

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

IN RE: APPLICATION FOR LOCAL SITING)
APPROVAL FOR GROOT INDUSTRIES) 3-01
LAKE TRANSFER STATION,)

Transcript of proceedings at the hearing
of the above-entitled cause on the 30th day of
September, 2013, at the hour of 7:00 o'clock p.m.
(Proceedings concluded at 8:16 p.m.)

REPORTED BY: LISA M. BRINGLE, CSR

LICENSE NO.: 084-003301

1 APPEARANCES:

2 SCHIROTT, LUETKEHANS & GARNER, LLC,
BY: MR. PHILLIP A. LUETKEHANS

3 The Hearing Officer;

4 HINSHAW & CULBERTSON,
BY: MR. RICHARD PORTER

5 On behalf of Groot Industries;
6 THE LAW OFFICES OF RUDOLPH F. MAGNA,
BY: MR. PETER S. KARLOVICS

7 On behalf of Board of Trustees
of the Village of Round Lake
8 Park;

9
10 THE SECHEN LAW GROUP, P.C.,
BY: MR. GLENN C. SECHEN
On behalf of Village of Round Lake
11 Park;

12 TRESSLER, LLP,
BY: MR. STEPHEN T. GROSSMARK
13 On behalf of the Village of
Round Lake;

14
15 JEEP & BLAZER, LLC,
BY: MR. MICHAEL S. BLAZER
On behalf of Timber Creek
16 Homes, Inc.;

17 MR. LARRY M. CLARK
On behalf of the Solid Waste Agency
18 of Lake County, Illinois.

19 ALSO PRESENT:

20 MS. PAT WILLIAMS,
Village of Round Lake Park Trustee;
21 MS. RAE ANNE McCARTY,
Village of Round Lake Park Trustee;
22 and other Trustees previously listed.

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

I N D E X

PUBLIC COMMENTS	PAGE
By Nancy Piscitello	4
By Michael Carbone	8

WITNESS	DX	CX	RDX	RCX
CHARLES M. McGINLEY				
By Mr. Sechen			15	
Exam by the Hearing Officer.			Page 29	
By Mr. Blazer			30	
By Mr. Porter			32	

Question of Brian Smith to Devin MoosePage 47

E X H I B I T S

NUMBER	RECEIVED
TCH Exhibit	
No. 3	42
No. 4	43
Nos. 41 and 42	43
Groot Exhibits	
No. 10	44

1 THE HEARING OFFICER: I've got 7:00 o'clock, so
2 we are bringing the proceeding back to order.

3 First, we have scheduled public comment
4 for 7:00 o'clock. So is there anyone here for
5 public comment that wishes to make public comment
6 tonight?

7 Okay. The lady in the pink, if you'll
8 come over and -- I'm sorry. Come right here if you
9 wish. The mic right in front of me is working.
10 And you if you want to stand at the lectern or
11 whatever is easiest for you.

12 MS. PISCITELLO: Hi. I'm Nancy Piscitello.

13 THE HEARING OFFICER: Okay. Nancy, if you
14 could spell your last name, and why don't you
15 provide your address.

16 MS. PISCITELLO: It's P-i-s-c-i-t-e-l-l-o.

17 THE HEARING OFFICER: Okay. And your address?

18 MS. PISCITELLO: 512 West Wildspring in Round
19 Lake.

20 THE HEARING OFFICER: Okay. Please proceed.

21 MS. PISCITELLO: I just wanted to say that I
22 live like within a mile of where they want to put
23 this transfer station -- or half a mile, excuse me.
24 And I've been there 15 years. And I always plant

4

1 flowers around my front door and in my garden that
2 have scent to them, lavender and exotic lilies, and
3 the reason I do that is because I think that the
4 fragrance is really nice, and I want people when
5 they want to come to my house to be able to smell
6 that and have a good feeling. And I feel really
7 bad that the county and that Round Lake Park get to
8 make the decision that now my house is going to
9 smell like garbage because we all know it does. It
10 does at all of the other transfer stations. So I
11 just wanted to state that. I'm not really happy,
12 and if there was any way that I know how to get us
13 out of this, we'd be out of it.

14 THE HEARING OFFICER: Thank you, and I'll call
15 you Nancy because I'm not sure I can do your last
16 name justice, but thank you for your time and thank
17 you for coming.

18 Mr. Smith, I know you do, and then we'll
19 let the gentleman in the back. Mr. Smith first,
20 though, if you would. I know you've been waiting.

21 MR. SMITH: This is going to be hard for me.
22 I'm not used to public speaking.

23 THE HEARING OFFICER: That's okay. Take your
24 time. No one is great at it.

1 MR. SMITH: That's fine.

2 MS. PISCITELLO: Why didn't you say that to me?

3 THE HEARING OFFICER: Because you didn't say
4 you were afraid of public speaking.

5 MS. PISCITELLO: You could tell.

6 MR. SMITH: My name is Brian Smith. I live at
7 204 New House Lane in Round Lake Park. I live
8 about 1300 feet away from the proposed Groot site,
9 and the one question I have, I have one question
10 concerning Criterion vii for the siting
11 application. And Criterion vii reads, "If the
12 facility will be treating, storing or disposing" --

13 MR. PORTER: I'm sorry for interrupting,
14 Mr. Hearing Officer. We are willing and able to
15 allow Mr. Moose to answer Mr. Smith's questions.
16 One of the things you asked us earlier --

17 THE HEARING OFFICER: Yes. Let me --
18 Mr. Smith, is this one of the questions you want
19 answered, or is this part of a public statement you
20 wish to make?

21 MR. SMITH: Actually, this was a question. We
22 had talked about it previously and --

23 THE HEARING OFFICER: Okay. When Mr. McGinley
24 is done -- I assume by your statement, Mr. Porter,

6

1 that you're willing to let Mr. Moose answer his
2 question?

3 MR. PORTER: Yes.

4 THE HEARING OFFICER: Okay. If you have public
5 comment you wish to make now other than your
6 question --

7 MR. SMITH: No, I do not.

8 THE HEARING OFFICER: Okay. So we'll let you
9 ask Mr. Moose his question when we are done with
10 Mr. McGinley and after public comment.

11 We have one other gentleman that has
12 something he wishes to say at least, and then we'll
13 get to you after that, Mr. Smith, if that's
14 acceptable.

15 MR. SMITH: Okay. Thank you.

16 THE HEARING OFFICER: Thank you.

17 MR. KARLOVICS: Mr. Hearing Officer, could the
18 record, please, reflect the presence of Trustee Pat
19 Williams at 7:00 p.m.

20 THE HEARING OFFICER: Yes, and all of the
21 trustees that were here before the break are still
22 here.

23 Sir, please proceed.

24 MR. CARBONE: First of all, I would like to

1 thank you for allowing me to be able to speak and
2 give testimony this evening. My name is Michael
3 Carbone. That's C-a-r-b-o-n-e. I was a former
4 resident of Round Lake. I just moved in June of
5 this year. Part of the reason which made my
6 decision was because of this transfer station or
7 EcoPark, as I'm hearing it's called, being
8 developed into the Round Lake Park area.

9 So the past year I've been around, and I
10 learned a lot of things about transfer stations,
11 EcoParks, and I have to tell you, it's been a huge
12 eye opener.

13 I found myself asking the same questions
14 every time about the issue about these transfer
15 stations; what is it going to do to the community?
16 How is the community going to benefit from
17 installing this device or system?

18 So let me paint a picture because I went
19 down to Batavia and talked to folks and went to
20 some other transfer stations to find out so I could
21 learn as a community member, as a taxpayer, how
22 does it benefit.

23 So here is the picture I'd like to paint.
24 Winds travel east and west. The homes that lie

1 near them are going to get a good whiff of this
2 dump. That's just going to happen. How do I know
3 this? I've been to them, and they all look and
4 smell the same. They can put all of the little
5 scent things in there now and in the dead of winter
6 when the air doesn't travel very far. Like I said,
7 in Batavia, for instance, a home that is one radial
8 mile from the transfer station, however, on a nice
9 hot day with the right breeze, having the family
10 over for a nice barbecue is really not the best
11 thing you should do in that community. So cancel
12 your family barbecue. That's what I heard from one
13 homeowner that I've met that lived in that area.

14 To me, that's not a benefit, and that is a
15 risk of people moving, like myself, and property
16 values going way down.

17 You can look at Prairie Crossing. I know
18 Prairie Crossing has an actual dump, but they also
19 have a recycling transfer station, and you can
20 decipher which one smells different from one
21 another. Those homes have lost over 50 percent in
22 value, which were once \$400,000 now about \$200,000.
23 To me, that's not a benefit.

24 So tell me the pros and cons. Tell me

1 what the benefits versus the risks are. How much
2 revenue does this bring to you, to the Village of
3 Round Lake Park, and I think I saw numbers which,
4 and correct me if I'm wrong, maybe \$100, \$120,000
5 in revenue, which is good for the size of the
6 Village of Round Lake Park. I don't disagree with
7 that.

8 Let me ask you, have you spoke to other
9 community members or villages next to you that
10 borders Round Lake Park? Did you work with Round
11 Lake and talk with them how their citizens will
12 feel about this? Did you go to Hainesville and
13 talk to them?

