

BEFORE THE VILLAGE BOARD
OF THE VILLAGE OF ROUND LAKE PARK
SITTING AS A POLLUTION CONTROL FACILITY
SITTING AUTHORITY

IN RE: APPLICATION FOR LOCAL SITTING)
APPROVAL FOR GROOT INDUSTRIES)03-01
LAKE TRANSFER STATION,)

Transcript of proceedings at the hearing
of the above-entitled cause on the 23rd day of
September, 2013, at the hour of 6:30 p.m.

(Proceedings concluded at 7:25 p.m.)

REPORTED BY SUSAN R. GALLO

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1 MR. LUETKEHANS: We'll reconvene the public
2 hearing. It is 6:30.

3 Again, I would note that we have extra
4 seats in the audience. Approximately ten to a
5 dozen. So we will continue this evening with that
6 part of the hearing.

7 Mr. Clark, I think you're next.

8 MR. CLARK: Yes, thank you.

9 If you don't mind, I'm going to sit here,
10 Mr. Moose.

11 MR. MOOSE: Fine.

12 CROSS EXAMINATION

13 BY MR. CLARK:

14 Q. The proposed site of the transfer station,
15 does that have public sewer and water available?

16 A. Yes.

17 Q. And do you anticipate on hooking up to the
18 public sewer?

19 A. We're going to evaluate. The proposal is
20 to try and hook up to the sewer if the capacity is
21 available. If not, we'll use a storage tank.

22 Q. How much capacity will be necessary for a
23 facility like this?

24 A. Probably go with about a 5,000 gallon

1 tank.

2 Q. For a holding tank?

3 A. Yes.

4 Q. If you decided to go that way.

5 Maybe I misunderstood your prior answer.

6 You said you're going to evaluate as to whether or
7 not you're going to use a holding tank or discharge
8 into the sewer?

9 A. Right.

10 Q. When are you going to evaluate it?

11 A. During the final design and permitting
12 process.

13 Q. What factors are you going to look at to
14 make that determination?

15 A. We'll meet with the village and see what
16 the capacity of their system is to handle the flow
17 from our site, which is relatively minor.

18 Q. You're also looking at the types of
19 discharges?

20 A. We will, but the discharge from a transfer
21 station is fairly benign.

22 Q. Even including the waste water runoff?

23 A. Yes.

24 Q. I'm sorry. You understood the question?

1 A. The waste water runoff from washing the
2 floors and --

3 Q. Correct.

4 A. It's fairly benign.

5 Q. And that's something you have to discuss
6 with the village at some point in time, correct?

7 A. Yes.

8 Q. When you located this facility, there are
9 a couple of factors as far as location. One is
10 that it has to be at least 1,000 foot from either a
11 residentially zoned property or a residence,
12 correct?

13 A. Correct.

14 Q. And I note that the one residence located
15 to the west of this site appears to be very close
16 to 1,000 feet.

17 A. Yes.

18 Q. Did you measure from the property boundary
19 where that house is located or from the house
20 itself?

21 A. My recollection it was from the house for
22 the dwelling, and for the residentially zoned area
23 it was from the property boundary.

24 Q. Also with respect to location issues, have

4

1 you met with the authorities for Campbell Airport
2 to discuss this project?

3 A. No.

4 Q. Do you anticipate on doing that prior to
5 -- if you get local siting prior to going to an
6 IPA?

7 A. No.

8 Q. Why not?

9 A. It's beyond the 5,000 feet for
10 notification. It's not within the air space
11 confines of the airport. It's completely indoors
12 operated facility. So it's beyond the FAA
13 guidance. And, you know, the FAA guidance is
14 predicated on much more open air transfer stations,
15 which they look at on a national basis. And in
16 some states, they're much more open than we are
17 proposing. So I just don't think it's germane.

18 Q. Speaking of the facility of being open,
19 you discussed briefly that the doors are going to
20 be used on this facility. And these are the truck
21 doors, doors where the trucks enter or exit the
22 facility, correct?

23 A. Yes.

24 Q. What types of doors are these?

1 A. I call them rubber doors. There's two
2 manufacturers, one's called RYTEK, and I don't
3 recall the other one. They're fast acting fabric
4 rubber doors.

5 Q. Are they overhead doors or do they work
6 laterally?

7 A. They work as a rollup. Like a shutter
8 almost.

9 Q. And how are these doors -- what instigates
10 the operation of these doors? Does somebody have
11 to push a button?

12 A. Depends how we set it up. We've got
13 sensors on some facilities. It automatically
14 detects the presence of a truck, opens the door.

15 Q. And where do you propose these doors to be
16 located?

17 A. On the tipping floor.

18 Q. Are there going to be doors on the
19 transfer trailer side of the facility?

20 A. Yes.

21 Q. Same types of doors?

22 A. I haven't gotten to that detail.
23 Probably. Probably keep all the doors the same.

24 Q. And they will operate either manually or

1 automatically much as you're going to decide on the
2 other doors, correct?

3 A. Correct.

4 Q. You testified earlier a little bit about
5 the types of waste coming in and the fact that you
6 wanted to create some flexibility. When will the
7 majority of the waste come in to the facility from
8 the collection of the vehicles?

9 A. Majority -- the majority of it will arrive
10 between 8:00 or 9:00 o'clock in the morning and
11 3:00 o'clock in the afternoon.

12 Q. And then the intake falls off
13 substantially after 3:00 o'clock in the afternoon,
14 correct?

15 A. Yes.

16 Q. The commercial accounts that the applicant
17 has, commercial collection accounts, when do they
18 customarily pick up those commercial accounts?

19 A. They go all times of the day. So some of
20 them are during the day depending on the account
21 type. But they want -- what we're looking for is
22 flexibility to service.

23 Q. I guess the point is, is that the vast
24 majority of waste will come in between 8:00 or 9:00

1 and 3:30 or 4:00 in the afternoon, correct?

