

1 D-15138  
 2 STATE OF ILLINOIS )  
 ) SS:  
 3 COUNTY OF KENDALL )  
 4 BEFORE THE PUBLIC HEARING OFFICER  
 5 In The Matter Of:  
 6 APPLICATION FOR LOCAL SITING APPROVAL  
 PROPOSED WILLOW RUN RECYCLING AND DISPOSAL FACILITY  
 7 KENDALL LAND AND CATTLE, L.L.C.  
 WASTE MANAGEMENT OF ILLINOIS, INC.  
 8 KENDALL COUNTY, ILLINOIS  
 9  
 10  
 11  
 12 REPORT OF PROCEEDINGS had and  
 13  
 14 testimony taken at the hearing of the above-entitled  
 15  
 16 matter before PATRICK M. KINNALLY, Hearing Officer,  
 17  
 18 taken by Shannon M. Frey, CSR 084-2277, and Amy K.  
 19  
 20 Bateman, CSR No. 084-003803, on Thursday,  
 21  
 22 September 25, 2008, at 6:00 p.m., at 6617 Chicago  
 23  
 24 Road, Plattville, Illinois.

1 PRESENT:  
 2 MR. PATRICK M. KINNALLY, Hearing Officer;  
 3 PEDERSON & HOUP, by  
 MR. DONALD J. MORAN  
 4 161 North Clark Street, Suite 3100  
 Chicago, Illinois 60601-3242  
 5 Appeared on behalf of Waste Management of  
 Illinois, Inc.  
 6  
 JEEP & BLAZER, LLC by  
 7 MR. MICHAEL S. BLAZER, and  
 MR. DEREK B. RIEMAN  
 8 24 North Hillside Avenue, Suite A  
 Hillside, Illinois 60162  
 9  
 LAW OFFICES OF DANIEL J. KRAMER, by  
 10 MR. DANIEL J. KRAMER  
 11 1107A S. Bridge Street  
 Yorkville, Illinois 60560  
 Appeared on behalf of Village of Minooka.  
 12  
 13 ALSO PRESENT:  
 14 MS. RENNETTA MICKELSON, Kendall County Clerk;  
 MR. ROBERT E. DAVIDSON, County Board Member;  
 15 MS. JESSIE HAFENRICHTER, County Board Member;  
 MS. NANCY MARTIN, County Board Member;  
 16 MS. ANNE VICKERY, County Board Member;  
 MR. JEFF WEHRLI, County Board Member;  
 17 MR. BILL WYKES, County Board Member.  
 18  
 19  
 20  
 21  
 22  
 23  
 24

1 I N D E X.  
 2  
 PUBLIC COMMENT PAGE  
 3  
 Jim Birch 1962  
 4 Joan Kathryn Soltwisch 1963  
 Alice Edmondson 1973  
 5 Allan Evans 1975  
 Chris Vineyard 2000  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24

1 OFFICER KINNALLY: Good evening, this is the  
 2 reconvened hearing with respect to the Landfill Siting  
 3 Application of Waste Management and Kendall County  
 4 Land -- or Kendall Land and Cattle Company.  
 5 Would the County Board please  
 6 introduce themselves.  
 7 BOARD MEMBER DAVIDSON: Bob Davidson.  
 8 BOARD MEMBER VICKERY: Anne Vickery.  
 9 BOARD MEMBER MARTIN: Nancy Martin.  
 10 BOARD MEMBER HAFENRICHTER: Jessie  
 11 Hafenrichter.  
 12 BOARD MEMBER WEHRLI: Jeff Wehrli.  
 13 BOARD MEMBER WYKES: Bill Wykes.  
 14 HEARING OFFICER KINNALLY: Okay. We have a  
 15 quorum, and we are continuing tonight with the public  
 16 comment portion of the -- these proceedings.  
 17 One housekeeping matter. I would  
 18 like posted on the Web site that the report that was  
 19 filed by Mr. James Grabowski -- or, no, to Mr. James  
 20 Grabowski by John Bognar, I believe he's going to  
 21 testify on Monday.  
 22 I would like to see those exhibits  
 23 that are attached to the report that he filed, and I  
 24 want those denominated with the exhibit numbers

<p style="text-align: right;">Page 1961</p> <p>1 because mine doesn't have it, and if that can be  2 posted on the Web site or somebody can call Mr. Kramer  3 so that we can see those exhibits.  4 MR. BLAZER: Yours doesn't have the exhibits?  5 HEARING OFFICER KINNALLY: I have exhibits, but  6 they're not marked, as seems to be --  7 MR. BLAZER: Let's see.  8 HEARING OFFICER KINNALLY: -- an occurrence  9 that keeps happening in this proceeding. They're just  10 tables. He marks them in his report as Exhibits A, B,  11 C, et cetera, but they're not marked.  12 I would like to see what --  13 MR. BLAZER: All right. I'll give Dan a call  14 because the copy we have doesn't have them marked,  15 either.  16 HEARING OFFICER KINNALLY: Okay. That would be  17 helpful to me, and I think it would be helpful to the  18 County Board, as well.  19 All right. Tonight we're going to  20 start with public comment.  21 Mr. Jim Birch would like to go first,  22 and, Mr. Birch, do you want to come up and identify  23 yourself.  24 You just want to make public comment;</p>	<p style="text-align: right;">Page 1963</p> <p>1 Do you want to make public comment,  2 ma'am? You didn't want to be sworn.  3 You've got to speak into the  4 microphone.  5 THE WITNESS: I could be sworn.  6 HEARING OFFICER KINNALLY: Okay. State your  7 name.  8 MS. SOLTWISCH: Joan Kathryn Soltwisch.  9 HEARING OFFICER KINNALLY: Okay. Go ahead.  10 Do you have one extra one for the  11 court reporter, ma'am?  12 MS. SOLTWISCH: I do.  13 HEARING OFFICER KINNALLY: Thank you very much.  14 MS. SOLTWISCH: Kendall County Board, can you  15 hear this?  16 HEARING OFFICER KINNALLY: I can hear it. Can  17 you hear it?  18 MS. SOLTWISCH: Kendall County Board, Waste  19 Management of Illinois and Company, Kendall Land and  20 Cattle, LLC, regarding Application for Local Siting  21 Approval proposed Willow Run Recycling and Disposal  22 Facility, Kendall Land and Cattle, LLC, Waste  23 Management of Illinois and Company, Kendall County,  24 Illinois, D-15085.</p>
<p style="text-align: right;">Page 1962</p> <p>1 is that right, sir?  2 MR. BIRCH: Right.  3 HEARING OFFICER KINNALLY: Just tell us your  4 name and where you live.  5 MR. BIRCH: Okay. My name is Jim Birch, 17  6 Highway View Drive, Yorkville, Illinois, and I'm only  7 going to take five minutes or less, so...  8 HEARING OFFICER KINNALLY: Take all the time  9 you need.  10 MR. BIRCH: That's more than enough.  11 Basically you guys have all sat  12 through this. This is like a deja vu all over again.  13 It's basically the same parcel, the same experts, the  14 same people applying, the same airports there, and  15 hardly anything has changed except they've made it a  16 little bit smaller and kind of dressed it up a little  17 bit, and you guys didn't believe them the first time  18 they come around, so I don't know why you would  19 believe them this time around, and that's all I have  20 to say.  21 HEARING OFFICER KINNALLY: Okay. Thank you,  22 Mr. Birch for your information.  23 And Joan Soltwisch is here from the  24 Aux Sable Creek Watershed Coalition.</p>	<p style="text-align: right;">Page 1964</p> <p>1 I am a Kendall County resident and  2 the acting chairman of the Aux Sable Creek Watershed  3 Coalition.  4 I would like to submit comments on  5 behalf of the residents around the name Walley Run,  6 tributary to the Aux Sable Creek, to grant a siting  7 application for the proposed Willow Run Recycling and  8 Disposal Facility, Application No. D-15085.  9 We feel the Board cannot authorize  10 the proposed siting of the facility because the plan  11 violates the second criterion required to be met for  12 site approval, 415 Illinois CS5/39.2, that the  13 facility is so designated, located -- excuse me,  14 designed, located, and proposed to be operated, that  15 the public health, safety, and welfare will be  16 protected.  17 Our concerns again pertain to the  18 potential impacts of the 140-acre project on clean  19 water, flooding, and wildlife habitat.  20 Contamination of drinking water  21 supplies or the aquatic environment, impacts to  22 flooding conditions at or around the project site, or  23 downstream, and adverse impact on other natural  24 resources such as stream and wetland habitats, would</p>

