



**A ORDINANCE REPEALING RESOLUTIONS 91-37 AND 98-108 AND ADOPTING
THE WILL COUNTY POLLUTION CONTROL FACILITY SITING ORDINANCE
DATED JANUARY 19, 2006**

WHEREAS, the General Assembly of the State of Illinois has enacted a law providing that the Illinois Environmental Protection Agency may not grant a permit for the development or construction of a Pollution Control Facility which is to be located in an unincorporated area without proof that the location of said facility has been approved by the county board of the county in which said Pollution Control Facility is proposed to be located; and

WHEREAS, Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2) provides that the County Board shall approve the site location for a Pollution Control Facility only if it finds:

1. That the facility is necessary to accommodate the waste needs of the area that it is intended to serve.
2. That the facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
3. That the facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property.
4. For a facility other than a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year flood plain or the site is flood-proofed; (B) for a facility that is a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year floodplain, or if the facility is a facility described in subsection (b)(3) of Section 22.19a, the site is flood-proofed;
5. That the plan of operations for the facility is designed to minimize the danger to the surrounding area for fire, spills, or other operational accidents.
6. That traffic patterns to or from the facility are so designed to minimize the impact on existing traffic flows.
7. If the facility will be treating, storing or disposing of hazardous waste, an emergency response plan exists for the facility that includes notification, containment and evacuation procedures to be used in case of an accidental release.

8. If the facility is to be located in a county where the county board has adopted a solid waste management plan consistent with the planning requirements of the Local Solid Waste Disposal Act (415 ILCS 10/1 et seq.) or the Solid Waste Planning and Recycling Act (415 ILCS 15/1 et seq.), the facility is consistent with that plan.
9. If the facility will be located within a regulated recharge area, any applicable requirements specified by the board for such areas have been met.

WHEREAS, the Will County Board may also consider as evidence the previous operating experience and past record of convictions or admissions of violations of the applicant (and any subsidiary or parent corporation) in the field of solid waste management when considering criteria (2) and (5) above; and

WHEREAS, it is the judgment of the Will County Board that in order for it to properly and effectively reach a decision upon an application for a Pollution Control Facility which conforms to the criteria set forth above, it must have presented to it meaningful information relative to those criteria and that said information should be available to it at the earliest possible time; and

WHEREAS, prior to making a final local siting decision, if the County Board negotiated and entered into a host agreement with the applicant of the Pollution Control Facility, the terms and conditions of the host agreement, whether written or oral, shall be disclosed and made part of the hearing record for the local siting proceeding. In the case of an oral agreement, the disclosure shall be made in the form of a written summary jointly prepared and submitted by the County Board and the siting applicant shall describe the terms and conditions of the oral agreement; and

WHEREAS, it is also apparent to the County Board that unless the information provided can be evaluated by qualified professionals, the County Board cannot do what the legislature has mandated; and that the employment of such qualified professionals will impose a financial burden upon the County; and that because it would be impossible for the County Board to anticipate in any given year whether any or how many applications for approval of Pollution Control Facilities may be filed in Will County, the County Board cannot justify the employment of those competent professionals as salaried employees; and the County Board assumes the legislature was cognizant of those facts; and

WHEREAS, Section 39.2(k) of the Illinois Environmental Protection Act expressly authorizes the County Board to charge applicants for siting review a reasonable fee to cover the reasonable and necessary costs incurred by the County in the siting review process; and

WHEREAS, it is deemed necessary and desirable for the Will County Board to delineate the substance and procedures for the application, hearing and approval or denial of

applications for site location approval of Pollution Control Facilities, by adopting this ordinance setting forth rules and regulations relating to the form, content, fees, filing, hearings and procedures applicable to such applications; and

WHEREAS, Will County previously adopted an ordinance titled "Will County Siting Ordinance for Regional Pollution Control Facilities" on March 21, 1991 (Resolution # 91-37) which has since been amended; and

WHEREAS, the current ordinance titled "Will County Siting Ordinance for Pollution Control Facilities" was adopted on April 16, 1998 (Resolution 98-108) needs to be updated; and

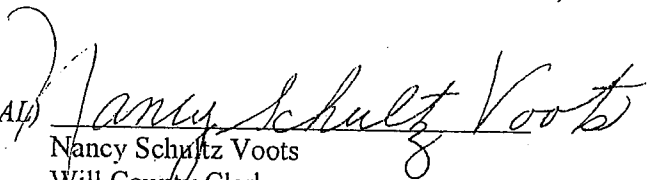
WHEREAS, the evidence submitted at the public hearing substantiates that it is in the best interest of the citizens of Will County this ordinance be adopted.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Will County, Illinois as follows:

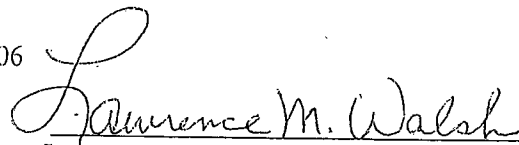
1. That the recitals set forth above are hereby incorporated herein.
2. That resolutions 91-37 and 98-108 are hereby repealed.
3. That the document attached hereto entitled "The Will County Pollution Control Facility Siting Ordinance dated January 19, 2006" is hereby adopted.
4. That this ordinance shall be in full force and effect upon its passage approval and publication as made and provided by law.

Adopted by the Will County Board this 19th day of January, 2006.

Vote: Yes 26 No 0 Pass 0

(SEAL) 
Nancy Schultz Voots
Will County Clerk

Approved this 19th day of January, 2006


Lawrence M. Walsh
Will County Executive

THE WILL COUNTY POLLUTION CONTROL FACILITY SITING ORDINANCE
DATED JANUARY 19, 2006

INTRODUCTION

The following rules and regulations relating to the form, contents, fees and filing procedures for applications for the approval of sites for location of new or expanded pollution control facilities in the unincorporated areas of Will County, Illinois are adopted, pursuant to the provisions of the Illinois Environmental Protection Act, Section 39.2 (415 Illinois Compiled Statute 5/39.2). The attached document "Application for Pollution Control Facility Siting Approval" provides a breakdown of the information mandated by the County Board when an applicant files for a new or expanded pollution control facility and is a part of this ordinance.

SECTION I: DEFINITIONS

- A. The "Act" is the Illinois Environmental Protection Act, as amended from time to time (415 ILCS 5/1 et seq.).
- B. "Applicant" is any person, firm or partnership, association, corporation, company or organization of any kind proposing to obtain site location approval and IEPA permits for a Pollution Control Facility in unincorporated Will County, and includes the owner of such site, the proposed operator, and any other party with an interest in the site, such as a lessee, contract purchaser or land trust beneficiary.
- C. "Board" refers to the Illinois Pollution Control Board.
- D. "Committee" refers to the Pollution Control Facility Committee.
- E. "County" refers to Will County, Illinois.
- F. "County Board" refers to the Will County Board.
- G. "Hazardous Waste" refers to hazardous waste as defined in the "Act".
- H. "IEPA" refers to the Illinois Environmental Protection Agency.
- I. "Mixed Municipal Waste" means municipal waste generated by households and commercial businesses that has not been separated for recycling or composting at the point of generation.
- J. "Mixed Municipal Waste Composting Facility" is an entire mixed municipal waste composting operation.
- K. "Mixed Waste Processing Facility" means a transfer station where recyclables are separated from mixed municipal waste.

