

Henson Disposal

PO Box 1058 Bloomington, IL 61702 (309) 275-5021 (309) 829-5021 (309) 829-5741 fax

AMENDED SITE LOCATION APPLICATION

Henson Disposal Recycling Center McLean County, Illinois

> Submitted to: McLean County Board

Submitted by: Henson Disposal, Inc. Owners: Thomas and Timothy Kirk

April 2014

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SITE LOCATION APPLICATION HENSON DISPOSAL RECYCLING CENTER

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SITE - GENERAL DESCRIPTION

Henson Disposal Recycling Center is presently located at 2148 Tri-Lakes Road, Bloomington, Illinois. The Amended Site Plan also will have the address of 2148 Tri-Lakes Road, Bloomington, Illinois and is legally described as follows:

SEE LEGAL DESCRIPTION ATTACHED

The Amended Site Plan does not enlarge the size of the facility, but merely expands the types of materials that are recyclable. The location and size of the Amended Site Plan is the same as the current Site Plan. See Appendix E.

The Site Location is owned by TKNTK, LLC, an Illinois Limited Liability Company. Henson Disposal, Inc. has a Lease Agreement with TKNTK, LLC for their operation of the facility. See Appendix O.

PARCEL NO. 21-15-104-003

TRACT 1: All that part of Lot 1 in the Subdivision of the Northwest ¼ of Section 15, Township 23 North, Range 2 East of the Third Principal Meridian, lying South of the South right of way line of the Peoria and Eastern Railway Company, formerly the I.B. & W.R.R. and East of the East right of way line of the Illinois Central Railroad, in McLean County, Illinois;

TRACT 2: The North 529 feet of the following: Certain property forming a portion of the right of way of the Illinois Central Gulf Railroad Company's abandoned Amboy District of said property situated in the North ½ of the Northwest ¼ of the Southwest ¼ and the West ½ of the Northwest ¼ of Section 15, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, is described as all of Grantor's original 125 foot wide right of way lying 50 feet to the East and 75 feet to the West of the centerline of Grantor's main track as originally located, and extending Northerly from the centerline of Hamilton Road approximately 580 feet as measured along said main track centerline, to a right of way width change, thence continuing Northerly said parcel 100 feet wide lying 50 feet on either side of said main track centerline approximately 1455 feet (main track centerline measurement), to a line parallel with and 50 feet normally distance Southeasterly from the centerline of the main track of consolidated Rail Corporation's "Peoria to Gibson City" line, in McLean County, Illinois.

TRACT 3: All real estate property adjoining the Western boundary of the above described Tract I and lying East of the Township Public Road lending from South Bunn Street to the Tri-Lakes Association, and all that lying West of the aforesaid Tract I, East of South Bunn Street, North of the said Township Road as it runs Northwesterly, Southeasterly and South of the right of way of the Consolidated Rail Corporation's "Peoria to Gibson City" line , in McLean County, Illinois.

PARCEL NO. 21-15-151-015

Lot 3 in Flatbush Subdivision part of the West ½ of the Northwest ¼ of Section 15, Township 23 North, Range 2 East of the Third Principal Meridian, according to the Plat thereof recorded January 15, 2004 as Document Number 2004-00001254 in McLean County, Illinois.

PARCEL NO. 21-15-151-016

Tract 1: Lot 2 in Flatbush Subdivision, being a part of the West ½ of the Northwest ¼ of Section 15, Township 23 North, Range 3 East of the Third Principal Meridian, according to the plat thereof recorded January 14, 2004 as Document Number 2004-00001254 in McLean County, Illinois.

TRACT 2: A 25 foot Private Ingress/Egress Easement Over and Across Lot 1 in Flatbush Subdivision for the benefit of Tract No. 1 in McLean County, Illinois as depicted on the Recorded Final Plat.

PARCEL NO. 15-102-005

PT LOT 2 LYG IN FOL DESC TRACT: BEG 673.47' S OF NW COR NW: SE 41.8', SE228.79', SE 127.77', SE 55.77', SE 52.12', SE 179.19', SW 334.1', N480.92', NE 56.07' TO POB SUB OF NW 1/4 SEC 15-23-2E .57 ACRE

PARCEL NO. 21-15-102-006

PT LOT 3 LYG IN FOL DESC TRACT: BEG 673.47', S OF NW COR NW: SE 41.8', SE 228.79', SE 124.77', SE 55.77', SE 52.12', SE 179.19', SW 334.1', N480.92', N 56.07' TO POB SUB OF NW 1/4 SEC 15-23-2E 2.40 ACRES

PRE-FILING NOTICE

STATUTORY REQUIREMENTS

Henson Disposal, Inc. provided Pre-Filing Notice, Appendix A, no later than 14 days before the date on which the County Board of the Governing Body of the Municipality received a request for site approval as required by 415 ILCS 5/39.2. Henson Disposal, Inc. caused the written notice of such request to be served either in person or by registered mail, return receipt requested, on the Owners of all property within the subject area not solely owned by the Applicant, and on the Owners of all property within 400 ft. in each direction of the lot line of the subject property, which Owners were identified from the authentic tax records of the County of McLean. See Appendix B That Appendix B contains the Amended Site Plan, graphically depicted on the McLean County GIS System and it also shows the 400 ft. notice area as required by statute. 415 ILCS 5/39.2. The mailing addresses were compiled from the authentic tax records of McLean County. Appendix B.

The Pre-Filing Notice was also published in the local newspaper as indicated in **Appendix C**. The Notice was also served upon the Members of the General Assembly. See Appendix D.

As required by the statute the Notice included the name and address of the applicant, the location of the proposed site, the nature and size of the development, the nature of the activity proposed, the probable life of the proposed activity, the date when the request for site approval will be submitted, and description of the right of persons to comment on such request. A copy of the Certificate of Mailing and mailing receipts in addition to any Certificates of Delivery showing hand delivery, are attached as **Appendix D**.

NEED FOR THE FACILITY

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The Henson Disposal Recycling Center is a recycle facility for municipal solid waste. The facility is a proposed recycling center for all municipal waste except perishable garbage or food scraps. The types of materials that are currently being recycled and will be recycled include, but are not limited to wood, drywall, cardboard, concrete, brick, block, aggregate materials, shingles, plastic, vinyl siding and bulk waste; construction and demolition debris and landscape wastes. Bulk waste consists of furniture, equipment, machinery, and miscellaneous parts thereof; including auto parts, tires, wheels, mechanical equipment, appliances, furniture and furniture pieces, individual items of construction and demolition wastes, appliances, trash compactors, water heaters, furnaces, carpeting, mattresses, box springs, lawn mowers, conduit pipe, wire, glass and miscellaneous rubble.

The proposed site is located at 2148 Tri Lakes Road in Bloomington, Illinois. This site is near the intersection of Hamilton Road and Bunn Street, accessible from Tri Lakes Road. The property is currently zoned M-2.

The IEPA requires that a "facility is necessary to accommodate the waste needs of the area it is intended to serve."¹

The Henson Disposal Recycling Center is necessary to help divert materials that can be reused from going to a landfill. Materials diverted from the landfill will help limit the demand for virgin materials. For example, recycled aggregate material can be used in place of mining new material from a gravel pit.

The more materials diverted from landfills, the longer the life of area landfills, therefore slowing the need for new landfills to open or existing ones to expand. According to the Illinois EPA, the McLean County Landfill will reach its full capacity by the year 2014.² At this time, Allied Waste has not yet applied for a landfill expansion. The Henson Disposal Recycling Center could help prolong the life of the McLean County Landfill by diverting recyclable materials that take up valuable landfill space.

The McLean County landfill accepted 120,460 tons of total waste in 2007, averaging 463 tons per day.³ The Henson Disposal Recycling Center will help improve these numbers by diverting recyclable construction, demolition waste and bulk waste from landfills. Based on the operations of similar recycling centers in Illinois, they recycle approximately 77% of construction and demolition materials processed at their facility.⁴ A 75% recycle rate is also a requirement of the Illinois EPA for pollution control facilities.

The Henson Disposal Recycling Center is a great resource for contractors seeking LEED compliance. The LEED program certifies a building was built "green" meeting energy standards and stewardship of resources.⁵ One way to meet LEED requirements is by recycling construction waste, such as wood, metal, and cardboard generated from the construction. The Henson Disposal Recycling Center makes it easier for contractors to meet LEED standards, which could lead to more green buildings in the County.

The Henson Disposal Recycling Center will continue to be a valuable employer and will continue to create new job positions as the facility grows. The current facility presently employs

twelve people. The Henson Disposal Recycling Center expects to have as many as twenty-four employees within the next five years.

The Henson Disposal Recycling Center will continue to increase the recycling rates in McLean County and provide a viable, economical recycling option for the construction and demolition industries. The facility will generate jobs and extend the life of the McLean County Landfill.

1 "Siting a Pollution Control Facility in Illinois" from the Illinois EPA, 2003 brochure, p. 6.

3 "Nonhazardous Solid Waste Management & Landfill Capacity in Illinois: 2007 Region F: East Central Illinois" from the Illinois EPA, 2007 publication, p. R4.5.

4 Midwest Companies Recycling Center in East Dundee, Illinois has a recycle rate of 80% of all materials accepted, per interview with Recycling Center manager Rob Addis on October 12, 2009.

5 US Green Building Council Website, www.usgbc.org

^{2 &}quot;Nonhazardous Solid Waste Management & Landfill Capacity in Illinois: 2007 Region F: East Central Illinois" from the Illinois EPA, 2007 publication, p. R4.5.

PROTECTION OF PUBLIC HEALTH, SAFETY, AND WELFARE

The Henson Disposal Recycling Facility is designed to accept municipal waste, excluding food wastes and perishable garbage, from trucks hauling materials to the site. Incoming materials will first be weighed on a scale and then emptied into a "pre-sorting" area where large items will be removed with an excavator or skidloader. Examples of items that will be sorted out are large pieces of concrete and bulky metal, as these objects are too large to be sorted by hand.

The remaining materials will be loaded on to a vibrating screen to remove materials 2" and smaller such as dirt, rock, and small pieces of glass, wood, etc. The material will travel up a conveyer belt to a sorting belt. This belt is approximately 5' wide x 100' long. The material travels this distance at a slow pace to allow for manpower to reclaim recyclable materials. Each recyclable material is placed in its own bin located under the conveyer belt. The leftover materials with no end use will go directly into a transfer trailer to be hauled to a landfill.

Please reference **Appendix** \mathbf{F} for photos/drawings of the process described above and the examples of the equipment to be used.

The proposed site's only purpose is to accept recyclable materials. Nonetheless, special consideration will be given to protect the public health.

DUST CONTROL

Dust will be generated by incoming materials being emptied and sorted, as well as through the processing equipment. For incoming materials and materials being sorted, dust is suppressed using a water sprinkling system and pressurized water systems. The water sprinkling system is used in the "pre-sorting" area, positioned to mist the material pile from above. The pressurized water system is placed over the conveyer belts, misting downward onto the materials being sorted. These measures allow the materials to be adequately wet, however not saturated to the point where any run-off is created.

NOISE CONTROL

Noise is generated from truck traffic, equipment used to pre-sort the materials, the vibrating screen, conveyer belts, back-up alarms on equipment, and the processing equipment, including grinders and crushers. In an effort to buffer the noise created from operations, there is a 9' fence situated on the west and south sides of the property. Since the commencement of operations in January 2012, the recycle facility has not received any complaints for noise, however, if necessary, trees can also be planted to further buffer noise. **Appendix O.** Hours of operation will be limited to accommodate neighboring properties. No noisy equipment will be operated during neighboring properties' special events.

ODOR CONTROL

The recyclable materials accepted will not have an odor, as all items are nonperishable. However, it is inevitable that a minimal amount of non-recyclable materials accompany recycling loads into the Facility. Materials that cannot be processed are immediately loaded into transfer trailers and transported to a landfill within 24 hours. These measures ensure no odors leave the site. Given that no perishable items will be stored on-site, there will be no food source to attract rodents and bugs.

MUD TRACKING

Mud tracking will not be an issue on public roads because incoming and outgoing vehicles will travel on only paved and graveled roadways.

However, should any mud tracking occur on the roadways, it will be removed within 24 hours.

WINDY CONDITIONS

The Henson Disposal Recycling Center operates in all weather conditions. If winds exceed 35 mph, the recycle Facility ceases all operations. In the event of weather that creates high winds, portable windscreens will be put in place to stop and/or catch blowing material. The property is monitored daily for litter and blown debris, which are collected and appropriately disposed of.

FIRE PROTECTION

Fire prevention measures are in place as required by the Bloomington Township Fire Chief, Tom Willan. They include:

- No smoking allowed on-site.
- All recyclable materials are kept adequately wet through dust control methods.
- Fire extinguishers are located on each piece of equipment.
- The property has a well, on site, which can be used to extinguish a small fire.
- There is a fire hydrant located 600' from the property.
- Fire alarm systems are located in both buildings on the Site.
- Flammable liquids are stored in a fire resistant cabinet.
- A box approved by the Fire Department holds a key to the buildings that can be opened by the Fire Department.

These fire prevention measures were discussed and approved by the Bloomington Township Fire Chief Tom Willan. Chief Willan has approved the existing operation of the Henson Disposal Recycling Center and also approves the Amended Site Plan as requested. See attached **Appendix H**. He stated the fire hydrant located at Tri Lakes Road adequately covers the area, and he has no issues with the proposed operations.

MINIMIZATION OF INCOMPATIBILITY AND OF EFFECT ON VALUE OF SURROUNDING PROPERTY

The Henson Disposal Recycling Center is located on property zoned M-2.

The surrounding properties are also in the M-2 General Manufacturing District. They include:

- The property to the north is the railroad tracks. North of the railroad tracks are multiple use commercial properties.
- The property to the east is a private recreation facility.
- The land to the south is partially used by the private recreation facility and the remainder of the property to the south is a metal scrap recycle center.
- The property to the west has multiple commercial uses. Neighbors include: Plumbing supplier Bradford Supply, and auto salvage yard Bill Smith Auto Parts.
- An indirect neighbor, located farther west past the commercial sites listed above, is the Hilltop Mobile Home Park.