Page 1965

1 all constitute unacceptable impacts to the public  
 2 health, safety, and welfare.  
 3           The very nature of the location  
 4 proposed for the Willow Run Recycling Facility makes  
 5 many of all of these impacts likely results of  
 6 developing the project, as proposed.  
 7           Contamination, flooding problems, and  
 8 habitat destruction will be the result of putting this  
 9 landfill on yet another swampy site. These arguments  
 10 will be pointed out in detail.  
 11           United States Environmental  
 12 Protection Agency has stated, 53 Federal Register  
 13 August, 30, 1988, 33345, that even the best liner and  
 14 leachate collection systems will ultimately fail due  
 15 to natural deterioration.  
 16           The Board must consider not only the  
 17 immediate future and lifespan, fourteen-and-one-half  
 18 years, of the proposed facility, but also the decades  
 19 or more after closure when leachate from the site will  
 20 continue to be generated.  
 21           Given the sensitive nature of this  
 22 proposed site, and the proximity of future, and  
 23 existing residential areas downstream, the almost  
 24 certain contamination of the closely linked surface

Page 1966

1 hydric soils and groundwaters would be disastrous for  
 2 local residents and wildlife.  
 3           The proposed landfill site is in an  
 4 area containing hydric soils, which are subject to  
 5 high water tables. With tributaries to the Aux Sable  
 6 Creek located at both the eastern and western edges of  
 7 the site, there is potential for stream and associated  
 8 wetland contamination to occur as a result of landfill  
 9 leachate running -- reaching the groundwater that  
 10 likely feeds these tributaries.  
 11           We are concerned about the  
 12 long-terminal impacts of the water quality of these  
 13 very clean tributary streams, found to have very  
 14 sensitive macro invertebrate species.  
 15           Basically we found a stonefly macro  
 16 invertebrate, in that it has a very sensitive  
 17 intolerance, based on their close proximity to the  
 18 proposed landfill site.  
 19           40 CFR 230.11 requires that  
 20 long-term, secondary effects on aquatic ecosystems  
 21 such as leachate and runoff from a sanitary landfill  
 22 be determined.  
 23           Water quality degradation, odor, and  
 24 dust from the proposed landfill would also adversely

Page 1967

1 affect the historic areas surrounding, some of which  
 2 are the Whitewillow School, prime farm ground, the  
 3 Plattville Lutheran Church and cemetery to the east,  
 4 and the Brown Road Aux Sable cemetery to the south, to  
 5 name a few.  
 6           There are significant hydric soils on  
 7 the site associated with large drainage patterns which  
 8 are defined by the National Technical Committee for  
 9 Hydric Soils, and I added a sheet in here.  
 10           This is off the soil web. Any  
 11 citizen can download this off the NRCS site, and it  
 12 shows that -- the portions that are hydric. There are  
 13 Bryce soils and Swygart silty clay soils that are  
 14 partially hydric, and the explanations are there for  
 15 your information.  
 16           These are soils that are formed under  
 17 conditions of saturation, flooding or ponding long  
 18 enough during the growing season to develop anaerobic  
 19 conditions in the upper part, Federal Register 1994.  
 20           These soils, under natural  
 21 conditions, are either saturated or inundated long  
 22 enough during the growing season to support growth and  
 23 reproduction hydrophytic vegetation.  
 24           The Aux Sable Watershed Coalition

Page 1968

1 would be concerned that such a large surface area,  
 2 created by 134 acre, 181-foot high proposed site and  
 3 road system, would drain large amounts of stormwater  
 4 into significant hydric soil drainage patterns, which  
 5 draw down to the east and the south.  
 6           The concern is also present that  
 7 large amounts of sediment would fill into the  
 8 Walley Run to the west, with the newly created  
 9 stormwater run-on channels that would direct  
 10 stormwater flow from the north into that tributary,  
 11 and to the sedimentation basin to the east, so as to  
 12 off-site flow directed around the site.  
 13           Leachate spill from failure of the  
 14 leachate collection system in such a large hydric  
 15 drainage system will also be of concern.  
 16           As you can see on this hydric grading  
 17 map, you can see on the bottom there's another real  
 18 black obvious tributary where that drawdown is going  
 19 to come down to south, and then the Walley Run and  
 20 that little drawdown, they all merge.  
 21           The columns in the Walley Run then go  
 22 down into the main branch of the Aux Sable, around the  
 23 Aux Sable cemetery.  
 24           All right. Then we could look at the

Page 1969

1 natural Resources Conservation Service table titled  
2 "Landfills," which shows the degree and kind of soil  
3 limitations that affect sanitary landfills. This is  
4 the red -- the one with the red on it is this one  
5 right here.  
6           The soil ratings of an area sanitary  
7 landfill are based on the soil properties that affect  
8 trafficability and the risk of pollution.  
9           These properties include flooding,  
10 saturated hydraulic conductivity, Ksat, depth to a  
11 water table, ponding, slope, and depth to a bedrock or  
12 a cemented pan.  
13           Flooding is a serious problem because  
14 it can result in pollution in areas downstream from  
15 the landfill. If Ksat is too rapid or if a fractured  
16 bedrock, a fractured cemented pan, or the water table  
17 is too close to the surface, the leachate can  
18 contaminate the water supply.  
19           Slope is a consideration because of  
20 the extra grading required to maintain the roads in  
21 the steeper areas of the landfill.  
22           Also, leachate may flow along the  
23 surface of the soils in the steeper areas and cause  
24 difficult seepage problems.

Page 1970

1           Very limited, as you see on the  
2 rating sheet, as in the case of this entire site, in  
3 red, indicates that the soil has one or more features  
4 that are unfavorable for the specified use.  
5           The limitations generally cannot be  
6 overcome without major soil reclamation, special  
7 design, or expensive installation procedures. Poor  
8 performance and high maintenance can be expected.  
9           Nowhere in this Application is there  
10 a detail of on-site investigation of soils or for  
11 testing and analysis by personnel experienced in the  
12 design and construction of engineering works.  
13           Neither is there any detail as to the  
14 appropriate soil types that would be used to cover the  
15 solid waste in successive layers in an excavated  
16 trench, only broad descriptions as clay, finer soils,  
17 et cetera.  
18           We are concerned that the proposed  
19 acres of emergent wetland mitigation, rain gardens,  
20 will not replace the functions provided by the  
21 Walley Run and other unnamed associated tributaries.  
22 Again, a functional assessment needs to be done and  
23 all functions need to be mitigated.  
24           Many of our members live near the

Page 1971

1 Walley Run and they have a longstanding commitment to  
2 its quality and flood control, as well as its  
3 groundwater recharge preservation.  
4           The members of the Aux Sable Creek  
5 Watershed Coalition around the Walley Run have been  
6 most proactive with education of the Chicago  
7 Metropolitan Agency for Planning, CMAP's, model  
8 ordinances for best management practices, the NRCS,  
9 Illinois Urban Manual, and the USDA Natural Resources  
10 Conservation Service.  
11           We support the plan to include  
12 natural stormwater management, such as rain gardens,  
13 as well as leaving any existing wetland mitigation and  
14 hydric soil areas to be not disturbed.  
15           In conclusion, given the likely  
16 threats to public health, safety, and welfare  
17 development that the Walley Run facility would pose at  
18 the proposed location, we feel that the Board cannot  
19 find that the proposal meets the requirements of 415  
20 ILCS 5/39.2. Therefore, we urge the Board to reject  
21 the siting Application.  
22           As a side matter, the Aux Sable Creek  
23 Watershed Coalition would like to see the discussion  
24 of correspondence, in writing, from the Kendall Land