- L. "Municipal Waste Incinerator" means the burning of municipal waste or fuel derived therefrom in a combustion apparatus designed to burn municipal waste that may produce electricity or steam as a by-product.
- M. "Organic Waste" means food waste, landscape waste, wood waste, or other non-hazardous carbonaceous waste that is collected and processed separately from the rest of the municipal waste stream. Household hazardous waste is not an organic waste.
- N. "Organic Waste Composting Facility" means an entire organic waste composting operation.
- O. "Pollution Control Facility" refers to a pollution control facility as defined in the Act. A pollution control facility includes a new Pollution Control Facility as defined by the Act.
- P. "Sanitary Landfill" refers to a sanitary landfill as defined in the Act.
- Q. "Transfer Station" refers to a transfer station as defined in the Act.
- R. All other terms used in this Ordinance and defined in the Act shall have the same definitions and meanings as found in said Act [including, but not limited to, those terms defined in Section 3, thereof (415 ILCS 5/3)].

SECTION II: COUNTY APPROVAL OF POLLUTION CONTROL FACILITIES.

No site location approval for the development or construction of a new or expanded pollution control facility in unincorporated Will County may be granted by the County Board unless an application is filed for approval of such site and is submitted for consideration to said County Board.

SECTION III: POLLUTION CONTROL FACILITY COMMITTEE

- A. A Pollution Control Facility Committee (hereafter referred to as the Committee) shall be established by the County Board and shall consist of three (3) members of the County Board. The County Executive Committee or its successor shall nominate members to this committee. These appointments shall be made within 40 days of receipt of an application for local siting approval.
- B. The term of a Committee member shall expire once final action on the application is taken by the County Board except where that Committee member becomes legally ineligible to serve on the County Board.
- C. During the course of the public hearing, at least one Committee member shall be present at each session.
- D. The Committee may appoint a hearing officer to serve during any public hearing concerning an application for site location approval. The hearing officer shall serve at the pleasure of the Committee. Compensation for the services of the hearing officer shall be agreed upon between the hearing officer and the County before a hearing. If no hearing officer is

appointed for the public hearing, one member of the Committee shall be chosen by the Committee members to preside over the public hearing and must attend any and all public hearings conducted on the application. A Committee member or hearing officer (or any immediate family member of said Committee member/hearing officer) shall not have a conflict of interest in the property or affairs of the Applicant.

- E. The Committee shall set the date of the public hearing within 45 days of receipt of an application for local siting approval.
- F. The County Clerk shall notify the Applicant of the date (s), location and time(s) of the public hearing within 60 days of receipt of an application for local siting approval.

SECTION IV: PROCEDURE FOR FILING AN APPLICATION FOR APPROVAL OF A POLLUTION CONTROL FACILITY.

- A. It is the Applicant's duty to comply with all notice requirements set forth in the Act. The Applicant shall:
 - 1. No later than fourteen (14) days prior to filing an application for site location approval with the County Clerk, cause written notice of such application 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 two hundred fifty (250) feet in each direction of the lot line of the subject property, said owners being such persons or entities which appear from the authentic tax records of the county; provided that the number of all feet occupied by public roads, streets, alleys and other public ways shall be excluded in computing the two hundred fifty (250) feet requirement; provided further, that in no event shall this requirement exceed four hundred (400) feet, including public streets, alleys and other public ways.
 - 2. The Applicant shall serve such notice upon each member of the General Assembly from the legislative district in which the proposed facility is to be located, and this notice shall also be published in a newspaper of general circulation in Will County.
 - 3. The Applicant shall state in such notice 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 to the County Clerk, and a description of the right of persons to comment on such request.
 - 4. The Applicant shall include in the application proof of compliance with all pre-filing notice requirements.
- B.
 - 1. In order to request siting approval for a pollution control facility in Will County, an Applicant must file an application with the County Clerk, with a minimum of 45 copies of the application showing sufficient details describing the proposed facility to

demonstrate compliance with the Act and Board regulations, including all site plans, engineering (including calculations), exhibits and maps, and all additional documents, if any, to be submitted to the IEPA as of the date of filing the application pertaining to the proposed facility, except trade secrets as determined under Section 7.1 of the Act.. All such documents or other materials on file with the County Board shall be made available for public inspection at the County Clerk's office and may be copied upon payment of the actual cost of reproduction.

The application must be complete, with answers provided for each question on the application form. The application must contain consecutively numbered pages and it must be accompanied by all site plans, exhibits, maps and documents required by this Ordinance. The date that the Applicant files a complete application in proper form, together with the applicable filing fee deposit, with the County Clerk shall be considered the official filing date for all time limit purposes. The application is not effective unless the application is in strict compliance with this Ordinance and with the Act. If upon review of the application within fourteen (14) days of its submittal it is determined by the County Executive, or his designee, to be incomplete and not in strict conformance with the aforesaid, the application is deemed not filed and the filing fee (less County costs and expenses) shall be returned to the Applicant. A written explanation shall be provided to Applicant stating the reasons the application was deemed incomplete and/or not in strict conformance with this ordinance. An application that is filed that is deemed incomplete does not count towards the filing timeline. Only when an application is deemed complete does the filing timeline begin. At any time prior to completion by the Applicant of the presentation of the Applicant's factual evidence and an opportunity for cross-questioning by the County Board, County representatives and any participants, the Applicant may file not more than one amended application upon payment of additional fees pursuant to Section 39.2(k) of the Act and Section IV(2)(e) of this Ordinance. Provided, however, that the time limitation for final action set forth in Section 39.2(e) of the Act and Section 7(B) of this Ordinance shall be extended for an additional period of ninety (90) days.

Within five days upon receipt of the application, and payment of the applicable filing fee deposit, the County Clerk shall date stamp all the copies and deliver two copies to the County Executive, two copies to the County Board Chairman, one copy to each County Board member, three copies to the Land Use Department-Waste Services Division, one copy to the Land Use Department-Planning Division, one copy to the County's Highway Department, one copy to the County's Health Department, and one copy to the State's Attorney's office. One copy of the complete application shall be retained by the County Clerk for public review, and three copies will be retained and later distributed to the Committee.

Within 14 days of receipt of the application, the County Clerk shall notify the following in writing that the application has been received: all municipalities within 1.5 miles of the proposed facility, Township Supervisor, Township Highway Commissioner, Fire Protection District, and District State General Assembly Members that represent the area that the proposed facility will be located. Members

of the public shall be allowed to obtain a copy of said application or any part thereof upon payment of the actual cost of reproduction as outlined in the Illinois Freedom of Information Act (5 ILCS 140/1 et seq.).