Given the neighboring properties, a recycling center would be consistent with the nature of other businesses in the vicinity and should not prove detrimental to either the property values or business operations of neighbors.

FLOOD PLAIN EVALUATION

The Henson Disposal Recycling Center is not located in a flood plain. Please see **Appendix I** for the report from Consulting Engineers and Land Surveyors, Lewis, Yockey, & Brown, Inc. that confirms the property is not located in a flood plain.

MINIMIZATION OF DANGER FROM FIRE, SPILLS, AND ACCIDENTS

The Henson Disposal Recycling Center has rules in place to minimize the danger of fire, spills, and accidents.

FIRE

Fire prevention measures will be in place. They include:

- No smoking allowed on-site.
- All recyclable materials are kept adequately wet through dust control methods.
- Fire extinguishers are located on each piece of equipment.
- The property has a well, on site, which can be used to extinguish a small fire.
- There is a fire hydrant located 600' from the property.
- Fire alarm systems are located in both buildings on the Site.
- Flammable liquids are stored in a fire resistant cabinet.
- A box approved by the Fire Department holds a key to the buildings that can be opened by the Fire Department.

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SPILLS

The Henson Disposal Recycling Center does not accept liquid contaminants, including paint or oil.

In the event liquid contaminants enter the facility and are spilled, the Henson Disposal Recycling Center has a standard procedure to follow. It is as follows:

- Identify the substance if possible. If the substance cannot be identified, contact a qualified third party for assistance with the clean up.
- Contain the fluid using an absorbent.
- Properly dispose of the substance once fully absorbed and contained.

Bonine Environmental provides the Henson Disposal Recycling Center with a 55 gallon drum for liquid paint and solvents. When a liquid enters the recycling Facility and is located, that liquid is placed in the drum provided by Bonine. When the drum is full, the liquid contaminants are properly disposed of.

ACCIDENTS

In an effort to minimize the risk of accidents all Henson Disposal Recycling Center employees undergo safety awareness training for the facilities and equipment.

This training consists of identifying on-the-job safety hazards and emergency action plans. All employees have access to:

- The locations of fire extinguishers and first aid kits.
- Emergency contact phone numbers.
- The location of and directions to the nearest hospital.
- Safety glasses, hard hats, and reflective vests will be required and provided.

SPILL PREVENTION AND EMERGENCY RESPONSE PLAN:

Henson Disposal, Inc. developed and implemented a Spill Prevention and Emergency Response Plan for use at the Site. See **Appendix J**.

MINIMIZATION OF IMPACT ON EXISTING TRAFFIC FLOWS

The Henson Disposal Recycling Center will continue to work to minimize the truck traffic to the facility by using the roads that are already constructed and intended for truck traffic. These roads include Hamilton Road, Bunn Street, and Tri Lakes Road. The Tri Lakes Road was upgraded to an 80,000 lb. year round road as required by the Bloomington Roadship Town Commissioner in order to accommodate the traffic for the Roanoke Concrete Plant and the Henson Disposal Recycling Center. Appendix O. This road has been constructed to accommodate heavy truck traffic.

The north part of the property has access to Tri Lakes Road. Trucks are not allowed to queue or park on public roadways, in front of, or near the entrance to the Henson Disposal Recycling Center.

County Highway Engineer Eric Schmitt has toured the existing site of Henson Disposal Recycling Center for traffic concerns. Mr. Schmidtt approves the projected Site Amendment subject to implementation of the same operational practices now in place by the Henson Disposal Recycling Center. Please see **Appendix K**, Correspondence from Mr. Schmitt. City of Bloomington Engineer has approved the Amended Site Plan. See **Appendix L**

HAZARDOUS WASTE RESPONSE PLAN

The Henson Disposal Recycling Center does not knowingly accept hazardous materials of any kind. The Illinois EPA defines hazardous waste as one that is "*listed on the Illinois EPA hazardous waste list…or has the characteristic of ignitability, corrosivity, reactivity, or toxicity.*" 415 ILCS 5/3.220

While the Henson Disposal Recycling Center does not intentionally accept any sort of hazardous materials, standard procedures are in place if such materials are brought in without authorization. Henson Disposal, Inc. has a Spill Prevention and Emergency Response Plan. See **Appendix J**.

If any hazardous materials are identified, by any random load checking or otherwise discovered, the site foreman notifies the City of Bloomington, McLean County government offices, and Illinois EPA. The person in charge of shipping the waste and the generator of the waste will also be contacted.

Any other waste loads identical to the waste identified as hazardous will not be accepted. The area where the hazardous waste was deposited will immediately be cordoned off from unauthorized access. The Henson Disposal Recycling Center will contact a qualified third party for the clean up, transportation, and disposal of the waste at a permitted hazardous waste management facility.

To further address hazardous materials Henson Disposal, Inc. has sent two employees to a forty hour asbestos training class. The employees are required to take, annually, a one day continuing education class. These classes insure the proper steps are taken if an asbestos containing material is found. Area Disposal provided an enclosed container to place asbestos containing materials. Once the container, is full the asbestos containing materials are transported to the landfill.

REGULATED RECHARGE AREA

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The Environmental Protection Act requires that:

"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 criterion should be read together with the groundwater protection provisions of the EPA."⁸

The term "Regulated Recharge Area" is a geographical area in which the geology makes the groundwater susceptible to contamination. The Illinois Pollution Control Board determines regulated recharge areas.

There are no regulated recharge areas established in McLean County. See Appendix N.

8 "Siting a Pollution Control Facility in Illinois" from the Illinois EPA, 2003 brochure, p. 7.

CONSISTENCY WITH THE MCLEAN COUNTY SOLID WASTE MANAGEMENT PLAN

The operations of the Henson Disposal Recycling Center are consistent with the goals of the McLean County Solid Waste Management Plan. The Plan, last updated in 2007, defines the goals of the County for managing solid waste disposal and recycling efforts.

Two main goals of the Solid Waste Management Plan are the "expansion of commercial and industrial recycling throughout McLean County" and the "development of opportunities for recycling of construction and demolition waste." The sole purpose of the Henson Disposal Recycling Center is to promote and make possible recycling of construction and demolition debris created by commercial, industrial, and residential sites. There are currently no construction and demolition facilities in McLean County.

The Solid Waste Management Plan has a goal of a 40% recycling rate in McLean County by 2012. A related goal of the Plan is to "*identify an additional 5% of the commercial and industrial waste stream that could be recycled.*" The Henson Disposal Recycling Center offers a new type of recycling in McLean County. The Henson Disposal Recycling Center helps the County realize and reach the County's goals for recycling.

The Henson Disposal Recycling Center has been in full operation for over one year. The Recycling Center believes it will eventually process over 650 tons of recyclable material per day. The facility has the capacity to handle recyclable materials from other Counties. In expanding the recycling rate of McLean County, consistent with the Solid Waste Management Plan, the Henson Disposal Recycling Center during its first year of operation accepted 17,925 tons of recyclable materials and of that recycled amount only 3,849 tons or approximately 21%, was diverted to a landfill as waste. As the facility grows, the efficiency of the plant and the community awareness of the plant will continue to rise, increasing the recycling rate within the community.

APPENDIX A

PREFILING NOTICE

To Whom It May Concern,

HENSON DISPOSAL, INC. has been providing environmental and waste management services for clients throughout Central Illinois for over seven (7) years. HENSON DISPOSAL, INC. is a locally owned business that has developed a vast array of diversified services; including: refuse services and recycling. Our Corporate Offices are currently located in Bloomington, IL. In order to add more services for our local businesses and for our customers, we propose adding a new line of waste services to our portfolio.

On February 15, 2011, HENSON DISPOSAL, INC. obtained siting approval from the County of McLean to perform recycling services for construction and demolition materials. Based upon this siting approval, HENSON DISPOSAL, INC. received an Operating License from the Environmental Protection Agency to conduct recycling services. As the business has developed, and in order to maximize the capacity of the existing facility, HENSON DISPOSAL, INC. is applying for an Amended Siting Approval to obtain an Amended EPA license to perform recycling services of both construction debris and other municipal waste. HENSON DISPOSAL, INC. has performed recycling services over the past two years, without incident.

Based on the current Illinois Environmental Protection Agency (IEPA) regulations, the operation of a recycling facility, such as this, is required to obtain siting from the local municipality. In order to acquire the necessary permit, several guidelines have to be met. One of the requirements is to provide a notification to surrounding property owners of the Application for a Permit by HENSON DISPOSAL, INC. HENSON DISPOSAL, INC.'s office is located at 705 N. East Street, Bloomington, IL 61701 and the recycling facility is located at 2148 Tri-Lakes Road, Bloomington, Illinois and consists of approximately 14.36 acres. The probable life expectancy of the recycling facility is in excess of fifty (50) years. Please see attached Notice of Intent to Seek Local Siting for a Pollution Control Facility attached hereto as Exhibit "A".

This letter shall serve as notification that HENSON DISPOSAL, INC. is seeking to obtain local siting approval, which is a pre-condition to obtaining the required Illinois Environmental Protection Agency Permit to perform recycling services at the 2148 Tri-Lakes Road location. Our staff is currently compiling the siting application and the required documentation, which shall be filed with the municipality by April 3, 2014. If you have any questions or would like to personally speak to or meet with Tom Kirk, the Owner and Operator of HENSON DISPOSAL, INC., please feel free to call and we will be happy to make these arrangements.

If you have any questions or concerns, please call Henson Disposal, Inc. at 309/829-5021.

We at HENSON DISPOSAL, INC. take environmental protection and public safety very seriously and it is our pleasure to thank you for allowing us to offer more services to our communities as well as provide local support and employment opportunities.

DATED: <u>3,3,14</u>

Sincerely,

HENSON DISPOSAL, By: 10-Kall

NOTICE OF INTENT TO SEEK LOCAL SITING FOR A POLLUTION CONTROL FACILITY

NOTICE IS HEREBY GIVEN that HENSON DISPOSAL, INC., located at 705 N. East Street, City of Bloomington, McLean County, Illinois, intends to seek local siting approval of a pollution control facility to be located at 2148 Tri-Lakes Road, Bloomington, Illinois. The purpose of the pollution control facility is for the recycling of construction debris and other municipal waste, expanding the scope of services presently offered at Henson Disposal, Inc. The site of the recycle facility will be at the present Henson Disposal, Inc. location and will utilize the existing structures on the property and will consist of approximately 14.36 acres. The anticipated operating life of this new facility is fifty years. Henson Disposal, Inc. will file a formal request for site approval with the County of McLean on April 3, 2014. At least one (1) public hearing will be conducted. Public notice of the hearing date, time, and location will be provided. Any person interested in commenting on the request for local siting approval may appear or file a written comment no later than thirty (30) days after the date of the last public hearing.

Requests for additional information should be directed to Tom Kirk at Henson Disposal, Inc. at P.O. Box 1058, Bloomington, IL 61701.

DATED: 3-3-14

Sincerely,

HENSON DISPOSAL, INC.

By: Ton Kirl (Its prevident

EXHIBIT A

TAX MAILING LABELS 400' from Parcel Nos.

> 21-15-102-005 21-15-102-006 21-15-104-003 21-15-151-015 21-15-151-016

% MOORE ENTERPRISES JAMES & MARION MOORE TRUSTEES OF THE MOORE LIVING 4425 W Airport Fwy Ste 475 Irving TX 750625853 ATTN: THOMAS E. KIRK TKNTK, LLC 1010 OLD FARM RD BLOOMINGTON IL 617041271

CITY OF BLOOMINGTON 109 E OLIVE ST BLOOMINGTON, IL 61701

MORGAN & GRIMSHAW ENTERPRISE 11 CURRENCY DR BLOOMINGTON IL 617049398 MORGAN & GRIMSHAW ENTERPRISE 11 CURRENCY DR BLOOMINGTON IL 617049398

RAYMOND FAIRCHILD JR 20 CURRENCY DR BLOOMINGTON IL 617049130

THOMAS & TONJA GIBSON 1901 BUNN ST BLOOMINGTON IL 617047420

ATTN: THOMAS E. KIRK TKNTK, LLC PO BOX 5602 BLOOMINGTON IL 617025602

MORGAN & GRIMSHAW ENTERPRISE 11 CURRENCY DR BLOOMINGTON IL 617049398

RICHARD B OWEN 1700 MORRISSEY DR BLOOMINGTON IL 617047107

RICHARD B OWEN 1700 MORRISSEY DR BLOOMINGTON IL 617047107

%OWEN NURSERY MCLEAN COMMERCIAL CORP 1700 MORRISSEY DR BLOOMINGTON IL 617047107

FIRST NATIONAL BANK 1 TOWNE CTR DANVILLE IL 618325895

BRADFORD SUPPLY CO ATTN: JAN WAGY PO BOX 246 ROBINSON IL 624542046

DAVE CAPODICE BUNN STREET, LLC 1800 BUNN ST BLOOMINGTON IL 617047401

KIPP CONNOUR 1902 BUNN ST BLOOMINGTON IL 617047421

BRADFORD SUPPLY CO ATTN: JAN WAGY PO BOX 246 ROBINSON IL 624542046

ADVANCE TRADING, INC 1619 COMMERCE PKWY BLOOMINGTON IL 617049608

RICHARD B OWEN 1700 MORRISSEY DR BLOOMINGTON IL 617047107

RICHARD B OWEN 1700 MORRISSEY DR BLOOMINGTON IL 617047107

RICK KESSINGER 10 Finance Dr Bloomington IL 617049183 KIPP CONNOUR 1902 BUNN ST BLOOMINGTON IL 617047421