Page 1972

1 and Cattle, LLC, and Waste Management of Illinois and  
2 Company, to the Army Corps of Engineers pertaining to  
3 Waste Management's exclusion from writing an  
4 application for a proposal to grant a 404 permit for  
5 site designed to run on stormwater channel flows to  
6 the Walley Run and unnamed tributaries, and bridge,  
7 road construction over the Walley Run, that would  
8 occur with the development of approximately 134 acres  
9 of development for this landfill site.  
10           We do not believe that the company's  
11 assertion that a Section 404 permit for the proposed  
12 project can be supported by the information we have  
13 seen to date.  
14           Thank you for the opportunity to  
15 comment on this Application D-15085 for local siting  
16 approval for the proposed Willow Run Recycling and  
17 Disposal Facility by Kendall Land and Cattle, LLC, and  
18 Waste Management of Illinois.  
19           We would request that the Kendall  
20 Land and Cattle, LLC, and Waste Management of Illinois  
21 address our concerns about the proposed stream impacts  
22 prior to the approval of the proposed application.  
23           Please contact me by mail, Aux Sable  
24 Creek Watershed Coalition, P.O. Box 306, Minooka,

Page 1973

1 Illinois, 60447, or e-mail me at  
2 jksoltwischbleu@yahoo.com if you would like to discuss  
3 any detail of the proposal or my comments.  
4 Sincerely, Joan Kathryn Soltwisch,  
5 Acting Chairman for the Aux Sable Creek Watershed  
6 Coalition.  
7 CC, United States Army Corps of  
8 Engineers. Attention: Daniel J. Hayes, IEPA, Bureau  
9 of Water, and Watershed Management Section IDNR,  
10 Office of Water Resources.  
11 Thank you.  
12 HEARING OFFICER KINNALLY: Okay. Is there  
13 anyone who has any questions of Mrs. Soltwisch?  
14 (No response.)  
15 HEARING OFFICER KINNALLY: Hearing none, thank  
16 you, ma'am, for coming and providing us with the  
17 information which will be filed in the record with  
18 Mrs. Mickelson.  
19 MS. SOLTWISCH: Thank you, Mr. Kinnally.  
20 HEARING OFFICER KINNALLY: You're welcome.  
21 All right. Is there any other  
22 participant that wants to give public comment? Come  
23 on up.  
24 MS. EDMONDSON: I'm Alice Edmondson, 1905 East

Page 1974

1 Sherrill Road.  
2 Those of us on the south side located  
3 in Grundy County had no choices in this matter. We  
4 didn't pick the location. It was put down at the  
5 farthest edge of Kendall County right next to our  
6 county.  
7 All of us who live on Sherrill Road  
8 will have this landfill, if approved, right outside  
9 our front doors.  
10 We have not had any offers for our  
11 homes as did the homes on the north side. If the  
12 landfill is approved, we should receive some sort of  
13 yearly impact fee since we, and the gentleman on  
14 Brisbin Road, will be more impacted by this than  
15 anyone else.  
16 Our homes will be closest to the  
17 smells, dust, anything the wind may blow from the  
18 landfill.  
19 Besides looking bad, the plastic bags  
20 and other garbage can mess up farm machinery operating  
21 in our fields.  
22 I'm still concerned about the trucks  
23 crossing over Walley Run.  
24 The creek flows directly under

Page 1975

1 Sherrill Road and into our farm. It's scary what  
2 could happen to the farmland if anything at all should  
3 get into the water.  
4 Also, the well supplying our drinking  
5 water is only 100 feet deep. We would need to get our  
6 water checked regularly for our safety.  
7 The landfill is to operate from 5:30  
8 in the morning till 6:00 p.m. six days a week. It was  
9 said in testimony that if a truck comes in shortly  
10 before 6:00, it would take from 6:30 to 6:45 to  
11 finish.  
12 That adds up to 13 hours a day. If  
13 you sleep eight hours, that would only leave three  
14 waking hours a day that we would have peace and quiet.  
15 If the same area did not meet the  
16 criteria last year to protect the public health,  
17 safety, and welfare, what has changed underground to  
18 make it safe this year.  
19 Thank you.  
20 HEARING OFFICER KINNALLY: Thank you,  
21 Mrs. Edmondson.  
22 Anyone else want to come up and state  
23 your name and make public comment, please?  
24 MR. EVANS: My name is Allan Evans. I live at

Page 1976

1 1821 Aster Drive in Yorkville.  
2 I have several concerns related to  
3 Criteria 2, 3, and 6, which I will list in a written  
4 comment to be submitted later. For now, I will  
5 restrict myself to two specific topics.  
6 First, the so-called borrow area.  
7 Although this term is widely used in the landfill  
8 industry, in fact, it is misleading, at least as it  
9 applies here.  
10 Borrowing something implies  
11 eventually returning it or at least replacing it with  
12 something else.  
13 The three million cubic yards of  
14 material will not be borrowed. It will just be taken  
15 away. Maybe we should call this a donor area.  
16 But whatever it is called, we still  
17 know very little about this area. The Application  
18 barely mentions it, and the testimony did not produce  
19 much more information.  
20 Apparently, no one has really worked  
21 out the details of how many pits, how big or exactly  
22 where they will be, and most importantly, what happens  
23 to the site after they are dug.  
24 I'm surprised that so important an

1 aspect of design would be so imprecisely defined.  
 2 My grandmother used to have a saying,  
 3 don't buy a pig in a poke. That's P-O-K-E, an  
 4 old-fashioned way of saying sack. In other words,  
 5 don't buy something sight unseen.  
 6 If the salesman won't answer your  
 7 questions, then no deal. And if he won't respond to  
 8 your concerns before the sale, he certainly won't  
 9 afterwards.  
 10 This borrow area is large. It is  
 11 intimately related to the landfill operation. It will  
 12 be in use for many years, and it will have significant  
 13 impacts on the landfill and the surrounding area.  
 14 Whatever its legal definition, it  
 15 needs to be considered as part of the Application, and  
 16 there needs to be regulation and oversight of its use.  
 17 It should not be left up to the Board  
 18 to pry bits of information out of reluctant or  
 19 uninformed witnesses.  
 20 We're just not getting the whole  
 21 story here, so as Grandma would say, no deal.  
 22 And by the way, what about that nice  
 23 little 100 acres or so at the southeast corner of  
 24 Whitewillow and Ashley that was within the facility

1 boundary last year? What's going to become of that?  
 2 Is this landfill footprint of  
 3 134 acres all there is going to be, or is it just  
 4 Phase 1 of a much larger project?  
 5 Now, second, and finally, the  
 6 aquifer. We all know that groundwater contamination  
 7 is always a risk, and there are lots of questions  
 8 about the geology of this site; but the landfill  
 9 designer assures us that this is not a problem. He  
 10 said, "We designed the liner to be protective  
 11 independent of the geology."  
 12 That's a direct quote, so I will  
 13 repeat it. "We designed the liner to be protective  
 14 independent of the geology."  
 15 Last year, when he had a different  
 16 design, he made a similar comment, saying that the  
 17 performance of the liner does not depend in any way on  
 18 the geology of the site.  
 19 Does not depend in any way on the  
 20 geology of the site.  
 21 So he is not only self-confident, but  
 22 he's also consistent.  
 23 Unfortunately, I'm not convinced.  
 24 There are too many unknowns, too many uncertainties,

1 too many inconsistencies, too much disagreement among  
 2 the experts, and the consequences of not getting it  
 3 right are too great.  
 4 This facility does not protect the  
 5 public health, safety, and welfare; and the  
 6 Application should be rejected.  
 7 HEARING OFFICER KINNALLY: Okay. Thank you,  
 8 Mr. Evans.  
 9 Anyone else want to come up?  
 10 Sure. Come on up. Do you want to  
 11 give public comment?  
 12 MR. SCHULTZ: Just a public comment.  
 13 HEARING OFFICER KINNALLY: Okay. State your  
 14 name, please.  
 15 MR. SCHULTZ: My name is Lee Schultz. First  
 16 name is Walter. I go by Lee.  
 17 First subject is aviation concerns.  
 18 Morris Airport is an established and growing facility  
 19 serving a variety of aircraft including jets for  
 20 private and business use.  
 21 The VOR navigational system located  
 22 only a few miles, about six or seven miles to the  
 23 northeast of the Morris Airport, is a fixed service,  
 24 vital to all aircraft for several airports, including