2. In addition to the foregoing, the Applicant shall deposit with the County Treasurer at the time of filing the application for site approval of a pollution control facility, a filing fee in the amount listed below for the type of proposed facility:

- a) Two-Hundred Fifty Thousand Dollars (\$250,000) for a Transfer Station that accepts non-hazardous waste; or
- b) Five Hundred Thousand Dollars (\$500,000) for a new or expanded pollution control facility which includes transfer, treatment, storage and/or disposal of hazardous material; or
- c) Three Hundred Thousand Dollars (\$300,000) for any other new or expanded pollution control facility, including but not limited to a Mixed Municipal Waste Composting Facility, Mixed Waste Processing Facility, Organic Waste Composting Facility, Municipal Waste Incinerator, or Sanitary Landfill handling non-hazardous waste.
- d) Appropriate methods for payment of filing fees include only the following: wire transfer to a Will County bank account; cashiers check, negotiable money order, or certified check with Treasurer, Will County, Illinois listed as payee.
- e) The Applicant shall pay all reasonable and necessary expenses in excess of the applicable filing fee. If the Applicant elects to file an amended application for site location approval for any pollution control facility in accordance with this Ordinance, such filing shall be accompanied by payment of a supplemental filing fee of Fifty Thousand Dollars (\$50,000) in the same manner as listed above.

The applicable filing fee is intended to defray the reasonable and necessary costs of processing the application, including, but not limited to: costs of site inspection, clerical expenses, copying costs, space rental, hearing officer compensation, court reporter expenses, transcription costs, public notice expenses, staff review time, Committee per diems, if any, State's Attorneys and County consultants (such as qualified professional engineers, planners, appraisers, environmental counsel, etc.) including tests, exhibits, and testimony, if any, provided by said consultants, and other relevant costs incident to the consideration of an application, the costs incident to preparing the record for appeal, and the cost of representing the County on appeal in case of an appeal of a County Board decision (the "County costs").

The Applicant shall cooperate fully with the consultants and the technical staff of the County in their review of the application, including providing access to the site for study or testing, including but not limited to geophysical testing, hydrogeological testing and all other portions of the application.

If there are funds remaining in the filing fee deposit after payment of the County costs, such amount shall be refunded to the Applicant upon the final resolution of the application process (including appeals to the Illinois Pollution Control Board, Appellate Court, Illinois Supreme Court, Federal Courts, and administrative review in the Courts, if any).

SECTION V: HEARINGS ON APPLICATIONS.

- A. The Committee shall hold at least one public hearing no sooner than ninety (90) days but no later than one hundred twenty (120) days after the official filing date (as set forth in Section IV B) for the pollution control facility site location approval.
- B. The Applicant shall cause to be published in a newspaper of general circulation in Will County a notice of such public hearing not later than fourteen (14) days prior to said hearing, and delivered by certified mail, return receipt requested, to all members of the Illinois General Assembly from the district in which the proposed site is located, to the governing authority of every municipality contiguous to the proposed site and to the IEPA. The Applicant shall file with the County Clerk copies of each notice with proof of service of such notice prior to the commencement of said public hearing.
- C. All Notices shall contain the following information:
 - 1. The name and address of the Applicant requesting site location approval;
 - 2. The owner of the site, and in case ownership is in a land trust, the names and addresses of the beneficiaries of said trust;
 - 3. The legal description of the site;
 - 4. The street address of the property, and if there is no street address applicable to the property, a description of the site with reference to the location, ownership or occupancy or in some other manner that will reasonable identify the property to residents of the area;
 - 5. The nature and size of the proposed development;
 - 6. The nature and probable life of the proposed activity;
 - 7. The date when the request for site approval will be submitted; and
 - 8. A statement that the application is available to the public in the office of the County Clerk, a description of the right of persons to comment on such request and that copies of the application are available upon payment of actual costs of reproduction.
- D. The public hearing shall develop a record sufficient to form the basis of appeal of the decision in accordance with Section 40.1 of the Act. During the course of the public hearing, the Committee shall receive testimony from the Applicant and witnesses whom the Applicant may call in support of the application, any County witnesses, any objectors, and any other witnesses having relevant information, and shall recommend approval only if the proposed facility meets the applicable siting criteria (or such amended criteria as may be set forth from time to time in the Act). (415 ILCS 39.2 (a))

- E. Members or representatives of the governing authority of a municipality contiguous to the proposed site may participate in the public hearing.
- F. Verbal recording shall be made of the public hearing and a written verbatim transcript prepared by a certified court reporter or a certified shorthand reporter. Said transcripts shall be made available at cost upon request. The Applicant shall provide for sufficient numbers of written transcripts for all County Board members, the County Executive and the Land Use Department, Waste Services Division, which will be distributed through the County Clerk.
- G. The hearing officer shall preside at the public hearing and shall make any decisions concerning the admission of evidence and the manner in which the hearing is conducted subject to this Ordinance. The hearing officer shall make all rulings and decisions in accordance with fundamental fairness. No ruling of the hearing officer concerning admissibility of evidence or procedural issues at the public hearing shall be appealable to the County Board. Issues of jurisdiction shall be determined by the County Board.
- H. The testimonial evidence introduced by the Applicant may not exceed the scope of the application. Such oral testimony may only explain and clarify the application, not expand or amend the application.
- I. All persons desiring to be participants in the hearing, including members of the public, must submit written notification of said intent to the County Clerk by the close of the third business day preceding the first day of the public hearing or register with the hearing officer by the close of the third business day preceding the hearing. Any person so appearing at such public hearing shall have the right to present testimony and witnesses. Any such person shall have the right to be represented by an attorney at said public hearing. Opportunity for any persons appearing at said public hearing to cross-examine any witness may be reasonably limited in time and duration by the hearing officer, to assure completion of the hearings in accordance with the deadlines of the Act. The hearing officer may propound questions to any witness or to the Applicant to clarify the record established by the participants at the hearing or to bring out relevant information. The County shall be deemed a participant and a party to all proceedings.
- J. Any exhibits that a participant, other than the applicant, anticipates using during the public hearing shall be submitted to the County at least one day prior to its anticipated use. All participants shall submit at least 45 copies of all exhibits.

Members of the public who participate in the public comment time held prior to the public hearing shall submit any exhibits they expect to use to the County prior to the time designated for the public to speak. Forty-five copies of all such exhibits shall be submitted. The applicant shall be provided one (1) copy of all the exhibits to be used by a participant.

Any additional exhibits to be used by the applicant during the public hearing and not a part of the application shall be submitted at least 24 hours prior to the commencement of the public hearing. At least 45 copies of all additional exhibits shall be submitted. Any additional exhibit used by the applicant, that in any way changes information provided with

the application, or provides information not submitted as part of the application, shall be considered an amendment to the application and all sections of this ordinance pertaining to amendments shall take effect.

The time limits for submission of evidence may be waived by the member of the Committee presiding over the hearing or the hearing officer if he/she determines that the participant could not reasonably have anticipated the use of said exhibit at the time that submission was due.

