

SOLID WASTE MANAGEMENT PLAN

JANUARY 1991



Volume I of VII

Volume I - Solid Waste Management Plan

Supporting Documents

Volume II - Generation Rates Update

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Volume VII - Public Comments and Responses

**WILL COUNTY
SOLID WASTE MANAGEMENT
PLAN**

January 1991

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Section I - Legislative Framework

The Local Solid Waste Disposal Act (PA 84-963, Ill. Rev. Stat., Chap. 85, Para. 5901, et seq.) granted units of local government, including counties, the authority to prepare and implement solid waste management plans after January 1, 1986. The Act defines jurisdiction for a County as "the territory within the corporate limits of the County which does not lie within the corporate limits of any municipality which has adopted and is implementing a plan under this Act either independently or through a Municipal Joint Action Agency." No community in Will County is implementing, or has even adopted a solid waste plan. The Act is relatively permissive and includes elements that may be included in a plan but is not restrictive as to what may be in a plan.

The Local Solid Waste Disposal Act was supplemented by the Solid Waste Planning and Recycling Act (PA 85-1198, Ill. Rev. Stat., Chap. 85, Para. 5951 et seq.), which took effect on January 1, 1989. The Local Solid Waste Planning and Recycling Act mandated, for the first time, that counties with populations greater than 100,000 persons must, by March 1, 1991, submit to the Illinois Environmental Protection Agency (IEPA), an officially adopted plan for the management of municipal solid waste generated within its boundaries.

- The Act is specific in listing eight subject areas which, at a minimum, must be addressed in the mandated plans.
- Goals of recycling 15 percent of the municipal waste generated in the County within three years of plan adoption and recycling 25 percent of the waste generated within the County within five years of plan adoption were established in the Solid Waste Planning and Recycling Act. A later amendment to this Act tempered the goals with the addition of the phrase, "subject to the existence of a viable market for the recycled material."

- According to the Act, plan implementation must begin within one year of adoption of the plan.
- Provisions are included requiring the Illinois Department of Energy and Natural Resources to assist counties in implementing recycling programs.
- The Act sets out minimum requirements for citizen and municipal notification and participation in the counties' planning process.
- Local approval and state review requirements are included in the Act.

Section II - Chronology of Will County Planning Documents

This is the fourth in a series of Will County Solid Waste Planning documents. The County's solid waste planning efforts began in September 1974 with the development of an Interim Solid Waste Disposal Plan for Will County. The document included a general discussion of disposal needs in the County and estimates of solid waste generation using national per capita data. The plan recommended a network of facilities to serve sub-county regions. The plan's goal was to minimize disposal costs by minimizing transport distances. In 1974, transport costs were seen as the controlling force of disposal costs. The strengthening of regulatory requirements for solid waste disposal since 1974 and the resulting increase in solid waste management costs, has made the sub-county approach less desirable.

In 1982, the Will County Development Department (the predecessor to the Land Use Department) prepared the Draft Waste Management Element. In that draft plan, areas of the County most suitable for waste disposal were mapped.

Shortly thereafter, the Development Department began work on what became a draft Will County Waste Disposal Management Plan. The

draft plan generally discussed the types and quantities of solid waste generated in the County. It projected the remaining capacities of disposal facilities in the County, discussed possible disposal options, and then established eight criteria to define unsuitable areas for the land disposal of solid waste in the County. The draft plan concluded with a set of public policy and planning recommendations, many of which have been fully or partially realized. A public hearing was conducted in early 1986 to gather comments on the draft plan. Based on the public comments and other factors, the draft plan was tabled, and never presented to the Will County Board for its consideration.

The County did though, continue its solid waste management planning efforts. The County applied for and received a grant from the Illinois Environmental Protection Agency for the completion of a Phase I and partial Phase II plan as defined by the Agency. The County contracted with Envirodyne Engineers for the development of the Will County Interim Solid Waste Management Plan. This Interim Plan, adopted by the Will County Board in December of 1988, updated the estimates of solid waste generation in the County, presented collection practices, considered disposal alternatives, inventoried existing disposal facilities, and recommended policies and actions for a more detailed analysis of disposal options and implementation for the County. The Interim Plan also discussed requirements for new or expanded facilities proposed for the County.

The Interim Plan was prepared under the enabling provisions of the Local Solid Waste Disposal Act (PA 84-963, Ill. Rev. Stat., Chap. 85, Para. 5901, et seq.). The Solid Waste Planning and Recycling Act (PA 85-1198, Ill. Rev. Stat., Chap. 85, Para. 5951 et seq.) became effective shortly after the completion of the Interim Plan. To meet the requirements of the Solid Waste Planning and Recycling Act, and to carry out the recommended actions of the Interim Plan, the County continued its planning efforts. This plan

is the result of those efforts.

A set of planning assumptions developed by the County and its advisory committees guided these planning activities. The assumptions, included as attachment 1, set the parameters of the planning activities.

The County contracted with consulting firms to prepare four of the five technical reports of this plan. The fifth, was prepared by County staff. The technical reports and their respective preparers are:

Generation Rates Update - Patrick Engineering, Inc.

Volume Reduction - Solid Waste Division, Will County Land Use Department.

Recycling and Landscape Waste Management Plan - Becker Associates, Inc.

Waste to Energy Feasibility Study - CSI Resource Systems, Incorporated.

Landfill/Ashfill Component - Patrick Engineering, Inc.

The technical reports are joined by this document, identified as the Will County Solid Waste Management Plan. Each technical report includes discussion of environmental effects, energy effects, life cycle costs, and economic advantages and disadvantages. What results is a recommendation for a specific solid waste management system and implementation program.

This Plan does not address the management of wastes classified within the State or Federal regulatory systems as hazardous or nuclear wastes.

Section III - Generation Rates

The formation of solid waste generation rates are discussed in the technical report from Patrick Engineering entitled Generation Rates Update and the report from CSI Resource Systems Inc., entitled Waste to Energy Feasibility Report. The CSI Resource Systems Inc., report also includes a discussion of solid waste composition and content. The generation rates used do not include the waste currently recycled by the commercial and industrial sectors. The rates are presented in per capita per day (pcd) and per employee per day (ped) formats:

<u>Sector</u>	<u>Waste Generation Rate</u>
Residential	2.8 pcd
Commercial	1.2 pcd (6.5 ped)
Industrial	1.1 pcd (14.6 ped)
Construction/Demolition	<u>0.72 pcd</u>
Total	5.8 pcd

These generation rates are used throughout the 25 year planning horizon of this Plan. Population and employment projections and their influence on the estimates of solid waste generation are discussed in the Patrick report, Generation Rates Update. The generation rates were held constant throughout the planning horizon because, at present, there are no industry wide accepted analyses of future waste generation. All of the potential factors affecting generation are too numerous to list. At the very least, potential affecting factors include: household size, household income, household purchasing habits, decisions by the packaging industry, societal values, and a variety of other factors.

Based on these generation rates and the included population and employment projections, the estimates of solid waste generated in need of disposal, without additional volume reduction or recycling, are as follows:

<u>Year</u>	<u>Population</u>	<u>Total Waste (Tons Per Day)</u>
1990	356,055	1,151
1995	379,541	1,207
2000	403,027	1,264
2005	426,514	1,321
2010	450,000	1,381
2015	473,486	1,434

All of the technical reports of the Plan and the recommendations included within are based on these generation rates.

Section IV - Current Hauling System

The collection and hauling of solid waste in Will County is performed by the private sector. Most municipalities in the County have exclusive franchise agreements with haulers for collection from residential buildings with 4 or less units. Larger multi-family residential buildings, commercial, industrial, and institutional users typically contract individually for the collection of their waste. Haulers are licensed in a few of the municipalities. A few remaining municipalities who do not franchise hauling in their communities require the licensing of haulers and allow residents, commercial, industrial and institutional users to select their hauler from among licensed haulers in the municipality.

In the unincorporated areas of the County, residential, commercial, industrial, and institutional users contract individually with haulers for collection services. The County does not license or register hauling companies.