1 Morris.  
 2 The purpose -- the proposed landfill  
 3 and borrow is located directly in the path of the  
 4 takeoff and landing approaches where elevation is low  
 5 and safety becomes a critical issue.  
 6 Since the height of the landfill  
 7 would be 181 feet high, this will not only have less  
 8 clearance for aircraft, but will put planes at greater  
 9 risk due to the concentration of birds feeding at the  
 10 proposed landfill.  
 11 This location will no doubt cause  
 12 heavy migration of birds from their natural habitat at  
 13 the Illinois River to the landfill for feeding, which,  
 14 in turn, will cause more activity directly over the  
 15 airport.  
 16 To further compound this problem, in  
 17 a few years, the Morris Landfill will be coming to a  
 18 close. When that food supply diminishes, I can see a  
 19 much heavier migration of the birds to the new food  
 20 source, being the proposed site.  
 21 This entire situation will become  
 22 more critical as time goes on making this a very  
 23 hazardous condition for aircraft.  
 24 We all heard testimony where DuPage

Page 1981

1 Airport has serious problems with very little success  
2 in finding a way to rid themselves of the birds.  
3 This is an example when carelessly  
4 allowing superfeeders to be placed in the wrong area.  
5 I do not feel we should allow an  
6 industry that would put pilots, passengers, residents  
7 in jeopardy, or stifle future growth of a thriving  
8 aviation business.  
9 There is no doubt in my mind that  
10 this proposed site will put the aviation business at  
11 great risk.  
12 Listening to the testimony about the  
13 DuPage Airport and their landfill problems, it appears  
14 to me that Whitewillow proposal will be more of a  
15 problem due to the site being directly under the VOR  
16 path.  
17 This is a serious situation.  
18 It is my opinion that a landfill  
19 should not be sited at the Whitewillow location due to  
20 the safety and welfare of aviation personnel and local  
21 residents.  
22 The next article will be on the  
23 aquifer.  
24 The conditions at the proposed site

Page 1982

1 have not changed, being the soil, the fractures, and  
2 the aquifer.  
3 Fractures exist in the rock. These  
4 fractures do not go away or heal. Liners are not  
5 guaranteed to never leak, and the risk of liners  
6 tearing during installation is very high.  
7 Testimony indicated the liner will be  
8 setting in the water table in various places,  
9 presenting even more risk.  
10 There was also identified this  
11 aquifer may have some of its own recharge area.  
12 Liners are not foolproof, and all liners will leak in  
13 time. There is a lack of evidence that this new  
14 composite liner has been proven in real application.  
15 The risk in time is high for  
16 contamination -- for contaminating the aquifer. Our  
17 clean water is essential.  
18 Knowing there are fractures in the  
19 rock to the aquifer and the soil conditions are of the  
20 poorest for landfill operation in southern Kendall  
21 County, we should not under any circumstances allow  
22 this serious threat to our water supply to take place.  
23 Previous testimony has indicated  
24 southern Kendall County is the most unsuitable area

Page 1983

1 for landfills.  
2 Our clean water supply is vital. It  
3 would be unthinkable that we would allow high risk to  
4 potentially destroy our clean water aquifer. There is  
5 no guarantee this will never happen.  
6 As I listened to testimony about fail  
7 systems and all the contamination problem in various  
8 locations, I have no reason to believe this will be an  
9 exception.  
10 They all fail in time. How can we in  
11 good conscience even think of leaving our next  
12 generation with this horrible problem.  
13 Valuable farmland and soil  
14 suitability. The soil type and natural rainfall makes  
15 this farm area unique for grain, crop productivity.  
16 With the aquifer as it is, along with the natural  
17 fertile soils, it is of great value for the product --  
18 for the production of high-quality grains.  
19 To approve a landfill in this area  
20 will destroy these qualities.  
21 Landfills are forever. This land  
22 will never produce another grain of food, but instead,  
23 threaten our water supply as well as our environment,  
24 health, safety, and welfare.

Page 1984

1 It is high time to move out of the  
2 old, obsolete, destructive, and dangerous risk to  
3 health, safety, and welfare of people.  
4 With the many problems created by  
5 landfills all over the country that has such serious  
6 health consequences to people, we need to take serious  
7 action now.  
8 It is known fact that sometimes it  
9 takes many years for the most deadly results to show  
10 up. Then we react in a panic mode at extreme high  
11 cost.  
12 I guess it is matter -- it is a  
13 matter of do we pay now or do we pay later.  
14 It was previously testified that the  
15 soil, rock conditions, and aquifer is a makeup of the  
16 poorest conditions in Kendall County for a landfill  
17 operation, this being in southern Kendall County.  
18 I believe we should make a serious  
19 effort to look at new methods, new technologies, more  
20 desirable locations for such operations. Southern  
21 Kendall County has been described as the most  
22 unsuitable location.  
23 Compatibility. In no way is a  
24 landfill compatible to the surrounding area. It is

1 bad for the environment, destructive to our land,  
 2 farmland, will cause lower land prices, and will be  
 3 unsightly.  
 4 A huge manmade 181-foot mound will  
 5 not in any way fit the area or become compatible.  
 6 Health, safety, welfare will be at  
 7 the high risk along with the environment.  
 8 Integrity and concern for human  
 9 welfare. I heard the testimony on -- or heard the  
 10 discussion on Joyce. After listening to problems with  
 11 Kankakee yard waste, the yard waste operations at  
 12 Joyce Farms, I formed a very poor opinion as far as  
 13 his integrity and concern for human health and  
 14 welfare, among other things.  
 15 Mr. Joyce, as I understand it, has a  
 16 hand in this development. I don't think I need to  
 17 elaborate on the integrity of Mr. Joyce.  
 18 As far as Waste Management, they are  
 19 good salesmen.  
 20 It is difficult to believe anything  
 21 when you hear the numbers of court cases they have,  
 22 how many suits are filed, how much they pay out in  
 23 violations and claims. The amount they pay out makes  
 24 me question how they operate.

1 Is their integrity to be questioned?  
 2 My hope is that as elected officials,  
 3 who were elected to serve and protect the interests of  
 4 Kendall County residents, will use common sense and  
 5 deny this Application.  
 6 You have the power to act in the best  
 7 interests of the citizens of Kendall County.  
 8 I appreciate you allowing me to vent  
 9 my feelings. Thank you very much.  
 10 HEARING OFFICER KINNALLY: Thank you,  
 11 Mr. Schultz.  
 12 MR. SCHULTZ: Thank you.  
 13 HEARING OFFICER KINNALLY: All right. Is there  
 14 anyone else who would like to make public comment,  
 15 please come up and state your name.  
 16 MS. FLETCHER: Jean Fletcher, Big Grove Road,  
 17 Newark, Kendall County, Illinois.  
 18 First of all, I would like to thank  
 19 you for the opportunity to address you this evening.  
 20 I've had an opportunity sitting back  
 21 in the back corner by the trash containers to, first  
 22 of all, observe whether or not people are recycling  
 23 their recyclables; and second of all, to watch, kind  
 24 of obstructed back there, but whether or not you're

1 paying attention.  
 2 And I guess it's the old teacher in  
 3 me, I have to say that nobody's fallen asleep. That's  
 4 always good.  
 5 I want to thank you for your very  
 6 careful attention to the divergent facts that you've  
 7 heard before you.  
 8 And first of all, I would like to  
 9 address what I think is the 300-pound gorilla that's  
 10 sitting back there with me.  
 11 The big picture here is trash, and I  
 12 think we have to start out with an accepted fact that  
 13 trash is trash. We all produce it. It's not polio  
 14 that we can eradicate, unless we quit living; and even  
 15 after you die, there's trash that you left behind.  
 16 So trash is a part of our lives, and  
 17 I think that we all -- that most of us now -- and  
 18 maybe I'm wrong. Maybe this has just come to me later  
 19 than it's come to some of you.  
 20 When we think of trash, a lot of us  
 21 only think of the trash that we have the  
 22 responsibility of bagging up and hauling down to the  
 23 end of our driveway or curb or cul-de-sac or Dumpster,  
 24 or wherever you have to take it where you don't have