14 When I spoke to the director of Batavia,
15 she says the first thing that their company does is
16 they go out and do a PR campaign to see if it's
17 going to work for both the community and for their
18 company. That I don't believe was done. Correct
19 me if I'm wrong.

20 This transfer station is a real bad idea.
21 It requires hoards of trucks to drive through every
22 day, up to a maximum of, I believe, 240. That's
23 including the whole EcoPark as it's designed, and
24 this is going to cause massive congestion, which

10

1 already exists on 120. There is going to be a lot
2 of noise, smell, rats. And this truck pollution
3 will increase respiratory and other ailments for
4 the poor, for the kids and families that live
5 within a mile from here.

6 You can say, well, Mr. Carbone, where did
7 you get that information? I Googled it. It's an
8 awesome tool. And let me tell you what I found out
9 from Googling. And it wasn't very easy. There's
10 not a lot of studies that are done on waste
11 transfer stations. What I did find is 9 out of 10
12 were against them. You know what that 10 percent,
13 you know who are in favor of those? The local
14 government. They are the ones promoting it saying
15 how great this is for the local community. It
16 brings in good tax dollars.

17 So Round Lake Park cannot afford an Erin
18 Brockovich moment. The Round Lake Park community
19 loses in this move.

20 I would like to see the pros versus the
21 cons on this project. Has anyone done those? Have
22 we weighed them out, the options?

23 I'm on a lot of boards, and that's what I
24 do in my own home. I weigh it out, pros and cons.

1 I make my decision, long-term and short-term. Or
2 did you have your execs do that, the folks that you
3 pay, the consultants? Did they do that for you?
4 Where is that information? I would like to see it.
5 I would like to see the pros versus the cons.

6 Because you know what, I did my own sheet
7 of pros versus cons this afternoon. I do like I
8 teach my kids at home, a piece of paper, fold it up
9 in half. Pros on one side and cons on the other
10 side. And let's -- I'm going to tell you what I
11 came up with.

12 Pros: Extra revenue to the community or
13 the Village of Round Lake Park. Like I said, maybe
14 \$100 to \$120,000 a year. It sounds like it's a lot
15 of money. Maybe 10, 12 jobs. That's all I could
16 come up with on the pro side. Let me tell you, I
17 thought about it because I want to be fair, and I
18 want it to work, but that's what I came up with.

19 The cons: Decrease in property revenue.
20 Homes will decline in value. I'm a real estate
21 broker. I do property abatements. Homes are going
22 to go down in value. Let me give you an example.
23 If a thousand homes in Round Lake -- the Village of
24 Round Lake Park, a thousand homes lost a hundred

1 dollars in value because of this transfer station
2 or EcoPark, that's a hundred thousand dollars that
3 you thought you gained. There is no pro or con
4 there. You just broke even. Maybe you gained an
5 extra 20,000. You're going to get noise pollution,
6 air pollution.

7 I can only imagine what the cost of all of your
8 attorneys you've been dishing out for the last
9 couple of years. I would like to see those. What
10 are you paying in your attorney fees? Because they
11 are only going to go up.

12 Look at Morton Grove. They had to hire a
13 full-time firm because they've got people out there
14 fighting.

15 Then you've got the congestion again,
16 infrastructure, rodents. Who is going to -- that
17 100 or 120,000 short-term might be a benefit, but
18 long-term, that doesn't even cover the cost of the
19 rodents that need to be destroyed, beat up. It's
20 not going to happen.

21 Show me the commonsense, and I'll be the
22 first one to go out there and tell everyone this is
23 a good idea. Tell me if I'm wrong.

24 And the likelihood of accidents, auto

1 accidents, right there on Porter and 120, unless
2 you get the state or someone -- I believe the state
3 has to be the one that funds that for an
4 intersection -- I can bet on it 10 to 1 that you're
5 going to have an auto accident. I hate to say
6 that, but someone is going to get hurt because of
7 all of that congestion and that traffic. It's just
8 going to happen. Statistically it will happen.

9 Do not sacrifice this community for the
10 short-term revenue, please. There is so much con
11 versus pro, a fifth greater would tell you this is
12 a bad idea.

13 There is nothing environmentally good
14 about it. Have we spoken to the environmentalists?
15 What do they say?

16 So I'm demanding that you show this
17 community that the benefits outweigh the risks.
18 That's fair. That's the job of this board, to show
19 what outweighs the risks. What's the long-term
20 plan here? I demand that you show this is not
21 going to affect the seniors, the poor, the children
22 and the residents of this community and the ones
23 next to it. These residents will become future
24 victims of this dump.

1 We have seniors that live right across the
2 street, Bradford Place. I'm sure you've heard from
3 them. And Round Lake Park is already making its
4 residents feel like they aren't worth anything.

5 So that is all I have to say. I want to
6 thank you. Thank you for all of your time.

7 THE HEARING OFFICER: Thank you, Mr. Carbone.

8 Is there anyone else who wishes to make
9 public comment? And just so you know, we will
10 again be having public comment tomorrow and
11 throughout the hearing. So if you have anything in
12 particular you wish to say at that point, we will
13 be doing it again. Thank you all. Thank you for
14 being here, those of you who are here.

15 And, Mr. McGinley, if you want to, please,
16 take the stand again. Mr. Sechen, if you want to
17 continue with your cross-examination.

18 CHARLES M. MCGINLEY, P.E.,
19 called as a witness herein, having been previously
20 duly sworn, was examined and testified as follows:

21 CROSS EXAMINATION (resumed)

22 BY MR. SECHEN:

23 Q. Mr. McGinley, is it accurate that the
24 orientation of the transfer station building can

15

1 affect the transmissions of -- transmission of
2 things like odor and noise, that sort of thing?

3 A. Yes.

4 Q. You're not offering an opinion, though, as
5 to whether the transfer station building is
6 suitably oriented on this property, are you?

7 A. Correct.

8 Q. Are you familiar with Groot?

9 A. No.

10 Q. Do you know whether Groot can be
11 considered a skilled operator of transfer stations?

12 A. No.

13 UNIDENTIFIED SPEAKER: Can you use a mic
14 please?

15 THE HEARING OFFICER: Not really. We are out
16 of mics that work. Oh, you've got one that's
17 working? Thanks.

18 MR. PORTER: I don't need it.

19 THE HEARING OFFICER: I'm sure you won't need
20 it ever again, right, Mr. Porter?

21 Go ahead. I apologize.

22 BY MR. SECHEN:

23 Q. Mr. McGinley, is it true that a skilled
24 transfer station operator can know when to close

16

1 the doors based on things such as wind and that
2 sort of thing?

3 A. A trained, skilled operator, yes.

4 Q. And you don't know whether Groot is a
5 trained skilled operator, do you?

6 A. Correct.

7 Q. Is it also true that a trained skilled
8 operator, if you will, knows how much mist to apply
9 to the transfer station interior with respect to
10 knocking down things like dust and odor?

11 A. No.

12 Q. What goes into determining how much mist
13 needs to be applied from a misting system?

14 A. Misting systems are on or off.

15 Q. Well, is it accurate that the misting
16 system can use different materials in the mist?

17 A. Yes.

18 Q. And a skilled operator can make a
19 determination of which materials would be proper at
20 any given time; is that correct?

21 A. No.

22 Q. Who can?

23 A. Possibly the salesperson that sells the
24 chemical for the misting system.

1 Q. A salesman?

2 A. Possibly a sales engineer that sells the
3 product.

4 Q. You don't mean a degreed engineer?

5 A. I beg your pardon?

6 Q. A degreed engineer?

7 A. I know that some sales engineers working
8 for companies that sell misting systems are degreed
9 engineers. I don't know about all of their
10 qualifications.

11 Q. Are you talking more specifically about a
12 licensed professional engineer in the State of
13 Illinois?

14 A. If they applied, they wouldn't be licensed
15 by Illinois if they tried to, like I have. I don't
16 know if anyone has attempted to apply to be a
17 registered engineer that works for one of these
18 product companies.

19 Q. Well, then can a licensed professional
20 engineer skilled in the art of transfer station
21 design determine what materials to use in the
22 misting system?

23 A. Unlikely.

24 Q. So then your sole likely source of that

1 skill would be a salesman?

2 A. That has been the history of that
3 business, yes.

4 Q. Have you seen misting systems that were
5 effective in controlling odor?

6 A. I've seen misting system that appear to be
7 partially effective in controlling odor.

8 Q. Well, by "partially effective," you mean
9 they reduced odor but didn't totally eliminate it
10 in the cases that you saw?

11 A. Yes, and in the cases that I've tested.

12 Q. That doesn't mean that a misting system is
13 incapable of eliminating odor, does it?

14 A. I've never seen one that has eliminated
15 odor 100 percent, but I'm only in the business 40
16 years.

17 Q. Now, you mentioned the air change rate of
18 four to six air changes in an hour. You commented
19 on that; is that correct?

20 A. I said that I read that in Mr. Moose's
21 testimony.

22 Q. And you said that was insufficient?

23 A. I said that in most cases of large
24 buildings, that's insufficient.

1 Q. Did you conduct some sort of a study to
2 see if it's insufficient in this case?

3 A. I testified earlier that I did several
4 very simple calculations using the building volume,
5 the openings of the doors and a calculation about
6 air change rates, but I did not include that in my
7 study.