DAVID CAPODICE 2820 CAPODICE RD BLOOMINGTON IL 617045621

BCA LLC 14 TIMBER RIDGE DR LEXINGTON IL 617531612

%OWEN NURSERY MCLEAN COMMERCIAL CORP 1700 MORRISSEY DR BLOOMINGTON IL 617047107

%OWEN NURSERY MCLEAN COMMERCIAL CORP 1700 MORRISSEY DR BLOOMINGTON IL 617047107

MCLEAN COUNTY TRUSTEE PO BOX 96 EDWARDSVILLE IL 62025

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NORD ENTERPRISES 2006 W WASHINGTON ST BLOOMINGTON IL 617055101

NORD ENTERPRISES 2006 W WASHINGTON ST BLOOMINGTON IL 617055101 TRI LAKES CONS REC CLUB 2100 BUNN ST BLOOMINGTON IL 617047425

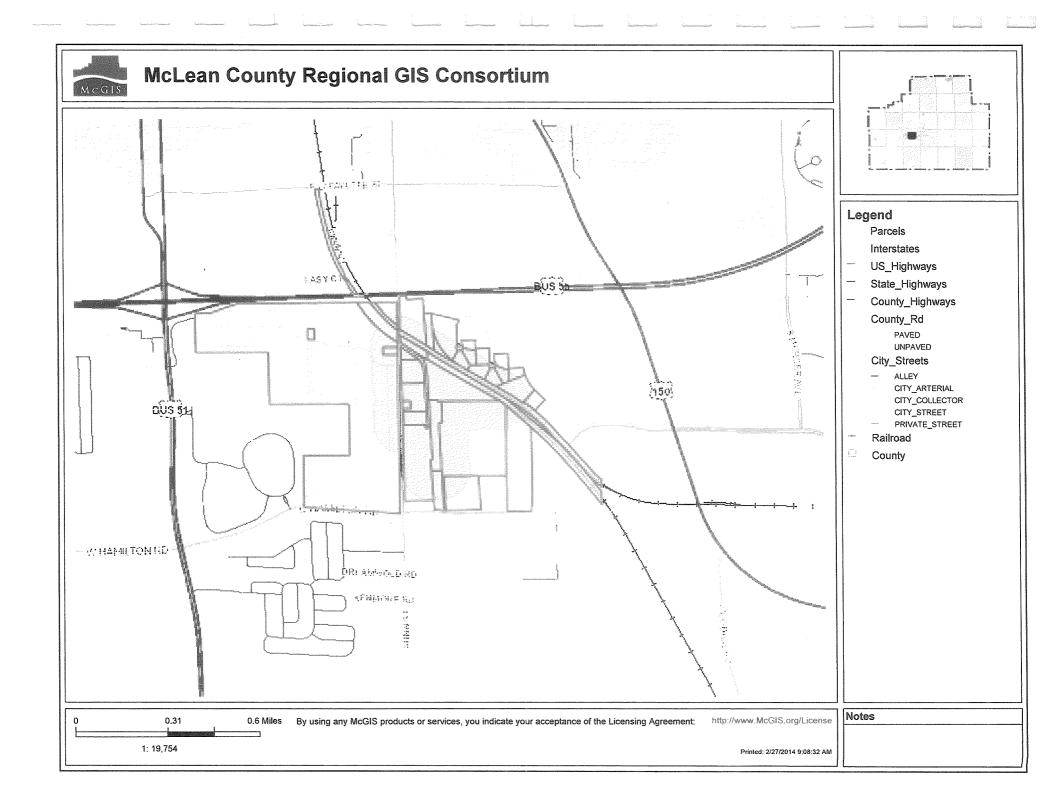
ATTN: THOMAS E. KIRK TKNTK, LLC 1010 OLD FARM RD BLOOMINGTON IL 617041271

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NORD ENTERPRISES 2006 W WASHINGTON ST BLOOMINGTON IL 617055101

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ADELINE M BERNER TR 34 HODGEHAVEN CIR BLOOMINGTON IL 617041506



APPRENDIX C

PUBLICATION NOTICE

28

Pantagraph **D** Publishing

The Pantagraph 301 WEST WASHINGTON St. P.O. BOX 2907 BLOOMINGTON, ILLINOIS 61702-2907 PHONE 309-829-9000

Certificate of Publication

Robert J. Lenz 202 N. Center St. Suite 2 Bloomington, IL 61701

ACCOUNT # 60061352 DATES APPEARED AD ORDER # 20615871 03/06/2014 INVOICE DATE 03/06/2014 AMOUNT 165.00 Paste Tear Sheet Here STATE OF ILLINOIS. 20615871 SS: COUNTY OF MCLEAN NOTICE OF INTENT TO SEEK LOCAL SITING FOR A **CITY OF BLOOMINGTON** POLLUTION CONTROL FACILITY NOTICE IS HEREBY GIVEN that HENSON DISPOSAL, INC., lo-cated at 705 N. East Street, City of Bloomington, McLean County, Illinois, intends to seek local siting approval of a pollu-tion control facility to be located at 2148 Tri-Lakes Road, Bloom-ington, Illinois. The purpose of the pollution control facility is for the recycling of construction debris and other municipal waste, expanding the scope of services presently offered at Henson Disposal, Inc. The site of the recycle facility will be at POLLUTION CONTROL The Pantagraph Publishing Co. hereby certifies that it is now and has been for more than one year continuously, d/b/a The Pantagraph, a daily secular newspaper of general circulation in said County, published in the City, County and State aforesaid, and further certifies that said newspaper has been continuously published at regular intervals of more than once each week with more than a minimum of fifty issues per year for more than one year prior to the first publication of the notice, and further certifies that The Pantagraph is a newspaper as defined of the recycle facility will be at the present Henson Disposal, Inc. location and will utilize the by the Statutes of the State of Illinois in such cases made and provided, and further hereby certifies that a notice of which the annexed notice is a true Inc. location and will utilize the existing structures on the prop-erty and will consist of approxi-mately 14.36 acres. The antici-pated operating life of this new facility is fifty years. Henson Disposal, Inc. will file a formal request for site approval with the County of McLean on April 3, 2014. At least one (1) public hearing will be conducted. Pub-lic notice of the hearing date, time and location will be pro-vided. Any person interested in commenting on the request for copy, has been regularly published in said paper. commenting on the request for local siting approval may ap-pear or file a written comment no later than thirty (30) days af-ter the date of the last public local sit By <u>Amette Athroson</u> Date <u>03-06-2014</u> hearing. Requests for additional informa-Kirk at Henson Disposal, Inc. at P.O. Box 1058, Bloomington, IL 61701

DATED: 3-3-14 Sincerely, HENSON DISPOSAL, INC. By: Tom Kirk Its President

APPENDIX D

CERTICATE OF SERVICE & RECEIPTS

CERTIFICATE OF MAILING

I hereby certify that on March 3, 2014, I sent by Certified Mail, Return Receipt Requested, through the United States Post Office in Bloomington, Illinois, the attached letter and NOTICE OF INTENT TO SEEK LOCAL SITING FOR A POLLUTION CONTROL FACILITY, to all property owners/persons of interest shown on the attached Exhibit "A".

Mitnie Apparen

Subscribed and sworn to before me this day of April, 2014.

"OFFICIAL SEAL" Hallwar JULIE A. ANDERSON Notary Public, State of Illinois My Commission Expires 01-25-2017 Notary Public

To Whom It May Concern,

HENSON DISPOSAL, INC. has been providing environmental and waste management services for clients throughout Central Illinois for over seven (7) years. HENSON DISPOSAL, INC. is a locally owned business that has developed a vast array of diversified services; including: refuse services and recycling. Our Corporate Offices are currently located in Bloomington, IL. In order to add more services for our local businesses and for our customers, we propose adding a new line of waste services to our portfolio.

On February 15, 2011, HENSON DISPOSAL, INC. obtained siting approval from the County of McLean to perform recycling services for construction and demolition materials. Based upon this siting approval, HENSON DISPOSAL, INC. received an Operating License from the Environmental Protection Agency to conduct recycling services. As the business has developed, and in order to maximize the capacity of the existing facility, HENSON DISPOSAL, INC. is applying for an Amended Siting Approval to obtain an Amended EPA license to perform recycling services of both construction debris and other municipal waste. HENSON DISPOSAL, INC. has performed recycling services over the past two years, without incident.

Based on the current Illinois Environmental Protection Agency (IEPA) regulations, the operation of a recycling facility, such as this, is required to obtain siting from the local municipality. In order to acquire the necessary permit, several guidelines have to be met. One of the requirements is to provide a notification to surrounding property owners of the Application for a Permit by HENSON DISPOSAL, INC. HENSON DISPOSAL, INC.'s office is located at 705 N. East Street, Bloomington, IL 61701 and the recycling facility is located at 2148 Tri-Lakes Road, Bloomington, Illinois and consists of approximately 14.36 acres. The probable life expectancy of the recycling facility is in excess of fifty (50) years. Please see attached Notice of Intent to Seek Local Siting for a Pollution Control Facility attached hereto as Exhibit "A".

This letter shall serve as notification that HENSON DISPOSAL, INC. is seeking to obtain local siting approval, which is a pre-condition to obtaining the required Illinois Environmental Protection Agency Permit to perform recycling services at the 2148 Tri-Lakes Road location. Our staff is currently compiling the siting application and the required documentation, which shall be filed with the municipality by April 3, 2014. If you have any questions or would like to personally speak to or meet with Tom Kirk, the Owner and Operator of HENSON DISPOSAL, INC., please feel free to call and we will be happy to make these arrangements.

If you have any questions or concerns, please call Henson Disposal, Inc. at 309/829-5021.

We at HENSON DISPOSAL, INC. take environmental protection and public safety very seriously and it is our pleasure to thank you for allowing us to offer more services to our communities as well as provide local support and employment opportunities.

DATED: 3,3,14

Sincerely,

HENSON DISPOSAL, INC. By: 102 Call

NOTICE OF INTENT TO SEEK LOCAL SITING FOR A POLLUTION CONTROL FACILITY

NOTICE IS HEREBY GIVEN that HENSON DISPOSAL, INC., located at 705 N. East Street, City of Bloomington, McLean County, Illinois, intends to seek local siting approval of a pollution control facility to be located at 2148 Tri-Lakes Road, Bloomington, Illinois. The purpose of the pollution control facility is for the recycling of construction debris and other municipal waste, expanding the scope of services presently offered at Henson Disposal, Inc. The site of the recycle facility will be at the present Henson Disposal, Inc. location and will utilize the existing structures on the property and will consist of approximately 14.36 acres. The anticipated operating life of this new facility is fifty years. Henson Disposal, Inc. will file a formal request for site approval with the County of McLean on April 3, 2014. At least one (1) public hearing will be conducted. Public notice of the hearing date, time, and location will be provided. Any person interested in commenting on the request for local siting approval may appear or file a written comment no later than thirty (30) days after the date of the last public hearing.

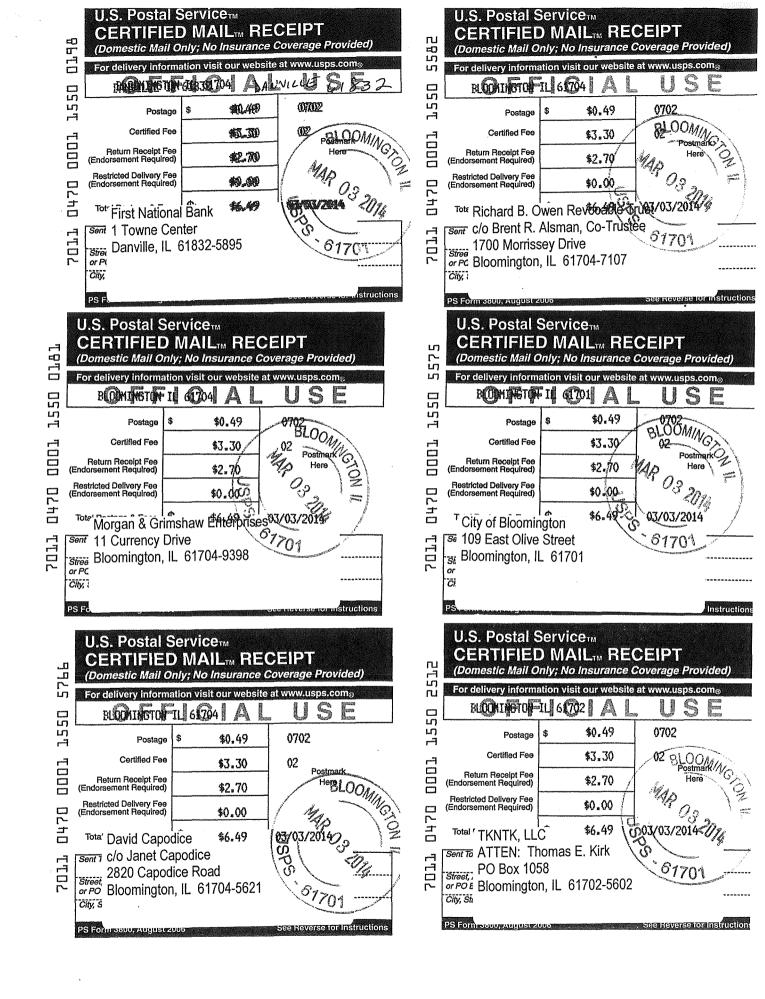
Requests for additional information should be directed to Tom Kirk at Henson Disposal, Inc. at P.O. Box 1058, Bloomington, IL 61701.