- K. The Applicant and the County's counsel shall be allowed to cross-examine witnesses by right, subject to such reasonable limitation as may be set by the hearing officer. Cross-examination by the County shall not be limited to matters contained in the application. Parties represented by attorneys may be allowed to cross-examine in the discretion of the hearing officer. Other persons shall be allowed to submit questions to the hearing officer, who shall exercise discretion in the manner in which such questions are to be posed to witnesses. Sufficient examination of witnesses is to be allowed so as to provide for fundamental fairness.
- L. Testimony may include the use of prepared written statements and exhibits. If testimony is by prepared written statement, copies of such prepared written statements shall be made available at least three business days in advance of such testimony being given and at any subsequent hearings. All prepared written statements shall be directed to the County Clerk. All witnesses shall be subject to reasonable examination as follows: direct, cross-examination, redirect, and recross. County Clerk shall forward all copies of prepared written statements to Applicant to all County Board members, the County Executive and the Land Use Department, Waste Services Division.
- M. The hearing officer may exercise discretion to allow public comment at each hearing or may set a time for public comment.

SECTION VI: CONDUCT OF HEARING

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

other parties' testimony and evidence, the County may present any witnesses and evidence it may wish to present, unless the County is the Applicant, in which case it shall proceed as set out above. The hearing officer shall decide the order of presentation of testimony subject to these rules.

- E. All witnesses shall testify under oath. Testimony may include the use of exhibits. All witnesses shall be subject to reasonable examination as follows: direct, cross, redirect, recross, etc. After all parties have presented testimony, reasonable rebuttal, etc. may be allowed at the discretion of the hearing officer.
- F. The hearing officer may exclude irrelevant, immaterial, incompetent or unduly repetitious testimony or other evidence. The hearing officer shall rule on all questions relating to the admissibility of evidence. These rulings shall not be appealable to the County Board.
- G. The hearing officer shall make all rulings in accordance with fundamental fairness and statutory and constitutional requirements. The hearing officer may be requested to prepare a statement of findings at the conclusion of the public hearing and following the submittal of additional comments for the 30-day period following the public hearing.
- H.
 - 1. At any time prior to completion by the Applicant of the presentation of the Applicant's factual evidence and an opportunity for cross-questioning by the County and any participants, the Applicant may file not more than one amended application upon payment of additional fees pursuant to SECTION IV (B)(2)(e) of the Ordinance. Provided, however, that the time limitation for final action set forth in Section 39.2(e) of the Act, as amended, and SECTION VII (b) of the Ordinance, shall be extended for an additional period of 90 days.
 - 2. Within seven (7) days of the filing of the amendment(s), the Chairman of the Committee shall notify the Applicant of the date of the public hearing.
 - 3. An Applicant may not file a request for local siting approval that is substantially the same as a request that was denied, pursuant to a finding against the Applicant under any of criteria (1) through (9) of Section 39.2(a) of the Act, within two (2) years.
- I. A Committee member or hearing officer (or any immediate family member of said Committee member/hearing officer) shall not have a conflict of interest in the property or affairs of the Applicant.
- J. All parties wishing to testify or cross-examine must submit written notification of said intent to the County Clerk at least three business days before the first date of the hearing; if the hearing should extend beyond one session, no additional parties shall be allowed to testify or cross examine.

SECTION VII: PROCEDURE FOR FILING WRITTEN COMMENTS TO AN APPLICATION FOR SITE LOCATION APPROVAL FOR A POLLUTION CONTROL FACILITY.

- A. Upon conclusion of the public hearing, the Committee shall publish a legal notice informing the public of the deadline for written comments.
- B. Any person may file written comments with the County Clerk concerning the appropriateness of the proposed site for its intended purpose. The County Board shall consider any comment received or postmarked from the date of acceptance of the application through and until thirty (30) days after the date of the last public hearing in making its final determination. Said written comments shall be mailed or delivered to the Will County Clerk, 302 N. Chicago Street, Joliet, IL 60432. Said written comments shall clearly designate reference to the pollution control facility application to which they refer to ensure their consideration by the County Board. Upon receipt, the County Clerk shall date stamp the comments and refer them to the Committee Chairman. Copies of all comments received by the Clerk shall be forwarded to the County Executive, all County Board Members, the Applicant, the State's Attorney and the Land Use Department, Waste Services Division. Copies of comments shall be distributed to other persons upon request and upon payment of the cost of reproduction.
- C. The above-mentioned written comments shall become part of the record of the proceedings.

SECTION VIII: DECISIONS.

- A. The siting approval procedures and criteria provided for in this Ordinance for pollution control facilities shall be the exclusive siting procedures and rules and approval procedures. Local zoning or other local land use requirements shall not be applicable to such siting decisions.
- B. Transcripts of the hearing are to be forwarded to all County Board members and the County Executive for review.
- C. Additional work sessions and meetings may be held by the Committee, if necessary, prior to referral of its findings and recommendation to the County Board. All work sessions and meetings shall be open to the public, but may not allow public participation in the work sessions and meetings.
- D. Upon completion of the evidentiary hearing, the County departments, County Board members and County Executive shall have reasonable time to file their final reports and recommendations with the County Board when requested by the Committee. Copies of the final reports shall be available for public inspection in the office of the County Clerk for three (3) days prior to the Committee decision. Members of the public shall be allowed to obtain a copy of said documents upon payment of the cost of reproduction.

- E. The decision of the Committee on the application shall be in writing, specifying the reason(s) for the decision. The meetings and deliberations of the Committee are and shall be subject to the Illinois Open Meetings Act (5 ILCS 120/1 et seq.). In recommending site location approval, the Committee may impose such conditions as may be reasonable and necessary to accomplish the purposes of the Act to the extent that said conditions are not inconsistent with the Act and the regulations promulgated by the Illinois Pollution Control Board.
- F. Once the Committee has made its recommendation and reduced its recommendation to writing, the written recommendation shall be submitted to the full County Board for its decision as to the ultimate approval or disapproval of the proposed site location.
- G. If, prior to making a final local siting decision, the County Executive or County Board has negotiated and entered into a host agreement with the local siting applicant, the terms and conditions of the host agreement, whether written or oral, shall be disclosed and made part of the hearing record for that local siting proceeding. In case of an oral agreement, the disclosure shall be made in the form of a written summary jointly prepared and submitted by the County Executive or County Board and the siting applicant and shall describe the terms and conditions of the oral agreement.
- H. The County Board shall make a decision based on the record from the public hearing and review of the recommendation of the Committee. The decision of the County Board shall be by resolution in writing, specifying the reasons for the decision, such reasons to be in conformity with Section 39.2(a) of the Act. Any County Board member or immediate family member of said Board member who has a conflict of interest in the property or affairs of the Applicant shall not participate in any hearing or decision of the Board. In granting site location approval, the County Board may impose such conditions as may be reasonable and necessary to accomplish the purposes of the Act to the extent that said conditions are not inconsistent with the Act and the regulations promulgated by the Illinois Pollution Control Board. Such decisions shall be available for public inspection at the office of the County Clerk and may be copied upon payment of the cost of reproduction. County Board shall notify Applicant and the IEPA of its decision within seven (7) days. If there is no final action by the County Board within one hundred eighty (180) days after the filing of the application for site location approval, the Applicant may deem the application approved.