8 Q. Are those the only calculations that would
9 be necessary in determining the correct number of
10 exchanges in an hour?

11 A. Presuming the building is closed in other
12 ways, like seams of the building construction,
13 correct, there is an exhaust system that exhausts a
14 certain cubic feet per minute. There is a certain
15 volume of the building, and there are openings in
16 the building defined by the doors. And three
17 simple calculations will tell you what the velocity
18 is going through a doorway when it is full open.

19 Q. What would be the appropriate velocity at
20 this site that would meet your standards?

21 A. At least 100-feet-per-minute face velocity
22 going into all of the doors, and that would be in
23 moderate, low/moderate wind conditions because
24 higher wind conditions could easily disturb even a

1 100-foot-per-minute face velocity.

2 Q. Now, how many air changes in an hour would
3 that translate into?

4 A. For this building, I would estimate from
5 my calculations, which I did not do for this study
6 and which I think should be done by a professional
7 mechanical engineer so it's on record for this
8 facility, but I would estimate 10 to 12 air changes
9 per hour. That is what is used for rendering
10 plants.

11 Q. That's what is used for a rendering plant?

12 A. That's typically the number used for
13 rendering plants, a minimum of 10 to 12 air changes
14 per hour.

15 Q. What's typically used in a transfer
16 station?

17 A. It's not in the manuals that the engineers
18 are using for designing transfer stations.

19 Q. Is that because transfer stations don't
20 always have such systems that would change the air
21 at any given rate?

22 A. Are you -- if you're speaking about the
23 exhaust fans, if the exhaust fans are not large
24 enough, the air change rate would be low.

1 Q. Well, let's take a step back. I guess
2 that stands to make a certain amount of sense, but
3 you mentioned that the manuals don't cover this
4 particular issue?

5 A. I have not found them in the manuals, but
6 perhaps those civil engineers and structural
7 engineers who designed these buildings have manuals
8 that guide them into the exhaust rate for the
9 volume and air exchange rate.

10 Q. But you don't know that for sure, do you?

11 A. I have not taught odor management from
12 those manuals.

13 MR. KARLOVICS: Mr. Hearing Officer, at this
14 point, I would like to have the record reflect the
15 presence of Trustee Rae Anne McCarty. She arrived
16 at 7:20 p.m.

17 THE HEARING OFFICER: The record shall so
18 reflect.

19 BY MR. SECHEN:

20 Q. At bottom, sir, isn't it accurate that
21 what you really object to in this particular
22 circumstance is you feel there should be more
23 systems in place to guarantee the lack of odors
24 being emitted from the premises?

1 A. No, not completely correct in portraying
2 what I have endorsed in terms of operational and
3 design.

4 Q. Well, you mentioned the fans, and I take
5 it you would need some sort of air handling system
6 that would produce a higher velocity, more changes
7 per hour. That's one thing; is that correct?

8 A. That presumes if the doors are open during
9 business hours. If the doors are closed except for
10 truck passage, the question of how much airflow is
11 needed changes because if doors are only open for
12 truck passage, there would be a likelihood of only
13 one, perhaps two, of the six doors open and,
14 therefore, less open space, less exhaust needed to
15 maintain a negative pressure, but that is still
16 separate from the air change rate question.

17 Q. Okay. Is it accurate that the velocity of
18 that exchange rate of air coming into the building,
19 the higher it is, the more minimized the
20 possibility of odor escaping through open doors
21 would be?

22 A. Correct.

23 Q. And it would be further minimized, in your
24 view, if you placed the filtration system on the

1 output of the air handler?

2 A. Correct.

3 Q. Did you hear Mr. Moose's testimony -- or
4 strike that.

5 Did you read Mr. Moose's transcript with
6 respect to the activated charcoal filter that was
7 at one time in the Glenview transfer station?

8 A. No.

9 Q. Would it surprise you to learn that that
10 system has been deactivated because it wasn't
11 needed?

12 A. It wouldn't surprise me that an air
13 pollution system is deactivated after it's been run
14 for a while.

15 Q. An air pollution system? We are talking
16 about the exhaust fans with the activated carbon
17 filter on the exhaust side, on the output?

18 A. Excuse me. I should have used the full
19 term, air pollution control system.

20 Q. Okay. You want to call that an air
21 pollution control system. Are you familiar with
22 any odor complaints or odor issues at that
23 particular transfer station?

24 A. No.

1 Q. Are you aware that that transfer station
2 is run by Groot?

3 A. I'm not aware of that.

4 Q. Are you aware of any such complaints or
5 citations with respect to odors at any of Groot's
6 transfer stations?

7 A. No.

8 Q. Is it accurate that were odors to occur,
9 steps can be taken to minimize those odors?

10 A. Yes.

11 Q. Other than what you've mentioned here
12 today pursuant to my questions, what other steps
13 would you recommend should odors be noticed?

14 A. I have no way of knowing, unfamiliar with
15 that transfer station, what options would be on the
16 table for that transfer station if odors -- odor
17 issues or complaints were brought to that
18 management.

19 Q. But that didn't stop you from recommending
20 a better exhaust system, one that would produce
21 more cubic feet per minute out, did it?

22 A. I don't believe I recommended an exhaust
23 system of a greater cubic foot per minute out.

24 Q. Isn't that what we have just been talking

1 about?

2 A. No, not the recommendations that I have
3 listed.

4 Q. Are you referring to you would like a
5 filter on that exhaust?

6 A. One way to minimize the amount of air that
7 has garbage odors in it is to filter the air that
8 is exhausted.

9 Q. And if odors are a persistent problem at
10 that facility, is it accurate that such a system
11 could be retrofitted?

12 A. There is always possible retrofit options,
13 difficult if they are not thought of as part of the
14 initial design.

15 Q. And what are some of the other retrofit
16 options?

17 A. For air filtration are you speaking of?

18 Q. Yes, sir, those that would eliminate your
19 objections.

20 A. Well, the air filtration systems depend
21 upon where the fans are, what space is available to
22 add filtration inside the building, outside the
23 building, the ductwork that would be needed to
24 carry the air exhaust to those filtration systems.

26

1 Those are all part of a basic site layout when odor
2 management is on the table.

3 Q. Basically, a big air handler, isn't it?

4 A. It's not rocket science, but it's a little
5 bit more than just one big air handler.

6 Q. Well, an air handler or maybe an activated
7 charcoal filter on the exhaust side or a biomass
8 filter of some sort?

9 A. Good ideas.

10 Q. But yet those good ideas weren't necessary
11 to implement at the Glenview station.

12 MR. BLAZER: Objection, foundation.

13 THE HEARING OFFICER: Sustained.

14 BY MR. SECHEN:

15 Q. Assuming, sir, that those recommendations
16 weren't necessary to keep in place at the Glenview
17 station --

18 MR. BLAZER: Oh, no.

19 BY MR. SECHEN:

20 Q. -- why do you think they are necessary at
21 this station?

22 MR. BLAZER: Improper hypothetical, lack of
23 foundation.

24 THE HEARING OFFICER: Objection overruled.

27

1 THE WITNESS: I have no knowledge of the
2 station you're speaking of. I have no knowledge of
3 the community and its socioeconomic makeup, and I
4 have no knowledge of the people that may or may not
5 complain, so I cannot answer your question.

6 BY MR. SECHEN:

7 Q. You're saying that the socioeconomic
8 makeup of the community makes a difference?

9 A. Rich people have more sensitive noses than
10 poor people, sir.

11 (Applause.)

12 THE HEARING OFFICER: Please, no clapping,
13 please. Thank you.

14 BY MR. SECHEN:

15 Q. Well, then assuming the highest standard,
16 are there any other things that you would recommend
17 that could be placed in this facility to help meet
18 your objections?

19 A. I would recommend that an override system
20 for the automatic door closures be locked out from
21 operation so that the closed doors that open
22 automatically for truck passage is allowed to
23 facilitate in and out. Closed, and opened when the
24 truck needs to pass, and then close when the truck

28

1 passes. Lock out and hide the system that
2 overrides that automatic system and you've gone
3 halfway to happiness with regard to odors in the
4 community.

5 Q. Is that it?

6 A. They jump, not rocket science.

7 Q. And that despite the fact that it may not
8 be necessary to do that if a skilled operator were
9 operating the transfer station?

10 A. Correct.

11 MR. SECHEN: No further questions.

12 EXAMINATION

13 THE HEARING OFFICER:

14 Q. I have a couple questions for Mr. McGinley
15 just so I'm clear. Have you ever -- this kind of
16 goes to the objection that has been made.

17 Have you ever testified in a Section 39.2
18 hearing before?

19 A. I have no knowledge -- is that a
20 federal --

21 Q. Have you ever testified at an Illinois
22 transfer or landfill hearing under Section 39.2
23 before?

24 A. No.

1 THE HEARING OFFICER: Nothing further.

2 Mr. Blazer, do you have any further
3 questions?

4 MR. BLAZER: I do.

5 REDIRECT EXAMINATION

6 BY MR. BLAZER:

7 Q. Mr. McGinley, based on your experience and
8 your knowledge and your training, is there some
9 property of garbage odor that prevents it from
10 traveling more than a thousand feet?