The trend in municipal collection is towards the franchising of collection for residential buildings with four or

less units. In 1990 alone, two municipalities who previously did not franchise solid waste collection, negotiated franchise agreements with single haulers for the collection of solid waste from residential portions of their communities. The County is investigating, at the staff level, the franchising of collection in the unincorporated areas for residential units with four or less units. To date, no township has conducted the necessary referendum to franchise collection within a township.

There are currently 16 haulers known to be collecting municipal solid waste in Will County. They are:

- A and J/Star Disposal
- Atlas Disposal
- Banner Western Disposal Service
- C and A Disposal
- Citiwaste Inc.
- Crown West Ltd.
- Fox Valley Disposal
- H and R Disposal Service
- Homewood Disposal
- Joliet Disposal Service
- Meyers Scavenger Service
- Nu-Way Disposal Service
- Rots Disposal Service
- John Sexton
- Skyline Disposal
- TCD Services

The firms listed vary in size and range of services offered.

There is one permitted transfer station in the County. The facility, owned and operated by TCD Services, is located on Illinois Route 53, south of Wilmington.

Curbside recycling collection is offered on a weekly basis in: portions of Beecher, Bolingbrook, portions of Joliet, Lockport, Naperville, Park Forest, Romeoville, and Tinley Park. Curbside collection is offered in Crete on a monthly basis. The County has

received requests for grants to purchase residential recycling bins (implying that curbside recycling collection is near), from: New Lenox, Plainfield, and Shorewood. Frankfort Township is investigating the adoption of an ordinance requiring curbside recycling collection in the unincorporated areas of the Township. Recycling drop off centers are operating in: Beecher, Bolingbrook, Channahon, Crete, Frankfort, Joliet, Monee, Naperville, New Lenox, Park Forest, Peotone, and Wilmington. Drop off facilities will likely open in Manhattan and Rockdale in the near future.

Residential collection in all areas of the County is based on a flat rate pay system. Residential (over four units), commercial, industrial, and institutional collection is for the most part, offered on a volume based pay system. The Village of New Lenox is likely to go to a volume based collection pay system in the fall of 1990. The system will see residents pay for collection based on the amount of material they place at the curb for disposal.

Section V - Current Disposal Capacity

There are currently five sanitary landfills permitted in the County to accept municipal solid waste. Currently three of the facilities are actually accepting municipal solid waste. There are three additional facilities permitted to accept various types of wastes. The facilities and their operational and permit status are:

Beecher Development - This facility is permitted for, and accepting, municipal and special waste.

CDT Landfill - This site is permitted for, and accepting, municipal and special waste. The facility has received local siting approval from the City of Joliet for a 58.18 acre expansion to accept municipal and special wastes (approximately 2.5 million cubic yards of airspace). The operator submitted a development permit application to the

IEPA on January 23, 1990 (Permit Log No. 1990-030). The IEPA denied the permit request on July 13, 1990, for 12 stated deficiencies in the application. The operator has begun the data collection to resolve the deficiencies, and will resubmit an application to the IEPA for a development permit for expansion. It is expected that this facility will receive developmental and operational permits for their expansion.

Land and Lakes/Willow Ranch - The facility is permitted for, and accepting, municipal solid waste. The operator applied to the Village of Romeoville for local siting approval on May 14, 1990 for a 98 acre expansion to accept municipal and special wastes (approximately 6.3 million cubic yards of airspace). The local siting hearing will be held in late September of 1990. The operator has not yet submitted an application to the IEPA.

Wheatland Prairie - The facility is permitted for municipal and special waste. Until February 1990, the facility was accepting municipal solid waste. The facility was issued a supplemental permit by the IEPA, on April 3, 1990, to temporarily suspend landfill operations at the site (Supplemental Permit No. 1990-067-SP). It is expected that this facility will reopen as market conditions change.

ESL Landfill - The facility is permitted for municipal and special waste. The facility is currently accepting municipal incinerator ash.

Wilmington Municipal - The facility is permitted for, and accepting non-putrescible waste and wood debris.

American Fly Ash - The facility is permitted for, and accepting, fly ash and other coal combustion by-products.

Joliet Army Ammunition Plant - The facility is permitted for, and accepting municipal waste only from within the Joliet Army Ammunition Plant.

The Third Annual, Available Disposal Capacity for Solid Waste in Illinois by the Illinois Environmental Protection Agency, December 1989, reports the following remaining capacities for

municipal solid waste facilities in Will County in "gateyard" cubic yards (the volume as accepted at the gate of the disposal facility) as of March 31, 1989.

<u>Facility</u>	<u>Remaining Capacity¹</u>	<u>Remaining Capacity²</u>
Beecher Development	7,000,000	5,788,878
CDT Landfill	1,560,000	609,650
Land and Lakes/Lemont	1,113,604	600,574
Wheatland Prairie	10,807,602	10,432,204
Total	20,481,206	17,431,306

¹ March 31, 1989 remaining capacity as reported by IEPA.

² March 31, 1990 remaining capacity arrived at by subtracting April 1, 1989 to March 31, 1990 reported volumes to County from reported March 31, 1989 remaining capacities published by the IEPA.

The IEPA report indicated that in the 1989 reporting period (April 1, 1988 to March 31, 1989), 3,917,683 cubic gateyards of waste was disposed in the County. It was also reported by the IEPA for its 1989 reporting year that 854,948 cubic gateyards of the waste disposed of, was generated in the County. This indicates that 3,062,734 cubic gateyards or 78 percent of the waste disposed in the County was imported into the County. The 1989 IEPA estimate of solid waste generation in Will County was based on a generation rate provided to the IEPA by the County. This rate of 4.12 pounds per person per day was developed in Will County's Interim Plan.

Based on figures submitted to Will County for the period April 1, 1989 to March 30, 1990 submitted for payment of the County's tipping fee, and using a conversion factor of 3.3 gateyards per ton, 3,049,900 cubic gateyards of material were disposed of in Will County for the State's 1990 reporting period. Estimating that approximately 1,283,279 cubic gateyards of that material was generated within Will County, it appears that approximately 58 percent of the waste disposed in Will County in the reporting year 1990 was imported to the County.

Lesser amounts of municipal solid waste are exported from Will County for disposal. Approximately 10 percent of the waste generated for disposal in the County is disposed of outside of Will County. Some of the solid waste collected in DuPage and Wheatland Townships is taken to Green Valley Landfill and some of the waste collected in Plainfield, Wilmington, Reed, Wesley and Custer Townships is taken to Morris Landfill in Grundy County. Additional non-significant amounts of solid waste may be exported to other areas for disposal.

There will be approximately 24,220 tons (79,926 cubic gateyards) of material recycled in Will County in 1989. This includes the residential and commercial sectors (see pages 2-9 to 2-11 of Recycling and Landscape Waste Management Plan). This figure was arrived at by multiplying Patrick's 1990 municipal solid waste generation figure (322,933 tons) by Becker's estimated rate of recycling in the County (7.5 percent).

An addendum to the County's Interim Solid Waste Management Plan estimated that in 1987, 14,997 tons (49,490 cubic gateyards) of material was incinerated annually in the County. No new incineration permits have been issued in the County since this time, so the estimated rate of 14,997 tons of material incinerated annually will continue to be used. This material consists mostly of hospital, commercial, and industrial wastes. This material was not included in the generation rates because it never enters the wastestream

There are currently four recycling processing facilities serving the County. They are in unincorporated Crete, Joliet, and Wilmington Townships and the City of Joliet. Recycling processing facilities are discussed in detail in Recycling and Landscape Waste Management Plan.

Section VI - Need

To determine the need for additional waste disposal facilities in the County the expected solid waste generated in the County will be compared to the remaining capacity. Because the County has no control over privately owned and operated facilities, it is assumed for this exercise that the volume of imported waste disposed in the County remains constant at approximately 1.8 million cubic gateyards per year. This volume was used until existing facilities reach capacity.

Once existing facilities reach permitted capacity, it is expected that all waste disposed of in the County will be from within Will County or from within municipalities at least partly in Will County. It is intended that no other solid waste be disposed of in the County. In its Interim Solid Waste Management Plan the County established a policy that any expansion of a facility in Will County must be intended for a service area defined as Will County. In other words, it is the County's desire to end the practice of disposing of significant amounts of solid waste from outside of Will County in facilities within Will County.

