

US EPA ARCHIVE DOCUMENT



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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ROD R. BLAGOJEVICH, GOVERNOR

DOUGLAS P. SCOTT, DIRECTOR

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State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

2

Jayne A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

CERTIFICATION OF SITING APPROVAL (LPC-PA8)

Name of Applicant: Clinton Landfill, Inc
 Address of Applicant: 4700 North Sterling Avenue, Peoria, Illinois 61612-9071
 Name of Site: Clinton Landfill No. 3
 Site Information: Nearest City: Clinton County: DeWitt

1. On September 12, 2002, the County Board of
 (governing body of county or municipality)

DeWitt County approved the site location suitability of Clinton Landfill, No. 3
 (county or municipality) (name of site).
 as a new pollution control facility in accordance with Section 39.2 of the Illinois Environmental Protection Act, Ill. Rev. Stat.,
 ch. 111 1/2, Section 1039.2.

2. The facility was approved for the following activities:

waste storage (☒) , landfill (☒) , waste disposal (☒) , waste transfer station (☐) ,
 waste treatment (☒) , waste incinerator (☐) .

Attached to this certification is a true and correct statement of the legal description of the site as it was approved by the
 aforementioned local governing body.

4. Attached to this certification is a true and accurate statement of conditions, if any, under which the approval was provided.
 (Note: These conditions are provided for information only to the IEPA. The IEPA is not obligated to monitor or enforce local
 conditions.)

5. The undersigned has been authorized by the County Board of
 (governing body of county or municipality)

DeWitt County to execute this certification on behalf of DeWitt County
 (county or municipality) (county or municipality)

NAME: [Signature]TITLE: COUNTY BOARD CHAIRMAN

SUBSCRIBED AND SWORN TO BEFORE ME

his 17 day of Oct, 2002

Jayne A. Usher
 Notary Public



LEGAL DESCRIPTION OF SITE
(Clinton Landfill No. 3)

The approximately 269 acre site is located approximately 2 miles south of Clinton, Illinois east of U.S. Highway 51, in Texas Township, DeWitt County, Illinois. The site is legally described as follows:

Part of the Northeast Quarter and the Southeast Quarter of Section 10, Township Nineteen (19) North, Range Two (2) East; the Northwest Quarter and the Southwest Quarter of Section 11, Township Nineteen (19) North, Range Two (2) East; and the Northwest Quarter of the Northeast Quarter and the North Half of the Northwest Quarter of Section 14, Township Nineteen (19) North, Range Two (2) East, all situated in Dewitt County, Illinois and more particularly described as follows;

Commencing at the Southwest corner of the Northeast Quarter of said Section 10; thence N.88°36'34"E., 345.56 feet along the South line of the Northeast Quarter of said Section 10 to the Point of Beginning; thence N.0°00'05"W., 63.49 feet to the Northerly Right of Way line of a township road; thence S.89°59'55"W., 60.00 feet along the said Northerly Right of Way line; thence S.17°16'48" W., 47.13 feet along the said Northerly Right of Way line; thence N.87°43'00"W., 124.87 feet along said Northerly Right of way to the Easterly Right of Way line of F.A. Route 412 (US Route 51); thence N.0°19'42"E., 82.61 feet along said Easterly Right of Way line; thence N.5°22'57"W., 100.50 feet along said Easterly Right of Way line; thence N.0°19'42"E., 88.93 feet along said Easterly Right of Way line; thence N.88°36'34"E., 2530.01 feet to the East line of the Northeast Quarter of said Section 10; thence N.88°25'40"E., 204.15 feet to the East Right of Way line of the now abandoned Illinois Central Gulf Railroad; thence S.0°20'22"E., 300.05 feet along the said East Right of Way to the North line of the Southwest Quarter of said Section 11; thence N.88°25'40"E., 2444.08 feet along the North line of the Southwest Quarter of said Section 11 to the iron pin at the Northeast corner of the Southwest Quarter of said Section 11; thence S.0°11'27"W., 1319.68 feet along the East line of the Northeast Quarter of the Southwest Quarter of said Section 11 to the iron pin at the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 11; thence S.0°20'57"W., 1336.42 feet along the East line of the Southeast Quarter of the Southwest Quarter of said Section 11 to the iron pin at the Southeast Corner of the Southwest Quarter of said Section 11; thence S.0°29'23"W., 196.82 feet along the West line of the Northwest Quarter of the Northeast Quarter of said Section 14; thence S.37°48'15"E., 884.21 feet; thence South, 427.15 feet to the South line of the Northwest