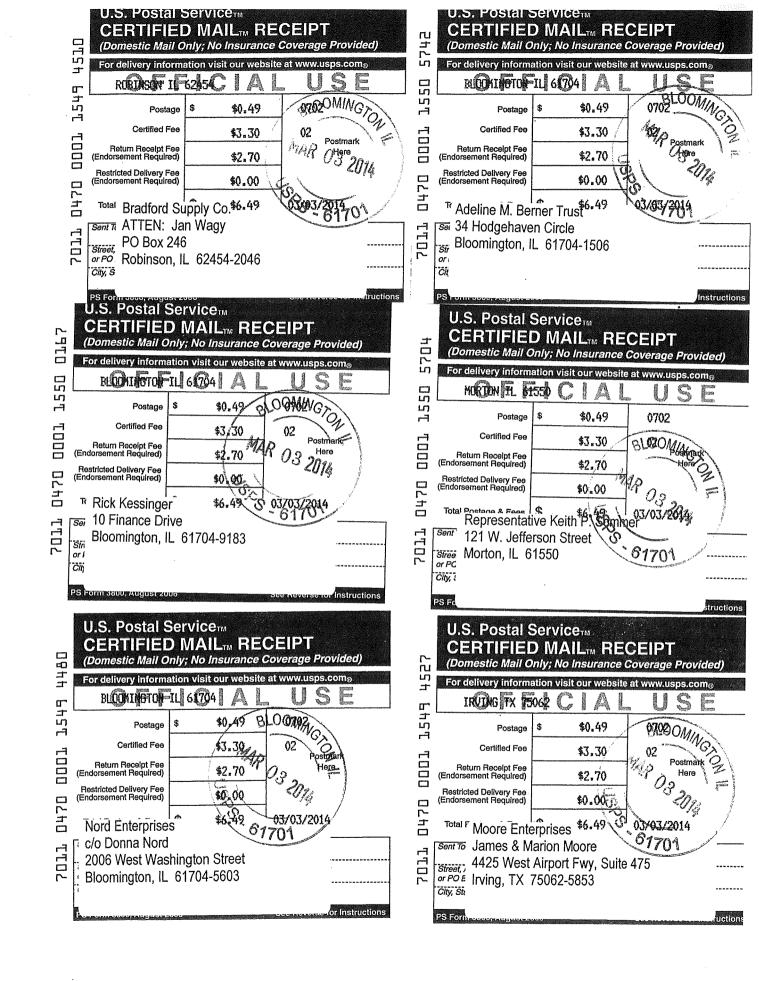
DATED: 3-3-14

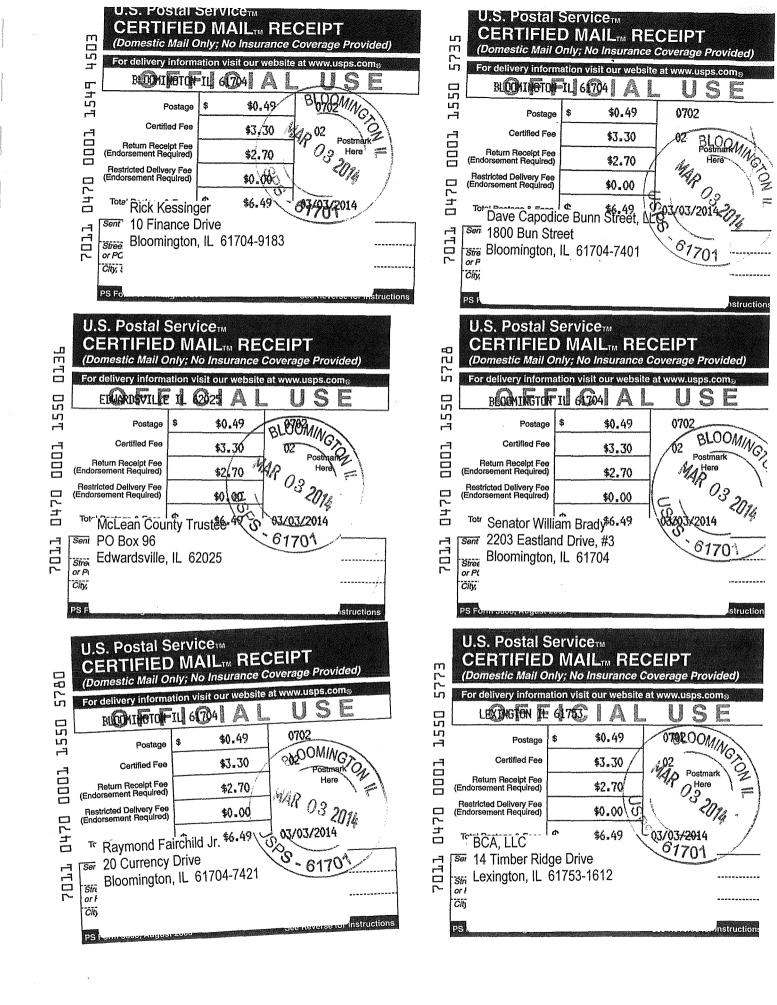
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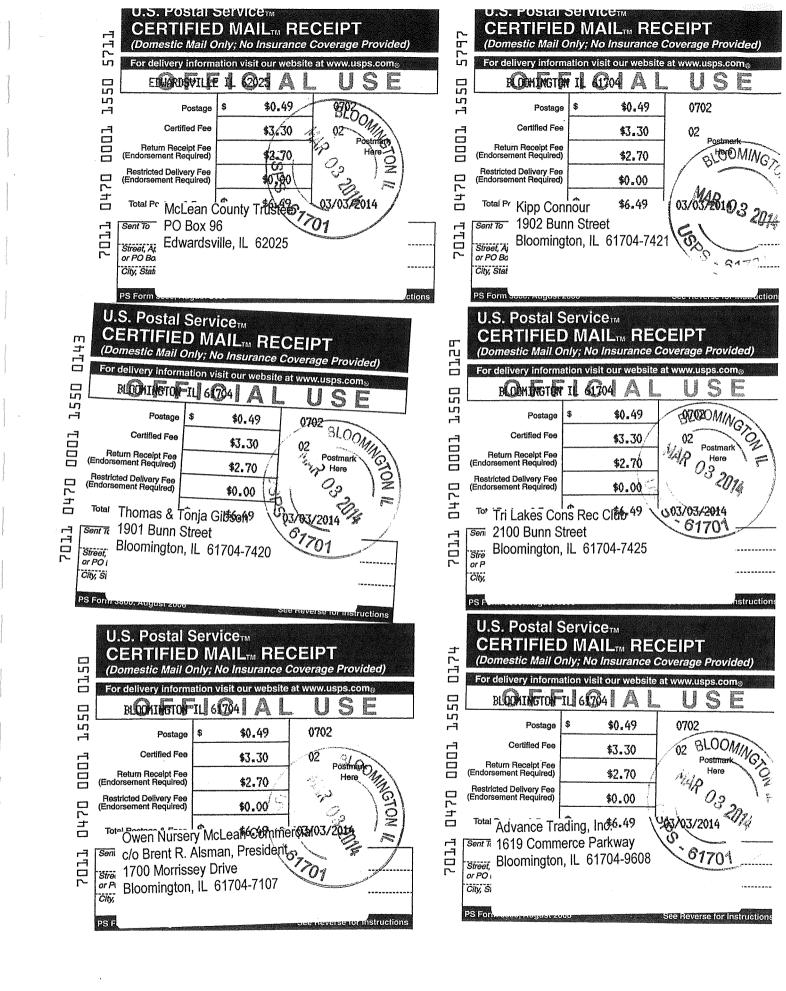
HENSON DISPOSAL, INC.

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Richard B. Owen Revocable Trust				
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1700 Morrissey Drive				
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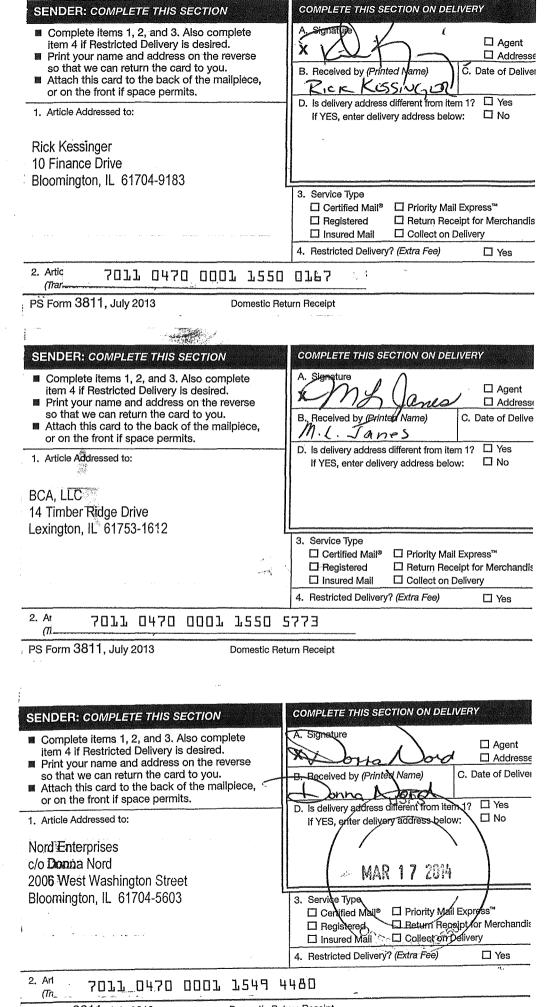
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PS Form 3811, July 2013

Domestic Return Receipt

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FOSTER INVESTIGATIONS, LTD AFFIDAVIT OF SERVICE OF PROCESS

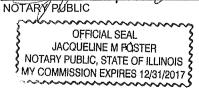
RE: Henson Disposal, Inc.

Received by Fo	oster Investigations, Ltd. to	be served on	Tonja Gibson
1901 Bunn Stre	eet, Bloomington, IL 61701		
I, Mark Foster	, who, being duly s	worn, depose and say that	t on the15 day of
iviarch	_, 2014 at	9:46am	executed by delivering a true copy of the
Attached Letter	& Notice of Intent to Seel	Local Setting for a Polluti	ion Control Facility
	<u></u>	*****	
	with the state statutes in th		
X	_INDIVIDUAL SERVICE:	Served the within-name	a person
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	SERVICE ON:		
	Left a copy of the docum	ent(s) with the following:	
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COMMENTS:	White/Female/Approx 55)	
		and an analysis of the state of t	
@g5g9.co			

I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and sworn to before me on the 10° day of 2014° , 2014 by the affiant who is personally known to me.

n



Mark Foster ' Licensed Private Detective Illinois License #: 115-001201

FOSTER INVESTIGATIONS, LTD PO BOX 863 Normal, IL 61761 (309) 862-3473

FOSTER INVESTIGATIONS, LTD AFFIDAVIT OF SERVICE OF PROCESS

RE: Henson Disposal, Inc.

	oster Investigations, Ltd. to eet, Bloomington, IL 61701	be served on	Thomas Gibson	
I, Mark Foster	, who, being duly sw	orn, depose and say that	on the 15	day of
	,2014 at	9:46am		
Attached Letter	& Notice of Intent to Seek	Local Setting for a Pollution	on Control Facility	
in accordance v	with the state statutes in the	manner marked below		
	INDIVIDUAL SERVICE:		d nerson	
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I certify that I have no interest in the above action, am of legal age and have proper authority in the jurisdiction in which this service was made.

Subscribed and sworn to before me on the <u>l</u>() day of <u>h</u>(), 2014 by the affiant who is personally known to me.

NOTARY PUBLIC

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JACQUELINE M FÖSTER	- {
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NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 12/31/201	173
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Mark Foster

Licensed Private Detective Illinois License #: 115-001201

FOSTER INVESTIGATIONS, LTD PO BOX 863 Normal, IL 61761 (309) 862-3473

#### NOTICE OF INTENT TO SEEK LOCAL SITING FOR A POLLUTION CONTROL FACILITY

**NOTICE IS HEREBY GIVEN** that HENSON DISPOSAL, INC., located at 705 N. East Street, City of Bloomington, McLean County, Illinois, intends to seek local siting approval of a pollution control facility to be located at 2148 Tri-Lakes Road, Bloomington, Illinois. The purpose of the pollution control facility is for the recycling of construction debris and other municipal waste, expanding the scope of services presently offered at Henson Disposal, Inc. The site of the recycle facility will be at the present Henson Disposal, Inc. location and will utilize the existing structures on the property and will consist of approximately 14.36 acres. The anticipated operating life of this new facility is fifty years. Henson Disposal, Inc. will file a formal request for site approval with the County of McLean on April 3, 2014. At least one (1) public hearing will be conducted. Public notice of the hearing date, time, and location will be provided. Any person interested in commenting on the request for local siting approval may appear or file a written comment no later than thirty (30) days after the date of the last public hearing.

Requests for additional information should be directed to Tom Kirk at Henson Disposal, Inc. at P.O. Box 1058, Bloomington, IL 61701.

DATED: 3-3-14

Sincerely,

HENSON DISPOSAL, INC.

lon Kirl By:

To Whom It May Concern,

HENSON DISPOSAL, INC. has been providing environmental and waste management services for clients throughout Central Illinois for over seven (7) years. HENSON DISPOSAL, INC. is a locally owned business that has developed a vast array of diversified services; including: refuse services and recycling. Our Corporate Offices are currently located in Bloomington, IL. In order to add more services for our local businesses and for our customers, we propose adding a new line of waste services to our portfolio.

On February 15, 2011, HENSON DISPOSAL, INC. obtained siting approval from the County of McLean to perform recycling services for construction and demolition materials. Based upon this siting approval, HENSON DISPOSAL, INC. received an Operating License from the Environmental Protection Agency to conduct recycling services. As the business has developed, and in order to maximize the capacity of the existing facility, HENSON DISPOSAL, INC. is applying for an Amended Siting Approval to obtain an Amended EPA license to perform recycling services of both construction debris and other municipal waste. HENSON DISPOSAL, INC. has performed recycling services over the past two years, without incident.

Based on the current Illinois Environmental Protection Agency (IEPA) regulations, the operation of a recycling facility, such as this, is required to obtain siting from the local municipality. In order to acquire the necessary permit, several guidelines have to be met. One of the requirements is to provide a notification to surrounding property owners of the Application for a Permit by HENSON DISPOSAL, INC. HENSON DISPOSAL, INC.'s office is located at 705 N. East Street, Bloomington, IL 61701 and the recycling facility is located at 2148 Tri-Lakes Road, Bloomington, Illinois and consists of approximately 14.36 acres. The probable life expectancy of the recycling facility is in excess of fifty (50) years. Please see attached Notice of Intent to Seek Local Siting for a Pollution Control Facility attached hereto as Exhibit "A".

