast
Taken By: Michael Mullins



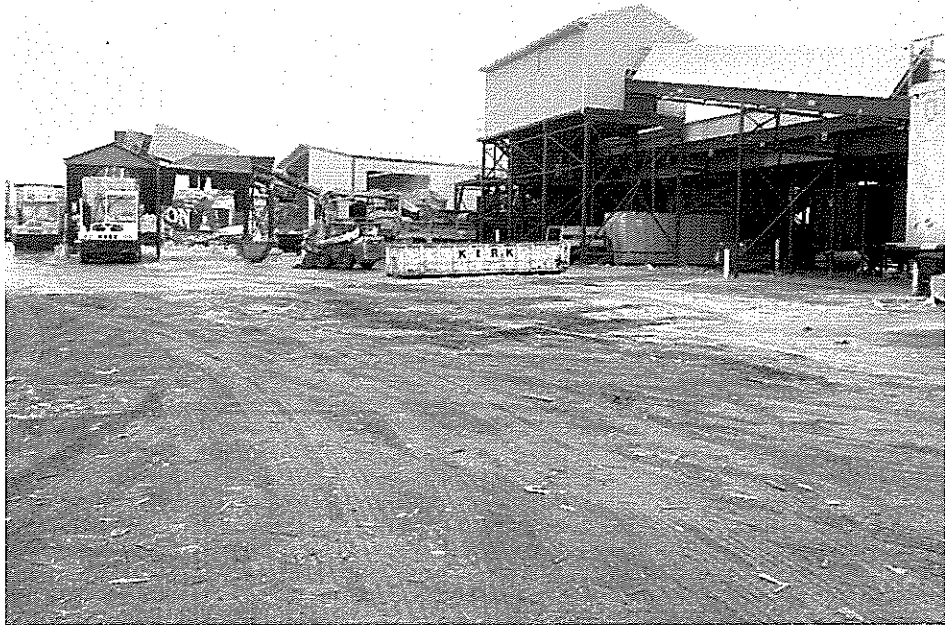
Trommel screen for mulch

Bureau Id: 1138045002
Photo No.: 3
Photo Date: 12/6/2022
Photo Time: 10:08:13 AM
Direction: Southwest
Taken By: Michael Mullins



C&D Recycling area

Bureau Id: 1138045002
Photo No.: 4
Photo Date: 12/6/2022
Photo Time: 10:08:16 AM
Direction: South
Taken By: Michael Mullins



C&D Recycling area



Bureau Id: 1138045002
Photo No.: 5
Photo Date: 12/6/2022
Photo Time: 10:08:55 AM
Direction: Southeast
Taken By: Michael Mullins

White liquid going into drainage ditch



Bureau Id: 1138045002
Photo No.: 6
Photo Date: 12/6/2022
Photo Time: 10:09:19 AM
Direction: East
Taken By: Michael Mullins

Drainage ditch with unknown liquid and litter



Bureau Id: 1138045002
Photo No.: 7
Photo Date: 12/6/2022
Photo Time: 10:09:22 AM
Direction: South
Taken By: Michael Mullins