2 A. Yes.

3 Q. Wouldn't it be feasible to close the doors
4 after 4:00 o'clock in the afternoon every day?

5 A. Feasible, yes.

6 Q. Okay. And that would in fact reduce the
7 amount of noise that would exit the facility,
8 correct?

9 A. I don't think the doors are necessary for
10 noise control.

11 Q. But at nighttime -- and you've probably
12 sat out in your backyard at night -- you hear
13 different things than you do during the day,
14 correct?

15 A. Correct.

16 Q. And that's because you don't have the
17 local traffic. And so would you be more likely to
18 hear the backup beeper on a truck at night at
19 9:00 o'clock at night than you would at
20 3:00 o'clock in the afternoon?

21 A. Yes.

22 Q. And so if the doors were kept closed and
23 only open as vehicles entered and exited, would
24 that help reduce that amount of noise it would

1 carry?

2 A. It would reduce the potential.

3 Q. Do you know if the applicant would be
4 willing to accept that as a condition to the siting
5 here today to keep the doors closed between
6 4:00 p.m. and 8:00 a.m. and open them only as
7 needed?

8 A. As I stated, I don't think it's necessary,
9 and I don't know whether they'd be willing to
10 accept the condition.

11 Q. Now, the applicant is asking for a
12 facility and they're anticipating an average of
13 750 tons per day of materials, correct?

14 A. Yes.

15 Q. Does that include municipal solid waste,
16 recyclables and landscape waste?

17 A. Yes.

18 Q. And on some days you anticipate that there
19 would be as much as 900 tons per day?

20 A. Yes.

21 Q. Somebody -- your response to some prior
22 questions related to the 750 ton average, correct?

23 A. Yes.

24 Q. Can you explain what you mean by that?

1 A. Average over the course of a year.

2 Q. On a five and a half day per week?

3 A. Yes.

4 Q. And is that still the commitment of the
5 company?

6 A. Yes.

7 Q. So we don't even need to make that a
8 condition, that's part of the application, correct?

9 A. Correct.

10 Q. Okay.

11 A. Just like street sweeper.

12 Q. Are you familiar with the host agreement
13 for the village that the applicant has entered into
14 with the village?

15 A. I'm aware of it.

16 Q. And are you aware of the agreement that
17 talks about the host benefit fee schedule where the
18 village would receive a per ton fee for 601 to
19 1,000 tons per day?

20 A. I didn't read the financial piece of it.
21 I don't --

22 Q. Is there someone else who -- that's going
23 to be available to testify to give a better answer
24 with regard to this area?

1 A. About the money?

2 Q. Well, about the tonnage I think.

3 A. Well, maybe -- let's try the question
4 maybe.

5 Q. Okay. Assuming that -- and it is part of
6 the application. Assuming that the host benefit
7 fee schedule talks about a tipping -- or a host
8 agreement fee for between 601 tons to 1,000 tons
9 per day, do you know why they put an upper limit of
10 1,000 tons per day?

11 A. I don't -- as I read that -- and, again, I
12 had testified that I had nothing -- I didn't
13 participate in the host agreement. My recollection
14 it had a bracket. It didn't have an upper limit,
15 and it had a different fee for over 1,000 tons to
16 the best of my recollection.

17 Q. Actually, it doesn't, but maybe you're not
18 the right person to ask.

19 A. I didn't take that as an upper limit.

20 Q. But 900 tons per day is an upper limit,
21 correct?

22 A. Well, clearly there's demonstration within
23 the application that would -- can very comfortably
24 handle 900 tons a day. I believe the facility

1 based on previous testimony can handle well in
2 excess of 900, but the demonstration is in there
3 for 900.

4 MR. KARLOVICS: Mr. Hearing Officer, if we
5 could please have the record reflect the presence
6 of Trustee Candy Kennedy at 6:40 p.m.

7 BY MR. CLARK:

8 Q. Do you know what the --

9 A. Go ahead.

10 Q. Do you have the proposed breakdown of
11 material is expected as far as municipal solid
12 waste, recyclables and yard waste?

13 A. About 90 percent of it will be municipal
14 solid waste.

15 Q. And would you anticipate that the yard
16 waste if it's accepted across the street will be
17 directed across the street?

18 A. Yes, I believe so.

19 Q. Is it anticipated that this facility will
20 accept any sort of food scraps or food waste?

21 A. We have not addressed it in the
22 application. You know, it's going to be allowed at
23 certain facilities. I really haven't thought about
24 that to be honest with you.

1 Q. But it's not currently being proposed for
2 this facility?

3 A. It's not part of the siting application.

4 Q. Do you have inherently different issues
5 with food waste as you would municipal solid waste?

6 A. Yes.

7 Q. And what are some of those issues?

8 A. It's wetter, more odiferous. It needs
9 special handling.

10 Q. Do you anticipate on separating any
11 recyclables on the tipping floor?

12 A. No, not really. If we have a rich load of
13 corrugated or something we might push that towards
14 the side and do a little bit of pushing with the
15 end loader but nothing -- not processing, if you
16 will.

17 Q. And no employees on foot separating
18 materials?

19 A. No.

20 Q. The application makes reference to
21 Mr. Groot as the manager I believe at one point in
22 time; is that correct?

23 A. John Groot.

24 Q. Yeah.

1 A. Yeah.

2 Q. But he's not there 24 hours a day?

3 A. Correct.

4 Q. And if the site's going to run 24 hours a
5 day, will there be another designated manager for
6 those other times?

7 A. Yes.

8 Q. And that person can be identified to the
9 village and --

10 A. Yes.

11 Q. -- have access information and telephone
12 numbers and so forth, correct?

13 A. It will be vitally important that there's
14 good communication between the manager and the
15 village and the county.

16 Q. One of the prior pictures that we looked
17 at showed a number of trailers parked on various
18 locations of the site. I think on the east end and
19 then on the east side of the building and directly
20 adjacent to the buildings. Do you anticipate those
21 trailers are going to be full or empty?