11 A. No.

12 Q. And in your experience over the last
13 four decades, have you personally observed garbage
14 odor that has traveled more than a thousand feet?

15 A. Yes.

16 Q. Could you explain?

17 A. Well, I was at a transfer -- I was at a
18 landfill just --

19 MR. PORTER: I'm going to object. It's
20 completely irrelevant and prejudicial. Unless
21 there is some foundation laid that this facility
22 has any semblance whatsoever to the facility that's
23 proposed, this is just that, irrelevant and
24 prejudicial.

30

1 THE HEARING OFFICER: I'm going to sustain the
2 objection as it goes to the witness talking about
3 landfills. If he has transfer station experience,
4 he can talk about that.

5 BY MR. BLAZER:

6 Q. Transfer stations.

7 A. I do not recall sufficient information to
8 answer your question.

9 Q. All right. Regarding the hearing
10 officer's question about your experience in
11 testifying at these particular proceedings, talking
12 now about the type of testimony you've given today
13 regarding odors and odor control measures and
14 management options to deal with odors, how many
15 times have you testified as an expert witness with
16 respect to those issues?

17 A. Approximately ten times.

18 Q. In more than one state?

19 A. Yes.

20 Q. In more than one type of proceeding?

21 A. Yes.

22 MR. BLAZER: That's all I have.

23

24

1 THE HEARING OFFICER: Mr. Porter?

2 RE CROSS EXAMINATION

3 BY MR. PORTER:

4 Q. Following up on something you raised
5 during Mr. Sechen's questioning, you mentioned that
6 you attempted to get licensed in Illinois. Did I
7 hear that correctly?

8 A. And in many other states for odor
9 engineering, but was declined because a state -- a
10 state licensure board does not recognize odor
11 engineering.

12 Q. Isn't it true that in Illinois, there is
13 reciprocity for engineers if they have an
14 engineering license in the state with substantially
15 equal criteria as Illinois?

16 A. Yes, I am aware of that.

17 Q. And if I understand it correctly, you
18 applied in Illinois, and they rejected your
19 application because you do not have substantially
20 equal qualifications as a licensed engineer in
21 Illinois, correct?

22 A. I didn't say I applied as a chemical
23 engineer for a reciprocity. I said that I made
24 calls to find out if there is licensure for the

32

1 field of practice of odor engineering.

2 Q. You haven't used your chemical engineering
3 in any way in respect to the opinions you've
4 offered here today, correct?

5 A. The chemical engineering training is a
6 broad-based engineering training. So to separate
7 the sense of opening and closing a door or
8 filtration of air, yes, that involves the concepts
9 that are taught in chemical engineering but as a
10 broader base as odor control engineering.

11 Q. What chemical analysis study model did you
12 run in relation to your opinion that the doors need
13 to be closed at all times?

14 A. There is no chemical analysis.

15 Q. If ever the wind or odor is determined to
16 be an issue or a problem at this facility, isn't it
17 true that Groot is free to close the doors?

18 A. Yes.

19 Q. And they have fast-acting rubber doors in
20 the plant, correct?

21 A. Yes.

22 Q. Do you have any reason to believe they
23 won't close the doors?

24 A. Facilities typically do not close doors

1 unless it's necessary because it feels open, and it
2 seems like it slows trucks down, but for six
3 seconds of waiting for the door to open is a false
4 concept of slowing the process down.

5 Q. If it is determined that the doors need to
6 be closed because of particular wind conditions or
7 a particular odorous load that comes in, they can
8 be closed, right?

9 A. Depending upon who determines that need,
10 correct.

11 Q. And you have no experience, background,
12 interviews from any source that would suggest Groot
13 won't do that reasonable activity of closing the
14 doors, right?

15 A. I would trust them 100 percent.

16 Q. There was some discussion on counsel's
17 questioning that -- concerning washing the tipping
18 room floor. Have you now learned that a street
19 sweeper is going to be used in order to sweep that
20 floor?

21 A. We saw that and read that in the permit
22 application, correct.

23 Q. And are you aware that street sweeper
24 indeed uses water?

1 A. Most street sweepers use water, correct.

2 Q. So that would accomplish the cleaning
3 aspect of the floor, correct?

4 A. Yes.

5 Q. There was some discussion about the fact
6 that a New Hampshire regulation allows waste to
7 remain in place at transfer stations there after
8 seven days. Do you recall that?

9 A. Yes.

10 Q. And so the New Hampshire board --

11 MR. GROSSMARK: Objection, discloses facts not
12 in record.

13 THE HEARING OFFICER: You may finish the
14 question.

15 BY MR. PORTER:

16 Q. It also provides or if odor is being
17 caused, that it needs to be removed, right?

18 A. Yes.

19 Q. And so the New Hampshire statute itself
20 identifies that it's passable for waste to be in
21 place for at least up to seven days without odor
22 emanating from the premises, correct?

23 A. In New Hampshire, correct.

24 Q. And again, for people that came in late,

1 Groot is going to be removing all waste daily,
2 correct?

3 A. I understand that to be part of the permit
4 operation of the plant.

5 MR. PORTER: At this time, Mr. Luetkehans, I
6 have nothing further, and I would reiterate my
7 prior objection to this witness testifying here
8 today as he's not licensed in Illinois and move to
9 strike that.

10 THE HEARING OFFICER: We'll deal with that as
11 soon as everybody is done, Mr. Porter. We'll be
12 dealing with that as soon as everybody is done.

13 MR. PORTER: Thank you.

14 THE HEARING OFFICER: Mr. Grossmark, do you
15 have anything further?

16 MR. GROSSMARK: No.

17 THE HEARING OFFICER: Mr. Clark?

18 MR. CLARK: No.

19 THE HEARING OFFICER: Mr. Sechen?

20 MR. SECHEN: Nothing.

21 THE HEARING OFFICER: Mr. Blazer, anything as
22 to --

23 MR. BLAZER: No.

24 THE HEARING OFFICER: Okay. I'll say it for

1 the record. As to Mr. Porter's recross, you have
2 nothing, correct?

3 MR. BLAZER: No.

4 THE HEARING OFFICER: Okay. Mr. Porter, you
5 wish to re-raise your objection.

6 Is there anything that either party -- I
7 have now read the case law that you've provided and
8 the regulations. Is there anything in particular
9 that anyone wishes to add that hasn't -- that
10 wasn't already said earlier today?

11 MR. BLAZER: Mr. Hearing Officer, if you've
12 read the Thompson decision, I think we're
13 satisfied.

14 THE HEARING OFFICER: Mr. Porter?

15 Mr. McGinley, you can have a seat. You
16 don't have to stand up there anymore.

17 MR. PORTER: I just want to reiterate that the
18 Thompson decision applies to disclosure of a 213
19 witness. This is not a circuit court of law. He
20 is not a disclosed 213 witness. That decision is
21 not relevant.

22 The question before us today, which is
23 whether or not Mr. McGinley is here to provide
24 expert testimony as an engineer at this site

1 hearing, and that is not controlled by the Supreme
2 Court case. Instead, it's controlled by the
3 Van Breemen case as well as the Illinois Department
4 of Professional Regulations, and particularly the
5 Engineering Practice Act, which explicitly provides
6 that only qualified persons shall be authorized to
7 engage in the practice of professional engineering
8 in the State of Illinois.

9 In addition to that, at a minimum, it's up
10 to, I suppose, you, Mr. Luetkehans, to decide
11 whether or not, even putting aside the issue of
12 licensure, if you have the requisite qualifications
13 to be offering opinions concerning criterion ii, he
14 did not. He is not a design engineer. He is not a
15 professional engineer in essential design. He is a
16 chemical engineer and admitted that he's done no
17 chemical analysis whatsoever in relation to this
18 siting application.

19 Therefore, putting aside the issue of
20 licensure, they haven't laid the appropriate
21 qualifications to provide expert testimony of
22 topics that he was brought here to testify about.

23 MR. BLAZER: May I respond to that,
24 unfortunately, now?

1 THE HEARING OFFICER: Yes.

2 MR. BLAZER: Also, a person will be allowed to
3 testify as an expert if his experience and
4 qualifications afford him knowledge that is not
5 common to lay persons --

6 THE HEARING OFFICER: If what you're going to
7 quote is Thompson, don't bother. I've read it.
8 You're going to hear portions of Thompson from me.
9 If you have something else to add, feel free.

10 MR. BLAZER: That's all.

11 THE HEARING OFFICER: As everyone in this
12 hearing knows, the issue is one of fundamental
13 fairness. We are not using the Rules of Evidence.
14 However, I think the case law is instructive, and
15 we will cite Thompson -- a quote from Thompson,
16 which says at 221 Ill. 2d -- actually, strike that.
17 Yes, 221 Ill. 2d 414 at pages 428 to 29:

18 "With regard to expert testimony, it is
19 well settled that the decision whether to admit
20 expert testimony is within the sound discretion of
21 the trial court." Now I'm omitting the citations.