This letter shall serve as notification that HENSON DISPOSAL, INC. is seeking to obtain local siting approval, which is a pre-condition to obtaining the required Illinois Environmental Protection Agency Permit to perform recycling services at the 2148 Tri-Lakes Road location. Our staff is currently compiling the siting application and the required documentation, which shall be filed with the municipality by April 3, 2014. If you have any questions or would like to personally speak to or meet with Tom Kirk, the Owner and Operator of HENSON DISPOSAL, INC., please feel free to call and we will be happy to make these arrangements.

If you have any questions or concerns, please call Henson Disposal, Inc. at 309/829-5021.

We at HENSON DISPOSAL, INC. take environmental protection and public safety very seriously and it is our pleasure to thank you for allowing us to offer more services to our communities as well as provide local support and employment opportunities.

DATED: 3,3,14

Sincerely,

HENSON DISPOSAL. By: lonks

## **CERTIFICATE OF SERVICE**

I hereby certify that on March 7, I hand-delivered the attached letter and NOTICE OF INTENT TO SEEK LOCAL SITING FOR A POLLUTION CONTROL FACILITY, to the following property owners/persons of interest:

> Raymond Fairchild Jr. 20 Currency Drive Bloomington, IL 61704

> David Capodice c/o Mike Capodice c/o Jenny Capodice c/o Matt Capodice 2820 Capodice Road Bloomington, IL 61704

Ion Kie

Subscribed and sworn to before me this  $3^{--}$  day of April, 2014.

el salam Notary Public



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DATED: 3,3,14

Sincerely,

HENSON DISPOSAL, INC. By: 10-Kall

#### NOTICE OF INTENT TO SEEK LOCAL SITING FOR A POLLUTION CONTROL FACILITY

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Requests for additional information should be directed to Tom Kirk at Henson Disposal, Inc. at P.O. Box 1058, Bloomington, IL 61701.

DATED: 3-3-14

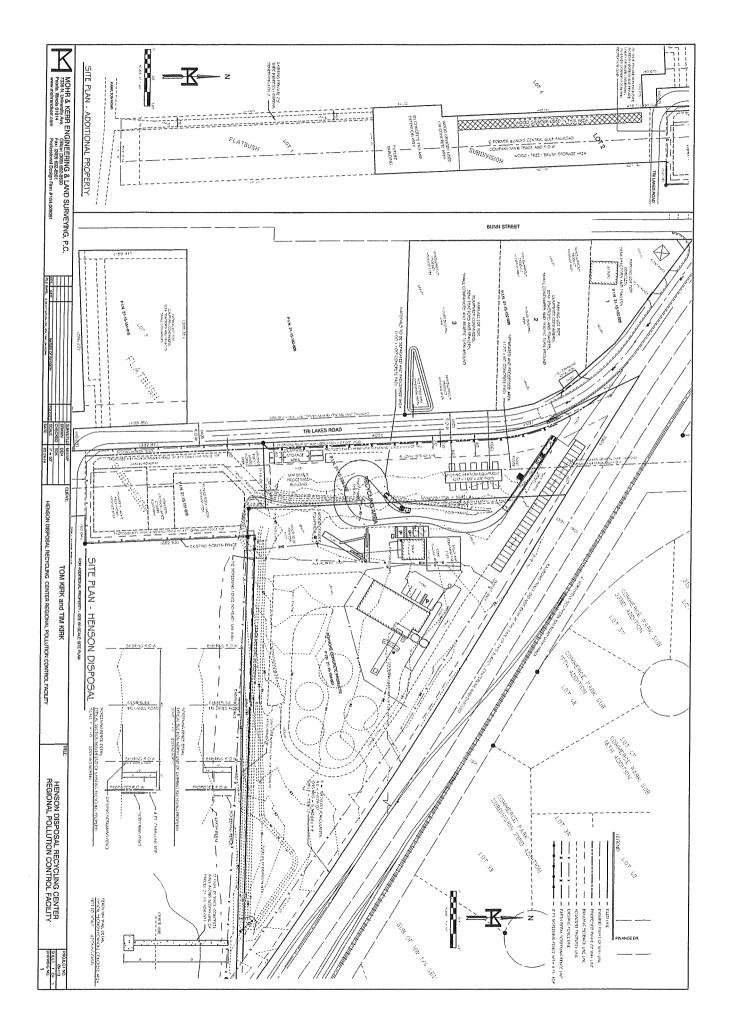
Sincerely,

HENSON DISPOSAL, INC.

By: Ion Kirk

### APPENDIX E

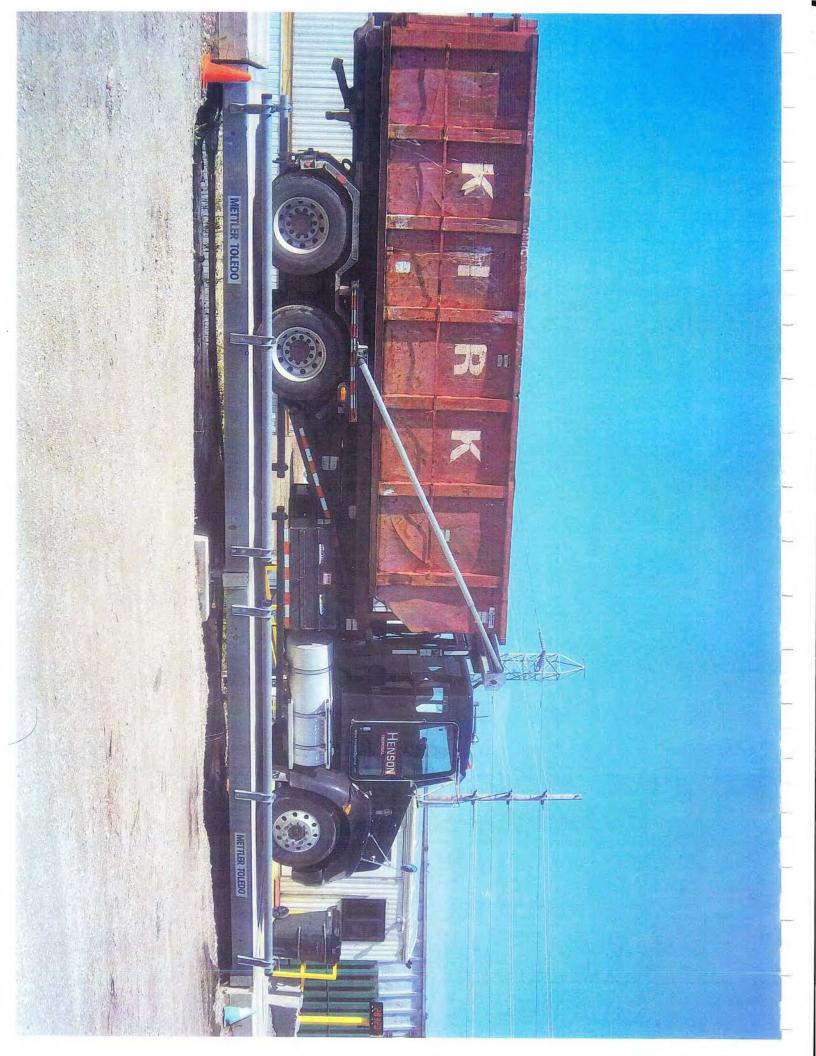
### SITE PLAN



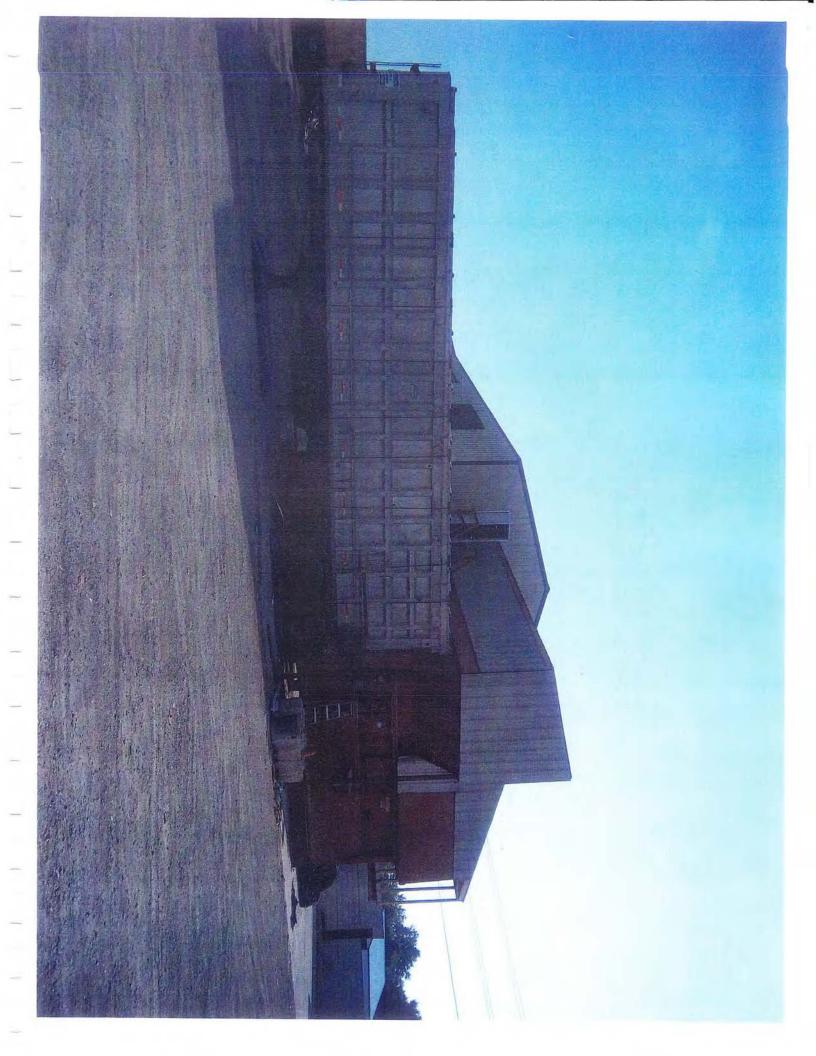
### APPENDIX F

# GROUP APPENDIX OF PHOTOGRAPHS OF PROCESSES AND EQUIPMENT

**Drawing 1:** The drawing on the following page shows a general overview of what the conveyer belt and picking station will look like.



**Photo 2:** This is an enclosed trailer that is attached to a compactor. All the materials that are not recycled are conveyed to this trailer. Using this trailer eliminates blowing debris while it is being loaded. The compactor compacts the waste into the trailer. The trailer sits on weigh scales. This allows the trailer to leave at a legal full load.



**Photo 3:** These are the buildings that the material flows through. On the left side of the photo is the receiving building. Materials area dumped and stored in this area. They are then loaded onto a conveyor and make their way to the right side of the building. Recyclables are placed in the dumpsters and trailers under the elevated building. The last trailer on the right holds the non recyclables that will be transported to the landfill.



Photo 4: This is the north staircase that takes you up to the elevated building.

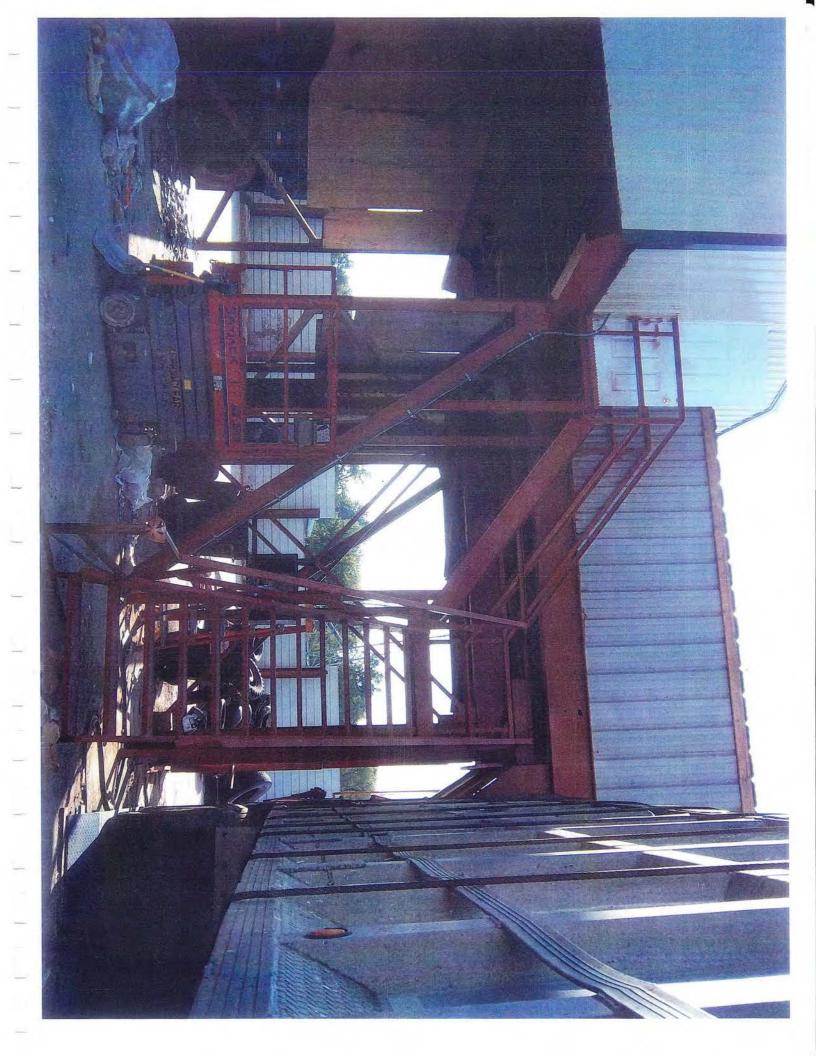


Photo 5: This staircase on the south side of the elevated building takes you to either the west or east side of the building.