22 A. I don't even anticipate those trailers
23 will be there. It was just an example of how many
24 trailers we could park if we needed to. So they

14

1 won't be full, and they won't be present. In fact,
2 I think there's a restriction in the host agreement
3 that requires those trailers to be moved on an
4 overnight basis.

5 Q. Okay. But if a trailer is filled full of
6 waste, will it ever be pulled out and parked in the
7 yard for a period of time?

8 A. It may. It may for a short period of
9 time.

10 Q. 20 minutes?

11 A. Couple hours.

12 Just to continue processing, it may be
13 cued in the yard until the next available tractor
14 is there.

15 Q. Now, in that regard then trailers will be
16 -- and I don't know what the proper term is. Maybe
17 you can help me. A tractor used to just move empty
18 trailers around, what do you call those?

19 A. Shuttle tractor we'll call it.

20 Q. Do you anticipate on having a shuttle
21 track on site?

22 A. We don't anticipate having one right now.
23 I don't think that's -- at this kind of a volume,
24 which is a relatively small volume, I don't think

1 it's going to be needed that frequently. The
2 tipping floor has got a lot of storage capacity on
3 it. So it would be a -- I think it would be a rare
4 occasion when we just don't have trailers -- I mean
5 tractors at the right spot at the right time.

6 Q. And if you're contracting for trailers,
7 I'm assuming you're contracting for the tractors as
8 well?

9 A. Right. So somebody has a breakdown,
10 traffic-related issues, weather-related issues,
11 there may be instances where they're just not
12 arriving on time.

13 Q. But we don't anticipate on any trailers
14 being there -- loaded trailers being parked outside
15 for more than two hours?

16 A. Something on that order. Definitely not
17 overnight and definitely not over the course of a
18 day.

19 Q. You had asked a -- you were asked a number
20 of questions, you gave answers to Mr. Grossmark
21 regarding a cleaning of trailers. Since Groot
22 doesn't own the trailers, will they be cleaning
23 them or the party that they're renting them from be
24 cleaning the trailers?

1 A. I am not able to answer that question on
2 who will be cleaning the trailers.

3 Q. Would you anticipate that the trailers
4 would be cleaned on site?

5 A. No.

6 Q. Do you know what the breakdown is, or
7 would Mr. Werthmann be the better person to ask --
8 the breakdown on the vehicles -- the waste
9 transporting vehicles that come into the site
10 between packer trucks, roll off trucks and other
11 trucks?

12 A. Mr. Werthmann's prepared for that.

13 Q. Now, the application seems to make the
14 driver of the transfer trailers responsible for
15 tarping before they leave the site, correct?

16 A. Correct.

17 Q. How will Groot control that requirement to
18 tarp?

19 A. Well, we have employees. We have six
20 employees on the site. We've provided a facility
21 for them to tarp. And it's against the law for
22 them to drive down the street without it being
23 tarped. So we will -- and it's a fairly simply
24 observation. Groot even has a tarping procedure

17

1 that specifically identifies how the bungee cord
2 arrangement is put on a truck. So, you know, this
3 is something that's done hundreds of times a day.

4 Q. But if you have a bad tarp or a bad strap
5 or a torn tarp, that's when you have problems --

6 A. Correct.

7 Q. -- correct?

8 How will Groot control those types of
9 issues?

10 A. The tarps can usually be repaired fairly
11 easily on site with just some zip ties. Bungee
12 cords, you just replace them.

13 Q. Most of the tarps that are used for waste
14 transfer, they look more like netting?

15 A. Right. Kind of a mesh.

16 Q. Several different places in the
17 application, the applicant indicates that certain
18 inspection records or other types of records would
19 be available to the village on a regular basis,
20 correct?

21 A. Yes.

22 Q. Will that be available to them
23 electronically, or will they have to come in to the
24 facility to garner that information?

1 A. I'm sure we can do it electronically. I
2 had envisioned making copies. But electronically,
3 that's fairly simple.

4 Q. And with the village's permission, would
5 you also make that data available to the solid
6 waste agency?

7 A. Sure.

8 Q. I'd like to ask a couple questions
9 regarding the air exchanges. You had testified
10 previously that there would be four air exchanges
11 hourly?

12 A. Four to six.

13 Q. And that's for the tipping floor area,
14 correct?

15 A. Yes.

16 Q. And is that sufficient to -- if the doors
17 are closed, is that sufficient to protect the
18 people who are working inside?

19 A. Yes.

20 Q. Does the exhaust air need to be treated in
21 any way?

22 A. No.

23 Q. Can it be treated?

24 A. It can be.

1 Q. How can it be treated?

2 A. It can be treated by biofilter. It can be
3 treated by an activated carbon filter. Any number
4 of different types of filtration devices.

5 Q. Have you seen filtration devices used
6 previously for transfer stations?

7 A. Occasionally, yes.

8 Q. And in particular if there's an issue it
9 can be retrofitted?

10 A. Yes.

11 Q. Now, you testified earlier that the -- you
12 wanted the flexibility to have the facility open
13 24/7. And for flexibility purposes, correct?

14 A. Correct.

15 Q. How often do you anticipate that that
16 would happen throughout the course of a year?

17 A. My experience at other facilities of this
18 size and with this client, I would estimate
19 probably a handful, maybe half a dozen or a dozen
20 times a year.

21 Q. And that would be from -- strike that.

22 Would it be possible to make an
23 arrangement with the village to say that the normal
24 operating hours are much narrower than create a

20

1 flexibility by asking the village upon a case by
2 case basis to create a time for waste to be
3 accepted over and above the normal operating hours?

4 A. I have other facilities that are 24 and
5 then require us to notify the appropriate
6 authorities if we intend to stay open overnight.