22 "A person will be allowed to testify as an
23 expert if his experience and qualifications afford
24 him knowledge that is not common to laypersons, and

1 where his testimony will aid the trier of fact in
2 reaching its conclusions. There is no
3 predetermined formula for how an expert acquires
4 specialized knowledge or experience and the expert
5 can gain such through practical experience,
6 scientific study, education, training or research.
7 Thus, formal academic training or specific degrees
8 are not required to qualify a person as an expert;
9 practical experience in a field may serve just as
10 well to qualify him. An expert need only have
11 knowledge and experience beyond that of an average
12 citizen. Expert testimony, then, is admissible if
13 the proffered expert is qualified by knowledge,
14 skill, experience, training, or education, and the
15 testimony will assist the trier of fact in
16 understanding the evidence."

17 As Thompson goes on to state at page 431
18 to 434:

19 "If the legislature" -- 433 to 434, "If
20 the legislature wanted to condition any testimony
21 by a professional on whether the individual holds a
22 state license, it could enact a statute setting
23 standards for such expert witnesses, as it has done
24 in cases in which the standard of care applicable

40

1 to a medical professional is at issue."

2 I find Van Breemen to be -- to be not
3 applicable in that it is a registration cease and
4 desist case. The issue in that case is not his
5 ability to testify.

6 I do, however, find the lack of
7 registration relevant to the weight of
8 Mr. McGinley's testimony, but that -- but I do find
9 also that the testimony is admissible.

10 Now, Mr. McGinley at one point gave a very
11 broad finding that Criterion ii, "The facility is
12 so designed, located and proposed to be operated
13 that the public health, safety and welfare will be
14 protected." And then he went on to say as it
15 related to odor. I do believe that his opinion as
16 it relates to the broad issue of the design
17 location and proposal of the facility is improper;
18 however, his opinions as to odor and odor alone and
19 how that may or may not affect Criterion ii, I do
20 find to be proper and admissible.

21 The general, broad statement that
22 Section ii is not applicable is not really within
23 his area of expertise in my opinion; however, the
24 specific findings or the specific statements he

1 made as to odor I think are relevant and
2 admissible. So that's kind of where we are at at
3 this point in my opinion.

4 That being said, I think there are
5 exhibits, Mr. Blazer. You wish to move to admit
6 certain exhibits?

7 MR. BLAZER: I do. Thank you, Mr. Hearing
8 Officer. I will move to admit TCH Exhibit 3, which
9 is the resume.

10 THE HEARING OFFICER: Is there an objection
11 other than the -- and you are not waiving your
12 objection on any of these, Mr. Porter, as to the
13 overall issue of his admissible testimony.

14 MR. PORTER: Thank you. No other objections.

15 (Whereupon, TCH Exhibit
16 No. 3 was received into
17 evidence on October 1, 2013.)

18 THE HEARING OFFICER: Okay. Next one,
19 Mr. Blazer.

20 MR. BLAZER: Exhibit 4 is the report.

21 THE HEARING OFFICER: I assume same objection?

22 MR. PORTER: Same response.

23 THE HEARING OFFICER: Okay. That will be
24 admitted as well over the objection.

1 (Whereupon, TCH Exhibit
2 No. 4 was received into
3 evidence on October 1, 2013.)

4 MR. BLAZER: And then we have 41 and 42, which
5 are the two MSW Management articles.

6 THE HEARING OFFICER: Well, I don't think you
7 asked that these be admitted. I think I have
8 some --

9 MR. BLAZER: I think I did.

10 THE HEARING OFFICER: I don't think I did. I
11 don't think you asked they be admitted. At least
12 my notes don't show that. I am going to, however,
13 admit them over Mr. Porter's prior objection
14 pursuant to the prior reasoning.

15 MR. PORTER: And I have nothing more to add to
16 those prior objections.

17 THE HEARING OFFICER: Okay.

18 (Whereupon, TCH Exhibit
19 Nos. 41 and 42 were received
20 into evidence on
21 October 1, 2013.)

22 MR. BLAZER: That's all we have for this
23 evening, Mr. Hearing Officer.

24 MR. PORTER: I had Exhibits 10 and 11 --

1 THE HEARING OFFICER: Yes, and honestly, unless
2 someone has an objection, I think it's a lot easier
3 to deal with these kinds of issues as they are
4 coming up instead of waiting until your rebuttal
5 case, for lack of a better word. So unless someone
6 has an objection, I will take up Groot Exhibits 10
7 and 11. Does anyone have an objection to Groot
8 Exhibit 10?

9 MR. BLAZER: I apologize, Mr. Hearing Officer,
10 I lost track of which those are. 10 is the excerpt
11 from the EPA thing?

12 THE HEARING OFFICER: Groot Exhibit 10 is Bates
13 stamp pages 23, 24, 29 and 30, which is the excerpt
14 from the waste transfer station EPA, which I think
15 is part of --

16 MR. BLAZER: It's part of ours as well. No
17 objection.

18 THE HEARING OFFICER: Correct. Okay.

19 (Whereupon, Groot Exhibit
20 No. 10 was received into
21 evidence on October 1, 2013.)

22 THE HEARING OFFICER: How about Groot
23 Exhibit 11? Is there an objection to Groot
24 Exhibit 11?

1 MR. BLAZER: There is an objection to Groot
2 Exhibit 11, foundation, foundation.

3 THE HEARING OFFICER: Okay. Mr. Porter?

4 MR. BLAZER: If I just may add, Mr. Hearing
5 Officer --

6 THE HEARING OFFICER: Please.

7 MR. BLAZER: -- if this were simply an aerial
8 photo of the area that the witness identified next
9 to -- we'll forgive him for being a Twins fan, but
10 next to the stadium, that would be fine.

11 The problem is someone drew a somewhat
12 cockeyed circle on here and wrote a thousand feet.
13 We have no idea who did that, where it came from,
14 what the foundation is. So that's my concern.
15 Without that circle I have no problem with that.

16 THE HEARING OFFICER: Mr. Porter.

17 MR. PORTER: The foundation was laid while the
18 witness was on the stand. He identified the
19 exhibit as depicting what it depicts, and,
20 therefore, there has been sufficient foundation
21 laid.

22 THE HEARING OFFICER: I do have to agree with
23 Mr. Blazer, and I have the same concern. No one
24 has been able to or has laid the thousand foot

1 circle, Mr. Porter -- no one has been able to give
2 us that foundation.

3 Unless someone has an objection, I would
4 allow you to submit what's called Groot Exhibit 11A
5 as a substitute of this tomorrow without the red
6 thousand-foot circle because I don't know how you
7 can get that in.

8 MR. PORTER: Thank you. We'll take you up on
9 that.

10 THE HEARING OFFICER: Tomorrow why don't you
11 resubmit that exhibit, Mr. Porter, so I'm not
12 forgetting, if you would.

13 Mr. Smith -- before we finish today we
14 have some follow-up things with Mr. Smith.
15 Mr. Smith I know had one question for Mr. Moose
16 that the applicant agreed to allow him to ask.
17 Again, there will not be any follow-up questions by
18 the attorneys. This is just Mr. Smith's question.

19 So, Mr. Smith, if you want to come up here
20 and ask your question, and Mr. Moose, if you want
21 to take the stand, for lack of a better word. And
22 remember, obviously, you're still under oath.

23 MR. SMITH: Do I need to restate my name and
24 all of that?

1 THE HEARING OFFICER: No. She's got that. If
2 you could just state your question -- or ask your
3 question I guess.

4 MR. SMITH: Okay. My question is about
5 Criterion vii, which states, "If the facility will
6 be treating, storing or disposing of hazardous
7 waste, an emergency response plan exists for the
8 facility which includes notification, containment
9 and evacuation procedures to be used in case of an
10 accidental release."

11 You state that, "Under the criteria,
12 hazardous waste will not be accepted, transferred
13 treated, stored or disposed of at the facility.
14 Therefore, the proposed transfer station will not
15 be treating, storing or disposing hazardous waste.
16 Criterion vii is not applicable."

17 But in Section 2.4, page 8, the last
18 paragraph on the page --

19 THE HEARING OFFICER: Of the application,
20 correct?

21 MR. SMITH: Of the application. It states in
22 the middle of the paragraph that, "Waste material
23 that cannot be returned to the generator will be
24 separated from the remainder of the waste on the

1 tipping floor and placed in containers that
2 indicate are specifically for the temporary storage
3 of unacceptable waste. These containers will be of
4 steel construction and will be kept within the
5 facility."

6 So to me that right there states that you
7 will be storing and disposing of the waste, which
8 is in violation of Criterion vii.

9 THE HEARING OFFICER: Is there a question,
10 Mr. Smith?

11 MR. SMITH: My question is why would you not
12 have an emergency response plan which Criterion vii
13 asks for if you're going to be storing accidental
14 waste?

15 MR. MOOSE: I think there is about three pieces
16 there, so let's start with Criterion vii first.
17 There is no intention to accept hazardous waste at
18 this facility. That's why we said that's not
19 applicable.

20 If you go back to your page 2.4.8, it's
21 under "Waste Screening and Load Checking
22 Procedures," if unacceptable waste does find its
23 way into the transfer station and we see it, we are
24 going to pull it out and either recycle it or have

1 it disposed of properly and safely.

2 In the area that you read a minute or two
3 ago, it was referring to steel containers to store
4 up unacceptable waste so we have a sufficient
5 amount ready to transport. Those would be white
6 goods, washers and dryers, tires, things like that.