The generation rates for Will County reflect the updated generation rates in the Generation Rate Update, rather than the rates used by the IEPA and provided by the County from the Interim Plan. Table 1 of the Generation Rate Update is the basis for the Will County generation rates; with the annual generation rate in tons multiplied by 3.3 to convert into cubic gateyards. (The date of final reporting for each year is March 31.) It is assumed that all waste generated for disposal in the County is disposed of in the County.

YEAR	RECYCLING/VOLUME REDUCTION	POPULATION	WASTE GENERATED FOR DISPOSAL IN WILL COUNTY	WASTE IMPORTED ² FOR DISPOSAL	TOTAL WASTE DISPOSED IN WILL COUNTY	REMAINING ¹ CAPACITY IN WILL COUNTY
1990	7.5%	356,055	1,283,279	1,766,621	3,049,900	17,431,306
1991	10.0%	360,753	1,260,746	1,766,621	3,027,366	14,403,940
1992	15.0%	365,450	1,202,179	1,766,621	2,968,800	11,435,140
1993	20.0%	370,147	1,142,262	1,766,621	2,908,883	8,526,257
1994	25.0%	374,844	1,080,996	1,766,621	2,847,616	5,678,641
1995	30.0%	379,541	1,018,379	1,766,621	2,785,000	2,893,641
1996	32.0%	384,239	998,626	1,766,621	2,765,247	5,128,394
1997	34.0%	388,936	978,324	1,766,621	2,744,944	2,383,450
1998	36.0%	393,633	957,472	1,766,621	2,724,092	(340,643)
1999	38.0%	398,330	936,070	0	936,070	(1,276,712)
2000	40.0%	403,027	914,118	0	914,118	(2,190,831)
2001	42.0%	407,725	891,617	0	891,617	(3,082,448)
2002	44.0%	412,423	868,567	0	868,567	(3,951,015)
2003	46.0%	417,120	844,967	0	844,967	(4,795,982)
2004	48.0%	421,817	820,817	0	820,817	(5,616,798)
2005	50.0%	426,514	796,117	0	796,117	(6,412,916)
2006	50.0%	431,212	803,349	0	803,349	(7,216,265)
2007	50.0%	435,909	810,581	0	810,581	(8,026,846)
2008	50.0%	440,606	817,813	0	817,813	(8,844,659)
2009	50.0%	445,303	825,045	0	825,045	(9,669,704)
2010	50.0%	450,000	832,277	0	832,277	(10,501,981)
2011	50.0%	454,698	838,665	0	838,665	(11,340,646)
2012	50.0%	459,395	845,053	0	845,053	(12,185,699)
2013	50.0%	464,092	851,442	0	851,442	(13,037,141)
2014	50.0%	468,789	857,830	0	857,830	(13,894,971)
2015	50.0%	473,486	864,218	0	864,218	(14,759,189)

¹ Includes addition of 2.5 million cubic yards of airspace or 5 million gateyards at CDT Landfill.

² Importation remains constant.

This estimation of need must be used carefully. The movement of solid waste in the metropolitan area is dynamic. It is expected that facilities in neighboring counties will restrict waste coming into their facilities, thus increasing the pressure on existing Will County facilities to accept increased volumes of imported solid waste.

The result of this analysis indicates that after volume reduction and recycling, capacity for the disposal of 340,643 cubic gateyards of solid waste will be necessary sometime around 1998.

Section VII - Institutional Structure

For the most part, solid waste disposal facilities in the

County have been privately owned and operated. At this time, all of the large scale disposal and processing facilities in the County are privately owned and operated. The private sector facilities do not operate under one coordinating plan. Until the County began planning activities in the solid waste area, there had been no one lead planning agency in the area.

As the County's involvement increased in the solid waste planning arena, other entities were considered as possible lead agencies for solid waste planning in the County. Unfortunately, no one organization, (except The County of Will), seems to represent all of Will County. For example, the Council of Mayors are active only in the urban areas of the County, the Municipal League acts on behalf of the municipalities on legislative affairs in Springfield and acts as a forum locally, but is not a direct provider of local services, the Joliet/Will County Center for Economic Development is not consistently active throughout Will County, there is no formal, incorporated countywide association of Mayors and Managers, and finally, there are no current intergovernmental agencies serving all of Will County (the recently formed 911 committee may be an exception to this). In short, the County did not see an already existing entity capable of preparing a County wide solid waste management plan.

A similar discussion of appropriate agencies was applied to the implementation of the recommendations of a countywide plan. Municipalities and others will be responsible for specific parts of the implementation of the plan, but the County is the only existing entity capable of countywide implementation. Discussion was held at the County's Municipal Solid Waste Advisory Committee about the creation of a separate intergovernmental agency to lead the implementation of the solid waste disposal system advocated by this plan. Unfortunately, again, previous experiences highlight the difficulty of intergovernmental agencies in Will County. The

primary point of contention in creating an intergovernmental agency in Will County is representation for municipalities. For example, are municipalities designated authority based on a one-vote per municipality basis or on a weighted basis where municipal votes are assigned a value based on the population of the municipality. This issue was seen as a primary obstacle in the creation of an intergovernmental agency. Also, given the relative urgency of the need for a countywide system, and the time necessary to establish an intergovernmental agency, it was determined that time would be best spent in moving towards implementation of a solid waste disposal system with the County in the lead rather than the development of an new intergovernmental agency.

At that point, consensus was reached by the Municipal Advisory Committee that the County should assume the lead role in the implementation of a the solid waste disposal plan. Negotiation began on a solid waste agreement for use between the municipalities and the County. The agreement, in its fifth draft at the time this plan was written, is included as attachment 2 to this plan. The document was intended from the start to be the subject of extended negotiation. It is expected that the solid waste agreement will reach its final executable form sometime in late 1990, or early 1991.

By executing the solid waste agreement, the municipalities and the County will commit their wastestreams in need of disposal, excluding unacceptable special wastes, hazardous wastes and nuclear wastes, to a County sponsored disposal facility. The County agrees to provide at least 20 years of disposal capacity to the municipalities and the County for the wastestream in need of disposal. The County sponsored facility is discussed at length in Section V of this plan. The County will negotiate with a private vendor to operate this facility for the disposal of all of the solid waste committed to the County by the execution of the solid

waste agreements. The solid waste agreement does not commit the flow of recyclables to a specified processing facility. Rather, it requires that specific volume reduction and recycling goals be met. How the municipalities meet the goals is left to their discretion.

The solid waste agreement establishes a policy board composed of municipal, County, and township representatives. The policy board has advisory authority to the County Board and County Executive. Any action contrary to a recommendation of the policy board will require a three-fourths majority vote of the County Board for its approval. The agreement also includes a pricing structure used to establish a tipping fee and annual auditing and reporting requirements.

In conclusion, the County of Will is designated by this plan as the governmental entity responsible for the implementation of this plan, with the assistance of its municipalities and other local units of government.

Section VIII - Method/Technology Options Considered

The technologies and methods of solid waste management considered as a part of this planning process include: volume reduction, recycling and landscape waste composting, incineration with energy recovery and landfilling. Each of these alternatives is discussed in detail in the technical reports included with this Plan.

The Illinois Solid Waste Management Act (Chapter 111^{1/2}, Paragraph 7052, Illinois Revised Statutes) established a hierarchy of solid waste management alternatives, with the most preferable

method of solid waste management at the top of the hierarchy. The hierarchy of solid waste management alternatives is:

1. volume reduction at the source;
2. recycling and reuse;
3. combustion with energy recovery;
4. combustion for volume reduction;
5. disposal in landfill facilities.

The technical reports of the County Solid Waste Management Plan correspond to this hierarchy. The one method included in the hierarchy but not dealt with in a technical report is combustion for volume reduction. The County found in its Interim Solid Waste Management Plan that combustion for volume reduction was prohibitively expensive, and thus would not be considered further.

Section IX - Recommended Solid Waste Management System

As previously stated, the solid waste management system recommended for the County was derived using the established hierarchy. The County began at the top of the hierarchy and working with each solid waste management alternative, determined what percent of the wastestream could reasonably be managed at each level of the hierarchy. Again, the exception to this is that the County will not consider combustion for volume reduction after finding it cost prohibitive in the Interim Plan.