1 to think about it anymore.  
 2 And as long as the dogs or the  
 3 raccoons don't chew it up, it's gone and you never see  
 4 it again.  
 5 I'd like to suggest to you that that  
 6 is not the complete definition of trash as it applies  
 7 to each one of us.  
 8 There's been a commonly used phrase  
 9 recently about carbon footprints.  
 10 Well, I think we all have a trash  
 11 footprint, and it kind of follows around behind us  
 12 like Pig Pen's little cloud of dust.  
 13 Unless you live in your home or your  
 14 cave, or wherever you live, and you never leave it and  
 15 you never consume anything that's produced or  
 16 manufactured and you don't drive a vehicle and you  
 17 don't eat out and you don't buy anything, you, in  
 18 fact, are producing trash in many different locations.  
 19 You produce trash in your residence,  
 20 and that's what you feel you have the responsibility  
 21 towards.  
 22 However, if you work outside your  
 23 home, you produce trash where you work. And you  
 24 probably don't think about the responsibility of

1 disposing of that correctly because it just magically  
 2 disappears at night, and when you come back, your  
 3 trash can is empty.  
 4           You also produce trash every time you  
 5 eat anywhere, even at home. But if you eat out, you  
 6 produce trash, not only the trash of the containers  
 7 that you might be eating out of, but there's trash  
 8 produced when the people -- other people make food for  
 9 you.

10           When you shop, there's trash produced  
 11 in just having the store.

12           So I think if you think about the  
 13 fact that we have a much larger trash footprint than  
 14 what we are responsible for hauling down to the end of  
 15 the driveway, these hearings and some of the aspects  
 16 of it take on a bigger picture.

17           Now, it has concerned me that in the  
 18 landfill hearings that I have attended there have been  
 19 comments about Kendall County trash. I don't think  
 20 Kendall County trash is any different than anybody  
 21 else's trash, and it concerns me that trash is being  
 22 divided into two groups, our trash and their trash.

23           Well, frankly, as a member of this  
 24 community for my entire life, I think it's really a

1 shame that Kendall County trash has been somebody  
 2 else's trash problem for more than 40 years.

3           By saying that I have lived in this  
 4 county my whole life, I am not trying to imply that I  
 5 have any special rights or privileges or any special  
 6 knowledge.

7           The knowledge I do have is that when  
 8 my father's family came from Indiana -- and I'm  
 9 guessing they were hillbillies, probably, because they  
 10 came from way south in Indiana -- they built a house  
 11 on a hill. My brother still farms that farm.

12           And I can tell you that my ancestors  
 13 were very poor at disposing of their solid trash, and  
 14 how do I know that? Because 150 years later we're  
 15 still digging it up.

16           So I don't present myself as an  
 17 example of -- of a long ancestry of, you know, being  
 18 ecology-minded or pollution-minded, but I do think  
 19 this county has neglected its responsibility to trash  
 20 for a long time.

21           Now, having said that, I can also say  
 22 that it has concerned me -- and perhaps because at  
 23 this time in my life I spend a lot of time in my car  
 24 by myself. When you think about it, when you haul

1 your trash to the end of the driveway and it  
 2 disappears, do you have any idea where it's going?  
 3           I doubt that there's one person in  
 4 this room that has ever called up their trash hauler  
 5 and says, You know, I'm looking for a trash hauler,  
 6 but before I let you take my trash, I want to know  
 7 where you're going to put it. I want to know what  
 8 landfill you're going to put it in. I want to know  
 9 who runs your landfill. I want to know how well they  
 10 run it.

11           We don't do that.

12           I think that to some extent, as a  
 13 community, we have felt that out of sight is out of  
 14 mind. None of us have really any idea if the trash we  
 15 have been disposing of and that has been going away  
 16 has, in fact, ended up in a landfill or somewhere else  
 17 where it has caused a pollution issue, where it has  
 18 caused a contamination issue, where it is in a  
 19 landfill that is now having to be remediated.

20           There was some comments made about  
 21 the reason that there are -- that local governmental  
 22 units have the right to have siting hearings.

23           And the answer was, Well, they don't  
 24 want the State sticking stuff in their areas. I think

1 that that's the easy answer.

2           I think it also gives the local  
 3 governmental units the responsibility to take charge  
 4 of what happens to the waste that is produced within  
 5 their boundaries.

6           I know that when I've spoken to you  
 7 before, I did comment on the poet John Donne who  
 8 talked about the interrelationship of man to man and  
 9 continent to continent. And this man did it in -- and  
 10 he was born in 1631, so it was a long time ago.

11           I still think that is true. I think  
 12 that the ordinance allows us to take responsibility  
 13 for how the trash is disposed of.

14           If you choose to site this landfill  
 15 or any landfill, you have an obligation to do it in  
 16 the safest possible manner.

17           I do think that it's kind of  
 18 blind-sided or putting blinders on to presume that  
 19 just because our trash goes out of the county it is  
 20 not causing health concerns for us.

21           There's been a lot of testimony about  
 22 the aquifers and about how they -- you know, they  
 23 don't know geographical or political boundaries. They  
 24 run under the geology, and they provide water to a

1 large area.  
 2 When you're drilling a well, you're  
 3 not really sure exactly where your water's coming  
 4 from.  
 5 I mean, they can give you a pretty  
 6 good guess what aquifer you're in, but I think that  
 7 the whole trash picture is bigger than just saying we  
 8 don't want trash from somewhere else. We all produce  
 9 trash somewhere else, and they have to dispose of it.  
 10 But that's probably enough about  
 11 trash.  
 12 When I looked -- when I sat through  
 13 the hearing here, some of it has been similar to  
 14 evidence that I've heard before.  
 15 And because part of my life has been  
 16 spent listening to different experts discuss things  
 17 that make black look white and white look black, I  
 18 would think that as a Board you have the right to  
 19 consider the motivation or the bias behind any  
 20 particular witness.  
 21 It was interesting when one of the  
 22 geologists testified, he would not say that the  
 23 Applicant's geologist or hydrogeologist was lying. He  
 24 would not say that she had manipulated the geological

1 data. There was a lot of semantics, a lot of "I would  
 2 call it something else."  
 3 I also think that you need to  
 4 consider what basis the testimony was given -- I'm  
 5 sorry, on what basis the testimony was developed.  
 6 It was interesting to me that none of  
 7 the geologists, except the Applicant's geologist, ever  
 8 actually looked at the borings.  
 9 And particularly when I heard that  
 10 there was -- that there could be professional  
 11 disagreements or that the same thing could be called  
 12 something different by geologists that are both  
 13 equally qualified, I think it makes it more difficult  
 14 for you.  
 15 You've heard the geology of this area  
 16 twice -- three times, actually, for part of it; and it  
 17 hasn't changed.  
 18 I do think that most of the people  
 19 that have given public comment have testified or given  
 20 you an idea of what we see the big picture of, those  
 21 of us that are sitting in the back, and that is the  
 22 protection of the aquifer, the taking out of valuable  
 23 land that is agriculturally producing crops and  
 24 putting it into something that will never produce

1 crops.  
 2 I mean, that's a concern, but I will  
 3 tell you that that's really no different than building  
 4 a house on it, to some extent.  
 5 And I don't know that there would be  
 6 as much concern if this was a hundred -- if this was a  
 7 development of houses which would remove the property  
 8 out of agricultural production.  
 9 Somehow the connection with trash and  
 10 taking it out of agricultural seems worse, and it may  
 11 be because of the underlying concern about pollution  
 12 and about effect of the aquifer.  
 13 I do think that the people who have  
 14 commented on this site who maybe would be  
 15 characterized as more ordinary people, more like  
 16 myself, but have lived in this area their whole life,  
 17 have a great deal of value to tell you about.  
 18 Until you've been on a tractor or a  
 19 big truck on Route 47 and had someone nearly run up  
 20 your tailpipe, I think it's difficult to understand  
 21 the traffic concerns that local residents have.  
 22 It doesn't mean they can't be  
 23 handled, but I think they are a concern.  
 24 Equally of a concern -- and I think

1 that this is something that I was not able to quite  
 2 figure out -- is the fact that the borrow area is not,  
 3 as I can understand it, controlled at all by the Host  
 4 Agreement.  
 5 It would seem to me that there are  
 6 several issues in that borrow area that should be  
 7 addressed between the Board and the Applicant if you  
 8 were to see fit to site this landfill.  
 9 I think one of them would be -- I  
 10 think you should have the consideration, there's  
 11 nothing to require tarping of the trucks, there's  
 12 nothing to require watering of the roads, there's  
 13 nothing to require berming or screening, and there's  
 14 nothing to require any planting of any hedgerows,  
 15 trees, vegetation.  
 16 There's also nothing about what will  
 17 happen to this borrow area once it is no longer being  
 18 used as a borrow area.  
 19 I think those are concerns that  
 20 people have expressed here, the people who live in the  
 21 area, the lady who spoke two people before me who  
 22 lives adjacent to the property off Sherrill Road has  
 23 some concerns about; and these have not been  
 24 addressed, I don't think, as of yet.