Quarter of the Northeast Quarter of said Section 14; thence S.88°41'09"W., 549.84 feet along the South line of the Northwest Quarter of the Northeast Quarter of said Section 14 to the iron pin at the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 14; thence S.88°34'49"W., 1167.00 feet along the South line of the North Half of the Northwest Quarter of said Section 14; thence N.65°24'32"W., 1454.56 feet; thence West, 143.42 feet; thence N.0°20'22"W., 298.81 feet; thence N.0°20'22"W., 2805.20 feet; thence N.45°45'22"W., 222.93 feet; thence S.88°23'08"W., 950.46 feet; thence S.12°26'12"W., 316.59 feet; thence N.76°33'13"W., 1149.56 feet; thence N.0°00'05"W., 96.51 feet to the Point of Beginning and containing 268.804 acres more or less.

102-1663

RESOLUTION NO. _____**A RESOLUTION CONDITIONALLY APPROVING THE APPLICATION FOR LOCAL SITING APPROVAL OF A POLLUTION CONTROL FACILITY FILED BY CLINTON LANDFILL, INC.**

WHEREAS, CLINTON LANDFILL, INC. filed an application for siting approval of a pollution control facility within DeWitt County for the expansion of its municipal solid waste landfill, pursuant to Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2)(ACT); and

WHEREAS, Chapter 153 of the County's Code of Ordinances establishes a procedure for review of pollution control facility site requests in DeWitt County, Illinois; and

WHEREAS, the County Pollution Control Site Hearing Committee held public hearings on July 11th and July 15th, 2002, pursuant to the Act and the County's Siting Ordinance; and

WHEREAS, a quorum of the County Pollution Control Site Hearing Committee attended all hearings; and

WHEREAS, the County Pollution Control Site Hearing Committee has made its recommendations for conditional siting approval to the County Board, which includes the determination that all applicable requirements of Section 39.2 and the County's Siting Ordinance have been met based upon the siting application, notifications, hearings, public comment and the record.

NOW, THEREFORE BE IT RESOLVED that the Findings of Fact and Recommendation of the County Pollution Control Site Hearing Committee, attached hereto as Exhibit A, are adopted by the County Board with amendments to Conditions 1 and 17; and

BE IT FURTHER RESOLVED, that the DeWitt County Board has jurisdiction and hereby determines that Clinton Landfill, Inc. has satisfied the applicable criteria, subject to the conditions in the attached Findings of Fact and Recommendation; and

BE IT FURTHER RESOLVED, that DeWitt County Board conditionally approves the request of Clinton Landfill, Inc. for site approval for the proposed expansion, provided that the conditions are not inconsistent with regulations of the Pollution Control Board or the terms of any development or operating permits approved by the Illinois Environmental Protection Agency.

FILED

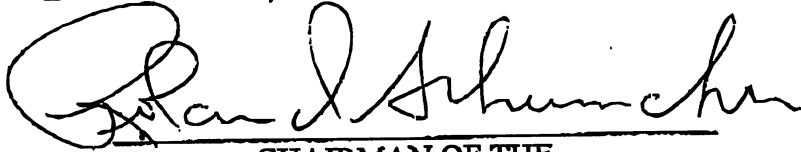
SEP 23 2002

Gaynell White

County Clerk, DeWitt County

Resolution No. _____

PASSED and APPROVED this 12th day of September, 2002.

A handwritten signature in black ink, appearing to read "Brian J. Schumacher", written over a horizontal line.

CHAIRMAN OF THE
DEWITT COUNTY BOARD

ATTEST:

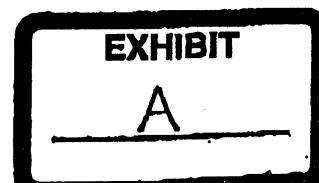
A handwritten signature in black ink, appearing to read "Jaime Usher", written over a horizontal line.

COUNTY CLERK OF THE
DEWITT COUNTY BOARD

**FINDINGS OF FACT AND RECOMMENDATION OF
THE POLLUTION CONTROL SITE HEARING COMMITTEE
TO THE DEWITT COUNTY BOARD TO CONDITIONALLY
APPROVE THE SITING APPLICATION OF CLINTON LANDFILL, INC.**

Clinton Landfill, Inc. filed an Application for Local Siting Approval of a Pollution Control Facility with the DeWitt County ("the County") Clerk on April 11, 2002, requesting approval to expand its existing municipal solid waste landfill located within the County. The County's review is governed by Section 39.2 of the Illinois Environmental Protection Act ("Act"), which requires that the County Board determine whether the applicant has submitted sufficient detail to demonstrate that the proposed facility meets the Act's criteria. The County's review is also governed by Chapter 153 of the DeWitt County Code of Ordinances regarding Pollution Control Facilities ("Siting Ordinance"), which establishes, among other requirements, that the public hearing required by Section 39.2 of the Act be conducted by the County Pollution Control Site Hearing Committee ("Committee") and that this Committee establish for the County Board findings of fact and a recommendation.