Volume Reduction

Beginning with volume reduction at the source, the County expects a 5 percent reduction in the volume of solid waste generated for disposal. The programs necessary to meet this goal are:

1. Building the cost of disposal into bid considerations.

Bidders should be required to estimate the life expectancy of their products. Bidders with products with a life expectancy of less than ten years should be required to estimate disposal costs or salvage values of their products. These estimates should be considered in the review of bid submittals.

2. At the time of implementation, the assignment of a bid preference for items produced with recycled feedstock and the consideration of disposal costs in awarding bids should be publicized with the intent of encouraging private sector entities to adopt similar policies.
3. Development of a promotional campaign to increase awareness among consumers and retailers that the purchase of products containing excessive packaging results in the necessity to dispose of more material. This campaign should be conducted in conjunction with the implementation of a volume or weight based collection system, and should stress the cost savings of buying responsibly packaged products because it results in less material being disposed.
4. Initiation of an educational campaign to encourage consumers, businesses and institutions to consider the following questions at the time of a purchase decision:
 - Is this a necessary purchase?
 - Is there a used alternative for this purchase?
 - If this is a one-time need is there a rental alternative?
 - Is there a product of lesser size or mass that will satisfy the need?
 - May this product be reused?
 - What are the disposal ramifications and costs of this purchase?
5. Establishment of a policy applicable to all County copying facilities requiring that all copying be two-sided. The policy statement must contain language permitting exceptions on a case-by-case basis.
6. Creation and staffing of an information source for County residents, businesses and institutions, devoted to providing information on practices to reduce solid waste generation and to fulfill an advocacy role in the community for solid waste volume reduction. Local libraries should be used for assistance in the distribution of the information.
7. Work with the Three Rivers Manufacturers Association and other willing entities to provide wastestream auditing services.
8. Work with a municipality to implement a volume or weight based solid waste collection system in conjunction with a recycling program. The advantages and disadvantages of the program should be analyzed and distributed to other Will County

communities and haulers.

9. Continuation of the Volume Reduction/Recycling Grant Program, Wilmington Model Community and Information Clearinghouse programs.

The short term financing of these programs will likely be the County's solid waste tipping fee. For the long term, a fund established by the solid waste agreement (discussed in Section VII of this plan and included as attachment 2) is the volume reduction/recycling fund which should be used in part, to fund these activities described above.

Recycling and Landscape Waste Composting

The Recycling and Landscape Waste Management Plan sets out an implementation schedule in Section 9.2. With the adoption of this Solid Waste Management Plan, the County establishes for itself the recycling target of 30 percent of the municipal wastestream within five years of the adoption of this Plan and 40 percent of the municipal wastestream as discussed in the Recycling and Landscape Waste Management Plan, within a ten year period. The County further commits itself to a recycling goal of 50 percent of the wastestream within 15 years of the adoption of this Plan. The means to reach this 50 percent goal are not set out in this plan but will be addressed with the mandated, regular updates of this solid waste management plan. To coordinate efforts, the County's Solid Waste Director or his/her designee shall be the designated recycling coordinator.

For recycling and landscape waste composting the County will itself, or with others, undertake the following prescribed activities from the Recycling and Landscape Waste Management Plan:

1. Recycling Education - Develop a public education program. The public includes not only residents of the County planning area but also business owners, office managers, plant managers, presidents of institutions and all people who live

and/or work in the Will County planning area. To be effective, educational programs should target individual sectors of the public and should encourage specific changes in the way residents and business people handle and dispose of waste.

Will County will assign recycling education responsibilities to one or more trained staff people. Staff will be responsible for implementing or working with others to implement the suggested educational activities listed in Section 9.3., of the Recycling and Landscape Waste Management Plan. Education in the non-residential sector may be more effective if the education efforts are conducted by business leaders rather than County staff. The County will solicit support from local industry to conduct and support informational programs on the use of recyclables in the manufacturing process.

2. Technical Assistance - Develop a technical assistance program. County staff assigned to such a program will assist municipal officials in the development and expansion of residential programs. They will also assist business owners and managers in the development and expansion of non-residential waste programs. Lack of information is a frequently stated reason for non-involvement in recycling programs. A technical assistance program will provide locally available information and assistance at little or no charge.

The types of activities to be included in a technical assistance program are discussed in Section 9.1.1 of the Recycling and Landscape Waste Management Plan.

3. Grants and Loans - Continue the County's Volume Reduction/Recycling grant program. The County should continue to require grant recipients to implement recycled material procurement programs. Alternatively, the County may want to require grant recipients to implement a public education program associated with the funded activity or facility.

Grant recipients must also be required to maintain records of the volume and composition of material collected and processed and the costs associated with recycling. The Solid Waste Planning and Recycling Act requires commercial and institutional establishments that implement their own recycling programs to annually provide written documentation to the county of the total number of tons of material recycled.

Three groups of individuals should be involved in record keeping: municipal officials, firms responsible for the collection of recyclables, and operators of processing and waste sorting facilities. Suggested guidelines for each of

these groups are discussed in Section 9.1.3 of the Recycling and Landscape Waste Management Plan.

4. Elected Official Support - Develop strong, ongoing, visible support of recycling programs on the part of elected County officials. This is a "no cost" action which can be as effective as public education or technical assistance. Elected officials receive free media coverage, are frequently asked to be guest speakers at meetings of community leaders, and often are in communication with regional and state officials. Thus, elected official support can be very important to the success of County recycling efforts. Residents, especially, respond to programs which are supported by their locally elected officials.
5. Government Implementation - Will County has already begun implementation of an office paper collection program. The County should consider expansion of recycling in other areas, such as the collection and recycling of corrugated cardboard, used oil, beverage containers from lunchroom areas, and construction and demolition materials. In order to be most effective, a program implemented for county government should be advertised and lessons learned should be summarized and distributed to similar institutions. Adoption of similar programs at the municipal government level would be an appropriate second step.
6. Economic Incentives and Disincentives - Residential and non-residential waste generators respond to programs that provide a monetary reward for participation or an increased cost for non-participation. The "pay by the bag" approach to residential waste collection is the most commonly cited example of an economic incentive. Curbside recycling service is provided, theoretically, for free. The more waste that a household recycles, the less is thrown away and therefore the fewer the bags that must be purchased. This approach is also an effective way to encourage residents to mulch their grass clippings and to practice backyard composting. If the homeowner has to pay for each bag of landscape waste placed at the curb for collection, he/she will be encouraged to practice home management of landscape waste.

The County should consider implementation of a "pay by the bag" collection system in the unincorporated areas of the County. Through its waste stream control powers, the County could require any hauler operating in the unincorporated areas to collect disposal fees on a per bag basis.

Buy-back programs also offer direct economic incentives. The County may want to provide funds to processors in the County for their purchase of targeted materials that cause problems when landfilled. Examples include tires, household batteries,

used oil, and other difficult to handle materials.

7. Demonstration Programs - Demonstration or model programs are an effective way to encourage expansion into new types of recycling not currently being practiced in a particular county. The Central States Education Center has developed a model community program in Champaign, Illinois. It includes a model grocery store, model print shop, and model office building. With an \$8,000 grant from the County and with the assistance of Central States, Wilmington has already begun to implement a similar program in Will County. This will serve as a model for other municipalities. The County could consider expanding this approach in order to increase corrugated recycling, beverage container recycling, and office paper recycling within the County. Demonstration programs would also be useful for construction and demolition debris and tire recycling.

Will County could contact real estate firms, chamber of commerce, and local offices of trade associations in order to identify building owners and business managers interested in starting model commercial material collection programs. With the assistance of interested private-sector participants, the County could develop model collection programs for an apartment building, office building, shopping district, and restaurant or bar. Once established, the County should prepare guidelines for setting up these programs and distribute them to interested businesses as part of its technical assistance program.

8. Preparation of General-Use Materials - There is the potential for duplicative effort on the part of individual municipalities, businesses, and not-for-profit corporations, as they develop and implement recycling and landscape waste programs. One important role for Will County to consider is the development of general-use materials that can be individually adapted to local conditions. The County may decide to develop original models or may collect samples from other communities and businesses.