Drainage ditch with unknown liquid and litter



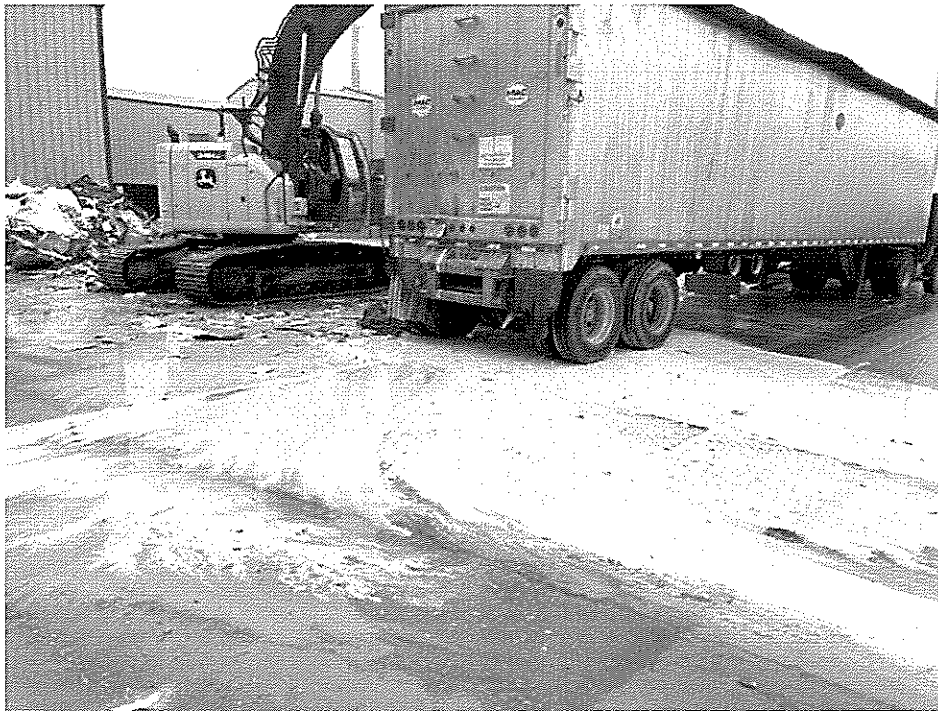
Bureau Id: 1138045002
Photo No.: 8
Photo Date: 12/6/2022
Photo Time: 10:09:56 AM
Direction: South
Taken By: Michael Mullins

Unknown liquid in receiving area



Bureau Id: 1138045002
Photo No.: 9
Photo Date: 12/6/2022
Photo Time: 10:10:05 AM
Direction: South
Taken By: Michael Mullins

Source of unknown liquid, a Henson semi-trailer



Bureau Id: 1138045002
Photo No.: 10
Photo Date: 12/6/2022
Photo Time: 10:10:32 AM
Direction: West
Taken By: Michael Mullins

Source of unknown liquid, a Henson semi-trailer



Bureau Id: 1138045002
Photo No.: 11
Photo Date: 12/6/2022
Photo Time: 10:10:55 AM
Direction: West
Taken By: Michael Mullins

Receiving area



Bureau Id: 1138045002
Photo No.: 12
Photo Date: 12/6/2022
Photo Time: 10:10:58 AM
Direction: Southwest
Taken By: Michael Mullins

Receiving area



Bureau Id: 1138045002
Photo No.: 13
Photo Date: 12/6/2022
Photo Time: 10:11:13 AM
Direction: East
Taken By: Michael Mullins

Bloomington dump truck



Bureau Id: 1138045002
Photo No.: 14
Photo Date: 12/6/2022
Photo Time: 10:11:28 AM
Direction: South
Taken By: Michael Mullins

Chipped wood and litter



Bureau Id: 1138045002
Photo No.: 15
Photo Date: 12/6/2022
Photo Time: 10:14:46 AM
Direction: West
Taken By: Michael Mullins

Wind turbine blades, not C&D



Bureau Id: 1138045002
Photo No.: 16
Photo Date: 12/6/2022
Photo Time: 10:15:17 AM
Direction: South
Taken By: Michael Mullins

Chipped wood

Bureau Id: 1138045002
Photo No.: 17
Photo Date: 12/6/2022
Photo Time: 10:16:38 AM
Direction: South
Taken By: Michael Mullins



Waste wood area

Bureau Id: 1138045002
Photo No.: 18
Photo Date: 12/6/2022
Photo Time: 10:19:11 AM
Direction: Southeast
Taken By: Michael Mullins



Soil on the bank of Tri-lake



Bureau Id: 1138045002
Photo No.: 19
Photo Date: 12/6/2022
Photo Time: 10:19:14 AM
Direction: East
Taken By: Michael Mullins

Tri-lake



Bureau Id: 1138045002
Photo No.: 20
Photo Date: 12/6/2022
Photo Time: 10:19:17 AM
Direction: Southeast
Taken By: Michael Mullins

Soil and other waste on bank of Tri-lake



Bureau Id: 1138045002
Photo No.: 21
Photo Date: 12/6/2022
Photo Time: 10:19:21 AM
Direction: South
Taken By: Michael Mullins