7 Under Criterion v, which is our
8 contingency plan, and contained in Appendix P,
9 there is an emergency response still reaction plan
10 that also includes what we do if hazardous waste or
11 liquid waste somehow found the way into the
12 transfer station. The response plan has a method
13 to contain the spill, clean it up and dispose of it
14 properly as well as notification procedures.

15 THE HEARING OFFICER: Anything further,
16 Mr. Smith, or does that answer your question?

17 MR. SMITH: Not really because Criterion vii
18 says "in case of an accidental release." That's
19 what they are planning for, so they should have
20 submitted a Criterion vii.

21 THE HEARING OFFICER: Okay. Your point is in
22 the record, and I'm sure the board will take that
23 into account with everything else.

24 MR. SMITH: Thank you.

1 THE HEARING OFFICER: Thank you.

2 Does anyone else have additional public
3 comment that has not been made so far and wishes to
4 make it?

5 Okay. Thank you.

6 We have a few issues amongst the attorneys
7 here that we should probably deal with. One is the
8 potential -- the document labeled, "Potential State
9 Designated Truck Routes to Existing Regional
10 Disposal Sites." That was submitted by Groot in
11 response to a request I made on Thursday, I think
12 it was. Is there an objection to this document?

13 MR. BLAZER: There is.

14 THE HEARING OFFICER: Mr. Blazer?

15 MR. BLAZER: A couple of objections. Number
16 one, what you specifically asked for was potential
17 routes from this proposed facility to the Winnebago
18 landfill.

19 THE HEARING OFFICER: Actually, I'm not even
20 sure I asked for that.

21 MR. BLAZER: Actually, you did.

22 THE HEARING OFFICER: No. I think I asked for
23 something much more limited than that.

24 MR. BLAZER: And you may have. The problem is,
50

1 number one, this shows potential routes to,
2 regardless of what you may have asked, to Winnebago
3 and three landfills that haven't been discussed at
4 this hearing and three landfills that are
5 inconsistent with where the traffic expert said
6 this waste was going.

7 Beyond that, it doesn't affect -- it
8 doesn't identify the routes in any way. It doesn't
9 give you the information you asked for.

10 THE HEARING OFFICER: Here is what I was
11 looking for, and I have to agree this is not --
12 this is much different than what I was looking for.
13 And I was looking -- and I know, Mr. Porter, you
14 weren't here Thursday when I asked for this.

15 MR. PORTER: I did happen to read it, though.

16 THE HEARING OFFICER: What I was looking for is
17 really almost like a Google map, an aerial showing
18 the particular roads that were discussed to get to
19 94 and to get to 20. Those were the things that
20 were testified to. And what I was just looking for
21 was those particular routes, not Class II truck
22 routes, no definition of them, just an aerial
23 showing me I think it was Route 137 -- I don't
24 remember what roads it was. I apologize. I don't

1 have my notes in front of me, but I'm looking for
2 just an aerial of this particular area west. How
3 do I get to 20. How do I get 94, and what are
4 those roads, not labeled how you're going to do it,
5 but just labeling the major roads that will get you
6 there. Because that -- there were certain roads
7 that were testified to, and I don't remember. One
8 I think is 137, but I may be wrong, so don't hold
9 me to it. That's all I'm looking for were those
10 routes that were discussed and an aerial showing
11 that.

12 Now, what I especially asked for was I was
13 hoping that the parties would agree to come up with
14 an agreed aerial to put as a demonstrative exhibit
15 in. I would still ask that you try and spend
16 some -- get some agreement. If not, Mr. Blazer, I
17 would ask that you provide your own idea of what it
18 was I was asking for; and Mr. Porter, if you could,
19 now that I've had, hopefully, an opportunity to
20 explain it better than I most likely did Thursday.

21 MR. BLAZER: I will endeavor to do the latter.
22 As far as the former, you may recall I asked
23 Mr. Mueller, and he rejected the proposition. I'm
24 willing to work with Mr. Porter or Mr. -- actually,

1 Helsten is probably the most reasonable one.

2 THE HEARING OFFICER: Let's not -- no
3 aspersions, please. Let's get through this. But I
4 guess my suggestion is you both -- this seems to me
5 like something that should be worked out by the
6 parties.

7 MR. BLAZER: It should be a no-brainer.

8 THE HEARING OFFICER: That it is not something
9 I should not have to get involved in, but
10 Mr. Porter.

11 MR. PORTER: Our concern is the testimony has
12 been clear that while presently that is the intent
13 that the waste -- landfill -- that is not
14 guaranteed throughout the life of the duration of
15 this facility, and that has been very clear to --

16 THE HEARING OFFICER: That has been clear,
17 Mr. Porter.

18 MR. PORTER: That's why you now have in front
19 of you the routes that can be used to go to all of
20 the facilities.

21 THE HEARING OFFICER: Here is the concern I
22 have. The concern I have is that this exhibit or
23 even an exhibit with the truck routes is somehow
24 "new evidence" that is beyond anything you've done

1 before or is in the application and then now
2 somehow I'm letting testimony come -- I'm letting
3 something go in that I asked for that is beyond
4 kind of what was contemplated in the application
5 and in the original testimony.

6 I don't want to be the person -- I'm not
7 trying to allow anybody to submit additional
8 testimony. All I'm looking for is an aerial that
9 says here are the major roads in this area. And
10 the board can then -- they may know the roads. I
11 just don't. The board can then figure out -- I can
12 then figure out myself here is how I would get here
13 by looking at an aerial because I don't know this
14 area like many of you do. So that's all I was
15 looking for is a demonstrative to help me
16 understand the already existing testimony.

17 Let Mr. Porter go first because I was
18 talking to him.

19 MR. PORTER: What about simply providing a map,
20 a Rand McNally. I'm not sure Goggle is going to
21 work for you, but a Rand McNally that shows the
22 roads.

23 THE HEARING OFFICER: And that may be the
24 solution. All I'm looking for is something along

1 those lines. It doesn't have to be an aerial. I
2 just thought that was the simplest way in this day
3 and age.

4 MR. BLAZER: I don't want to reinvent the wheel
5 here, and I'll give Chuck Helsten a call tomorrow
6 morning to see if we can work it out. If we can't,
7 there is a program that real estate professionals
8 and all kinds of professionals use called Google
9 Earth, which we have in use in my office. It
10 generates very detailed aerial maps of roadways and
11 all kinds of things. So if I can't work it out
12 with Chuck in the morning, I will get you ours.
13 They can get you theirs, and we'll do the best we
14 can. Again, this should not be --

15 MR. PORTER: We have Google Earth, too.

16 MR. BLAZER: Congratulations.

17 THE HEARING OFFICER: And, Mr. Porter, if you
18 would rather give me a Rand McNally map, I'm okay
19 with that, too. Just please give me something that
20 doesn't go beyond the testimony we already have,
21 and that's my concern here is that we are talking
22 about things that Mr. Moose or no one ever really
23 testified about, and your record is very clear,
24 however, I want to make -- you have not or at least

55

1 it's your position that this is not the Winnebago
2 landfill, and I understand that and I think
3 everybody who sat here for the last week-and-a-half
4 or week or so does understand that. At least I
5 think I do.

6 Okay. That being said, I'm assuming kind
7 of by what's occurring here that no one has -- that
8 the two of you have not sat down -- or the
9 attorneys have not yet sat down and tried to come
10 up with a schedule for findings of fact and
11 conclusions of law. Is that a fair statement?

12 MR. BLAZER: Not since before the break, no.

13 THE HEARING OFFICER: Not since I discussed it,
14 has there been any further discussions, or not
15 really?

16 MR. BLAZER: There has not.

17 THE HEARING OFFICER: Mr. Porter?

18 MR. PORTER: I'm sorry. I was talking.

19 THE HEARING OFFICER: That's okay. My question
20 is I assume at this point that there has not been
21 any discussion amongst the lawyers as to a proposed
22 schedule for findings of fact and conclusions of
23 law at this point?

24 MR. PORTER: There has not been. I would like

1 to comment, however, we would prefer to do one
2 findings of fact after the conclusion of the
3 comments. We could do it within seven days of the
4 conclusion of that. I am very concerned that if we
5 do it in the other manner that you suggested
6 earlier, we are going to end up in a situation
7 where some party will ignore whatever rules or
8 grammar and stick to it and end up doing a response
9 brief to the brief that had been filed previously.
10 I would rather just have one document filed at the
11 close of the comment.

12 MR. SECHEN: That means if one simultaneously
13 filed documents by all of the parties -- I would
14 much rather see Groot's first.

15 THE HEARING OFFICER: And I also have a concern
16 that once we do this, we are now looking at the
17 conclusion of the public comment approximately
18 November 1st or 2nd, give or take. That's 30 days
19 out. I'm just doing it off the top of my head,
20 sometime around November. And I don't remember the
21 day the village board has to act, but I think it's
22 sometime around December 8th. And again, that's
23 not -- please don't hold me to that.

24 MR. BLAZER: Does anybody here know what day

1 180 is?

2 MR. SMITH: 120 days from --

3 THE HEARING OFFICER: Actually, I think I had
4 approximately December 21st. And it may be off a
5 couple of days, but that's what I think I had.