Examples of general-use materials include:

- "generic" pamphlets and brochures concerning recycling and landscape waste management for use and adaptation by municipal groups; (Note: Through a grant from the Illinois Department of Commerce and Community Affairs, received by the County of Will, the Joliet/Will County Center for Economic Development's Lookin' Good! program has developed recycling brochures for use by individual municipalities.)
- procurement ordinances for use by municipalities and private organizations; the model should establish

- guidelines on how to determine recycled content and how to set reasonable targets for recycled content;
 - a "buy recycled" resolution or policy for use by the public and private sector;
 - building code amendments that require the provision of space for the collection, storage, and loading of recyclable materials in all new construction and major renovation;
 - zoning ordinance amendments that establish locational standards for recycling and composting facilities;
 - waste audit forms for use by commercial and institutional establishments;
 - hauling contracts that provide for waste stream control, collection of recyclables, and collection of landscape waste materials.
9. Site Approval Support - Facilities are needed to process the materials collected by recycling and landscape waste management programs. New processing and composting facilities require the selection and approval of sites. If Will County is to seriously support the expansion of recycling within the County, then it must support siting efforts. Siting is frequently difficult, even for recycling facilities. Strong County leadership in this area could be very beneficial.

Support of siting does not mean automatic approval for any site suggested by a public or private organization. Rather, support of siting requires the development and application of a rationale siting process. Site selection standards, operating requirements, and the review process need to be well defined and fairly applied in all situations. The County should develop a siting process for unincorporated areas and should assist municipalities in developing similar processes.

10. Market Development - Market development is critical to the long term development and expansion of recycling in the County. The issue of markets is described in detail in Chapter 7.0 of the Recycling and Landscape Waste Management Plan. It is reiterated here because of its importance. Table 9.1 of the same document indicates that market development is not as important to landscape waste programs as it is to material recycling because, if no markets are available, compost may be used as final cover at landfills. Experience shows that if the material is properly prepared and if it is available at no charge, markets should not be a problem for compost.

The short term financing of these programs will likely be the County's solid waste tipping fee. For the long term, a fund

established by the solid waste agreement (discussed in Section VII and included as attachment 2) is the volume reduction/recycling fund which, should be used in part, to fund these activities described above.

Incineration with Energy Recovery

The Waste to Energy Feasibility Study estimates that the per ton disposal cost, excluding hauling, for an incinerator would likely be in the vicinity of \$78 per ton in 1995 (in 1990 dollars). This estimate was derived using a fairly conservative fiscal approach. Different financing methods expose the County to varying levels of financial liability. The costing method used to derive the \$78 per ton figure would not expose the County to significant financial liabilities to the Illinois Department of Revenue during the course of operation of the facility. The cost of less liability is paid by higher fees to use the system. The estimate does assume private ownership of the facility. Though the estimated cost of incineration with energy recovery is less than or comparable (when transportation costs are added) to that of volume reduction or recycling it is not as desirable, for environmental reasons as these other two methods of solid waste management. This is reflected by the higher (preferable) position of both volume reduction at the source and recycling in the state established hierarchy than incineration with energy recovery.

Landfilling is estimated in these technical reports to be significantly less expensive than incineration. Additionally, the lower capital costs and the timing of capital costs involved with landfilling allow for the consideration of additional processing and volume reduction facilities at different periods in the life of the facility. The construction of an incinerator requires a large capital investment prior to construction. Because of this,

an incinerator will suffer adverse economic consequences if solid waste is not precessed at expected levels. This may run counter to successful volume reduction programs.

For these reasons, incineration with energy recovery will not be a part of the County's solid waste management plan for the near future. It is recommended that incineration with energy recovery be revisited at the first update of this plan.

Landfilling

As the solid waste management alternative at the bottom of the established hierarchy, landfilling is considered the management alternative of last resort. The material to be landfilled is that material which may not be reasonably removed from the wastestream. Volume reduction and recycling goals established in previous discussions in this Plan will significantly reduce the amount of material to be disposed of in a landfill. Based on the evaluation in Section VI of this Plan, capacity for approximately 14.76 million cubic gateyards of solid waste (requiring a minimum 300 acre site to provide adequate buffers) will be necessary for the 25 year planning period. If volume reduction (including recycling) programs are more successful than anticipated, the facility will serve the County for a longer period of time than the 20-year minimum design period.

To assure that adequate landfill disposal capacity will exist at a reasonable cost for solid waste generated in Will County, the County will develop, with the private sector, a sanitary landfill. At this time, because incineration will not be a part if this Plan, an ashfill will not be necessary. If at a later date, incineration is made a part of the County Solid Waste Management Plan, an ashfill will be considered. This Will County facility will be adequate to serve the disposal needs of all of Will County for at

least a 20 year period, thus no additional facilities are necessary, nor desired in Will County.

The sanitary landfill will be for the disposal of waste generated in Will County. The sole exception to this is that municipalities that are partly in Will County may elect, in accordance with the terms of the solid waste agreement (attachment 2), to dispose all of their solid waste in the Will County facility.

The Landfill/Ashfill report of the Plan (Volume VI) includes a site selection process developed by the County, its advisory committees, and consultants. The site selection process is being implemented and will result in the selection of the most appropriate site for a sanitary landfill in the County based on the criteria. The County conducted four public presentations in the spring of 1990, to discuss the siting process. Notice of the meetings was published in local newspapers.

Upon selection of the potential site based on the siting process, the County intends to take legal control of the site. The execution of a voluntary purchase option with the property owner is desirable, other possibilities are possible. Before preparing an application for siting approval, the County will survey processing methods which might decrease the volume of solid waste landfilled. Following this review, an application for local siting approval meeting the requirements of Chapter 111^{1/2}, Paragraph 1039.2, of the Illinois Revised Statutes (known as the Senate Bill 172 process), will be compiled and submitted to the appropriate local jurisdiction (most likely the County). Upon local approval of the siting application, a permit application to the Illinois Environmental Protection Agency will be prepared. At this point in time, it is the County's intention to contract with consultants to prepare this application on behalf of the County.

Periodic review and comment by the County's Solid Waste Technical and Municipal Advisory Committees will occur. Upon receipt of a development permit from the Agency, or with reasonable assurance of the receipt of such a permit, the County will publicly advertise for prospective developers and operators of a sanitary landfill as specified by the permits. The schedule of implementation is included in the Landfill/Ashfill technical report of the Plan.

The institutional aspects of this facility continue to be negotiated with all municipalities in the County in the form of the solid waste agreement. The current draft of the agreement is included as attachment 2 to this Plan.

Financial aspects of the system are included in the solid waste agreement. Estimated costs of development and operation of a sanitary landfill are included in the Landfill/Ashfill report of this Plan. Generally, users of the system will pay based on a formula established in the agreement. Costs of acquiring the option of a site will be borne by the County. Funds are available at this time. The costs of developing and preparing a local siting application, purchase of the land, and designing and preparing permit applications to the Illinois Environmental Protection Agency will be assumed by the County. The County will investigate financing mechanisms including the issuance of bonds to cover the costs. The desirable form of bonding is a method which will not require repayment until revenues begin to be received by the facility. At the point that revenues begin to be received by the facility, the bond payment begins.

Section X - Household Hazardous Waste

The hazards associated with the collection and disposal of household hazardous wastes dictate that they be treated as a

separate wastestream in the solid waste management system. The elimination or reduction of the volume of household hazardous wastes entering a non-hazardous waste disposal facility will lessen the potential for future contamination problems.

To reduce the volume of household hazardous wastes entering the facility discussed in the previous section of this Plan, the County will conduct, or have conducted, at least three household hazardous waste drop-off programs annually. An essential component of the household hazardous waste program will be an educational and awareness program.

The eventual operator of the County landfill will be obligated as a part of a contract, to conduct these programs. The costs of the programs, if outside funding is not available through grants or other sources, will be built into the disposal system costs.

Section XI - Transfer Stations

To maximize the efficiency of the solid waste collection system and allow for equity throughout the County in transportation costs, the development of a single facility to serve the disposal needs of the County will require transfer stations. The location of necessary transfer stations are totally dependent upon the location of the disposal facility.