Soil and other waste on bank of Tri-lake



Bureau Id: 1138045002
Photo No.: 22
Photo Date: 12/6/2022
Photo Time: 10:19:24 AM
Direction: South
Taken By: Michael Mullins

Soil and other waste on bank of Tri-lake



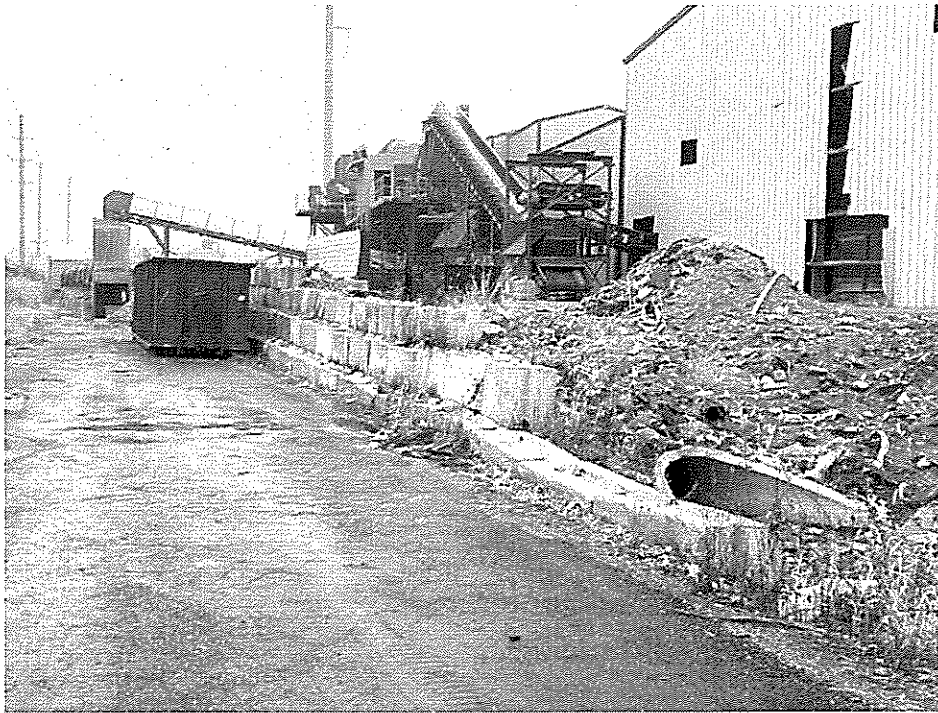
Bureau Id: 1138045002
Photo No.: 23
Photo Date: 12/6/2022
Photo Time: 10:21:15 AM
Direction: North
Taken By: Michael Mullins

Broken concrete



Bureau Id: 1138045002
Photo No.: 24
Photo Date: 12/6/2022
Photo Time: 10:22:40 AM
Direction: North
Taken By: Michael Mullins

Tri-lake Road



Bureau Id: 1138045002
Photo No.: 25
Photo Date: 12/6/2022
Photo Time: 10:23:25 AM
Direction: North
Taken By: Michael Mullins

Tri-lake Road



Bureau Id: 1138045002
Photo No.: 26
Photo Date: 12/6/2022
Photo Time: 10:24:47 AM
Direction: East
Taken By: Michael Mullins

Litter



Bureau Id: 1138045002
Photo No.: 27
Photo Date: 12/6/2022
Photo Time: 10:25:43 AM
Direction: Down
Taken By: Michael Mullins

Litter in culvert along Tri-lake Road



Bureau Id: 1138045002
Photo No.: 28
Photo Date: 12/6/2022
Photo Time: 10:27:12 AM
Direction: North
Taken By: Michael Mullins

Waste from a roll-off



Bureau Id: 1138045002
Photo No.: 29
Photo Date: 12/6/2022
Photo Time: 10:27:16 AM
Direction: North
Taken By: Michael Mullins

Waste from a roll-off



Bureau Id: 1138045002
Photo No.: 30
Photo Date: 12/6/2022
Photo Time: 11:31:07 AM
Direction: West
Taken By: Michael Mullins

Litter



Bureau Id: 1138045002
Photo No.: 31
Photo Date: 12/6/2022
Photo Time: 11:31:31 AM
Direction: South
Taken By: Michael Mullins