Page 1997

1 I would suggest to you that you might  
2 consider addressing them or you should consider  
3 addressing them with the Applicant if you see fit to  
4 site this particular landfill.  
5 You ultimately come down to a couple  
6 of questions, and that is, really, you come down to  
7 whether or not the Applicant has complied with the  
8 correct application process, and Mr. Kinnally so far  
9 has ruled that they have, and second of all, have they  
10 provided evidence sufficient to meet the -- each of  
11 the criteria in your siting ordinance.  
12 Most of your criteria are  
13 conclusions, and the question is whether there are  
14 sufficient facts to support the conclusion.  
15 The one that appears to be -- the two  
16 that appear to me to be of most concern are the  
17 self -- the safety, health, and public welfare, and,  
18 also, the -- whether this is a compatible use of the  
19 land.  
20 I wish I could have figured out an  
21 answer because I would certainly be willing to sell it  
22 to you, but I haven't. So I'm limited to just giving  
23 public comment.  
24 In conclusion, I think that Robert

Page 1998

1 Frost, who was an American poet of the east -- of  
2 New England upbringing wrote a poem about mending  
3 walls or the mending wall, and in that he talks about  
4 that good fences make good neighbors.  
5 That is an analogy that people who  
6 grew up in an agricultural area certainly understand,  
7 and there's a whole bunch of laws about fencing.  
8 The question really ultimately comes  
9 down as to whether or not the Applicant here has  
10 provided material and promises to comply with building  
11 good fences, maintaining good fences, such that they  
12 will be a good neighbor to the people who surround  
13 them and to the whole County.  
14 Thank you.  
15 HEARING OFFICER KINNALLY: Thank you,  
16 Mrs. Fletcher.  
17 Does anyone else want to give public  
18 comment?  
19 MR. FEELEY: Yes, sir.  
20 HEARING OFFICER KINNALLY: Please come up and  
21 state your name.  
22 MR. FEELEY: My name ask Jim Feeley. I live at  
23 710 Pinehurst Lane in the Village of Oswego.  
24 I'm here to let you know that I

Page 1999

1 oppose any establishment of landfills or transfer  
2 stations in Kendall County.  
3 The residents of our County will only  
4 contribute a small amount of solid waste to the  
5 landfill.  
6 You have already heard volumes of  
7 testimony on much better ways to dispose of solid  
8 waste.  
9 You now have to decide if you're  
10 interested in the health and welfare of the voters  
11 living in the County or a few shekels you'll receive  
12 providing a garbage dump so that the City of Chicago  
13 and surrounding counties can bring their garbage here.  
14 When we complain of contaminated  
15 groundwater, methane gas poisoning or the ruining of  
16 farm land near the dump, you can show us the 30 pieces  
17 of silver you got for the land and I'm sure that will  
18 placate us.  
19 Thank you.  
20 HEARING OFFICER KINNALLY: Thank you, sir.  
21 Anyone else want to give public  
22 comment at this time?  
23 MS. VINEYARD: I do.  
24 HEARING OFFICER KINNALLY: I know. You're up.

Page 2000

1 MS. VINEYARD: I need time to put this up.  
2 HEARING OFFICER KINNALLY: Sure. We'll take a  
3 five-minute break.  
4 (Recess taken.)  
5 HEARING OFFICER KINNALLY: All right, I would  
6 like to reconvene.  
7 Okay. We have a quorum of the County  
8 Board, and did you want to make public comment? Is  
9 that what you want to do?  
10 MS. VINEYARD: Yes, I want to make a public  
11 comment.  
12 HEARING OFFICER KINNALLY: Okay.  
13 MS. VINEYARD: Chris Vineyard, 39 Settler's  
14 Lane, Oswego, Illinois.  
15 First I'm going to show a film. It  
16 will be about 15, 20 minutes.  
17 The recently released movie "Trashed"  
18 reaches two compelling conclusions. First, no new  
19 landfill should be constructed; and, second, all  
20 present landfills must be mined in order to return the  
21 land to usefulness and to save our environment from  
22 these everlasting toxic time bombs.  
23 HEARING OFFICER KINNALLY: I just want to  
24 remind Ms. Vineyard we can't record the video part of

Page 2001

1 this.  
2 MS. VINEYARD: Yes.  
3 (The Video was played but not  
4 herein transcribed.)  
5 MS. VINEYARD: Okay. I know a lot of you have  
6 heard this a few times, but I'm going to -- this is  
7 for people that haven't heard it, and I'll try to go  
8 through it fast.  
9 On Waste Management's history, and on  
10 one of the things, the judge's ruling fraud,  
11 misrepresentation, and dishonesty apparently became  
12 part of the operation culture of the Defendant  
13 corporation.  
14 There was no reason for the Defendant  
15 to undertake such contact -- conduct other than greed.  
16 Michael O'Connor stated that the State would have to  
17 grant a permit to Satan before they could grant a  
18 permit to this outfit.  
19 A company in which any sense of  
20 accountability had long since disappeared, where  
21 profits were too easy, and where the level of  
22 mismanagement was almost criminal, the SEC  
23 characterizes it that way.  
24 There's a lot more, but I'm really

Page 2002

1 not going to go into all of that.  
2 Then there's this -- the Ledger.  
3 This was 5/19/2005, "Private firms eyeing Kendall  
4 County as potential site.  
5 "Kendall County officials are  
6 continuing to look into the possibility of a landfill  
7 to serve the County's growing garbage control needs.  
8 "Board Member Anne Vickery, the  
9 Board's Planning and Building and Zoning Committee  
10 chairman, who has been researching the subject with  
11 Hartman, told the Board that the County's window of  
12 opportunity to determine where a landfill is located  
13 is closing.  
14 This is a quote. "If, in fact, this  
15 is ever anything that the County wanted to do, the  
16 window making that decision...that window will close  
17 in probably less than five years," she said.  
18 "Hartman said the firms who talked  
19 with him and Vickery told them that they aren't real  
20 thrilled with a set host agreement, preferring a more  
21 flexible, negotiated agreement. He added that by  
22 state law, any fees must be negotiated before the  
23 application is filed with the County.  
24 "Board Chairman John Church said the

Page 2003

1 firm has to give at least 45 days notice to the County  
2 before they file an application. Vickery says the  
3 firms need to know what locating a landfill in Kendall  
4 County will cost them.  
5 "Vickery said the County first must  
6 determine what, if any, benefits can be gained from  
7 landfills, and what the risks are to locate a landfill  
8 in Kendall County."  
9 Hartman gave some of the  
10 disadvantages of a landfill, and the disadvantages  
11 were truck traffic, and he gives a lot of background  
12 in that, landscape change, odor concerns, potential  
13 air, and land, and groundwater pollution, potential  
14 blowing debris, birds, specifically seagulls, and the  
15 final disadvantage, he said, "it's there forever."  
16 Municipal landfills and their  
17 leachate, water, and air emissions are hazardous.  
18 All landfills will eventually fail  
19 and leak leachate into the ground and surface water.  
20 State-of-the-art plastic landfill  
21 liners are one-tenth of an inch thick, and the plastic  
22 pipes allowing chemicals and gases to pass through  
23 their membranes become brittle, swell, and break down.  
24 82 percent of surveyed landfill cells

Page 2004

1 had leaks, while 41 had a leak area of more than one  
2 square foot. That's according to the Leak Location  
3 Services Web site March 15, 2000.  
4 This is Public Works Magazine  
5 September 1, 2007. When landfills have investigated  
6 the source of groundwater contamination, gas was the  
7 culprit at almost every case where volatile organic  
8 compounds represented the principal agent of water  
9 quality.  
10 In the past five years, three  
11 relatively large, active landfills with fully  
12 operational corrective-action groundwater extraction  
13 systems found that gas, not leachate, was  
14 contaminating groundwater.  
15 Moreover, the landfill's extraction  
16 systems were not only improving water quality, they  
17 were occasionally making it worse.  
18 Then this is Rachel's Environmental  
19 Health Weekly.  
20 "A new study examined the occurrence  
21 of seven kinds of cancers among men and women living  
22 near 38 landfills. The seven cancers studied were  
23 leukemia, non-Hodgkin's lymphoma, liver, lung, kidney,  
24 bladder, and brain cancer.