Once a disposal site is selected the need for transfer stations will be made based on the following criteria: location of the disposal facility relative to areas of significant solid waste generation and the related travel distances and travel times. This assessment is essentially an economic decision. For example, industry standards typically call for a haul distance of no more

than 15-miles to a disposal facility for a standard packer collection truck.

Following the determination of the need of a transfer station (s) and the indication of the general area where it (they) is necessary, a site specific selection process will occur. The site selection process will consider the exclusionary criteria included in the landfill/ashfill site selection process (included in the Landfill/Ashfill component). Additionally, emphasis will be placed on the following: access to major roads, compatibility with neighboring land uses, and potential for incompatible land uses along the transportation route.

Financing of the assessment, the site selection process, permitting, development, and operation of a transfer station(s) will be included with the landfill financing.

Section XII - Collection in the Unincorporated Areas

As discussed in Section IV of this Plan, solid waste collection in the unincorporated areas of the County is not franchised. In order to assure that solid waste collected in the unincorporated areas of the County arrives at the County facility for disposal, it is recommended that solid waste collection for residential properties with less than four units in the unincorporated areas, be franchised. The process would include competitive bidding and result in collection services similar to those offered in most municipalities in the County.

Based on an informal survey of collection rates in unincorporated areas, franchising solid waste collection would not likely increase disposal cost, rather it would likely result in

decreased collection costs for residents in unincorporated areas. Additionally, by franchising collection in unincorporated areas, curbside recycling collection may be offered where population densities can support the service. Curbside recycling collection will be required of franchisees in unincorporated areas with adequate population densities. In less densely populated areas, franchisees will be required to provide drop off recycling facilities.

Section XIII - Plan Revisions and Updates

This plan will be revised and updated at a minimum of five-year intervals. The initial update will most likely involve an analysis of progress towards attainment of volume reduction goals and a review of technologies intended to reduce the volume of material permanently disposed of.

Failure by the County to provide disposal capacity for parties to the solid waste agreement will result in the revision of this plan.

WILL COUNTY SOLID WASTE PLANNING PROGRAM

General Planning Assumptions

* For Discussion Only - August 18, 1989 *

- System to process waste generated in Will County
- Municipalities in Will and another county may include their total municipality in Will County system
- System to process all solid wastes except hazardous wastes and waste legally disposed on-site by generators (exceptions may exist, for example, fly ash, and sludge which may be disposed of by land application)
- Planning horizon is 1995 to 2015
- The processing methods of preference are, in descending order: volume reduction, recycling, incineration with energy recovery, and landfilling
- At this time, unproven technologies will not be considered
- Minimum 15 percent, desirably 25 percent, recycling by end of 1993
- Minimum 25 percent, desirably 50 percent, recycling by end of 1995
- Landscape waste to be composted or applied to the land
- Processing facilities (recycling or incineration) will not be developed unless markets for products are available or can be created consistent with facility development in a timely manner
- County will promote the use of products containing recycled material
- Incineration target of 50 percent of the wastestream
- Landfill accepts any waste in the system not disposed of by other components of the system
- Landfill will be sized for worst case scenario (landfill as only method of disposal)

(continued on other side)

(continued from other side)

- System is controlled by public sector
- System will be economically competitive over the planning horizon
- Will County will meet the planning requirements of PA 85-1198
- Environmental standards may exceed those imposed by regulatory agencies
- County will conduct a volume reduction education/awareness program

SOLID WASTE AGREEMENT

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Section 2. Purposes.

The purposes of this Agreement are:

1. to establish the County of Will as the "lead agency" in solid waste planning among the units of local government and municipalities which are parties to this Agreement;
2. to provide a Countywide Solid Waste Management Plan which will help the units of local government and municipalities to plan for the future;
3. to ensure adequate capacity for solid waste disposal for the County, units of local government, and municipalities which are a party to this Agreement,
4. to establish a "User Cost Formula" for participating units of local governments and municipalities who use a Solid Waste Disposal and Treatment System (System) developed by the County of Will; and,
5. for Units of Local Government and Municipalities to commit their waste streams to the County Solid Waste Disposal and Treatment System for a period of 20 years from the opening of the system.
6. to establish the roles and the methods of input in decision making among and between the County, units of local government and municipalities.

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Section 3 Duration.

This Agreement shall have a 25 year duration subject to any amendments as provided for herein or required by law.

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Section 4. Amendments.

This Agreement may be amended from time to time in writing and subject to the written approval of a three fourth majority of the corporate authorities of all participating units of local government and municipalities. Any proposed amendment must first be distributed to the Policy Board for review fifteen (15) days before the meeting at which it is to be considered.

Section 5. Additional Parties to the Agreement.

- a. Any unit of local government or municipality located wholly or partially within Will County, Illinois which is not a party to this Agreement, may become a party upon:
- i) Adoption of this Agreement and the Will County Solid Waste Management Plan by the corporate authorities of such municipality and/or unit of local government; such adoption must be by ordinance,
 - ii) Consent of the Policy Board established under this Agreement, and
 - iii) Payment of the sum of \$10,000.00 for each and every one thousand (1000) residents of said unit of local government or municipality; the population of the unit of local government or municipality will be based upon the County's most recent estimates of population, but in no case shall the population estimate be an amount less than shown in the last official census (this shall include any special census performed by the United States' Bureau of the Census). All population figures shall be rounded up to the nearest thousand. The monies collected shall be used to offset the costs of amending this Agreement with all remaining monies divided between the Cost Stabilization Fund and the Closure and Post Closure Set Aside.
- b. If any area of Will County which is currently unincorporated, incorporates into a new municipality which did not exist at the

time this agreement was executed, said new municipality may become a party to this agreement upon:

- i) Adoption of this Agreement and the Will County Solid Waste Management Plan by the corporate authorities of such municipality and/or unit of local government; such adoption must be by ordinance,
- ii) Consent of the Policy Board established under this Agreement, and
- iii) Payment of the sum of \$2,000.00. The monies collected shall be used to offset the costs of amending this Agreement with all remaining monies divided between the Cost Stabilization Fund and the Closure and Post Closure Set Aside.

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Section 6. Withdrawal of Parties

a. Any unit of local government or municipality who wishes to withdraw from this Agreement must submit a Request to Withdraw to the Policy Board and the Will County Executive. The Policy Board will then vote on the withdrawal. If the withdrawal is allowed, any withdrawing unit of local government or municipality shall be responsible for a sum equal to five times the fees paid by said unit of local government or municipality during the past 12 months or \$100,000, whichever amount is greater.

b. Notwithstanding subsection a. above, as long as any Bonds or Notes of the County used to finance the solid waste treatment and disposal system are outstanding and unpaid, no unit of local government or municipality may withdraw from the System except as permitted by ordinance or ordinances authorizing such Bonds or Notes.

Section 7. Establishment of Policy Board.

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a. A fifteen (15) member Policy Board shall be established. This Policy Board shall be composed as follows (representation is subject to participation):

2 members appointed by the City of Joliet

2 members appointed by the City of Naperville

1 member appointed by the Village of Bolingbrook

1 member appointed jointly by the Village of Romeoville and the City of Lockport.

1 member appointed jointly by the City of Crest Hill and the Villages of Shorewood and Plainfield.

1 member appointed jointly by the Villages of Frankfort, Mokena and New Lenox.

1 member appointed jointly by the Villages of Steger, University Park and Crete.

1 member appointed jointly by the Villages of Monee, Beecher, Peotone, Manhattan, Symerton and Elwood.

1 member appointed jointly by the Cities of Wilmington and Braidwood and the Villages of Channahon and Rockdale.