Waste storage



Bureau Id: 1138045002
Photo No.: 32
Photo Date: 12/6/2022
Photo Time: 11:36:02 AM
Direction: Northwest
Taken By: Michael Mullins

Mud tracking on roadway



McLean County Health Department
200 West Front Street, Room 304
Bloomington, IL 61701

MEMORANDUM

To: Michael Brown, McLean County Solid Waste Coordinator

From: Thomas J. Anderson, Director of Environmental Health

Subject: Preliminary Review of Lake Shore Recycling Systems Transfer Station Application

The McLean County Health Department (MCHD) has completed the preliminary review of the application submitted August 15, 2023. MCHD is generally supportive of the transfer station. However, there are inconsistencies in the application for Criterion 2, "The proposed facility is so designed, located and proposed to be operated that the public health, safety and welfare are protected."

The information provided in the application for Criterion 2 is confusing. Section 2.2 provides the site description. This description includes part of a lot in Owner's Subdivision, the Preliminary Plan for HDI Subdivision, an "Assessment Plat", and a "Plat of Survey".

The information provided implies the lot exists when it does not. The subdivision of the entire original parcel creates the required minimum 1000 ft. setback distance from residential properties. The Health Department will recommend the siting approval be contingent upon the completion of all requirements for the HDI Subdivision. This includes abandonment of all septic systems and the sealing of water wells.

TJA:JRH:hm

FILED
MCLEAN COUNTY, ILLINOIS

NOV 16 2023

Kathy Michael
COUNTY CLERK

JRH-0801-LRS

Highway Department
(309) 663-9445



102 S. Towanda Barnes Rd
Bloomington, IL 61705

McLean County
ILLINOIS

November 1, 2023

To: Michael Brown, Ecology Action Center

From: Jerry Stokes, County Engineer

Re: **Lakeshore Recycling Systems / Henson Recycling Campus Transfer Station
Application**

The McLean County Highway Department has no additional comments on the siting application for the Henson Recycling Campus Transfer Station.

The Highway Department will also be reviewing the stormwater and construction of this project.

FILED
McLEAN COUNTY, ILLINOIS

NOV 16 2023

Kathy Michael
COUNTY CLERK

NOV 16 2023

Kathy Michael
COUNTY CLERK

PRELIMINARY

STAFF REPORT FOR HENSON RECYCLING CAMPUS TRANSFER STATION

October 30, 2023

Applicant's name and address: Lakeshore Recycling Systems, LLC., 5500 Pearl St.,
Rosemont, IL 60018, by KJ Loerop, 630-878-7588,
kloerop@lrsrecycles.com

STAFF ANALYSIS: The analysis of standards set forth in the Illinois Environmental Protection Act as well as the McLean County Code as they apply to this request is as follows:

Criterion 1. THE FACILITY IS NECESSARY TO ACCOMMODATE THE WASTE NEEDS OF THE AREA IT IS INTENDED TO SERVE

This criterion is met with the following information: This application is consistent with the approved "Twenty-Year Materials Recovery and Resource Management Plan", it shows the per capita waste generation, the recycling rate, population projections, jobs in the area, waste disposal volume, the transfer station in the service area, the landfills in the service area, the waste collection companies in the service area, observations regarding companies and facilities in or proximate to the service area, the result of only one solid waste company serving the community, Republic Services is the only company that is vertically integrated in the service area, trends in the waste disposal system with decreasing landfills in Illinois, ongoing waste industry consolidation, the importance of vertical integration, the role and challenges of recycling in McLean County, Henson Recycling Campus (HRC) transfer station benefits to the community, cost savings for the community with HRC, significant letters of support for HRC, the benefit of an HRC host fee as identified in the host community agreement with McLean County, and a host fee for the City of Bloomington.