Page 2005

1 In women living near landfills, the  
2 incidence of seven kinds of cancers were elevated. In  
3 men, the study found elevated incidences of lung  
4 cancer, bladder cancer, and leukemia.  
5 Household hazardous waste, which this  
6 is something I'm sure we all put in our garbage and  
7 we're just not aware of all of them.  
8 Leftover household products that  
9 contain corrosive, toxic, ignitable or reactive  
10 ingredients are considered to be household hazardous  
11 waste.  
12 Products such as paints, cleaners,  
13 oils, batteries, pesticides that contain potentially  
14 hazardous ingredients requires special care when you  
15 dispose of them.  
16 Onyx Batavia Transfer Station, and  
17 just in the last year, had five fires because of the  
18 hazardous waste that was put into people's garbage.  
19 Some more products: Cleaning  
20 products, automotive products, lawn and garden  
21 products, other flammable products, propane tanks,  
22 kerosene, home and heating oil, diesel fuel, indoor  
23 pesticides, workshop painting supplies, batteries,  
24 fluorescent light bulbs, driveway sealers.

Page 2006

1 Now, this came from the Kendall  
2 County Health and Environment. They -- on August 6,  
3 2008, the Illinois Environmental Protection Agency  
4 announced that it had taken and analyzed water samples  
5 in Chicago and four water supplies that rely on river  
6 water as their source.  
7 They found that 16 of 56 chemicals  
8 screened for were presented and detected  
9 concentrations.  
10 These are chemicals typically found  
11 in drugs and personal care products that may be  
12 released from landfills, water treatment plants into  
13 lakes and river water.  
14 The Northern Illinois Public Health  
15 also encourages voluntary efforts and additional  
16 funding for public education and the collection of  
17 proper disposal of household hazardous wastes.  
18 Now, this is -- this is from our  
19 Kendall County Health and Environment Department.  
20 This was Marlin Hartman's report, and I'm just  
21 wondering if anybody on the Kendall Board really  
22 listened to what he had to say when he went to his  
23 waste to energy conference.  
24 This was in Philadelphia, May 19

Page 2007

1 through the 21st, 2008. He went over all of this, but  
2 I don't know if anybody really took it seriously.  
3 There are 89 waste to energies in the  
4 US, and 450 waste to energy plants in Europe and the  
5 Union.  
6 The European Union realizes the waste  
7 to energy facility is part of the integrated waste  
8 management system.  
9 Waste to energy facilities generate  
10 less CO2 than burning coal, oil or natural gas. Waste  
11 is energy, renewable energy. Tons of municipal solid  
12 waste equals one kilowatt hour. One ton of waste is  
13 1.5 to 2 tons of oil.  
14 One semi-load of trash, 100 yards,  
15 generates 13,000 kilowatts of electricity and 10 yards  
16 of ash. The electricity from this amount would supply  
17 one household electricity for one year.  
18 Processing 140 tons of waste would  
19 save 266 tons of oil. This same amount would reduce  
20 greenhouse gases by 140 tons per year. Landfills  
21 generate large amounts of greenhouse gases.  
22 The European view of waste  
23 management -- of waste . Why Europe's favors waste to  
24 energy: Low emissions; electricity producing;

Page 2008

1 supports recycling; CO2 and methane reductions;  
2 advanced architecture; taking care of today's waste  
3 and not leaving it for future generations; 90 percent  
4 of the facilities are run by the public entities and  
5 local governments; cleanliness; good operations; some  
6 of the facilities also include solar power wind power  
7 to support these facilities and energy producing  
8 sites.  
9 And this goes on. It's a couple --  
10 about 10 pages long.  
11 Last week there was a conference on  
12 local government and the lunch speaker was  
13 Mr. Johnston from the City of Chicago's environmental  
14 planning department.  
15 He was asked if Chicago is  
16 considering using alternative technology for its  
17 garbage. He said yes, and trucking all the garbage  
18 100 miles away to a landfill is crazy.  
19 So if all of these other counties are  
20 going to do what is right, to dispose of their  
21 municipal solid waste, how are you going to fill this  
22 huge hole in the ground landfill? Where is the need?  
23 This outdated landfill would be open forever polluting  
24 our environment.

Page 2009

1 You will find many people will say  
2 new technologies, plasma arc, are years off and don't  
3 give it a second thought.  
4 That is a blatant assault on the  
5 facts and invasion across the US and many political  
6 areas, whether it be the bureaucracy or the big bucks  
7 or they just don't feel like changing what they are  
8 doing.  
9 It is easy for Waste Management to  
10 say something is too expensive, if they are comparing  
11 it to a hole in the ground and leaving out the  
12 critical factors of a poisoning toxic tomb.  
13 What's cheaper than throwing things  
14 into a hole in the ground? The problem is that you  
15 still have the problem with the waste, and they are  
16 potentially throwing away millions of dollars in  
17 energy from that waste that could be recovered and, of  
18 course, also creating a huge environmental problem in  
19 the future.  
20 Eventually the dump will have to be  
21 either built higher or people will have to start  
22 paying even more to ship their waste somewhere else.  
23 Eventually the cost of taking care of  
24 waste will keep getting bigger and bigger at the

Page 2010

1 Kendall County residents' expense. Let's stop the  
2 destruction of our planet now and rely on the facts.  
3 A plasma converter is a close-loop  
4 elemental recycling system in an effort to help  
5 industry safely dispose of hazardous waste and  
6 nonhazardous waste.  
7 The converter is an electrochemical  
8 system powered by electricity that produces an intense  
9 field of radiated energy, plasma, that causes the  
10 breaking apart of the molecular bonds of solid,  
11 liquid, and gaseous compounds or materials of both  
12 hazardous and nonhazardous wastes, organic or  
13 inorganic.  
14 Within the converter, the molecules  
15 of the waste materials are separated into their  
16 elemental compounds, atoms, and then reformed into  
17 recoverable nonhazardous commodity products ready for  
18 commercial use.  
19 The plasma converter gas can be used  
20 as a clean fuel to produce electricity, to heat and  
21 cool facilities, to produce fresh water, and to power  
22 fuel cells, thereby reducing the cost and reliance on  
23 fossil fuel supplies.  
24 The converter's environmental

Page 2011

1 performance is important using the EPA's recent  
2 suggestion for a nationwide standard. Plasma proves  
3 its environmental value and achieves levels that are  
4 thousands of times safer than the anticipated  
5 standard.  
6 The converter process is not a  
7 burning process and it should not be confused with an  
8 incinerator.  
9 Let's keep our standards high for a  
10 cleaner and safer environment and for the improvement  
11 of public health and safety.  
12 This is Lake County, Indiana Solid  
13 Waste Executive Director, said jobs and millions of  
14 dollars will be generated for Lake County by the  
15 garbage-to-ethanol plant which will be completed in  
16 2010, far superior than any dump developer can  
17 provide.  
18 The plant will be operating in less  
19 than two years, creating hundreds of construction  
20 jobs. He says the plant will also employ hundreds of  
21 Lake County residents once it's up and running.  
22 Now, I'm going to show you how the  
23 process works. I've got a DVD that lasts about seven  
24 minutes.