7 Q. Okay. And you wouldn't be objecting to a
8 condition of that type of notice?

9 A. You know, I -- I'm not sure that I can
10 state whether I'm objecting to conditions.

11 Q. And there's no one here from Groot that
12 can, correct?

13 A. Well, as I said before, I think the
14 application has sufficient evidence in it that
15 exists.

16 Q. Now, Groot recently purchased the property
17 directly to the east of this site, correct?

18 A. They've submitted a bid, and they were a
19 successful bidder for the property. The property
20 has not closed.

21 Q. And does that property abut the railroad
22 spur?

23 A. I believe it does, or it comes pretty
24 close.

1 Q. Does Groot have -- currently have any
2 plans to transfer waste on to train cars?

3 A. No.

4 Q. Would the purchase of this property
5 facilitate that potential in the future?

6 A. You know, I haven't studied it close
7 enough. This site has wetlands and flood plane on
8 it. It's not been developed for a long time for
9 whatever reason, but it's incumbered with some
10 problems. So I'm not sure that's possible. I just
11 haven't looked at it.

12 Q. Would this new property facilitate the
13 compensatory -- creating some compensatory
14 wetlands?

15 A. It could. Again, I haven't studied it.

16 Q. So you may not have to purchase credits
17 for the wetlands, correct?

18 A. Correct.

19 Q. With respect to the internal movement of
20 vehicles and the turning radiuses and so forth,
21 would Mr. Werthmann be the better person to ask
22 questions?

23 A. No, I'll take the internal.

24 Q. So when a vehicle comes in -- and you

1 showed us the video -- it's first going to make
2 almost a complete circle to the scale house,
3 correct?

4 A. Correct.

5 Q. And then it's going to again continue
6 around the west side, around the south side and
7 then turn in to the doors on the south side --
8 southeast side of the building, correct?

9 A. Correct.

10 Q. What is the distance from the edge of the
11 asphalt to the building to determine if they can
12 make that left-hand turn?

13 A. All of the turns have been computer
14 modeled with a program called auto turn. So I
15 don't know the distance as I sit here. But all of
16 the turning movements on that site going in and out
17 and on site have been developed to check the
18 turning radiuses of all the vehicles that it
19 propose to uses.

20 Q. What if there's vehicles being stored on
21 the edge of the site? The application made
22 reference to storing access vehicles.

23 A. Well, we're not going to -- again, there
24 was an illustration that showed vehicle cueing

1 along the south border, again, just as an
2 illustrative example. I don't envision us ever
3 needing that, especially since we're not allowed to
4 store transport trailers there overnight. So it
5 doesn't make any sense for us to have them all
6 there to begin with, especially when we've got
7 other places to put things.

8 So the auto turn is a nationally
9 recognized computer program that takes the vehicle,
10 and you input the speed of the vehicle. And then
11 it helps you design those geometrics. And every
12 turning movement in this facility has been designed
13 using the auto turn program.

14 Q. You said that you don't anticipate on
15 storing any vehicles -- any loaded vehicles there
16 overnight. Does that include inside the structure?

17 A. There may be one inside the structure
18 we're going to be operating the next morning
19 partially full or full if we can't get up to the
20 landfill in time.

21 Q. Do you anticipate that on more than one
22 vehicle being stored then inside overnight with a
23 load or a part of a load?

24 A. I think you could -- I think I can

1 envision two. You may have one with source
2 separate and recyclables and one with waste.

3 Q. And are the recyclable transfer vehicles
4 going to go out on a daily basis as well?

5 A. Yes.

6 Q. Now, Groot is going to operate this
7 facility themselves, correct?

8 A. Yes.

9 Q. You made reference earlier to the random
10 load checks of three a week.

11 A. Yes.

12 Q. Do you recall that testimony?

13 Will the operator of the end loader be
14 getting out of his vehicle to check that waste or
15 will he check it from the cab of the vehicle?

16 A. Well, I'm not sure it will be the end
17 loader operator, but it will be somebody that has
18 to get out of the vehicle. You're not going to be
19 able to go through the waste. Normally what we do
20 is pick a portion of the transfer station, direct a
21 truck to discharge load, and use the end loader or
22 some piece of equipment to spread it out. We have
23 a standardized form. And then the inspector goes
24 through and looks for anything that might be

1 unauthorized. That form is then kept on file.

2 Q. Would that include opening trash bags?

3 A. It could but not usually.

4 MR. CLARK: That's all I have.

5 MR. LUETKEHANS: Mr. Sechen, I think you're
6 next, right?

7 MR. SECHEN: I am.

8 CROSS EXAMINATION

9 BY MR. SECHEN:

10 Q. Mr. Moose, you don't expect the facility
11 once it starts operation to be running at the
12 equivalent of 750 tons a day, do you?

13 A. No.

14 Q. How long does it take a facility such as
15 -- typically in your experience to wrap up to its
16 intended volume?

17 A. You know, it can take years. It depends a
18 lot on the market. It depends on whether or not --
19 what year Countryside closes. There will be a ramp
20 up, and initially I would expect that primarily all
21 of the waste going into the transfer station would
22 be Groot's own waste. And then over time as
23 landfills close, additional volume will come out of
24 both lines.

1 Q. What would you expect for a daily tonnage
2 initially?

3 A. I would think in the first year you'd be
4 down around four or 500.

5 Q. And in the second year it will ramp a
6 little bit typically?

7 A. Hopefully.

8 Q. Now, the odors that everybody's been
9 talking about, the perspective odors that they're
10 thinking of, this particular facility you're
11 essentially drawing a vacuum on; is that correct?

12 A. Yes.

13 Q. So you essentially have air movement
14 through any open doors into the facility; is that
15 accurate?

16 A. Yes.

17 Q. Any idea what the rate of that air
18 movement would be?

19 A. Well, no, not the rate, the volume. The
20 rate would depend on the size of the opening. So
21 if you measured the rate at the intake loopers, the
22 rate would be much higher than if you measured in
23 the open space. The idea is to bring the air in
24 and dilute it. So -- and then discharge it. Now,

27

1 that is -- there's certain -- I don't know the
2 building codes specifically for this town, we will
3 if we're approved. And that requires the air
4 changes per hour for workers' safety inside. So we
5 have to make it safe for the workers inside the
6 building who work there all day long.