2 members appointed by the County of Will

2 members from separate townships, jointly appointed by the townships

b. Members representing more than one unit of local government or municipality will be jointly appointed by means of an election in which each unit of local government or municipality to be represented shall receive one (1) vote. The person or persons receiving the most votes shall be appointed up. Any member not appointed within sixty (60) days of all units of local government and municipalities becoming parties to this Agreement, shall be appointed by the County Executive with the advice and consent of

the County Board; the member so appointed shall be a resident of one of the units of local government or municipalities originally entitled to a vote.

c. Each member appointed pursuant to subsection a. above shall have 1 vote on the Policy Board.

d. The members of the Policy Board shall serve a term of three (3) years, except that the terms of the first appointees shall be as follows:

City of Joliet	one member for one year one member for three years
City of Naperville	one member for two years one member for three years
Village of Bolingbrook	one member for two years
Village of Romeoville and City of Lockport	one member for one year
City of Crest Hill and Villages of Shorewood and Plainfield	one member for two years
Villages of Frankfort, Mokena and New Lenox	one member for two years
Villages of Steger, University Park and Crete	one member for three years
Villages of Monee, Beecher, Peotone, Manhattan, Symerton and Elwood	one member for one year
Cities of Wilmington and Braidwood and Villages of Channahon and Rockdale	one member for two years
County of Will	one member for one year one member for three years
Townships	one member for one year one member for two years

e. Any and all vacancies in the membership of the Policy Board shall be filled in the same manner of the original appointment; said appointment shall be made within sixty (60) days of the vacancy; failure to make the appointment within sixty (60) days of the vacancy shall result in the appointment being made by the remaining members of the Policy Board from the group in which the vacancy exists.

f. The members of the Policy Board shall elect a Chairman, Vice Chairman, and Secretary from their members.

i. The Chairman shall conduct the business of all the meetings of the Policy Board.

ii. The Vice Chairman shall take the place of the Chairman in case of the absence of the Chairman.

iii. The secretary shall serve as Chairman when the Chairman and Vice Chairman are absent. He/she will also collect all members' mileage records and submit the same to the Will County Solid Waste Director or his/her designee.

The Chairman, Vice Chairman and Secretary will be elected at the first meeting of the Policy Board. The Will County Director of Waste Services shall conduct the election for Chairman. The Chairman will conduct the meeting as soon as he/she is elected.

The first Chairman, Vice Chairman and Secretary shall serve until the 31st day of December of the year in which they were elected. All subsequent officers shall serve a one (1) year term (January 1 through December 31).

g. The Solid Waste Division of the Will County Land Use Department or its successor shall act as staff for the Policy Board in that

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the Solid Waste Division shall: prepare all minutes, prepare and send all necessary mailings, keep records of all mileage and per diems of Policy Board members, provide any technical information needed by the Policy Board, act as liaisons between the Policy Board and the County, and to submit all requests for mileage and per diems to the appropriate County authorities.

h. If a member in any group holds an elected position and during his/her term as a member of the policy board should lose or otherwise relinquish that elected position, he/she may at the discretion of the appointing entity(ies) be recalled from his/her position as a member of the Policy Board.

i. Each member of the Policy Board is responsible to report all Policy Board activities to his/her appointing units of local government or municipalities.

j. Any member of the Policy Board may be recalled by the unit(s) of local government or municipality(ies) appointing him/her; said recall must be by a 2/3 vote of the appointing unit(s) of local government or municipality(ies). If a member is recalled, a new member must be appointed within sixty (60) days; the new appointment shall be completed in the same manner as the original appointment. If the appointment is not completed within sixty (60) days, the County Executive with the advice and consent of the County Board shall make the appointment.

Section 8. Meetings of the Policy Board.

- a. Regular meetings of the Policy Board shall be held every 3 months at a place and time established by the Policy Board. The Policy Board shall publish a schedule of regular meetings.
- b. Special Meetings of the Policy Board may be called by the Chairman or Secretary of the Board whenever a matter comes to their attention which must be acted on before the next regularly scheduled Meeting. The Secretary shall be responsible for the publication of notice of any special meetings.
- c. All meetings of the Policy Board are open to the public.
- d. A quorum of the Policy Board shall be established when 9 of the 15 members are present.
- e. The Policy Board shall conduct its business pursuant to Roberts Rules of Orders. The Policy Board may establish such other rules and regulations as are necessary to conduct meetings and carry out its business.
- f. Policy Board members shall be paid a per diem of \$70.00 plus mileage at a rate of 24¢ per mile for attending meetings. All mileage will be paid on travel within Will County and after receipt of a written record of mileage. Said record must be tendered to the secretary of the Policy Board within 2 weeks of the meeting for which payment is sought.

Section 9. Powers and Duties of the Policy Board.

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- a. The Policy Board is an advisory board.
- b. The Policy Board shall have the following authority:
 - i. to advise the County and make recommendation on Contracts between the County and any system owner or operator,
 - ii. to recommend modifications to Contracts concerning the system,
 - iii. to review any request for an increase in the fee during a calendar year as provided for in Section 10 of this Agreement,
 - iv. to review any request to become a party to the Agreement or to withdraw as a party to the Agreement,
 - v. to review any proposed modifications to the system.
- c. The County will retain final approval authority on all Contracts, fees, and expansions of the system; however, any action of the County Board contrary to the recommendations of the Policy Board shall require a 3/4 majority vote of the County Board for approval. The County shall have all other authority as set forth in this agreement.

Section 10. User System Cost Formula.

a. During November of each year of this Agreement, the fee for disposing of solid waste in the system will be established. The fee shall be computed using a User Cost Formula which will include the following components:

- i. land acquisition
- ii. development costs
- iii. operating costs
- iv. closure and post closure set aside
- v. administrative costs (for solid waste and Policy Board costs only)
- vi. impact fee [to cover 1) possible costs to impacted local government, 2) help replace possible lost property tax revenues and 3) possible impact on surrounding homeowners].
- vii. profit to private sector operators
- viii. cost stabilization fund
- ix. volume reduction, recycling, and composting fund
- x. insurance fund
- xi. depreciation fund

Said fees shall be used only for the costs associated with the Solid Waste Treatment and Disposal System and the County Inspection Program.

Once the fee has been established for a year, it may only be increased under the circumstances set forth in Section 10 b and c.

b. During any year, the disposal fee may be increased to meet an unforeseen increase in the User System Cost or decrease in revenues.

The fee can be similarly increased to the extent required by any of the following events: (1) Force Majeure or Change of Law; (2) acts or failure to act by the State or Federal government relating to construction, operation or maintenance of the System; (3) uncompensated contractual default with respect to the System by a party other than the County (e.g., any of the Participating

Units of local government or Municipalities), (4) increased costs of operating and maintaining the System due to a necessary expansion of the System that were not included in the computation of the fee, or (5) any other event whatsoever, similar to those enumerated above, which may increase the current annual revenue requirement of the System.

c. If the fee is expected to be insufficient to meet the obligations in any year, the County shall, within ninety (90) days after such determination of deficiency, notify the Policy Board in writing. Said written notice shall set forth: (a) the details and information available to the County concerning the anticipated deficiency, (b) the estimated additional amounts needed, if known, (c) whether any other person or entity is contractually obligated to pay any increased costs, and (d) the options available for funding the deficiency. After the filing of such notice and the proposed increase to the fee, the Policy Board shall make a recommendation on the increase. The recommendations of the Policy Board shall be forwarded to the County.

If the increase is approved as provided for in this Agreement, the increase will take effect on the first day of the month following the vote and approval.

Prior to increasing the fee under this Section to provide for the coverage of any unforeseen increased costs or decreased revenue of the System in any year, the County will first look to the Cost Stabilization Fund to provide such coverage. In the event that the Cost Stabilization Fund is insufficient to provide such coverage and the County makes a request for financing under this

section, then the County or System Operator shall use its/his/her best efforts to obtain short-term financing to pay for the remaining shortage in the coverage of such increased costs or decreased revenue, and add the amount of such financing, including its cost of issuance and any interest due thereon, to the User System Cost for the next Year.

d. Any monies remaining at the end of the Year due to a decrease in costs during the year will be placed in the Cost Stabilization Fund.

e. The County shall submit a quarterly financial report to the Policy Board at least two (2) weeks prior to the meeting.

f. The County shall submit an audit to the Policy Board by March 30 of the following year. Said audit shall be performed by an independent auditor.

Section 11. Method of Payment of Municipal Disposal Fees.