I. SECTION IX: APPEALS

All appeals of the County Board decision (by the Applicant, objector, or public affected by the proposal) must be filed with the Illinois Pollution Control Board within 35 days of the County Boards decision.

SECTION X: SEVERABILITY CLAUSE.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**APPLICATION FOR POLLUTION
CONTROL FACILITY SITING APPROVAL**

All information submitted as part of the Application is available to the public except when specifically designated by the Applicant to be treated confidentially as regarding a trade secret or secret process in accordance with Section 7(a) of the Environmental Protection Act (415 ILCS 5/7(a)).

Forty-five copies of the application including five (5) full-sized copies of exhibits and 40 reduced copies of all exhibits shall be filed with the County Clerk of Will County.

A. IDENTIFICATION

1. Name of Land Owner _____

Address of Owner _____

Street, PO Box, Rural Route

City State Zip Code

Telephone _____

Area Code Number

2. Name of Applicant _____

Address of Applicant _____

Street, PO Box, Rural Route

City State Zip Code

Telephone _____

Area Code Number

3. Name of Operator _____

Address of Operator _____

Street, PO Box, Rural Route

City State Zip Code

Telephone _____

Area Code Number

4. Name of Attorney _____
 Address of Attorney _____
 Street, PO Box, Rural Route

 City State Zip Code
 Telephone _____
 Area Code Number

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

- a) If a partnership, submit names and addresses of all partners. If a corporation, submit names and addresses of all Officers and Directors, and the names and addresses of all shareholders owning ten percent (10%) or more of the capital stock of said corporation.
- b) If a corporation, submit a copy of the Articles of Incorporation as an exhibit. If the corporation is more than fifty percent (50%) owned by another corporation, the requirements of this part shall be applicable to said corporation.
- c) Submit audited financial statements of the Applicant and operator for the five (5) preceding years. If a new corporation, provide statement for years available.
- d) If applicant is a publicly-held company, submit copies of all documents filed by it with any state and federal securities regulatory agencies during the preceding five years.
- e) Provide a listing of any lawsuits, court proceedings or administrative proceedings in which any person or entity named as the applicant/operator has been a party to during the five years preceding the filing of this application. With respect to each such listing the court or agency shall be identified, the number of such case and a brief summary of the nature of each and the decision therein.

6. Name of Site _____

7. Address of Site _____
 (Street, PO Box, R.R.)

 City State Zip Code

 CountyTownship

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

9. Land Ownership (Check applicable boxes)

- Presently owned by applicant
- To be purchased by applicant
- Applicant purchase option
- To be leased by applicant for ___ years
- Years of lease remaining: ___
- Termination date of lease: _____

10. Operated by:
- Illinois Corporation
 - Partnership
 - Government
 - Individual
 - Other (specify) _____

11. Attach copies of all insurance policies relevant to the premises and the operations carried on at the location for which the Applicant seeks site location approval. Describe the insurance policies carried by the Applicant to cover single incidents and gradual and fortuitous incidents, as well as insurance coverage that the Applicant intends to obtain.

B. SITE HISTORY (Check applicable box or boxes)

1. This is a proposed operation
 This is a proposed expansion of an existing operation:
 Illinois EPA Permit No. _____
 No Illinois EPA Permit.

2. Existing land use on Site

3. List any covenants recorded against the site

C. OPERATION CLASSIFICATION

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

Waste storage site
 Sanitary landfill or other disposal Site
 Transfer Station
 Municipal Waste Incinerator
 Organic/Mixed Municipal Waste Composting Facility
 Other: Explain _____

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

3. If the application is for approval of the site as a transfer station, state:
- a) The period of time that the average shipment of waste will be on-site;
 - b) The place to which it will be transferred from the proposed site;
 - c) If that site is already in existence, there shall be filed with the application copies of all governmental permits issued for the site;
 - d) If that site is not already in existence, the applicant shall so state.
4. If the application is for approval of the site as a waste storage site, state:
- a) The period of time during which it is proposed that the site will be used for such purpose;
 - b) How the waste will be stored; and
 - c) If the waste is to be stored in containers, designate the kinds of containers and the manner in which they will be stored.

D. SITE LOCATION

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

Quadrangle Map provided: _____
(Name) (Date)

2. Outline the location and extent of the site on the U.S.G.S. topography quadrangle map.

____ acres in _____ quarter, _____ quarter, _____ quarter section
_____, Township _____, Range _____ East of the Third Prime
Meridian.

3. General characteristics (Flood plain, Hillside, Field, Strip Mine, Quarry, Gully, Gravel Pit, Swamp, etc.) Briefly describe:

E. COUNTY ZONING REGULATION

1. Present zoning classification for the site: _____
2. Does present zoning of site allow the proposed usage: ___ Yes ___ No
If no, have you taken any steps to acquire proper zoning? Explain

3. Restrictions (if any):

F. DATE OF FILING

No application for site approval shall be deemed to have been filed or accepted for filing unless all of the requirements of this resolution applicable thereto shall have been met and no receipt or other indication of filing shall be given, until such time as it has been determined that the application complies with the requirements of this resolution. Within a reasonable period of time after delivery of an application, the applicant shall be advised:

1. Either that it is a complete application and that it has been accepted for filing, designating the date of filing; or
2. That the application is not complete, specifying wherein it is deficient.

The acceptance of the application by the Will County Clerk is a pro forma acceptance. The applicant is solely responsible for providing sufficient technical information to meet their burden of proving the criteria cited in the Environmental Protection Act (415 ILCS 5/39.2) as may be amended from time to time.

G. NOTICE TO ADJOINING LAND OWNERS

There shall be filed with the application copies of the pre-filing notices required to be served under the Act (415 ILCS 5/39.2), together with evidence of service thereof as provided in said Act. Applications are not officially filed until at least 14 days after public notice is given.

H. FILING FEE

1. No pollution control facility site application shall be accepted until the filing fee of \$250,000.00 for a transfer station, \$500,000.00 for a new or expanded pollution control facility which includes transfer, treatment, storage and/or disposal of hazardous material; or \$300,000.00 for any other new or expanded pollution control facility including but not limited to a Mixed Municipal Waste Composting Facility, Mixed Waste Processing Facility, Organic Waste Composting Facility, Municipal Waste Incinerator, or Sanitary Landfill handling non-hazardous waste is paid and accompanied by a notarized statement of the appropriate corporate officials, or official legal representative of the applicant, that the applicant will pay the County of Will additional fees to reimburse the County of Will for monies expended in excess of the filing fee in preparing for, processing, reviewing and evaluating the application to its final resolution. The applicant shall also agree in said notarized statement to stop all proceedings. If an invoice for reimbursement to the County of Will is not paid to the County Treasurer within 10 days after the invoice has been presented to the appropriate corporate officer or official legal representative of the applicant. Said notarized statement shall also contain a statement agreeing to waive the statutorily imposed 180-day decision deadline if the proceedings are stopped for said reason or, in the alternative, to extend said deadline by the number of days proceedings are stopped on account of the failure of the applicant to pay said additional fees, plus an additional seven days.
2. The County Board may reduce the application fee upon petition by the applicant setting forth the reasons why a reduction is justified. The County Board must make a finding that the reduced fee will not jeopardize the ability of the County to conduct a complete and impartial public hearing. The applicant will be responsible for any costs above the reduced fee.
3. The fees collected hereunder shall be used only to defray the costs incurred by the County in connection with applications for site approval filed under the provisions of 415 ILCS 5/39.2. Any remainder after the final resolution of the application will be refunded to the applicant.