Following the issuance of the pre-filing notices by Clinton Landfill, Inc. and notices of hearing consistent with Section 39.2 of the Act and the County's Siting Ordinance, public hearings were held before this Committee on July 11, 2002, and July 15, 2002, in the County Board room of the County Courthouse. A quorum of the Committee attended these hearings. Based on the record in this siting proceeding maintained by the County Clerk, including, but not limited to, the Application, the exhibits, the testimony presented, the transcript of the public hearing and public comments (both written and oral), this Committee finds that the County has jurisdiction. This Committee further finds that the applicant, Clinton Landfill, Inc., has satisfactorily demonstrated compliance with the criteria set forth in Section 39.2 of the Act and



the Siting Ordinance, subject to the conditions set forth below. This Committee further finds that the conditions set forth are reasonable and necessary and are supported by the record. Therefore, this Committee recommends that the County Board approve the Application of Clinton Landfill, Inc. subject to the conditions set forth below, through the adoption of the draft Resolution attached to this Committee's Findings and Recommendation.

Criterion No.1: the facility is necessary to accommodate the waste needs of the area it is intended to serve.

This Committee finds that Clinton Landfill, Inc. has met this Criterion, including through the needs report in Section 1 of the Application and testimony of Sheryl Smith of Environmental Marketing & Management, L.L.C. Ms. Smith's analysis was based on receipt of an average of 1400 tons per day of total waste. Therefore, the following condition is necessary.

Condition No.1: Clinton Landfill, Inc. shall not exceed an average of 3000 tons per day in any calendar year without written permission of the County Board.

Criterion No.2: the facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

This Committee finds that Clinton Landfill, Inc. has met this Criterion, including through the report in Section 2 of the Application and testimony of Ron L. Edwards and George Armstrong, subject to the following conditions. Based on the record, which demonstrated that the proposed facility design is based on certain factors, the following conditions are necessary.

Condition No. 1 above as to "need", Condition No. 9 as to minimizing incompatibility, and General Conditions No. 12 and 13 below are also necessary based on the information in the record supporting Criterion No. 2 regarding facility design, construction and operation.

Condition No. 2: Clinton Landfill, Inc. shall only accept liquid waste for "solidification" consistent with the procedures identified in the siting application and as approved by the Illinois Environmental Protection Agency ("Illinois EPA").

Condition No. 3: Clinton Landfill, Inc. shall limit the final waste contours as shown on Figure S-FG4 dated July 16, 2002, filed by the applicant in the post-hearing comment period. Additionally, Clinton Landfill, Inc. shall not exceed the final grade contours as shown on Figure S-FG1 dated April 11, 2002, without permission of the County Board.

Condition No. 4: Clinton Landfill, Inc. shall retain all three sediment basins shown on Figure S-FG1, unless written approval from the County Board is provided to remove these structures.

Condition No. 5: Clinton Landfill, Inc. shall develop a stormwater management and stormwater pollution prevention plan for any and all soil stockpiles, both on and off-site, and shall submit each plan to the County Board for review and comment before developing the stockpile.

Condition No. 6: Clinton Landfill, Inc. shall develop a groundwater monitoring program as approved by the Illinois EPA in general accordance with the minimum standards identified in the application. Additionally, a minimum of one permanent down gradient well shall be installed prior to operations in Cell 1.

Condition No. 7: Clinton Landfill, Inc. shall conduct leachate recirculation in accordance with the procedures identified in the siting application and as approved by the Illinois

EPA. Additionally, Clinton Landfill, Inc. shall keep a daily log of the quantity of leachate collected, the method of disposal, and the general location of where leachate is re-circulated. Annually, Clinton Landfill, Inc. shall provide the County Board with a written summary of the leachate management system, unless the County Board in writing excuses Clinton Landfill, Inc. from this annual written summary requirement.

Criterion No. 3: the facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property.

This Committee finds that Clinton Landfill, Inc. has met this Criterion, including through the reports in Section 3 and testimony of Peter Poletti, principal with Poletti and Associates, Inc., and Christopher Lannert, principal with The Lannert Group, Inc., subject to the requirement for screening consistent with the report, the testimony of Mr. Lannert and the waste management regulations of the State of Illinois.