Page 2012

1 (Video played.)  
2 MS. VINEYARD: Startech Environmental Corp. on  
3 January 18, 2001 opened up a 6,000 square foot  
4 demonstration and training center located in Bristol,  
5 Connecticut. They presently have three five-ton-a-day  
6 installations in operation and six in various stages.  
7 Right now a 200-ton-a-day plant is  
8 being built in Panama. Startech was the winner of the  
9 Wall Street Journal's Technology Innovation Award for  
10 the Best and the Brightest.  
11 Wilton, Connecticut, May 24, 2007.  
12 This is Startech. The combined capacity of  
13 approximately 15,000 pounds per day for the new  
14 environmentally safe recycling facility in Puerto Rico  
15 is scheduled to start up in the end of 2008.  
16 PyroGenesis is on board the US Navy  
17 ships, Carnival Cruise Lines.  
18 And Nuvotec, the cornerstone of  
19 Nuvotec's waste processing business is the nuclear  
20 waste treatment and its wholly owned Pacific  
21 Ecosystems. Seven nuclear waste processing facilities  
22 are in the United States.  
23 And then Solena, they're on board  
24 Carnival Cruise, Star Cruise Lines, Norwegian Cruise

Page 2013

1 Lines, and Princess Cruises.  
2 System on board the cruise liners in  
3 order to treat all waste generated on the ship, a  
4 one-ton-per hour SPARS unit.  
5 Then is from the EPA. We are  
6 literally throwing away a significant source of much  
7 needed energy.  
8 We the people of Kendall County are  
9 very suspicious, and rightfully so, on how and why  
10 landfills came to Kendall County.  
11 Ledger Sentinel 2/19/05, board member  
12 Anne Vickery has been researching the landfill  
13 subject. "If, in fact, this is ever anything that the  
14 County wanted to do, this window of making that  
15 decision, that window will close in probably less than  
16 five years."  
17 Then in the summer of 2008, she is  
18 entertaining the Waste Management landfill attorney at  
19 her home. We are extremely frustrated, emotionally  
20 strained, mentally exhausted, and there is way too  
21 much negative energy for all involved.  
22 What was the reason for bringing  
23 garbage dumps to our County? Did these landfill  
24 owners or friends of landfill owners lobby or invite

Page 2014

1 you to attend a function or parties, et cetera?  
2 Waste Management, Kendall Land and  
3 Cattle, blind trust, LLC. An LLC stands for limited  
4 liability. Why do people set up a blind trust?  
5 To me this is a red flag. If they  
6 are in the up and up, they should not be -- there  
7 should not be a problem.  
8 Who is in this blind trust? Could  
9 this be similar to the Hastert/Ingemunson blind trust?  
10 Who will profit from the placement of  
11 this -- who will profit from the placement of the  
12 Hastert Prairie Parkway? Are you concerned who these  
13 profiteers are?  
14 Over the last 18 months many citizens  
15 requested the Kendall County board to please revise  
16 and amend our Kendall County Municipal Solid Waste  
17 plan to state, "We will not bury our municipal solid  
18 waste," and to put a moratorium on landfills in  
19 Kendall County, but last December, 2007, six Kendall  
20 County Board members voted again to keep landfill  
21 applications rolling in.  
22 We the people know where six of the  
23 County Board members stand, and that is all you need  
24 to approve a landfill. So here we go again, our

Page 2015

1 fourth landfill hearing in 18 months.  
2 Your reasoning for your vote was  
3 Attorney Blazer told you Kendall County will still  
4 have to accept applications, but did you ask Blazer  
5 how many counties that have put a moratorium on  
6 landfills still receive applications?  
7 This summer you were told by Kane  
8 County solid waste coordinator that when the County  
9 voted in new green county board members, the landfill  
10 applications came to a screeching halt. So did you  
11 consider that what Blazer told you could be based just  
12 on his opinion?  
13 Did you ever consider this is a great  
14 money-making deal to continue to accept applications,  
15 especially for the attorneys, including Blazer.  
16 Or if Blazer approves the  
17 Application, he will receive more work from Waste  
18 Management.  
19 Another thought, did you consider why  
20 Blazer did not bring in any expert witnesses for our  
21 county in this hearing?  
22 What is going on here? Has a  
23 decision already been made?  
24 The Morris Daily said the County

Page 2016

1 Board determined and designated the best location for  
2 a landfill.  
3 How and what criteria did the County  
4 Board use to determine the master plan as appropriate  
5 areas for a landfill?  
6 We the people of Kendall County care  
7 about our people, environment, wildlife.  
8 This location is not out in the  
9 middle of nowhere. This is someone's lifelong home,  
10 fifth generation family farm, their drinking and bath  
11 water. It does not make any difference if a landfill  
12 would be located next to 10,000 homes or one home.  
13 It's next to one family home too many.  
14 Do you ever consider eventually  
15 someone will have to recover our land back to its  
16 original state at the expense of our future  
17 generations?  
18 Please help us understand your  
19 reasoning. We need to clean and clear the air.  
20 Please use your common sense and vote no on burying  
21 landfills in Kendall County.  
22 The people of Kendall County are  
23 tired of sitting through all of these outdated  
24 dinosaur technology hearings.

Page 2017

1 Now we have created hardships for our  
2 neighbors in surrounding towns and the Morris Airport,  
3 and now they are protesting against these landfills.  
4 How many more people have to tell  
5 you? We the people do not want an outdated landfill  
6 in our Kendall County.  
7 Waste Management propaganda  
8 commercial, "Think Green, Think Waste Management," is  
9 an oxymoron.  
10 In one lawsuit against Waste  
11 Management, the judge stated he would grant a permit  
12 to Satan before granting a permit to this outfit.  
13 Come on, get on board, and do what is  
14 right for this country and move forward to the 21st  
15 century technology now.  
16 Your outdated technology is no  
17 different than the oil companies telling us to drill,  
18 drill, drill. Hello. Fossil fuel is not the answer.  
19 All these other counties -- countries  
20 are moving forward and leaving us in the dust while  
21 watching us self-destruct, pollute, destroy, and  
22 bankrupt our country.  
23 Dinosaur solutions for the 21st  
24 century. "You can put lipstick on a landfill, but

Page 2018

1 it's still a toxic tomb," myself addressing all in  
2 favor of the landfills.  
3 What is next, transfer stations,  
4 slaughterhouse, another contaminated rock pit, asphalt  
5 plant, other cancerous or noxious types of ventures?  
6 We need a comprehensive green  
7 infrastructure vision with clean, renewable energy  
8 that will revitalize our economy, which will bring in  
9 good, high-paying jobs right here in Kendall County.  
10 This will help mitigate tax increases  
11 and lessen our dependency on fossil fuel.  
12 County Board members, think what you  
13 are doing to Kendall County's reputation for many  
14 hundreds of years to come. For what? Garbage money?  
15 You can turn this all around by  
16 embracing today's technology and be a role model for  
17 other counties throughout the country and the world.  
18 We are the guardians of our land, our  
19 water.  
20 Landfill, transfer stations are  
21 outdated, they fail, and they leak.  
22 Let's use the technology that is  
23 available today to dispose of our municipal solid  
24 waste. With the global energy shortage, we can no

Page 2019

1 longer afford waste -- to waste our waste.  
2 Thank you.  
3 HEARING OFFICER KINNALLY: Okay. Thank you,  
4 ma'am.  
5 Is there anyone else who wants to  
6 make public comment?  
7 (No response.)  
8 HEARING OFFICER KINNALLY: All right. Let me  
9 just remind everyone that we will -- we're not meeting  
10 tomorrow and we're not meeting on Saturday, and we  
11 will reconvene on Monday at 6:00 clock with Mr. Dan  
12 Kramer's witness, any other public comment at that  
13 time.  
14 And we may or may not meet on  
15 Tuesday, depending on whether Waste Management can get  
16 their rebuttal witnesses here then. If they can't,  
17 then we'll meet on Wednesday, and I fully expect that  
18 we'll be done Wednesday.  
19 So we'll hear the final summations on  
20 Wednesday, and then the case will be closed -- or the  
21 hearing will be adjourned subject to anyone filing  
22 written comments within the 30-day period.  
23 So that's kind of the schedule as we  
24 know it right now. It may change on Monday. If

Page 2020

1 anybody wants to make public comment on Monday, that's  
2 fine. Come, please do.  
3 And I guess we will stand adjourned  
4 for this evening. Thanks for coming.  
5 \* \* \* \* \*  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