7 Q. The number of air changes, is that
8 typically a maximum or a minimum number of changes?

9 A. Usually minimum. Most of the places I'm
10 working and facilities that we do are in that four
11 to six range.

12 Q. Now, you're not proposing a filter of any
13 sort on the output from the system that you have,
14 which is effectively drawing this vacuum, are you?

15 A. No, I'm not.

16 Q. And where in this structure will the
17 exhaust for this system be?

18 A. On the roof.

19 Q. And through one or more exit points on the
20 roof?

21 A. Correct.

22 Q. Well, which is it? One or more?

23 A. Oh, more than one.

24 Q. How many?

1 A. You know, we don't know yet. There will
2 probably be six or eight. The final design of the
3 whole air handling equipment's really more of a
4 final design detail.

5 Q. Now, you've designed transfer facilities
6 with filters in the output air over the years,
7 haven't you?

8 A. I have.

9 Q. And the Wheeling Township Transfer Station
10 is one of them --

11 A. Yes.

12 Q. -- am I correct?

13 And this facility is very much like the
14 Wheeling Township Transfer Station except smaller?

15 A. It's smaller, but it's the same concept.
16 It's a drive-thru facility. I installed an
17 activated carbon filter system on the Wheeling
18 Township which is now called the Glenview Transfer
19 Station.

20 Q. I'm aging myself. Sorry.

21 A. And largely it was un-required and the
22 facility has been disabled for ten years.

23 Q. Now, you mentioned the procedure that an
24 odorous load should you receive one would be taken

1 and put I assume on the transfer trailer rapidly as
2 opposed to the first in/first out normal order?

3 A. Correct.

4 Q. How would the determination that the
5 odorous be made and who would make it?

6 A. Through the people that work at the
7 station every day. I mean, being able to identify
8 odor, we all know how to do that. You don't have
9 to be an expert in odor.

10 Q. Is anybody assigned that particular duty
11 to make that call?

12 A. Everybody's got the training to do it.
13 Everybody's got the training in it. I think the
14 most likely person to see it first would be the end
15 loader operator.

16 Q. Does that person have a duty to make that
17 call?

18 A. Everybody has the duty to make that call.

19 Q. Now, when the load is --

20 A. And -- I'm sorry. Go ahead.

21 Q. When a load is placed on the transfer
22 floor, can you tell me which station personnel
23 might typically be viewing that particular load as
24 it's dumped on the floor?

1 A. As it's dumped on the floor, there's an
2 end loader operator and grapple operator. We'll
3 also have two laborers that will be patrolling
4 either the building or the grounds. Many times,
5 especially during busy parts of the day, they'll be
6 in the transfer station just helping direct traffic
7 and looking at the waste as it's discharged. And
8 since they work in the transfer station, there's an
9 incentive for them to get -- if there's a stinky
10 load to get it out of there. They're motivated to
11 get it out of there.

12 Q. They're working there too.

13 A. Yes.

14 Q. So then with respect to the load itself
15 more than potential odorous materials, just looking
16 for things that shouldn't be in that load, let's
17 call it unacceptable waste if you will, you have
18 essentially four transfer station personnel that
19 are viewing that load through the entire process --
20 or portions of the process?

21 A. Correct.

22 Q. And the last person would be the grapple
23 operator?

24 A. Yes.

1 Q. And is there a procedure if the grapple
2 operator picks up or is about to pick up a load of
3 something and something is identified as being
4 potentially unacceptable?

5 A. Yes.

6 Q. Can you tell us what that is?

7 A. Depending on the material, if it's a tire,
8 wet good, similar material like that, we've got
9 some storage on site in an area that we're going to
10 store those on site until we have a full load of
11 those materials, and they'll go to the appropriate
12 recycler. If it's a hazardous waste or liquid
13 waste, there's a procedure where we cordon off the
14 area and then we call in a response team to come
15 and clean it up -- an emergency response
16 contractor.

17 MR. SECHEN: I have nothing further.

18 MR. LUETKEHANS: Mr. Helsten, I assume you have
19 some redirect. I have a few followups before, so
20 let's run through those.

21 Some clarification mostly, Mr. Moose, and
22 then I have a few questions from one of the
23 residents.

24 Before I do, I know that we have some

1 public in here that was probably not in here
2 earlier today. So we're getting close to
3 finalizing tonight at this point. If you wish to
4 -- if anyone in the public wishes to cross examine,
5 ask questions of the witnesses or present evidence,
6 outside on the table there's a form, I think it's
7 appearance of public participant or public
8 participation, I don't remember what the right name
9 is, that you can fill out, hand in before the end
10 of the evening, and you will be able to ask
11 questions. If you at any time just have questions
12 you want me to ask, feel free to bring them up
13 here, say you have questions, we'll be happy to ask
14 those. The board here wants as much participation
15 as possible from the public. So if anybody has
16 questions, et cetera, please feel free. We don't
17 -- we're not trying to intimidate you by the
18 process, we're trying to be inclusive.

19 EXAMINATION

20 BY MR. LUETKEHANS:

21 Q. Mr. Moose --

22 A. Yes, sir.

23 Q. -- I think you said -- and you and

24 Mr. Sechen and a lot of other people here know this

33

1 business better than I do in this area, you said
2 the facility has -- I think we were talking about
3 Wheeling or now known as Glenview -- the facility
4 was -- has been dismantled for ten years. Were you
5 talking about the facility itself or the air
6 filtration system?

7 A. The air filtration system.

8 Q. Okay. Thanks.

9 And I've read the application, but I'll be
10 honest with you, I probably didn't read it as close
11 as everybody else here or read it as often as
12 everybody else. The -- is there a -- we've talked
13 a lot about the 750 tons per day average and half
14 that I assume on a Saturday just because it's half
15 the hours.