6 The concern is that with the holidays,
7 with Thanksgiving, that we would run into some
8 timing of me getting this done for the board, then
9 having a chance to really go over the criteria and
10 make proper findings and not be rushed. That's the
11 concern I have.

12 I guess what I would like is for the
13 parties to talk in the morning, try and come up
14 with an agreed schedule. If not, both of you
15 submit, you know, tomorrow at noon your proposed
16 schedules or both or whomever. I don't mean -- if
17 "both" is the wrong word, I apologize, because I'm
18 not trying to dis-include anybody, but I would be
19 at that point at noon, I would look at those
20 schedules, whoever presents them, and try and make
21 what I think is the fairest decision at that point
22 given the time frames and some of the limitations.

23 I will tell you that I would be -- and I
24 understand your concern, Mr. Porter, about someone

1 trying to go beyond what we have talked about, but
2 I also think that on my own motion, I have the
3 right to say this is all we are looking at or the
4 proposed signs that relate specifically to public
5 comment and things that have changed because of
6 public comment. I think I'm capable of doing that,
7 and I think that's within my discretion.

8 So given that, that's kind of where we are
9 at because I will not on November, you know, 8th or
10 whatever the date is accept a brief that is 20
11 pages long and regurgitate everything or -- now, as
12 far as simultaneous briefs, as far as a briefing
13 schedule, I will leave that to you guys to make
14 your own suggestions, and I will listen to
15 everybody's position on that tomorrow. But I would
16 like to leave here tomorrow, even if we are not
17 done tomorrow, I would like to leave here with me
18 being able to set a schedule of here is what we are
19 going to do.

20 As we said before, there is a possibility
21 that we will do closings tomorrow. I think it
22 would probably be appropriate to be ready.
23 However, if it appears to me that we are not going
24 to be able to finish the closings, we are not going

1 to start them. You know, I may be wrong, but I'm
2 going to try my best to if we have got -- I'm not
3 going to let Groot proceed with their closing and
4 someone have the rest of the day or half of -- it's
5 going to be all in one day to the extent I can make
6 that occur.

7 And my guess is that we are probably going
8 to finish -- I'm not trying -- I don't know what
9 Mr. Sechen is going to do, but my guess is that we
10 probably will not start with closings tomorrow, but
11 if the parties wish to say we are going to start
12 Wednesday for sure, I'm willing to do that, too.
13 It's up to the parties.

14 MR. BLAZER: I think part of the question is,
15 unfortunately, Mr. Hearing Officer, because we
16 don't know what Glenn is going to do, obviously, it
17 will come as no surprise, and I already told him,
18 we'll have an objection with respect to what he
19 circulated with respect to Mr. Kleszynski, but on
20 the assumption that, just for the sake of argument,
21 that that gets overruled and Kleszynski does
22 testify, I know that Glenn doesn't want to put him
23 on until MaRous testifies. We are putting MaRous
24 on tomorrow at noon, and I think we have a full day

1 scheduled tomorrow --

2 THE HEARING OFFICER: We only have until 5:00
3 tomorrow. That's why we're --

4 MR. KARLOVICS: Mr. Hearing Officer, the
5 village board meeting takes one to complete, from
6 6:00 to 7:00 p.m. If we wanted to reconvene at
7 7:00 p.m., or give us until 7:30, we'd be able to
8 use the rest of the time that this facility is
9 available if you wish.

10 THE HEARING OFFICER: Okay. Let's play it by
11 ear. I'll be honest. I have no idea what
12 Mr. Porter's client and his client are going to do
13 on rebuttal, but, you know, we have to keep that in
14 mind as well.

15 MR. PORTER: I'll confess; we are right now
16 looking at very little rebuttal, and we would
17 prefer to do closings tomorrow.

18 THE HEARING OFFICER: Okay. Let's see what we
19 can do. Again, I'm not -- okay. I think everybody
20 should plan on being ready to go tomorrow. I'm not
21 promising anything, but if we can't look like we're
22 going to finish, I'm not going to. We are not
23 going to go to midnight to do this. We are going
24 to give everybody a sufficient time period, and I

61

1 would like everyone to be ready tomorrow to tell
2 me, you know, within 5, 10 minutes what -- how long
3 their closing would occur so we can schedule that.
4 I'm not going to limit you, but I think it's only
5 fair that we try and keep it down to a dull roar
6 because you're all going to have another
7 opportunity to submit briefs, and this board, as
8 you know, has been very -- has been here most times
9 and has been very tentative and a large part of the
10 process. We've had the majority or a large number
11 of the board here pretty much every day.

12 So Mr. Porter?

13 MR. PORTER: One small housekeeping matter. I
14 want to officially withdraw the Potential State
15 Designated Truck Routes Document that we gave you
16 earlier.

17 THE HEARING OFFICER: Motion to withdraw is
18 granted.

19 MR. PORTER: And I don't know if the board has
20 got it at all, but I ask that it be collected.

21 THE HEARING OFFICER: I think Mr. Karlovics can
22 do that. Anybody who has this document here,
23 please turn it in to Mr. Karlovics. I don't know
24 that anybody got it, but if you did, please give

62

1 that to Mr. Karlovics, and I will give the original
2 back to Mr. Porter unless there is an objection to
3 that.

4 Okay. The last thing, I just -- I know we
5 are going to have this issue tomorrow if Mr. Sechen
6 does call Mr. Kleszynski as to the appropriateness
7 of that as well as the disclosure time period.

8 However, I do want to for the record state
9 that what we are talking about is Mr. Sechen's
10 disclosure that was done Sunday, September 29th, at
11 2:07 p.m.

12 I would also ask that if anyone -- I do
13 not know how I'm going to rule on the -- what I
14 know is a coming objection by Mr. Blazer, but I
15 would also ask that if anyone is objecting to this,
16 that they look at this in twofold: One as --
17 obviously, the first is not to if the objection is
18 going to be to bar it. Mr. Blazer -- if not, I
19 would ask that Mr. Blazer consider whether he would
20 like additional time to respond or to be ready for
21 Mr. Kleszynski's testimony if that's appropriate.
22 But I'm not asking you to -- Mr. Blazer, I do want
23 everybody to have the opportunity because the
24 ordinance does suggest that if necessary to clear

1 any of this up, we would give someone an
2 opportunity.

3 I'm not pre-ruling, and you can -- you can
4 discuss it tomorrow, Mr. Blazer, but I don't want
5 anybody to think I'm pre-ruling before, but I do
6 want you to understand that is a possible action
7 for me if someone needed additional time, to grant
8 it to them.

9 So is there anything else further tonight?
10 Hearing nothing, we will be back tomorrow at noon.
11 And honestly, Mr. Karlovics, I forgot -- I have the
12 wrong page with me -- what time we are doing public
13 comment tomorrow. Do you recall?

14 MR. KARLOVICS: 4:00 o'clock.

15 THE HEARING OFFICER: Public comment will be at
16 4:00 tomorrow. We will make a determination as to
17 whether we will come back after the village board
18 meeting to finish closings or whether we do it
19 Wednesday starting at noon. Those are kind of it,
20 but either way, we will be done Tuesday or
21 Wednesday.

22 Thank you very much, everyone. Thank you
23 for attending. I know the village board does
24 appreciate you coming and giving your comments, as

1 much as it may not have been the easiest thing in
2 the world to do. But you all presented yourself
3 very well even if you felt uncomfortable. So thank
4 you everyone, and we will see you tomorrow.
5 Appreciate it.

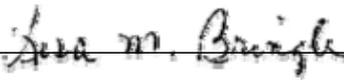
6 (Whereupon, further proceedings
7 in said cause were adjourned to
8 October 1, 2013, at the hour of
9 12:00 p.m.)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

5 LISA M. BRINGLE, being first duly sworn,
6 on oath says that she is a court reporter doing
7 business in the City of Chicago; and that she
8 reported in shorthand the proceedings of said
9 hearing, and that the foregoing is a true and
10 correct transcript of her shorthand notes so taken
11 as aforesaid and contains the proceedings given at
12 said hearing.