- a. Monthly Bill. The System shall submit a bill to the Participating Unit of Local Government or Municipality monthly for the actual tons of acceptable solid waste and non-processible solid waste delivered to the system during the month. In addition to the total disposal fee, the bill for each month shall set forth the actual tons of acceptable solid waste and nonprocessible solid waste delivered by the unit of local government or municipality and accepted by the System during such month. On or before the thirtieth (30th) day following the receipt of such bill (the "due date"), the unit of local government or municipality shall remit to the System Operator the full amount of the bill.
- b. Should any unit of local government or municipality fail to pay the full amount of the bill, said unit of local government or municipality must pay a penalty, in addition to the amount due, of 1% of the amount due for the first 30 days after the due date or any part thereof and 1.5% for each subsequent 30 day period or part thereof.
- c. In order to collect any monies owing for more than 6 months, the County shall have the right to file suit against any unit of local government or municipality owing said money. The unit of local government or municipality owing said money agrees to pay all costs and attorney's fees associated with said suit.

Section 12. Rights and Responsibilities of the Parties.

- a. Participating units of local government and municipalities intend that operational expenses and debt service with respect to Bonds or Notes issued by or on behalf of the County with respect to any Waste Disposal or Treatment Project shall be self-sustaining from revenues derived from the operation of such Waste Disposal or Treatment Project.
- b. Participating units of local government and municipalities shall implement, or have implemented, programs to encourage the reduction of the volume and toxicity of solid waste generated within their borders by the end of the year 1992.
- c. Participating units of local government and municipalities shall implement, or have implemented, recycling programs to provide residents, businesses, and institutions with convenient recycling opportunities. The recycling programs shall result in recycling of a minimum of 30 percent of the acceptable municipal wastestream as defined in this agreement by the end of the year 1995 and a minimum of 40 percent of the acceptable municipal wastestream as defined in this agreement by the end of the year 2000, so long as reasonable markets exist for the collected materials.
- d. The programs set forth in b. and c. above must be enacted by ordinance or resolution in the participating unit of local government or municipality.
- e. Any participating unit of local government or municipality failing to meet the goals established in b. or c. above, shall be assessed a 10 percent surcharge on the fee for disposing of solid waste. Receipts from said surcharge shall be applied to the volume

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reduction, recycling, composting fund. Further, failure to meet the goals established in b. or c. above, within one year beyond the deadlines, may result in the County mandating specific actions to be undertaken by the participating unit of local government or the municipality; the unit of local government or municipality agrees to institute said mandates of the County.

f. The County shall, on its own behalf or through the System Operator on behalf of and indemnifying the County, maintain (to the extent available and fiscally feasible) necessary insurance for the operation, maintenance and closure of the system.

Section 13. Obligation of Parties to Deliver Acceptable Solid Waste to the System.

a. Prior to the Actual Acceptance Date, the unit of local government or municipality shall be obligated to adopt an ordinance, consistent with State law, providing for the regulation and enforcement of disposal of Solid Waste within its Jurisdiction and to ensure the all Acceptable Solid Waste, as defined in this Agreement, generated within the unit of local government and municipality shall be delivered to the System after the Actual Acceptance Date.

After the Actual Acceptance Date, the unit of local government or municipalities shall not by any franchise, license, contract or other action cause or permit Acceptable Solid Waste generated within the boundaries of the unit of local government or municipality to be delivered to anywhere other than the System.

Furthermore, the unit of local government or municipalities, to the extent required by law, and except to the extent this Agreement expressly provides otherwise, shall retain responsibility for and shall take such action as it determines in its sole discretion is necessary or desirable for the collection, disposal and treatment of Unacceptable Waste.

Acceptance in the System from the unit of local government or municipality or its Designee of Unacceptable Waste in a volume or with characteristics exceeding or violating any limit or restriction provided for by or pursuant to this Agreement, the County, the Illinois Environmental Protection Agency (IEPA), or the United States Environmental Protection Agency (USEPA) or law, in

one or more instances or under one or more circumstances shall not constitute a waiver of such limit or restriction or of any of the provisions of this Agreement and shall not in any way obligate the County or the System Operator thereafter to accept or to make provision for Unacceptable Waste in volumes or with characteristics exceeding or violating any limit or restriction under any other circumstances.

b. Each participating unit of local government or municipalities shall be responsible for the enforcement within its jurisdiction of any ordinance or action adopted by such unit of local government or municipality as contemplated by this Agreement and shall diligently take such steps as are necessary, or as are consistent with any actions recommended by the County, to continually assure the enforcement of any such adopted ordinance or consistent with the provisions of State Law. Each unit of local government or municipalities shall be responsible for the cost of administering and maintaining any such enforcement program.

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Section 14. Capacity Commitment

The County of Will shall develop a Solid Waste Disposal and Treatment System, which will include a sanitary landfill. This system shall have sufficient capacity to meet the acceptable solid waste disposal needs of the participating units of local government and municipalities for a period of 20 years after the opening of the County solid waste disposal and treatment system. This system will be developed in stages to meet those needs.

Section 15. Special Unacceptable Waste Arrangements.

The Parties acknowledge that the System Operator with the consent of the County may be willing from time to time to enter into or cause to be entered into special arrangements for processing in the System or otherwise certain categories and quantities of solid waste emanating from within the units of local government and municipalities which would normally be considered Unacceptable Waste. The System Operator and the units of local government and municipalities agree that in such event, the arrangements for handling such waste shall be entered into on a basis which is not inconsistent with the provisions of this Agreement, which is reasonably practical of application, and which is fair and equitable to all of the Participating units of local government and municipalities.

Section 16. Alterations and Additions to System/Right To Expand Capacity.

The County shall have the right to consent to the expansion of the System to meet the needs of the County and the participating units of local government or municipalities provided that the participating units of local government and municipalities shall have the first right to such additional capacity, and such increase shall not have an adverse effect on the ability of the System to process Acceptable Solid Waste of the Participating units of local government and municipalities.

The County agrees that prior to approving any alteration or addition to the System it shall first give forty five (45) days notice to the members of the Policy Board.

The Policy Board may then call a special meeting to discuss the alteration or addition to the System. The Policy Board shall then notify the County within forty five (45) days of receipt of the notice of their recommendation concerning said alteration or additions.

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Section 17. Enforcement.

The County shall have the right to enforce this Agreement or any agreement among or between the County and any one or more of the units of local government or municipalities. If suit is necessary to compel enforcement of the provisions of this Agreement or any such other agreement or to compel payment of bills and contributions to be paid to the County or the System Operator by the Parties to this Agreement the defaulting Party shall pay the County's reasonable legal fees and costs pertaining to the suit in such amount as determined by the court, if the County prevails in any such action.

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Section 18. Solid Waste Management Plan

Adoption of this agreement by a unit of local government or a municipality constitutes adoption of the Will County Solid Waste Management Plan.

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Section 19. Ordinance Authorizing Agreement.

Prior to execution, this Agreement shall be approved by ordinance adopted by the corporate authorities of each participating unit of local government and municipalities. Said ordinance shall specifically authorize and direct the execution of this Agreement on behalf of such unit of local government or municipalities. A certified copy of said ordinance(s) shall be provided to the Will County State's Attorney's Office by each unit of local government and municipality.

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Section 20. Filings With the Secretary of State.

- a. Promptly upon the execution of this Agreement, and upon any amendment hereof, a copy of this Agreement shall be sent to the Office of the Illinois Secretary of State and Illinois Environmental Protection Agency.
- b. Promptly upon the addition or withdrawal of any unit of local government or municipality from this Agreement or upon the dissolution of the Agreement, that fact shall be certified by an officer of the Policy Board to the Secretary of State of Illinois.

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Section 21. Effective Date

This Agreement shall become effective upon adoption of the ordinance authorizing execution hereof by any unit of local government or municipalities, on or before _____, 1990.

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Section 22. Severability

If any part of this Agreement shall be held invalid for any reason, the remainder of this Agreement shall remain valid to the maximum extent possible.

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Section 23. Execution in Several Counterparts.

This Agreement may be executed in any number of counterparts each of which shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the County and the units of local government and municipalities shall preserve undestroyed, shall together constitute but one and the same instrument.

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IN WITNESS WHEREOF, the undersigned have caused this Agreement to be executed in their respective names, and have caused this Agreement to be attested, all by their duly authorized officers and representatives, and have caused this Agreement to be dated as of the date and year first written above.