16 A. Yes.

17 Q. Is there an annual limit in your
18 application? That's what I'm trying to understand.
19 How does that 750 and 375 kind of qualify out over
20 -- I mean, I can do the math times however many
21 days, but is there an annual limit or is this just
22 an average?

23 A. It's just an average.

24 Q. Okay. I just wanted to be clear about

1 that. I wasn't sure.

2 Q. In the application or in the safety
3 program, is there a timing of how often the
4 training is to be done? Is that part of the
5 procedures that it's here or is that somewhere else
6 that's going to be --

7 A. There's not a timing. Obviously the
8 training all has to occur before the employees can
9 be deployed and the facility can open. Normally
10 this is done on an ongoing basis. So new employees
11 would be trained and brown bags are typically held
12 once a week. Brown bag is where you get started in
13 the morning. That's a safety minute and you talk
14 about safety, you talk about operational
15 improvements for the facility.

16 Q. So kind of like updates and keeping people
17 advised of the problems that --

18 A. Right.

19 Q. -- or things to watch out for?

20 I don't know if you're the right person
21 for this or not, but I did notice I think that
22 there was no landscaping buffer on the north and
23 the east sides.

24 A. Chris Lannert would be --

1 MR. LUETKEHANS: Okay. That's all the followup
2 questions I had, Mr. Moose.

3 Mr. Brian Smith is a resident of Timber
4 Creek. He's asking me to ask the following
5 questions. And as I told him, you may or may not
6 be the person to answer these. And if not, we'll
7 follow these up at a future night with the proper
8 person which may again be Mr. Lannert.

9 The first question is per criteria two as
10 to location, were any other locations looked at
11 first of all? Are you --

12 MR. MOOSE: I am responsible for that. I'm not
13 sure how it goes to criterion two, but I was asked
14 and hired by Groot five or six years ago to help
15 identify potential locations within Lake County.
16 And I at some point found this site.

17 MR. LUETKEHANS: So his question is did you
18 look at other locations as well.

19 MR. MOOSE: Yes.

20 MR. LUETKEHANS: And his question is were you
21 not able to find an area that was more than a half
22 a mile away from a residence?

23 MR. MOOSE: This meets the residential setback.

24 MR. LUETKEHANS: Do you recall looking at any

1 areas that were more than -- that had greater
2 distances is his question. And I understand it
3 meets the 1,000 feet, et cetera. But do you recall
4 looking at any other particular areas that more
5 maximized for lack of a better word that distance?

6 MR. MOOSE: Not that worked for other reasons.

7 MR. LUETKEHANS: Such as? And I'm not looking
8 for specific --

9 MR. MOOSE: No water for fire protection.

10 MR. LUETKEHANS: The next question is certain
11 people wanted to put a transfer station near a
12 residential subdivision in Cary -- I think it is.

13 Is that right, Mr. Smith?

14 MR. SMITH: Yes.

15 MR. LUETKEHANS: Okay. I just wanted to make
16 sure I was reading that right.

17 -- within 1500 feet. While it was in line
18 with the siting criteria, the Village of Cary did
19 not want one in their town. Waste Management ended
20 up finding a place in Crystal Lake that is more
21 than a half mile from any resident. Could Groot
22 find a less dense area of population to put their
23 transfer station in?

24 MR. MOOSE: I identified and did the Crystal

1 Lake Transfer Station, so I'm very familiar with
2 it. I spent a lot of energy and a lot of time
3 looking for sites within Lake County. I have
4 looked at air photos of everything along the
5 tollway corridor, and there's no land available
6 that I found in the southern two thirds east of the
7 tollway and anywhere near the tollway. There's one
8 or two sites that may meet the setback but have
9 access or water issues in that there's not publicly
10 available water. I think the county is correct in
11 that they need to try and identify these sites
12 early before the other facilities close.

13 What happened in DuPage County is they
14 waited so long that by the time they got to it,
15 there was only one site left within the entire
16 county.

17 MR. LUETKEHANS: Okay. Again, now from
18 Mr. Smith that he's at least comfortable that I
19 asked the questions, maybe not the answers, but at
20 least the questions.

21 Next, Mr. Helsten, does the applicant have
22 any further questions of Mr. Moose?

23 MR. HELSTEN: No redirect, Mr. Hearing Officer.

24 MR. LUETKEHANS: I assume there's nothing from

1 anyone else.

2 MR. BLAZER: I have some re-cross.

3 MR. LUETKEHANS: Okay, Mr. Blazer. It will be
4 limited obviously to what was brought on after you.

5 MR. HELSTEN: There's no re-cross because I
6 didn't redirect.

7 MR. LUETKEHANS: Well, I think he -- well,
8 here, let's hear the questions. I'm not going to
9 let him go into new areas that were not something
10 he's clarifying from other people. But let's see
11 what happen here.

12 RE CROSS EXAMINATION

13 BY MR. BLAZER:

14 Q. Mr. Moose, you just testified that you
15 were involved in assisting Groot in finding this
16 location; is that correct?

17 A. Yes.

18 Q. When did Groot acquire this location?

19 A. I don't know the date. I would say four
20 or five years ago.

21 Q. Now, in response to some questions from
22 Mr. Grossmark regarding coating the floor.
23 Remember those questions?

24 A. Yes.

1 Q. And you said you don't like that because
2 the coatings have metal flakes in them and they
3 rust and because they only come in black, is
4 that -- did I --

5 A. Partially, yes.

6 Q. Have you ever heard of polymer industrial
7 floor coating systems?

8 A. No.

9 Q. Have you ever heard of epoxy industrial
10 coating systems?

11 A. I've heard of epoxy polymer coatings but
12 not -- are those company names you're trying to
13 identify?

14 Q. No, those are products.

15 A. I'm familiar with them.

16 Q. And have you ever heard of a product name
17 or a brand name known Florock, F-l-o-r-o-c-k?

18 A. That does not ring a bell.

19 Q. So you're not aware that those industrial
20 floor coating products come in multiple colors,
21 don't contain any metal and are used in industrial
22 facilities all over the world?