4. Any provision of this resolution to the contrary notwithstanding, the County shall accept no application for filing, unless said fee has been paid.

I. PREVIOUS OPERATING EXPERIENCE/RECORD

1. The applicant shall attach a statement detailing the prior and current experience of the applicant or any officer or management or supervisory employee of the applicant in the activity in which the applicant intends to be engaged if the application is approved. Said statement shall at a minimum contain the following:
 - a) Name of facility(ies);
 - b) Location of facility(ies);
 - c) Operational capacity of facility(ies);
 - d) Types of waste disposed/handled;
 - e) Record of actions by any regulatory agency or government regulating entity(ies); and
 - f) Comparison of design and proposed operating procedures of proposed pollution control facility to applicant's existing pollution control facility(ies).
2. If applicant has previously closed any facility defined as a hazardous waste disposal site or a pollution control facility, or a landfill or a dump, either voluntarily or involuntarily, the applicant shall provide the following information:
 - a) The location of the facility which was closed;
 - b) The date on which the process of closing started and ended;
 - c) The details of the plan for closing such facility. If the applicant had not previously prepared a detailed plan for closing, then such fact should also be supplied in the application.
 - d) If the closing of any facility has been completed to any degree, the applicant should indicate whether the stated plan has been followed and describe any deviations from the plan, any problems encountered, describe how the problems were handled, and describe the presently existing arrangements for perpetual care. If the closing has been completed to any degree, and no plan had been prepared prior to the initiation of the closing process, the applicant should describe what procedures have been used to date in the closing process, any problems encountered, describe how the problems were handled, and describe any presently existing plans for continuation of the closing and the presently existing arrangements for perpetual care.
 - e) The terms of this paragraph shall apply to facilities which were closed when the applicant was the owner or operator of said facility, and also to facilities which were owned or operated by a corporation or partnership of which the applicant was owner of more than ten percent of the ownership interest of said corporation or partnership.

J. BENEFITS TO THE COUNTY

Describe in detail any tipping fee surcharge, host fees and/or other benefits the applicant will provide to the County if local siting of the proposed facility is approved. Attach a copy of any Host Agreement or other contract pertaining to such benefits.

K. SIGNATURE AND NOTARY

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

Signature of Land Owner: _____ Date _____

Subscribed and affirmed before me this ___ day of _____, 20__.

Notary Public Date _____

Signature of Applicant: _____ Date _____

Subscribed and affirmed before me this ___ day of _____, 20__.

Notary Public Date _____

Signature of Proposed Operator(s):

Date _____

Date _____

Subscribed and affirmed before me this ___ day of _____, 20__.

Notary Public Date _____

Signature of Engineer/Land Surveyor:

Date

Illinois Registration Numbers:

SEAL Date

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

(Signature) (Date)

(Registration Number, Position, Title) (Date)

(Signature) (Date)

(Registration Number, Position, Title) (Date)

Note: By signature affixed to this application for site location approval, the owner affirms his/her intent to record the description and plan of the completed site with the County official responsible for maintaining titles and records of the land, in accordance with the Rules and Regulations of Will County and the State of Illinois.

SPECIFIC INFORMATION BY CRITERIA

Parts I through IX are necessary to evaluate compliance with Section 39.2 of the Act (415 ILCS 5/39.2). The Applicant shall submit the information requested hereafter as part of the application.

- I. Is the facility necessary to accommodate the waste needs of the area it was intended to serve?
 - A. Proposed Service Area
 1. Attach an explicit definition of the intended service area for the proposed facility including a map of the service area boundaries.
 2. Attach a map and report identifying the location of each existing (development permit issued by IEPA) or proposed pollution control facility within the area proposed to be served, and within a 25-mile distance from the perimeter of the service area. With respect to each facility, the application shall provide the following information:
 - a. The size thereof;
 - b. The owner and/or operator thereof;
 - c. The type of pollution control facility;
 - d. The remaining capacity thereof, measured in cubic yards of airspace (as reported to the IEPA);
 - e. The annual amount of waste received at each facility, in cubic yards for the previous three years (as reported to the IEPA); and
 - f. The kinds of waste received at each facility.
 3. Provide a statement setting forth the reasons and facts supporting the applicant's assertion that the proposed facility is necessary to accommodate the waste needs of the area it is intended to serve. Include statistics on population projections; commercial, institutional and industrial employment projections; and related waste generation.
 4. Include in a report format statements identifying the solid waste planning jurisdiction and the recommended solid waste management system included in the adopted or proposed plans for the solid waste generated in that planning jurisdiction, for each solid waste planning jurisdiction included in the applicant's intended service area, and from which solid waste is proposed to be accepted for disposal at the applicant's proposed facility.
 - B. Site Capacity
 1. Indicate the estimated quantity of each type of solid waste the facility will handle during each day of operation; each week of operation; each year of operation. Specify refuse quantity from each and intended service area of facility.
 2. Estimate the life (in years) of the proposed facility.
 3. State to what extent waste streams projected to be received at the site can be reduced in volume by reuse, recycling, non-generation or a different waste management process.

II. Is the facility so designed, located and proposed to be operated that the public health, safety and welfare will be protected?

A. Site Location

1. Plat the following information on the U.S.G.S. quadrangle topographic map within the site and at a minute of 1 ½ mile radius of the lot line of the proposed facility:
 - a. Wells (domestic, industrial, etc.)
 - b. Public and private water sources (wells, streams, etc.)
 - c. Waterways and surface drains
 - d. Field drain tiles (as such drain tile systems relate to site property)
 - e. Residences or residential uses, commercial facilities, sewage treatment facilities, industries, institutions, etc.
 - f. Other pertinent facilities not show on the topographic map such as diverted streams, strip mines, ponds, etc.