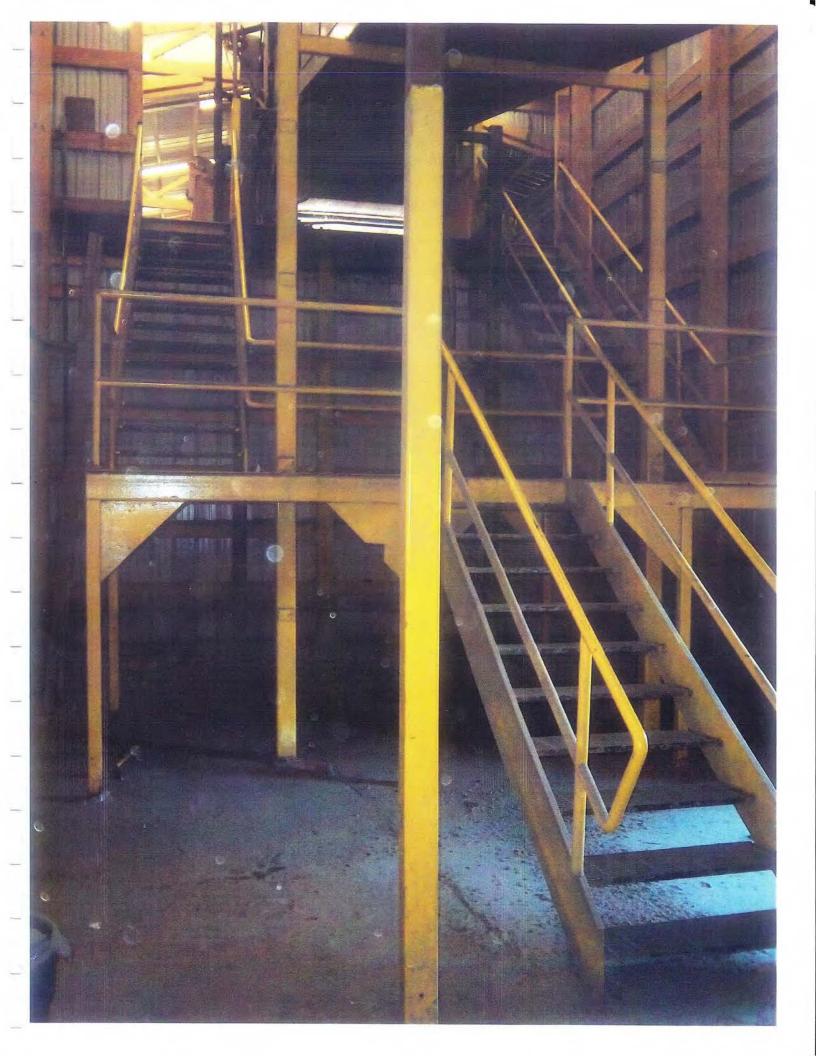
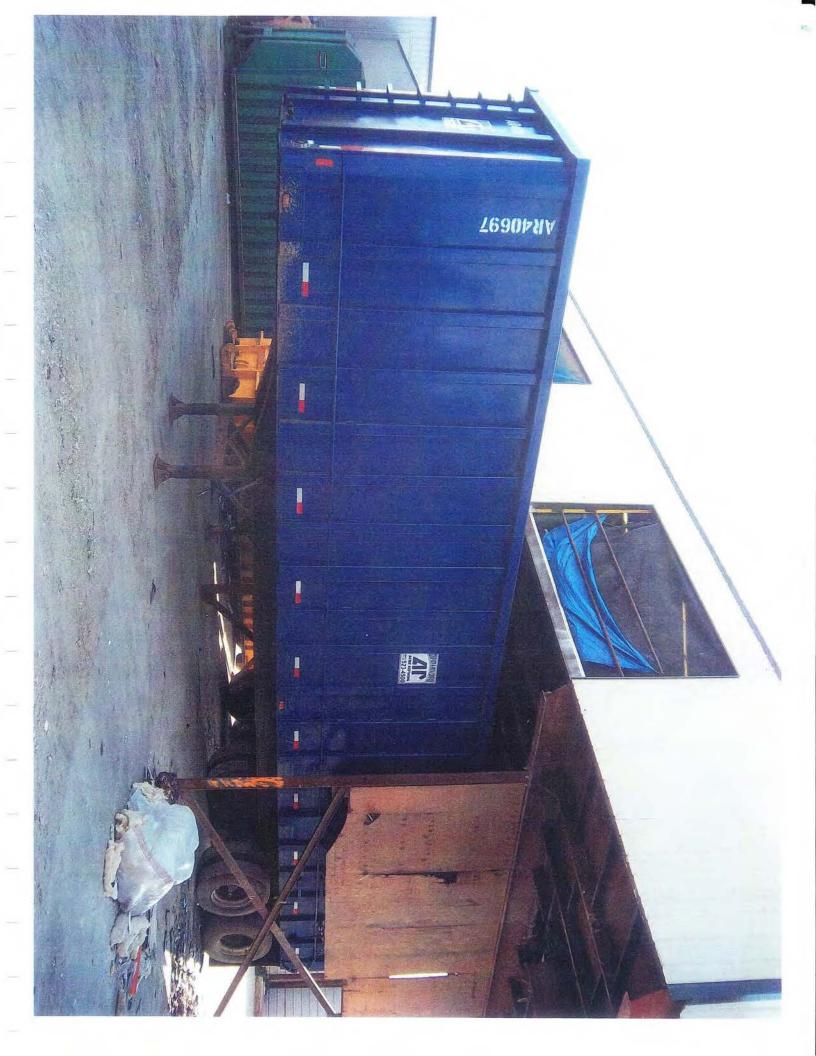


Photo 6: This trailer contains the aluminum that is removed from the recycle stream.



**Photo 7:** This is a compactor dumpster. It contains the paper and cardboard from the recycled stream. A compactor is used to compress the materials and eliminates wasted space.



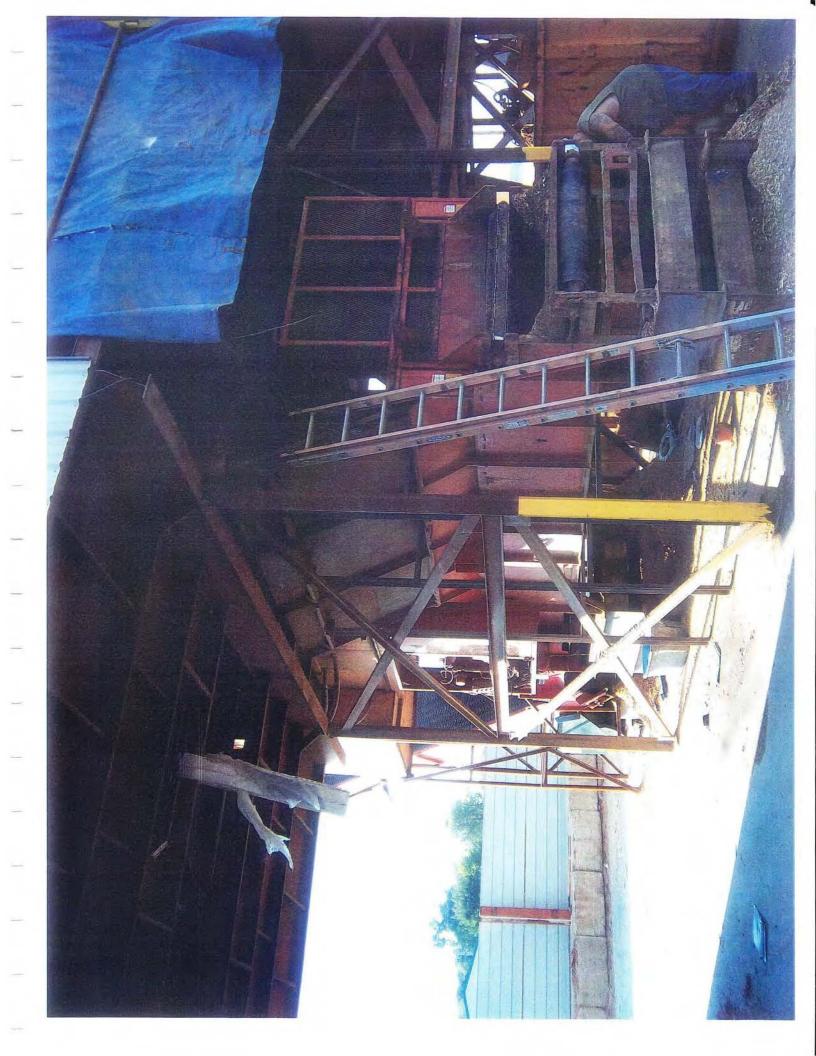
**Photo 8**: The yellow dumpster holds vinyl siding. This area also sometimes holds plastics. The blue trailer on the right is used for ferris metals.



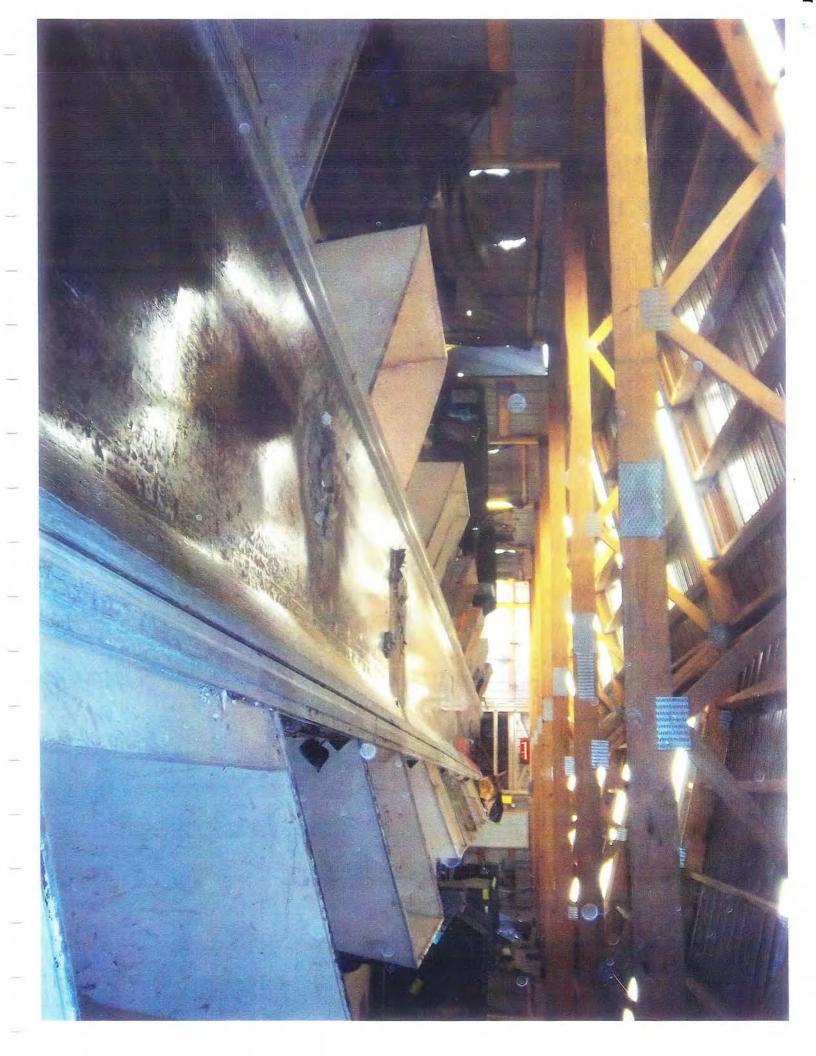
Photo 9: This is a dumpster that contains concrete that was removed from the recycle stream.



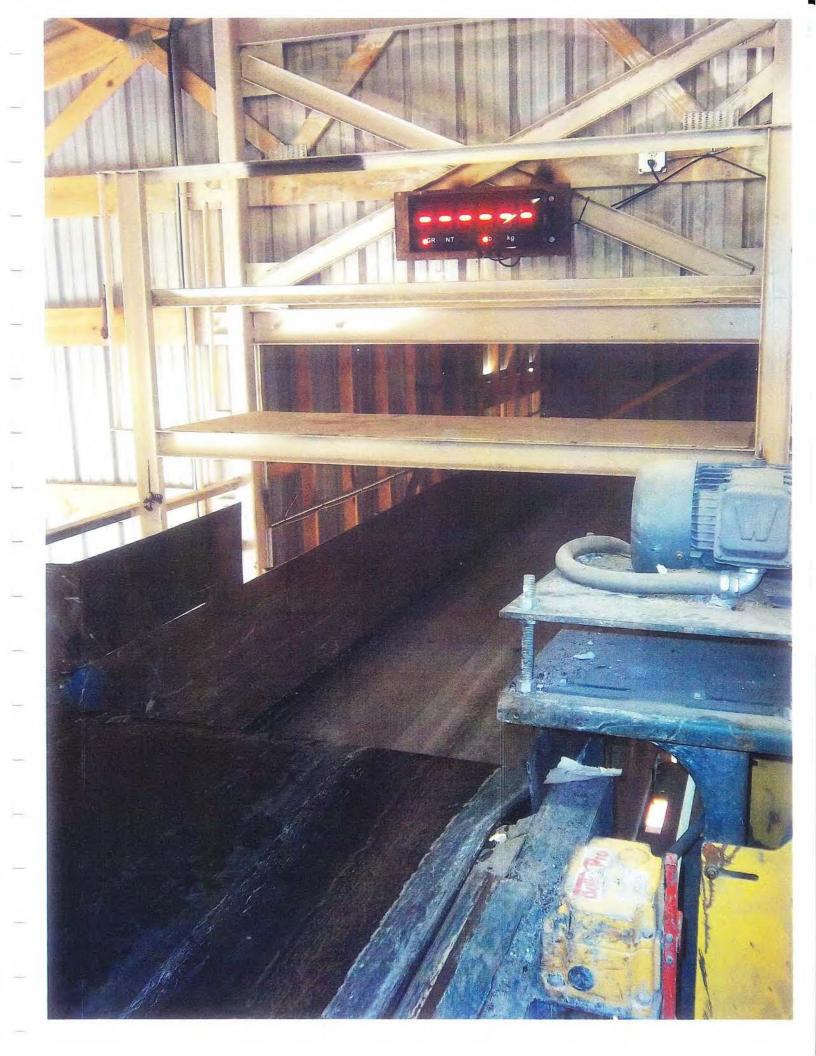
**Photo 10**: This machine is a wood grinder. It is used to reduce and process wood into a product. Examples of wood products are mulch, boiler fuel, animal bedding and roads at landfill.