23 A. Not in transfer stations.

24 Q. In response to some of Mr. Grossmark's

1 questions regarding, again, overnight operations,
2 24/7 operations, you were mainly it sounded like
3 focussing on exigent circumstances, snow storms,
4 things like that, correct?

5 A. Yes, and as well as to service commercial
6 clients.

7 Q. Right. But servicing commercial clients
8 are not emergency situations, right?

9 A. But I also testified that 24 hours
10 necessary to service certain commercial clients.

11 Q. And I can't remember who asked you this,
12 sorry, I lost track, but you were asked a question
13 about the doors, what you refer to as the rubber
14 doors, and you identified a product known as Rytex
15 doors, do you remember testifying to that?

16 A. Yes.

17 Q. That's R-y-t-e-k, correct?

18 A. I think so.

19 Q. Those are doors that open up at
20 approximately 50 inches per second?

21 A. They're fast doors.

22 Q. They're dual electric photo eye doors that
23 are installed in side columns and reversing edge on
24 the bottom bar? Does that sound familiar?

1 A. I spec'd them out at my transfer stations.
2 I have 200 construction with those doors already
3 being built as we speak.

4 Q. Those are the doors that you're specifying
5 for this facility?

6 A. I'm not specifying that manufacturer. I
7 I'm specifying a type of door with certain
8 performance characteristics. Two manufacturers
9 right now can meet that.

10 Q. Rytek is one of them?

11 A. Rytek is one of them.

12 Q. And those doors, as I understand it, the
13 way they work is a truck approaches the door and an
14 electric eye senses the truck and the door opens
15 up, the truck goes in and then the door shuts
16 again, correct?

17 A. Those are the doors that I spec'd and
18 installed at the Glenview Transfer Station.

19 Q. Then why do the doors have to remain open
20 22 hours a day when these doors open and close
21 automatically when a truck approaches them?

22 MR. HELSTEN: Objection, this has all been
23 asked and answered.

24 MR. BLAZER: Not about these doors we haven't.

1 MR. LUETKEHANS: Objection overruled.

2 MR. MOOSE: Doors are doors. I don't think
3 it's necessary to close each door after each truck.
4 The 20 some transfer stations that I've permitted
5 have demonstrated that even more so with a transfer
6 station that is a drive-thru facility. You won't
7 be able to see the tipping. Frankly, I like the
8 flexibility to leave them open some days if I want.
9 The Glenview Transfer Station has the system that
10 you speak of that I spec'd and changed out six
11 years ago maybe that has the electronic eye, and it
12 is operated by Groot. And even at that station
13 they override the system sometimes and leave the
14 doors open.

15 BY MR. BLAZER:

16 Q. So in response to my question, it's
17 because you don't think they're necessary?

18 A. That's what I'm saying. Otherwise they
19 would have been in the application.

20 Q. I believe this was in response to a
21 question from Mr. Clark. He asked you about food
22 waste?

23 A. Yes.

24 Q. Assuming it's approved, this will be a

1 municipal solid waste transfer station, correct?

2 A. Yes.

3 Q. And municipal solid waste includes
4 garbage?

5 A. Yes.

6 Q. General household and commercial waste?

7 A. Yes.

8 Q. Industrial lunchroom or office waste?

9 A. Yes.

10 Q. Landscape waste?

11 A. Yes.

12 Q. And construction or demolition debris,
13 right?

14 A. Yes, but we're not planning on taking it.

15 Q. Right. But you do plan on taking all the
16 other ones, right?

17 A. Yes.

18 Q. All right. Then just finally on this
19 issue of the odor controls that everybody's been
20 asking you about. Is the plan to remove all waste
21 at the end of each operating day every day?

22 A. Yes, off the tipping floor.

23 Q. And is the plan to not allow any waste to
24 remain on site overnight at any point in time?

1 A. No.

2 Q. All right. Is the plan to install misting
3 systems with deodorants to mask or neutralize
4 odors?

5 A. Yes.

6 Q. Is the plan to install ventilation systems
7 with air filters or scrubbers?

8 A. No.

9 Q. Is the plan to use odor vestibules on
10 truck entrances and exits?

11 A. No.

12 Q. Could you explain what odor vestibules
13 are?

14 A. It's an air lock where a truck enters --
15 opens a door -- a door opens, truck enters an air
16 lock, door closes behind it, and another door opens
17 to allow the truck to enter.

18 Q. Is the plan to install plastic curtains on
19 entrances and exits to contain odors when doors
20 are opened to allow vehicles to enter or exit?

21 A. No.

22 Q. Is the plan to use biofilters which pass
23 malodorous air through organic matter such as wood
24 chips, mulch or soil to capture odor molecules?

1 A. No.

2 MR. LUETKEHANS: Mr. Blazer, I'm going to --
3 we're getting a little far off than clarification
4 of questions that were asked --

5 MR. BLAZER: That was my last question.

6 MR. LUETKEHANS: Okay.

7 MR. BLAZER: Thank you.

8 MR. LUETKEHANS: Mr. Helsten, do you have
9 anything in response to that in particular?

10 MR. HELSTEN: No.

11 MR. LUETKEHANS: Thank you. Okay --

12 MR. CLARK: Mr. Hearing Officer?

13 MR. LUETKEHANS: Yes, Mr. Clark.

14 MR. CLARK: I do have one question if I may
15 have your indulgence?

16 MR. LUETKEHANS: Okay.

17 RE CROSS EXAMINATION

18 BY MR. CLARK:

19 Q. Do you have any idea of when the applicant
20 will reach the maximum 750 tons per day?

21 A. As soon as he can.

22 MR. CLARK: Fair enough.

23 MR. LUETKEHANS: Okay.

24 MR. GROSSMARK: Mr. Hearing Officer, a couple?

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1 MR. LUETKEHANS: Quickly, please.