If scale is not sufficient, show above items on a separate topographic map.
2. Check appropriate boxes which describe the use of adjacent properties surrounding the site:

	Residential	Commercial	Institutional	Industrial	Agricultural	Other*
North	_____	_____	_____	_____	_____	_____
South	_____	_____	_____	_____	_____	_____
East	_____	_____	_____	_____	_____	_____
West	_____	_____	_____	_____	_____	_____
*Specify Use:	_____					

3. Has a National Pollutant Discharge Elimination System (NPDES) permit been issued for any part of the site or an adjoining site owned or operated by the applicant? If so, please attach. If a NPDES permit will be necessary for the proposed facility, please attach said application for a permit.
4. Are there any permits required, operational requirements, licenses required, or other requirements or restriction by any municipality, planning commission, county department, state agency or other governing body for the proposed facility?
 ___ Yes ___ No If yes, list below: _____
5. Air – Provide a summary of the IEPA and Board regulations concerning air emissions and air quality and how proposed facility will meet such regulations. Include any calculations and documents to be submitted to IEPA for required air permits.
6. Hydrogeology – The instructions that follow should be read carefully prior to initiating the data-gathering program for the site. A complete hydrogeologic study of the site and its surroundings shall be submitted, which includes the following:
 - A. Depth to water in boreholes at time of well completion and periodic measurements until the water level has stabilized;
 - B. Rate(s) and direction(s) of groundwater movement;

- C. A narrative description (with diagrams) of the design and installation procedures for all piezometers installed at the site. This shall include both water-level measuring piezometers and those installed for permanent use as water-quality monitoring points;
 - D. Chemical analysis of the background groundwater quality, based on at least two samples taken at least three months apart. Attach a copy of the laboratory result(s);
 - E. An outline of the procedures, devices and personnel to be employed for the collection of periodic groundwater samples from the monitoring point(s) installed at the site.
7. Geology – Provide a brief description of the general geology of the region in which the site is located and a summary of the hydrologic conditions typical of that portion of Illinois.
- 1. Provide a complete log (description) of each boring made during the exploratory program including information for any borrow areas and include all other pertinent data so obtained.
 - 2. Include the following information regarding the bedrock, if encountered during the boring program:
 - a. Depth(s) to bedrock;
 - b. Lithology (physical character) and hydrologic characteristics of the bedrock formation;
 - c. Name and age of the formation encountered during the boring operation and/or which crop out of or adjacent to the site.
 - 3. Provide the following information for samples taken by soil borings:
 - a. textural classifications (USDA);
 - b. particle size distribution curves for representative samples;
 - c. coefficient of permeability – based on field and/or lab determinations;
 - d. ion-exchange capacity and ability to absorb and “fix” heavy metal ions.
- B. Design Standards
- i. Provide a topographic map of the closed and covered site showing the final contours, with a contour interval of 5 feet if relief is greater than 20 feet and contour intervals of 2 feet if relief is less than 20 feet.
 - ii. Provide cross-sections, plan, profiles or figures as necessary (scale 1”=200’ or larger) of the developed site to clearly indicate: (minimum of three cross sections recommended)
 - a) Proposed fill areas;
 - b) Sequence of placement and total compacted thickness of each lift;
 - c) Thickness of cover material for each lift;
 - d) Slope and width of working face for each lift;
 - e) Slope of completed fill with final cover in place;
 - f) Liner system including leachate collection system;
 - g) Subsurface strata to a minimum depth of 30 feet below the base of the fill material;

- h) All surface features both unaltered and modified, and installed as part of the facility. This shall include all new construction with location plans for berms, dikes, dams, earth barriers, surface drainage ditches, drainage devices (culverts, tiles), fencing access roads, entrances(s), utilities, buildings, sanitary facilities, monitoring well(s), streams, ponds, mines, and other special construction as may be required.
 - iii. Attach a typewritten narrative supplemented by indications on the plans of provisions to be made for:
 - iv. Prevention of air and surface-water pollution;
 - a) Control of gas migration;
 - b) Elimination of flood hazard, if any;
 - c) Employee facilities;
 - d) Access to site;
 - e) Measuring quantity of waste (solid, semi-solid and liquid) delivered to the site, if applicable;
 - f) Quality assurance/quality control programs to be utilized during construction and operation of the facility.
- C. Operating Procedures
 - 1. Attach a typewritten plan of operation to accompany this application. Include the following:
 - a) Method of landfilling (trenching, area fill) or incineration;
 - b) Storage provisions;
 - c) Time schedule for filling and daily covering.
 - 2. Attach a typewritten description of provisions for:
 - a) Personnel for supervision and operations, including job descriptions and requisite qualifications;
 - b) Traffic control;
 - c) Designation of unloading area;
 - d) Cell size and construction;
 - e) Provisions for blowing litter control;
 - f) Rodent control;
 - g) Fly control;
 - h) Bird control;
 - i) Dust control;
 - j) Odor control;
 - k) Management of surface water;
 - l) Erosion control;
 - m) Final cover and final slopes;
 - n) Monitoring and collection program for gas;
 - o) Reuse and recycling;
 - p) Monitoring program for groundwater;
 - q) Disposal of leachate generated from site activities;
 - r) Quality assurance/quality control programs to be utilized during operation of the facility;
 - s) Monitoring program for air;

- t) Provide a list of equipment to be used for the landfill operation by item – model number – number of units – description;
 - u) Disposal of incinerator ash, include specific site locations.
3. Industrial process and/or pollution control wastes will be accepted at the facility.
- a) List the procedures to be used for their disposal at the facility, including methods to determine that the waste is or is not a special waste.
 - b) For pollution control wastes that cannot be certified as a non-special waste:
 - i. Indicate the type of sludge to be accepted at the facility for disposal: water treatment wastewater treatment municipal industrial combined domestic/septage filter cake sludge cake heat-dried raw digested
 - ii. Provide a brief statement describing the method of sludge conveyance to the refuse disposal site from the treatment facility.
 - iii. What is the expected solids content (by weight) of the processed sludge?
 - iv. Provide a comprehensive chemical analysis of same (if it can be obtained). Attach a copy of any analytical testing performed for classifying the waste as special waste. Provide a brief narrative of the wastewater or water treatment processes and operations utilized at the treatment facility generating the sludge.
 - c) For industrial process waste, list the special wastes expected to be accepted, which cannot be certified as non-special waste, give an estimate of the quantity to be accepted, proposed sources of each, and provide a complete analysis of each (if applicable).
 - d) For biosoil material, indicate the type of wastes that will be accepted and a detailed description of the method in which the materials will be processed and where at the site this will occur. If an operating record exists for this material on this site or another site, provide a summary of such record. Give an estimate of the quantity to be accepted, proposed sources of each, and a complete analysis of each (if applicable). Also give a detailed description of what this material will be used for. Indicate if an IEPA permit has been or will be obtained for acceptance, processing of and usage of this material. If a permit exists, attach a copy of such permit.
4. Provide plan views (scale 1"=200') and cross sections of the leachate collection and treatment system, including the following information:
- a) Type, location and construction of surface and subsurface collection system and all attendant devices;