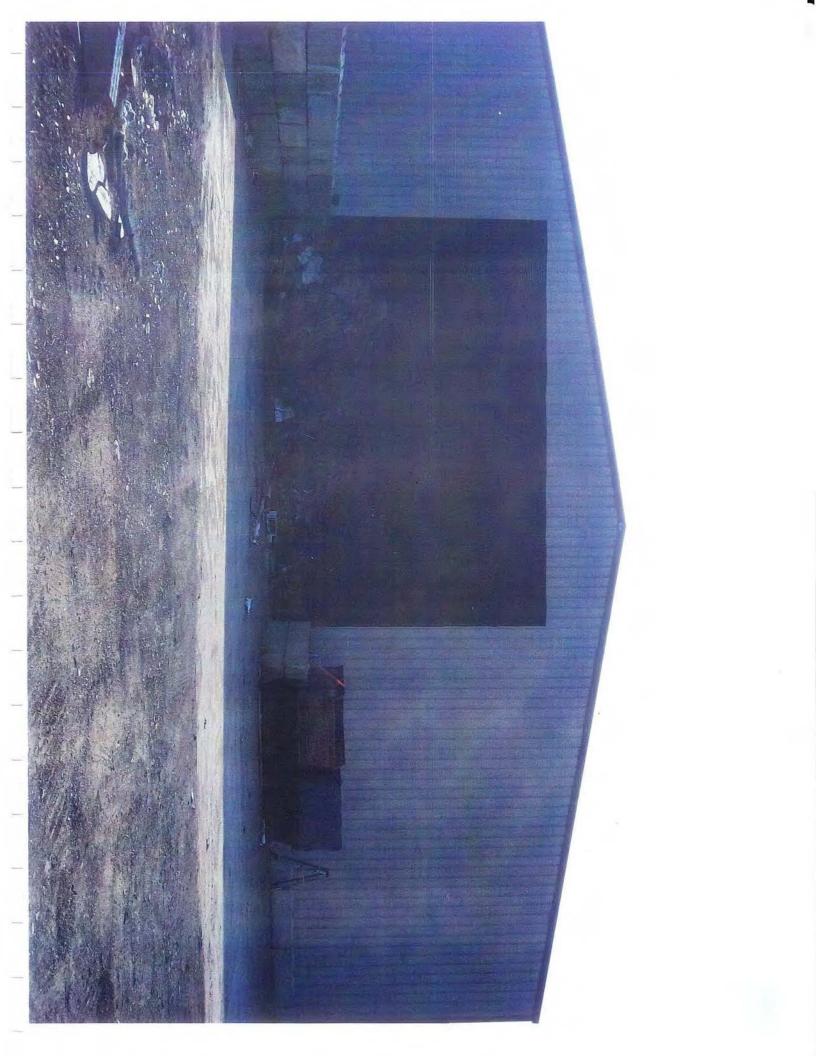
**Photo 11:** This conveyor belt is inside the elevated building. Materials travel down this belt. Items that are removed are dropped into the shots to a below trailer, dumpster or storage tanker. The belt is wet for dust control. There are spray nozzles that apply a mist of water to help control the dust.



**Photo 12:** The non recyclables travel into a compactor. The compactor is a covered unit that protects the material from windy conditions. There is an illuminated monitor in the center of the photo. This shows the weight in the trailer that is being loaded with the items that will go directly to the landfill.



**Photo 13:** The loads of CND materials that are brought into the recycle center are dumped inside this building. This is the beginning of the recycle process. The items placed inside this building will be conveyed through the system. Items that can be recycled will be removed. Items that cannot be recycled will be loaded into a trailer.



**Photo 14:** This fan is used as part of our dust control. There are spray nozzles that blow a fine mist of water. The fan then blows the mist throughout the building. There are also spray nozzles in the ceiling of the building. These nozzles let misted water fall from above and bring down the dust.



## APPENDIX H

# AFFIDAVIT OF TOM WILLAN

50

#### AFFIDAVIT

STATE OF ILLINOIS ) SS COUNTY OF MCLEAN

TOM WILLAN, being first duly sworn upon oath, states that he is above the age of 18; that if called to testify in the above-entitled matter, could competently testify to the following:

- 1. He is the Bloomington Township Fife Chief.
- 2. That he has approved the present operation of the Henson Disposal Recycling Center located at 2148 Tri Lakes Road in Bloomington, Illinois.
- That the Henson Disposal Recycling Center has incorporated all of his requested 3. fire prevention measures.
- 4. That he has reviewed the proposed Site Amendment.
- .5. That he approves the Amended Site Plan subject to the implementation of the same fire protection measures taken by Henson Disposal, Inc. on their original site.
- 6. That the fire hydrant located at Tri-Lakes Road adequately covers the amended site.

Affiant further sayeth not.

<u>Thomas</u> <u>A-Willan, Chief</u> remethis <u>9</u> day of <u>August</u>, 2013.

Subscribed and sworn to before me this 9 day of <u>Augu</u>

Notary Public

MAY 28 2013

## APPENDIX I

## FLOOD PLAIN EVALUATION

51

On the following page is documentation the flood plain evaluation was completed on the property by the engineering firm, Lewis, Yockey, & Brown.

52

## Lewis, Yockey & Brown, Inc. Consulting Engineers & Land Surveyors

505 North Main Street Bloomington, Illinois 61701 Phone: (309) 829-2552 Fax: (309) 827-6861

April 02, 2014

Kirk C & D Recycling 705 N. East Street Bloomington, IL 61701

ATTN: Tom Kirk

222 East Center Street LeRoy, Illinois 61752 Phone: (309) 962-8151 Fax: (309) 962-7503 155 South Elm Street El Paso, Illinois 61738 Phone: (309) 527-2552 Fax: (309) 527-3230

RE: Kirk C & D Recycling Special Use Permit 2148 Tri Lakes Road Bloomington, IL Amended Site Plan Tax Parcel ID #21-15-104-003 #21-15-151-016 #21-15-151-015 #21-15-102-005 #21-15-102-006

Dear Tom:

At your request I have reviewed the applicable Flood Insurance Rate Map (FIRM), (Map Number 17113CO503E, dated July 16, 2008) that envelops your proposed recycling facility amended site plan properties that are referenced above for location by tax parcel ID #'s. These tracts of land are adjoining Tri Lakes Road on the east (parcel #21-15-104-003 & #21-15-151-016), west (parcel #21-15-151-015, #21-15-102-005 & #21-15-102-006) and south (parcel #21-15-151-016). I have determined that the subject premises are not located within the boundary of a Special Flood Hazard Area (SFHA). A copy of the FIRM and McLean County GIS Tax Parcel Map for this area, showing the general location of the subject premises highlighted in red, is attached as exhibits for your reference.

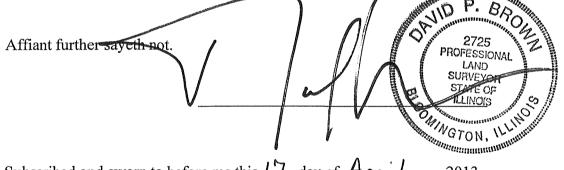
Please call me should you require further assistance in these regards. Very truly yours David P. Brown, PLS DB:kk Enclosure (2 copies) cc: 4920.03

### <u>AFFIDAVIT</u>

STATE OF ILLINOIS ) ) SS COUNTY OF MCLEAN )

DAVID BROWN, being first duly sworn upon oath, states that he is above the age of 18; that if called to testify in the above-entitled matter, could competently testify to the following:

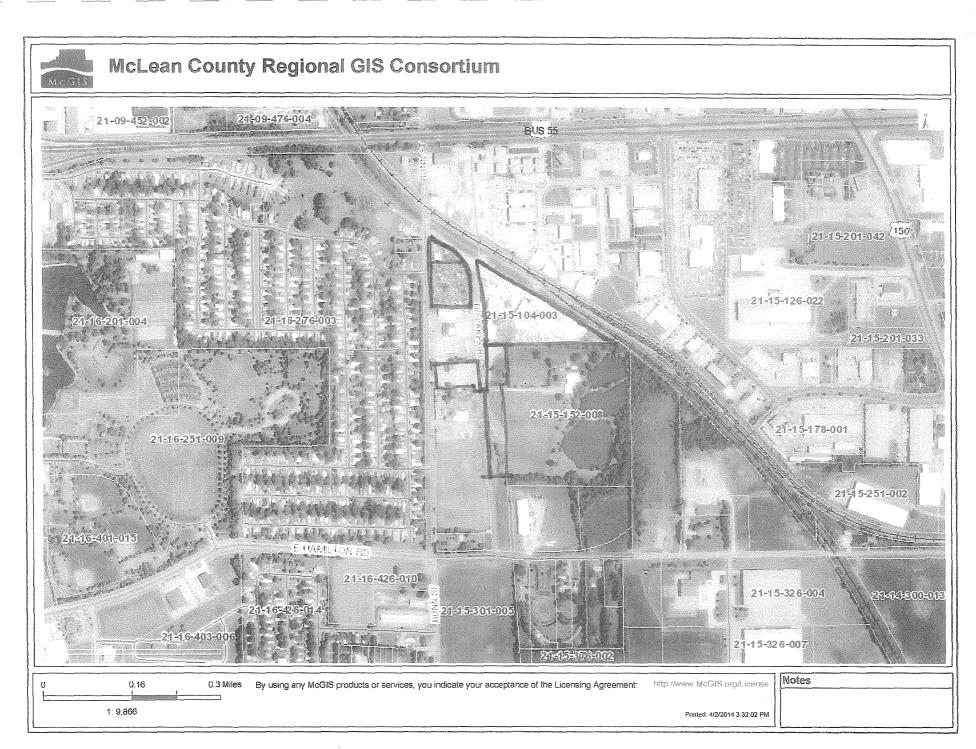
- 1. He is a Vice President of Lewis, Yockey & Brown, Inc. in Bloomington, Illinois.
- 2. I have had an opportunity to review the Amended Site Plan, which is attached as Exhibit A to this Affidavit.
- 3. That I have reviewed the Flood Insurance Rate Map (FIRM), map #17113C0503E, dated July 16, 2008 that envelope the property located on the amended site plan located north of the Flatbush Subdivision and east of Tri-Lakes Road.
- 4. That I have determined the subject premises is not located within the boundary of a Special Flood Hazard Area (SFHA).

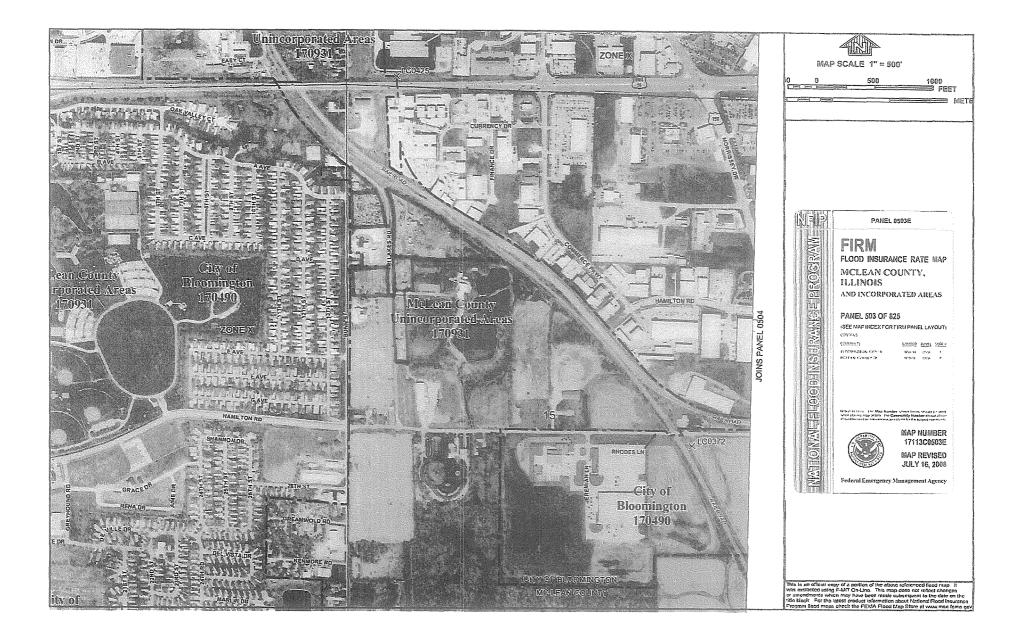


Subscribed and sworn to before me this  $\frac{17}{2}$  day of  $\frac{A\rho c_{1}}{2}$ , 2013.

Notary Public

OFFICIAL SEAL KARI E. KARCH Notary Public, State of Illinois My Commission Expires 10/15/2016





## APPENDIX J

### SPILL PREVENTION AND EMERGENCY RESPONSE PLAN

53

## **Spill Prevention & Emergency Response Plan**

### Henson Disposal Inc 2148 Tri Lakes Rd Bloomington, IL 61704 (309) 829-5021

### **Emergency Contact Information**

Onsite Emergency Contact(s)

Tom Kirk/President- Primary (309) 261-6893/24-Hour Phone]

Tim Kirk/Secretary- Secondary (309) 261-2250/24-Hour Phone]

Emergency Response Contact(s)

Fire/Paramedics/Police: Fire Non-Emergency Line: County Health Department: Local Clean Air Agency: National Response Center:

911 (309) 828-4641 (309) 888-5450 (800) 782-7860 (800) 424-8802

Local Emergency Medical Facility

OSF St. Joseph Medical Center 2200 E Washington St Bloomington, IL 61701-4323 (309) 662-3311

Material Safety Data Sheets

Inside shop building in marked file cabinet.