2 RE CROSS EXAMINATION

3 BY MR. GROSSMARK:

4 Q. I'm not sure I heard this answer --

5 A. I'm sorry?

6 Q. I think counsel asked you about whether
7 you'd be willing to ask the village for permission
8 to accept waste beyond certain daily hour
9 requirements or prohibitions on Sundays and
10 holidays. And I think you testified that for other
11 facilities, there are examples that you can think
12 of where Groot provides notice.

13 A. I'm not sure about Groot, but there are
14 other facilities that have operating plans that
15 require the operator to notify the village if
16 they're going to be open past normal operating
17 hours.

18 Q. But you do not agree that with the notion
19 that Groot be required to ask for permission to
20 operate beyond certain times Monday through Friday
21 and then on Saturday, you don't agree with that,
22 correct?

23 A. Correct.

24 Q. The system draws -- the negative pressure

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1 system in the building will draw air into the
2 building, correct?

3 A. Yes.

4 Q. And that will contain odors, is that the
5 goal of it?

6 A. No, the air coming in will be the ambient
7 air.

8 Q. What's the purpose of that?

9 A. To keep the air quality within the
10 building to safe levels.

11 Q. And what's the purpose of the four to six
12 times per hour recycling the air?

13 A. To keep the air quality in the building to
14 safe levels and to dilute the air with fresh --
15 the air within the building with fresh air
16 constantly. Kind of like opening a window of your
17 car.

18 Q. It's discharged outside through the roof
19 with no treatment?

20 A. Correct. The same as virtually every
21 transfer station in Illinois currently operates.

22 Q. You were asked whether there was some
23 annual limit that Groot is applying for, and the
24 answer to that, for that quantity of waste taken

1 during the year, the answer to that is no?

2 A. Correct.

3 MR. GROSSMARK: Thank you.

4 MR. SECHEN: Just one or two questions, if I
5 may.

6 MR. LUETKEHANS: Mr. Sechen, you guys are going
7 to make me not want to redirect to give you guys
8 this opportunity if you're not careful. So,
9 please, go ahead.

10 RE CROSS EXAMINATION

11 BY MR. SECHEN:

12 Q. Mr. Moose, Mr. Grossmark asked you about
13 the air being sucked back into the building under
14 vacuum. Will that tend to minimize the amount of
15 air containing odors or otherwise that might escape
16 through open doors?

17 A. Yes, because the air will be coming in,
18 not going out.

19 MR. SECHEN: Thank you.

20 MR. LUETKEHANS: Thank you, Mr. Moose. You're
21 done for this evening until you come back whenever
22 for your next criteria.

23 Mr. Helsten, I think I heard but why don't
24 you say it for the record what we've got going

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1 tomorrow and what you think the timing is if you
2 could please.

3 MR. HELSTEN: Well, Mr. Hearing Officer, we had
4 originally thought about earlier, as I indicated
5 before dinner break, Mr. Werthmann on but then
6 prompted by several requests, and we've
7 communicated this to the other participants and
8 with your approval, we think we would change
9 schedule. The county had asked, as I understand
10 it, just of their inquiry was could we put on
11 Mr. Werthmann Wednesday morning which would
12 coordinate with availability of their traffic
13 expert to be here and to see Mr. Werthmann testify
14 and to offer his comment. So of course we're going
15 to accommodate that.

16 Mr. Poletti I believe would like to be
17 back in the St. Louis area, if possible, on
18 Wednesday. So what we would propose is the
19 following: Mr. Lannert kickoff tomorrow on the
20 first part of criterion three, the minimizing
21 compatibility with the surrounding area. Then
22 since the second part of that is Mr. Poletti, it's
23 only logical to address the second part after
24 Mr. Lannert which is minimizing effects on property

1 values. So we would take Mr. Lannert, start with
2 him. Then we would go to Mr. Poletti. And then
3 since Mr. Werthmann -- since the county has asked
4 he go on Wednesday, which again we want to
5 accommodate, we would put Ms. Seibert on after that
6 on the need issue. And if necess -- if we have
7 time, we could always put Mr. Moose on on criterion
8 8, plan consistency.

9 MR. LUETKEHANS: Okay. Is there any objection
10 to that given the fact that there was a prior
11 schedule? I assume the parties have agreed to this
12 and there's no objection.

13 MR. GROSSMARK: No objection.

14 MR. CLARK: No objection.

15 MR. BLAZER: No objection.

16 MR. LUETKEHANS: Thank you. Hearing that, that
17 will be tomorrow's schedule. And realistically,
18 we'll see where we get. We'll get as far as we
19 can.

20 If anyone has any appearances of public
21 participation I have not -- or public participants,
22 I have not received any. But if anyone has any,
23 please file them with us here in the next five
24 minutes. Otherwise, we will proceed as if the only

1 people who are participating are the attorneys who
2 have been participating so far throughout this
3 process and I'm sure covering every point of view
4 already. So everybody have a nice night, and thank
5 you very much. We'll see you at noon tomorrow.

6 MR. MUELLER: Will you be taking public comment
7 tonight?

8 MR. LUETKEHANS: Just at 3:00 o'clock. We took
9 it at 3:00. We're set up for tomorrow as well --
10 we're set up every day, but today was 3:00 o'clock.
11 Just so everybody's aware who's here, just one last
12 thing, I apologize, tomorrow public comment is
13 scheduled for noon and on Wednesday at 8:00 p.m.
14 for those of you who have to work during the day.
15 Thank you, everyone.

16 (Whereupon, which were all.
17 the proceedings had.)

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1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)
4

5 Susan R. Gallo, as an Officer of the
6 Court, says that she is a Certified Shorthand
7 Reporter doing business in the State of Illinois;
8 that she reported in shorthand the proceedings of
9 said evidence deposition; that the foregoing is a
10 true and correct transcript of her shorthand notes
11 so taken as aforesaid and contains the proceedings
12 given at said evidence deposition.

13 IN TESTIMONY WHEREOF: I hereunto set my
14 verified digital signature this 24th day of
15 September, 2013.

16

17





18

Illinois Certified Shorthand Reporter

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