Condition No. 8: Clinton Landfill, Inc. shall construct a visual barrier eight feet tall along Township Road 1050 East (Ethal Road), prior to adjacent waste placement operation expansion.

Condition No. 9: Clinton Landfill, Inc. shall not relocate the proposed location of the leachate storage tanks without providing screening from all adjacent property owners and shall secure written approval from the County Board before relocating the proposed location of the leachate storage tanks.

Criterion No. 4: (A) for a facility other than a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100 year floodplain or the site is flood-proofed; (B) for a facility that is a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year floodplain, or

if the facility is a facility described in subsection (b)(3) of Section 22.19a, the site is flood-proofed.

This Committee finds that Clinton Landfill, Inc. has demonstrated that the proposed expansion is located outside the boundary of the 100-year flood plan through the report and testimony of George Armstrong.

Criterion No. 5: the plan of operations for the facility is designed to minimize the danger to the surrounding area from fire, spills, or other operational accidents.

This Committee finds that Clinton Landfill, Inc. has demonstrated compliance with this Criterion, including through the report at Section 5 of the Application and the testimony of Ron L. Edwards and George Armstrong.

Criterion No. 6: the traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows.

This Committee finds that the report of Crawford, Bunte, Brammier at Section 6 of the Application and the testimony of Lee Cannon was adequate to meet this Criterion, subject to the condition that Clinton Landfill, Inc. shall incorporate in its operational plan the recommendation of the applicant's expert regarding minimizing impact of traffic during the transport of site soils and shall plan to address the potential for increased litter on Route 51 from the additional transfer trailers expected with the increased volume of waste.

Condition No. 10: Clinton Landfill, Inc. shall suspend off-site hauling during construction of the cells when granular material would also be transported unless otherwise authorized in writing by the County Board. In the alternative, Clinton Landfill, Inc. shall employ

back hauling, whereby the vehicles bringing in the granular material for cell construction haul out site soils.

Condition No. 11: Clinton Landfill, Inc. shall periodically employ sufficient personnel so as to collect litter daily along Route 51 for a distance of one mile North and South of the landfill's entrance when requested by the County Board.

Criterion No. 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 an accidental release.

This Committee finds that Clinton Landfill, Inc. has demonstrated in Section 7 of the Application and in the testimony of Ron L. Edwards that this Criterion does not apply.

Criterion No. 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 that plan.

This Committee finds the Clinton Landfill, Inc. has met this Criterion through the report at Section 8 of the Application and testimony of Sheryl Smith of Environmental Marketing & Management, L.L.C.

Criterion No. 9: if the facility will be located within a regulated recharge area, any applicable requirements specified by the Board for such areas have been met.

This Committee finds that Clinton Landfill, Inc. has demonstrated that this Criterion does not apply through the report at Section 9 of the Application and in the testimony of Ron L. Edwards.

Additional consideration: This committee has also considered the previous operating experience and past record or admissions of the applicant (and any subsidiary or parent corporation) in the field of solid waste management when considering criteria 2 and 5 above, consistent with Section 39.2 of the Act and the Siting Ordinance.

General Conditions:

Condition No. 12: . . Siting approval is for a new landfill unit consisting of approximately 157.5 acres, with a gross airspace capacity of approximately 32,800,000 cubic yards. This siting approval does not approve any changes to existing permitted and developed pollution control facilities near the expansion.

Condition No. 13: Clinton Landfill, Inc. shall comply with all terms of the Host County Agreement previously executed by Clinton Landfill, Inc and the County on April 20, 2001, and as may be amended from time to time. All terms of the Agreement are enforceable as conditions of this siting approval, in addition to being enforceable under contract law.

Condition No. 14: All special conditions of the County Board's Siting Approval shall be contained in the application for permit filed with the Illinois EPA.

Condition No. 15: - - If any approval or condition by this Committee or of the County Board conflicts with any requirement imposed by the Illinois EPA that has been imposed by the Illinois EPA independently of any request by Clinton Landfill, Inc. for such requirements, the decision of the Illinois EPA shall supercede the County's approval or its condition.

Condition No. 16: Clinton Landfill, Inc. shall notify the County Board within 10 days of filing the initial permit application for the landfill expansion with the Illinois EPA, and within 10 days of all subsequent submittals filed with the Illinois EPA for the landfill expansion.

Condition No. 17: Within Constitutional limitations and upon reasonable request by the County, Clinton Landfill, Inc. shall provide the County reasonable access to the landfill expansion approved pursuant to this siting proceeding and all records related to the operation of the landfill expansion so as to inspect for compliance with the terms of the siting application and with the special conditions of the County Board's siting approval.