Criterion 2. THE PROPOSED FACILITY IS SO DESIGNED, LOCATED AND PROPOSED TO BE OPERATED THAT THE PUBLIC HEALTH, SAFETY AND WELFARE ARE PROTECTED

Residential Properties are 1,000 feet from the proposed facility after the HDI Subdivision Final Plat has been recorded; the subject property is outside the 100-year floodplain; the Illinois Historic Preservation Agency has determined that there are no significant items of concern; an FAA advisory circular was reviewed by CIRA; an EcoCAT with IDNR was completed listing no endangered species and terminating the consultation; no wetlands are on the subject property as approved by the US Army Corps of Engineers; the entrance to the facility will be adequate after the HDI Subdivision Final Plat has been recorded; the access road for the facility will be adequate after the HDI Subdivision Final Plat has been recorded; adequate security measures are proposed; a stormwater management plan is proposed and would need to be approved by the County Engineer; the hours of operations need to stipulate that there will not be any truck traffic operating at the facility outside these hours of operation - particularly trucks backing up with back-up beepers; the tipping floor will be free of waste by the end of each operating day; will have a load checking program with random inspections; facilities for employees will include potable water and toilet provisions; the facility will provide for litter control; pest control will be provided; the facility will

provide systems to take care of indoor and outdoor air quality; noise control procedures are proposed; fire control protection is proposed; insurance coverages will be provided that are consistent with the Host Agreement; accurate records will be provided for waste and recyclables accepted consistent with the Host Agreement; regulatory correspondence and environmental inspection records will be made available; accident records will be maintained;

This criterion is met, provided the HDI Subdivision Final Plat has been recorded, and provided hours of operations stipulate that there will not be any truck traffic operating at the facility outside these hours of operation - particularly trucks backing up with back-up beepers.

Criterion 3. LAND USE COMPATIBILITY AND REAL ESTATE IMPACT STUDY

This criterion is adequately explained with a Land Use Compatibility and Real Estate Impact Study.

Criterion 4. THE FACILITY IS LOCATED OUTSIDE THE BOUNDARY OF THE 100-YEAR FLOODPLAIN OR THE SITE IS FLOODPROOFED

This criterion is met since it shows that the property is outside the 100-year floodplain.

Criterion 5. PLAN OF OPERATIONS

The fire prevention and control measures, the spill prevention measures, the accident prevention plan and emergency procedures seem adequate. It will need to be reviewed by the Emergency Management Agency or the Bloomington Township Fire Protection District.

Criterion 6. TRAFFIC IMPACT STUDY HENSON RECYCLING CAMPUS TRANSFER STATION

The traffic impact study seems adequate. It will need to be reviewed by the County Engineer.

7. IF THE FACILITY WILL BE TREATING, STORING OR DISPOSING OF HAZARDOUS WASTE, AN EMERGENCY RESPONSE PLAN EXISTS FOR THE FACILITY WHICH INCLUDES NOTIFICATION, CONTAINMENT AND EVACUATION PROCEDURES TO BE USED IN CASE OF ACCIDENTAL RELEASE

This facility would not treat sort or dispose of hazardous waste.

8. IF THE FACILITY IS TO BE LOCATED IN A COUNTY WHERE THE COUNTY BOARD HAS ADOPTED A SOLID WASTE MANAGEMENT PLAN CONSISTENT WITH THE PLANNING REQUIREMENTS OF THE LOCAL SOLID WASTE DISPOSAL ACT OR THE SOLID WASTE PLANNING AND RECYCLING ACT, THE FACILITY IS CONSISTENT WITH THE PLAN

This application is consistent with the "Twenty-Year Materials Recovery and Resource Management Plan" that was approved by McLean County, the City of Bloomington and the Town

of Normal in 2018.

9. IF THE FACILITY WILL BE LOCATED WITHIN A REGULATED RECHARGE AREA, ANY APPLICABLE REQUIREMENTS SPECIFIED BY THE (ILLINOIS POLLUTION CONTROL) BOARD FOR SUCH AREAS HAVE BEEN MET

This facility is not located within an area that is designated as a regulated recharge area according to Illinois EPA regulations.

CONCLUDING OPINION:

Staff recommends that this application meets all of the standards set forth in the Illinois Environmental Protection Act as well as the McLean County Code, provided the HDI Subdivision Final Plat has been recorded, and provided hours of operations stipulate that there will not be any truck traffic operating at the facility outside these hours of operation - particularly trucks backing up with back-up beepers.

Respectfully submitted,



Philip Dick, AICP, Director, McLean County Department of Building & Zoning