- b) Location, dimensions, volume and surface elevation of treatment lagoon(s), if used;
 - c) Detailed written narrative of the method and processes of the collection and treatment system and program for monitoring the performance and effectiveness of the treatment system; and
 - d) Discharge point(s) of effluent.
- D. Pollution
1. Complete and make available for review (if deemed necessary by the County) analysis as to whether pollution will result from this facility. Such analysis as it pertains to the pollution of the groundwater shall be performed in conformance with the Groundwater Impact Assessment procedures as described in Title 35, Illinois Administrative Code, section 811.317, parts a and c. Include:
 - a) Description of the possible sources of pollution;
 - b) Who will pay all costs associated with preventative and remedial measures for the possible sources of pollution in (a) above.
- E. Financial Assurance
1. Attach a written analysis regarding: whether the applicant intends to pay all future and present costs of operation and maintenance. If not, set forth with specificity any and all such exceptions, and the precise basis therefore.
 2. How long, and by what means, the applicant will maintain the site following closure.
 3. If the applicant will not be responsible in perpetuity, who will be responsible for maintenance once the applicant has ceased maintaining the site.
 4. The annual cost of maintaining the site and the period of time that the applicant considers maintenance to be necessary.
 5. Insurance coverage, including:
 - a) Name and address of applicant's insurance carrier for this site, if any;
 - b) Amount of coverage; and
 - c) What events are covered and over what period of time.
 6. Any performance bond that the applicant is willing to provide, including the terms thereof and the security for same.
 7. Attach a typewritten description supplemented by indications on the plans of provisions for final grading and, if applicable, re-vegetation of the completed landfill areas. State what arrangements will be made for the repair or eroded, cracked and uneven areas, and any other maintenance of the site until its pollution potential is adjudged exhausted.
 8. Attach a typewritten description of the financial assurances as will be provided to the IEPA per their requirements.
- F. Additional information for Incinerators – If the site is proposed to be used for incineration, the following exhibits shall be filed with the application:
1. Complete designs, specifications and construction plans of the incinerator and auxiliary equipment;
 2. A statement showing the location of similar facilities;
 3. A complete statement of operating procedures, maintenance requirements and similar information concerning the proposed facility;

4. A detailed statement of contingency plans dealing with handling of wastes during periods when the incinerator is non-functionable;
 5. The kinds of materials proposed to be incinerated identifying or designating them by chemical composition; and
 6. Chemical analysis of ash (may be from a similar facility incinerating similar materials).
- G. Additional information for Transfer Stations – If the site is proposed to be used as a transfer station, the following exhibits shall be filed with the application:
1. Complete designs, specifications and construction plans of the transfer station and all equipment to be used;
 2. A statement showing the location of similar facilities;
 3. A complete statement of operating procedures, maintenance requirements and similar information concerning the proposed facility;
 4. A detailed statement of contingency plans dealing with handling of wastes during periods when the transfer station is non-functionable;
 5. The types of materials proposed to be transferred.
- III. Is the Facility located so as to minimize the incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property?
- A. Property Values – Attach a report and analysis from a qualified real estate appraiser indicating what impact the facility will have on the property values and general character of the surrounding area, supplemented by statements from Township and/or County Assessor. If no statement can be obtained from the Township and/or County Assessor, state that fact and submit a sworn affidavit setting forth all actions taken in an attempt to obtain said statement.
- B. Topographic Survey Before Operation – Provide a detailed topographic map of the existing site (scale 1"=200' or larger) showing 5-foot contour intervals on sites (or portions thereof) where the relief exceeds 20 feet and 2-foot contour intervals on sites (or portions thereof) having less than 20 feet of relief. This map should include all buildings, ponds, streams, areas within 100-year floodplain, wooded areas, bedrock outcrops, underground and overhead utilities, roads, fences, culverts, drainage ditches, drain tiles, easements, streets and other items of significance, including legal boundaries.
- C. Final Design Grades – Provide a separate map, at the same scale as that above, of the developed site showing the final topography after completion. This map should include all buildings, ponds, streams, areas within 100-year floodplain, wooded areas, bedrock outcrops, underground and overhead utilities, roads, fences, culverts, drainage ditches, drain tiles, easements, streets and other items of significance, including legal boundaries.
- D. Landscape Plan – Include a landscape planting schedule and plan for the site.
- E. Additional information for Incinerators and Transfer Stations – If the site is proposed to be used for incineration or the transfer of waste, the following exhibits shall be filed with the application:
1. Include an architectural perspective rendering of the facility as proposed to be constructed on the specific site;
 2. Include drawings of building elevations of all facades;

3. Include samples of all exterior cladding material to be used on the structure as proposed for the site.
 - F. Land Resource Management Plan – Include an analysis of the compatibility of the proposed facility with the Will County Land Resource Management Plan.
- IV. For a facility other than a sanitary landfill or waste disposal site, is the facility located outside the boundary of the 100-year flood plain or is the site flood-proofed? For a sanitary landfill or waste disposal site, is the facility located outside the boundary of the 100-year floodplain, or if the facility is a facility described in subsection (b)(3) of Section 22.19a, is the site flood-proofed? Refer to the U.S.G.S. topographic map submitted under Part III B.
 - A. State Review – If any development or excavation is to occur within the 100-year floodplain, submit a detailed statement to the applicable agency of how all applicable Rules and Regulations will be met.
 - B. County Floodplain Development Permit – If any development or excavation is to occur within floodplain, submit a detailed statement of how the Will County Floodplain Development Permit requirement will be met.
 - C. Stormwater Runoff – Explain the measures proposed to prevent excessive stormwater runoff to adjacent properties downstream of the site.
- V. Is the plan of operations for the facility designed to minimize the danger to the surrounding area from fire, spills or other operational accidents?
 - A. Accident Prevention Plan – Indicate what operational plans are proposed to minimize the danger to the surrounding area from operational accidents.
 - B. Fire Prevention Plan – Submit appropriate emergency response, fire prevention and fire response plans, as well as a plan of operation that specifically addresses fire, spills or other operational accidents.
 - C. Operational Plan – Submit a statement from an Illinois Registered Professional Engineer outlining the detailed plan of operation.
- VI. Are traffic patterns to or from the facility designed so as to minimize the impact on existing traffic flows?
 - A. Traffic Plan – Submit a report from an Illinois Registered Professional Engineer stating that the vehicular movement and control for ingress/egress are designed to minimize accidents. Said report must be accompanied by substantive data to corroborate any conclusions.
 - B. Entrance Permit – Submit a detailed analysis of the proposed designation/location of the point of entrance to the site, as well as a demonstration as to the manner in which any and all statutory and/or regulatory requirements relating to the same will be addressed.
- VII. If the facility will be treating, storing or disposing of hazardous waste, does an emergency response plan exist for the facility which includes notification, containment and evacuation procedures to be used in case of an accidental release?

- VIII. Is the Facility consistent with the Will County Solid Waste Management Plan? Submit an analysis indicating the compliance of the proposed facility with the Will County Solid Waste Management Plan.
- IX. Is the Facility located within a Regulated Recharge Area? Include a statement indicating if the facility is within a regulated recharge area. If the facility is within a regulated recharge area, provide any applicable requirements specified by the Pollution Control Board, and indicate how such requirements will be met.

Other Information – Any other relevant information may be submitted to support the application.