#### Spill Prevention:

<u>Hazardous Substance Management</u>: All hazardous substances, including chemical wastes, are to be managed in a way that prevents release. The following general requirements are to be followed. They include:

- Container Management:
  - All hazardous substance containers must be in good condition and compatible with the materials stored within.
  - All hazardous substance containers must be accessible and spacing between containers must provide sufficient access to perform periodic inspections and respond to releases.
  - Empty hazardous substance containers (drums) must have all markers and labels removed and the container marked with the word 'empty'.
  - Any spills on the exterior of the container must be cleaned immediately.
  - Flammable materials stored or dispensed from drums or totes must be grounded to prevent static spark.
  - Do not overfill waste drums. 4" of headspace must remain to allow for expansion
  - [Other site-specific practices].
- Housekeeping:
  - All hazardous substances must be stored inside buildings or under cover;
  - Store hazardous substances not used daily in cabinets, or in designated areas;
    All chemicals that are transferred from larger to smaller containers must be
  - transferred by use of a funnel or spigot.
  - All hazardous substance containers should be closed while not in use;
  - Use drip pans or other collection devices to contain drips or leaks from dispensing containers or equipment;
  - Implement preventative maintenance activities to reduce the potential for release from equipment;
  - Immediately clean up and properly manage all small spills or leaks;
  - Periodically inspect equipment and hazardous substance storage areas to ensure leaks or spills are not occurring;
  - Use signage to identity hazardous substance storage or waste collection areas;
  - Keep all work areas and hazardous substance storage areas clean and in good general condition.
  - [Other site-specific practices]
- Secondary containment:
  - Store all bulk chemicals (≥55 gallons) within appropriate secondary containment, or any sized chemical if there is a potential for release to the environment.
  - Secondary containment should be checked periodically, and any spills identified in secondary containment must be immediately cleaned up and removed.
  - [Other site-specific practices]

- Marking/labeling:
  - Ensure all hazardous substances, including chemical wastes, are properly marked and labeled in accordance with all federal, state and local regulations.
  - Ensure that hazardous substances transferred to small containers are marked with the chemicals name (example- "Isopropyl Alcohol") and hazard (example- "Flammable").
  - [Other site-specific practices]

<u>Employee Training</u>: All employees must receive periodic training on the proper handling of hazardous substances; spill prevention practices, and emergency response procedures. Training must include a review of the spill prevention and emergency response plan, and a review of location and use of emergency response equipment. Training can be recorded through safety committee meetings, staff training logs, or other equivalent record keeping.

<u>Hazardous Substance Inventory</u>: An inventory must be maintained for all hazardous substance stored in quantity (<55 gallons), and/or list of locations where non-bulk hazardous substances are stored (flammable lockers- shop floor).

<u>Spill Response Equipment</u>: Spill response equipment must be maintained and located in areas where spills are likely to occur. Spill kits should provide adequate response capabilities to manage any anticipated spill or release. The following general requirements are to be followed: They include:

- Stock spill clean up kits that are compatible with the hazardous substances stored on site;
- Locate spill kits in areas where spills are likely to occur (loading docks, chemical storage areas, locations where hazardous substance are being transferred);
- Spill kits should be sized to managing an anticipated release (spill equal to the largest container);
- Emergency response equipment should be inspected periodically to ensure that the spill kit is complete.

Locations	Spill Equipment Content/Inventory	
Loading Dock (Example)	40gl- Spill Kit including 65-gl over pack drum, universal adsorbent socks, pillows and pads, personal protective equipment, non-sparking shovel, disposable bags and ties & Emergency Response Guidebook.	
[Location]	[Description/Inventory]	

Spill Response, First Aid Equipment and Fire Alarm Location(s):

#### **Emergency Response Plan:**

The Emergency Response Plan is a facility specific plan for dealing with emergencies and shall be implemented immediately whenever there is a fire, explosion, or release of a hazardous substance that threatens human health or the environment. The emergency response plan shall be reviewed and immediately amended whenever:

- The plan fails in an emergency;
- The facility changes in its design, construction, operation, maintenance, or other circumstances in a way that increases the potential for fire, explosions, or release of a hazardous substance;
- The list of emergency contacts change; or
- The list of emergency equipment changes.

#### Response actions in the event of a spill or release:

In the event of a hazardous substance spill or release, immediately take the following measures to keep the spill from entering sewer or storm drains, spreading off-site, or affecting human health. In all cases caution and common sense must be maintained with the primary goal being to prevent and/or limit personal injury.

Stop, contain, and clean up the chemical spill if:

- The spilled chemical and its hazardous properties have been identified;
- The spill is small and easily contained;
- Responder is aware of the chemicals' hazardous properties.

If a spill or release cannot be controlled or injuries have occurred due to the release the following procedures should be implemented:

- Summon help or alert others of the release;
- Evacuate immediate area, and provide care to the injured- Call 911;
- If potential fire or explosion hazards exist initiate evacuation procedures- Call 911;
- Respond defensively to any uncontrolled spills:
  - Use appropriate personal protective equipment when responding to any spill;
  - Attempt to shut off the source of the release (if safe to do so);
  - Eliminate sources of ignition (if safe to do so);
- Protect drains by use of adsorbent, booms or drain covers (if safe to do so).
- Notify onsite emergency contact(s);
- Notify other trained staff and/or [emergency response contractor] to assist with the spill response and cleanup activities;
- Coordinate response activities with local emergency personnel (fire department);
- Be prepared to provide MSDS information to fire department, EMT, hospital or physician;
- Notify appropriate agency if a release has entered the environment. Refer to Notification and Reporting section for reporting thresholds.

#### Evacuation Procedures:

In the event of a hazardous substance release that has the potential for fire, explosion or other human health hazards the following procedures will be implemented:

- Facility staff will be notified of evacuation by one or more of the following method(s): [Verbal, Intercom, Portable Radio, Alarm, Other].
- Notification to emergency services will be performed- Call 911.
- Facility staff will follow predetermined evacuation routes and assemble at designated areas. Evacuation maps must be displayed throughout the facility.
- Individuals responsible for coordinating evacuations must confirm if the business has been completely evacuated.
- Facility staff will be made familiar with evacuation procedures during new employee orientation, and annual trainings thereafter.
- Designated emergency response contacts will coordinate all activities with outside emergency personnel.

#### Spill Cleanup and Disposal:

In the event of a hazardous substance release spill cleanup materials are to be properly characterized to determine if it designates as a Dangerous Waste. The designated onsite emergency contact, with the assistance of **[waste disposal vendor]** and other resources will determine the wastes status prior to disposal.

#### Reporting a Release:

If a hazardous substance spill has been released to <u>soil</u>, <u>surface water</u>, <u>drains</u> or <u>air</u> the following notifications (within 24-hours) are to be performed (may vary from state to state):

- Fire Department (any release that poses an <u>immediate</u> threat to human health, property or the environment)
- County Health Department
- Water/Wastewater Management
- Clean Air Agency
- National Response Center (release of oil or fuel to surface water, or a release of a chemical with an established Reportable Quantity-RQ)

When reporting a release, prepare to provide the following information (use spill report form):

- Your name and telephone number from where you are calling;
- Exact address of the release or threatened release;
- Date, time, cause and type of incident (fire, air release, spill, etc.)
- Material and quantity of the release, to the extent known;
- Current condition of the facility;
- Extent of injuries, if any; and
- Possible hazards to the public health and/or environment outside of the facility.

<u>Hazardous Substance Inventory</u>: Those materials manufactured, stored, used and/or generated as a chemical waste in quantities >55 gallons.

Hazardous Substance	Manufacturer	Quantity/Unit of Issue
(Example) Isopropyl Alcohol	Acme Co.	60 / 1-gl
	·	
	· ·	
· ·		

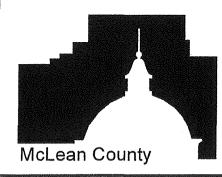
Facility Map: Include emergency exits routes, fire alarms, fire extinguishers, spill response equipment and first aid stations (eye wash, first aid kits, etc.)

Ą.

Insert applicable agreements and contracts here for (INSERT FACILITY NAME HERE)

## APPENDIX K

## ERIC SCHMITT CORRESPONDENCE



HIGHWAY DEPARTMENT Eric S Schmitt, County Engineer Jerry Stokes, Assistant County Engineer 102 S Towanda Barnes Road, Bloomington, IL 61705 (309) 663-9445 FAX (309) 662-8038

December 2, 2013

Mr. Richard Marvel Marvel Law P.C. 202 North Center Street, Suite 2 Bloomington, IL 61701

Re: Henson Disposal Amended Site Plan for the Henson Recycle Facility on Tri-Lakes Road

Dear Mr. Marvel,

The Highway Department has reviewed the information that you submitted on November 22, 2013 regarding the proposed Amended Site Plan for the Henson Recycle Facility on Tri-Lakes Road. As a point of clarification, McLean County has no roadway jurisdiction for Tri-Lakes Road, Hamilton Road, or Bunn Street. Bloomington Township has jurisdiction of Tri-Lakes Road, parts of Bunn Street, and parts of Hamilton Road. The McLean County Highway Department serves in an advisory role to the Bloomington Township Road Commissioner in regards to engineering and road related matters.

Based upon the existing volume, your projected growth, and your stated capacity of the recycle facility, the County would not recommend the need for any traffic studies to the Bloomington Township Road Commissioner.

Based upon the upgrades that were designed by a licensed professional engineer and constructed on Tri-Lakes Road in 2010, we believe that Tri—Lakes Road from Bunn Street to the entrance to your facility is adequate for the proposed traffic generated by this facility and the surrounding parcels.

Based on the information presented, the Highway Department does not object to the proposed Amended Site Plan.

Should you have any questions, please feel free to contact me at (309) 663-9445.

Sincerely,

Eric S. Schmitt, P.E. McLean County Engineer

# APPENDIX L

# CITY OF BLOOMINGTON ENGINEERING APPROVAL

## BY KEVIN KOTHE



Public Works Department ENGINEERING DIVISION 115 E. Washington St., PO BOX 3157 Bloomington, IL 61702-3157 Phone: 309-434-2225 Fax: 309-434-2201

December 2, 2013

Mr. Richard Marvel Marvel Law P.C. 202 North Center Street, Suite 2 Bloomington, Illinois 61701

Subject: Henson Disposal Amended Site Plan for the Henson Recycle Facility on Bunn St.

Dear Mr. Marvel:

The City has reviewed your letter dated November 22, 2013 regarding the proposed Amended Site Plan for the Henson Recycle Facility on Bunn Street which is just outside of the City of Bloomington Corporate Limits.

Based on the current average of 27 loads per day as stated in the letter, the projected growth and the capacity of the recycle facility, the City does not require a Traffic Study. Bunn Street currently carries around 3000 vehicles per day and has a design capacity of 12,000 vehicles per day per IDOT standards.

Based on the information presented, the City does not object to the proposed Amended Site Plan.

Please contact us if you have any additional questions.

Sincerely,

en Kottes

Kevin Kothe, P.E. City Engineer

cc: Jim Karch Bob Yehl File

## APPENDIX N

# NO REGULATED RECHARGE AREAS/McLEAN COUNTY

# Lewis, Yockey & Brown, Inc. Consulting Engineers & Land Surveyors

505 North Main Street Bloomington, Illinois 61701 Phone: (309) 829-2552 Fax: (309) 827-6861 222 East Center Street LeRoy, Illinois 61752 Phone: (309) 962-8151 Fax: (309) 962-7503 155 South Elm Street El Paso, Illinois 61738 Phone: (309) 527-2552 Fax: (309) 527-3230

November 21, 2013

Richard T. Marvel Attorney at Law 202 North Center Street, Suite 2 Bloomington, Illinois 61701

> RE: Kirk C & D Recycling Special Use Permit 2148 Tri Lakes Road Bloomington, IL Tax Parcel IDs: #21-15-104-003 #21-15-151-016 #21-15-151-015

Dear Mr. Marvel:

Regarding the property referenced above, I have reviewed the Illinois Environmental Protection Agency (IEPA) Source Water Assessment Program (SWAP) ArcIMS Mapping Tool securely located on line at http://maps.epa.state.il.us/website/swap/viewer.htm. This is the mapping tool maintained by the IEPA to present current water resource, water quality, and environmental data in a spatially oriented format. I reviewed this website on November 21, 2013 with "Regulated Recharge Areas" set as the active layer. The subject premises are not located within the boundary of a Regulated Recharge Area and further, no Regulated Recharge Area is located within the boundary of McLean County, Illinois.

If I may be of further assistance or should you have any questions, please contact me at the Bloomington number above or by email at rick@lybinc.com.

Sincerely, Lewis, Yockey & Brown, Inc.

Richard J. Scott, P.G. Illinois Licensed Professional Geologist Environmental Project Manager

xc: LYB File 4920.03



## APPENDIX O

## Tom Kirk Affidavit

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### <u>AFFIDAVIT</u>

STATE OF ILLINOIS ) ) SS COUNTY OF MCLEAN )

TOM KIRK, being first duly sworn upon oath, states that he is above the age of 18; that if called to testify in the above-entitled matter, could competently testify to the following:

- 1. He is the President of Henson Disposal, Inc.
- 2. That TKNTK, LLC is the owner of the property which has a Lease Agreement with Henson Disposal, Inc.
- 3. That the Amended Site Location is the location as the recycle facility site.
- 4. That since the commencement of operations, Henson Disposal, Inc. has not had any noise complaints from any neighbors.
- 5. That Tri-Lakes Road was upgraded to allow 80,000 lbs. all year round, which was a requirement prior to the original siting.
- 6. Henson Disposal, Inc. contracted with McLean County Regional GIS Administration to provide the mailing address of all property owners within 400 feet of the Amended Site lot lines as maintained and kept by the McLean County Assessor.

Affiant further sayeth not.

Subscribed and sworn to before me this  $3^{-2}$  day of  $4^{-2}$ , 2014.

Karen Misenean Iotary Public

"OFFICIAL SEAL" KAREN J. ARSENEAULT Notary Public, State of Illinois My Commission Expires 01-25-2017