13
14
15
16
17
18
19
20
21
22
23
24



Lisa M. Bringle, CSR

Lic. No. 084-003301



A				B		C
abatements 12:21	afraid 6:4	application 1:7 6:11 32:19	28:20 29:2	automatically 28:22	37:3,11	c
ability 41:5	afternoon 12:7	34:22 38:18	available 26:21 61:9	back 3:16	38:23 39:2	2:9,10 66:3
able 5:5 6:14 8:1 45:24 46:1 59:18,24 61:7	age 55:3	47:19,21	average 40:11	bar 63:18	39:10 42:5,7 42:19,20 43:4,9,22 44:9,16 45:1 45:4,7,23 50:13,14,15 50:21,24 52:16,21 53:7 55:4,16 56:12,16 57:24 60:14 63:14,18,19 63:22 64:4	calculation 20:5
aboveentitled 1:12	agency 2:17	54:1,4	aware 25:1,3,4 32:16 34:23	barbecue 9:10,12	44:9,16 45:1 45:4,7,23 50:13,14,15 50:21,24 52:16,21 53:7 55:4,16 56:12,16 57:24 60:14 63:14,18,19 63:22 64:4	calculations 20:4,8,17 21:5
academic 40:7	ago 49:3	32:18,22	awesome 11:8	base 33:10	50:21,24 52:16,21 53:7 55:4,16 56:12,16 57:24 60:14 63:14,18,19 63:22 64:4	call 5:14 24:20 55:5 63:6
accept 48:17 59:10	agree 45:22 51:11 52:13	applies 37:18		based 17:1 30:7	52:16,21 53:7 55:4,16 56:12,16 57:24 60:14 63:14,18,19 63:22 64:4	called 8:7 15:19 46:4 55:8
acceptable 7:14	agreed 46:16 52:14 58:14	apply 17:8 18:16		basic 27:1	57:24 60:14 63:14,18,19 63:22 64:4	calls 32:24
accepted 47:12	agreement 52:16	appropriate 20:19 38:20 59:22 63:21		basically 27:3	62:7,11,19 64:17,23	campaign 10:16
accident 14:5	ahead 16:21	appropriate... 63:6		batavia 8:19 9:7 10:14	49:22 54:10 54:11 57:21 58:8 61:5	cancel 9:11
accidental 47:10 48:13 49:18	aid 40:1	approval 1:8		bates 44:12	58:8 61:5	cant 55:6,11 61:21
accidents 13:24 14:1	ailments 11:3	approved 22:15		beat 13:19	62:7,11,19 64:17,23	capable 59:6
accomplish 35:2	air 9:6 13:6 19:17 19:18 20:6 21:2,8,13,20 21:24 22:9 23:5,16,18 24:1,12,15 24:19,20 26:6,7,17,20 26:24 27:3,5 27:6 33:8	area 8:8 9:13 41:23 45:8 49:2 52:2 54:9,14		be 14:12	58:8 61:5	carbon 24:16
account 49:23	airflow 23:10	arent 15:4		bar 63:18	59:6	carbone 3:5 7:24 8:3,3 11:6 15:7
accurate 15:23 17:15 22:20 23:17 25:8 26:10	allow 6:15 46:4,16 54:7	argument 60:20		base 33:10	62:7,11,19 64:17,23	care 40:24
acquires 40:3	allowed 28:22 39:2,22	arrived 22:15		based 17:1 30:7	62:7,11,19 64:17,23	carry 26:24
act 38:5 57:21	allowing 8:1	art 18:20		basic 27:1	62:7,11,19 64:17,23	case 20:2 37:7 38:2 38:3 39:14 41:4,4 44:5 47:9 49:18
action 64:6	allows 35:6	articles 43:5		basically 27:3	62:7,11,19 64:17,23	cases 19:10,11,23 40:24
activated 24:6,16 27:6	amount 22:2 26:6 49:5	aside 38:11,19		batavia 8:19 9:7 10:14	62:7,11,19 64:17,23	cause 1:12 10:24 65:7
activity 34:13	analysis 33:11,14 38:17	asked 6:16 43:7,11 50:16,20,22 51:2,9,14 52:12,22 54:3		bates 44:12	62:7,11,19 64:17,23	caused 35:17
actual 9:18	answered 6:19	asks 48:13		beat 13:19	62:7,11,19 64:17,23	cease 41:3
add 26:22 37:9 39:9 43:15 45:4	anybody 54:7 57:24	aspect 35:3		beg 18:5	62:7,11,19 64:17,23	certain 20:14,14 22:2 42:6 52:6
addition 38:9	answers 6:15 7:1 28:5 31:8 49:16	aspersions 53:3		behalf 2:5,7,10,13,15 2:17	62:7,11,19 64:17,23	chance 58:9
additional 50:2 54:7 63:20 64:7	answered 6:19	assist 40:15		believe 10:18,22 14:2 25:22 33:22 41:15	62:7,11,19 64:17,23	change 19:17 20:6 21:20,24 23:16
address 4:15,17	anyone 37:16	assume 6:24 42:21 56:20		benefit 8:16,22 9:14 9:23 13:17	62:7,11,19 64:17,23	changed 59:5
adjourned 65:7	apologize 16:21 44:9 51:24 58:17	assuming 27:15 28:15 56:6		benefits 10:1 14:17	62:7,11,19 64:17,23	changes 19:18 21:2,8 21:13 23:6 23:11
admissible 40:12 41:9,20 42:2,13	appear 19:6	assumption 60:20		best 9:10 55:13 60:2	62:7,11,19 64:17,23	charcoal 24:6 27:7
admit 39:19 42:5,8 43:13	appearances 2:1	attempted 18:16 32:6		better 25:20 44:5 46:21 52:20	62:7,11,19 64:17,23	charles 3:8 15:18
admitted 38:16 42:24 43:7,11	appears 59:23	attending 64:23		beyond 40:11 51:7 53:24 54:3 55:20 59:1	62:7,11,19 64:17,23	checking 48:21
aerial 45:7 51:17,22 52:2,10,14 54:8,13 55:1 55:10	appendix 49:8	attorney 13:10		big 27:3,5	62:7,11,19 64:17,23	chemical 17:24 32:22 33:2,5,9,11 33:14 38:16 38:17
affect 14:21 16:1 41:19 51:7	applause 28:11	authority 1:4		biomass 27:7	62:7,11,19 64:17,23	chicago 66:7
afford 11:17 39:4,23	applicable 40:24 41:3,22 47:16 48:19	authorized 38:6		bit 27:5	62:7,11,19 64:17,23	children 14:21
aforesaid 66:11	applicant 46:16	auto 13:24 14:5		blazer 2:14,15 3:11 27:12,18,22 30:2,4,6 31:5,22 36:21,23	62:7,11,19 64:17,23	chuck 55:5,12

46:6	community	control	deal	3:14	door
circuit	8:15,16,21	1:3 24:19,21	31:14 36:10	didn't	5:1 28:20 33:7
37:19	9:11 10:9,17	31:13 33:10	44:3 50:7	6:2,3 19:9	34:3
circulated	11:15,18	controlled	dealing	25:19 32:22	doors
60:19	12:12 14:9	38:1,2	36:12	difference	17:1 20:5,16
circumstance	14:17,22	controlling	decades	28:8	20:22 23:8,9
22:22	28:3,8 29:4	19:5,7	30:13	different	23:11,13,20
citations	companies	correct	december	9:20 17:16	28:21 33:12
25:5 39:21	18:8,18	10:4,18 16:7	57:22 58:4	51:12	33:17,19,23
cite	company	17:6,20	decide	difficult	33:24 34:5
39:15	10:15,18	19:19 20:9	38:10	26:13	34:14
citizen	complain	20:13 23:1,7	decipher	director	doorway
40:12	28:5	23:22 24:2	9:20	10:14	20:18
citizens	complaints	29:10 32:21	decision	disagree	drew
10:11	24:22 25:4,17	33:4,20	5:8 8:6 12:1	10:6	45:11
city	complete	34:10,22	37:12,18,20	disclosed	drive
66:7	61:5	35:1,3,22,23	39:19 58:21	37:20	10:21
civil	completely	36:2 37:2	decline	discloses	dryers
22:6	23:1 30:20	44:18 47:20	12:20	35:11	49:6
clapping	con	66:10	declined	disclosure	ductwork
28:12	13:3 14:10	correctly	32:9	37:18 63:7,10	26:23
clark	concept	32:7,17	decrease	discretion	dull
2:17 36:17,18	34:4	cost	12:19	39:20 59:7	62:5
class	concepts	13:7,18	defined	discuss	duly
51:21	33:8	counsels	20:16	64:4	15:20 66:5
clean	concern	34:16	definition	discussed	dump
49:13	45:14,23 53:11	county	51:22	56:13	9:2,18 14:24
cleaning	53:21,22	2:18 5:7 66:3	degreed	discussion	duration
35:2	55:21 57:15	couple	18:4,6,8	34:16 35:5	53:14
clear	58:6,11,24	13:9 29:14	degrees	56:21	dust
29:15 53:12,15	concerned	50:15 58:5	40:7	discussions	17:10
53:16 55:23	57:4	court	demand	56:14	dx
63:24	concerning	37:19 38:2	14:20	dishing	3:7
client	6:10 34:17	39:21 66:6	demanding	13:8	
61:12,12	38:13	cover	14:16	disinclude	E
close	concluded	13:18 22:3	demonstrative	58:18	e
16:24 28:24	1:14	creek	52:14 54:15	disposal	3:1,16 15:18
33:17,23,24	conclusion	2:15	department	50:10	ear
57:11	57:2,4,17	criteria	38:3	dispose	61:11
closed	conclusions	32:15 47:11	depend	49:13	earlier
20:11 23:9	40:2 56:11,22	58:9	26:20	disposed	6:16 20:3
28:21 23	condition	criterion	depending	47:13 49:1	37:10 57:6
33:13 34:6,8	40:20	6:10,11 38:13	34:9	disposing	62:16
closing	conditions	41:11,19	depicting	6:12 47:6,15	earth
33:7 34:13	20:23,24 34:6	47:5,16 48:8	45:19	48:7	55:9,15
60:3 62:3	conduct	48:12,16	depicts	disturb	easier
closings	20:1	49:7,17,20	45:19	20:24	44:2
59:21,24 60:10	confess	cross	design	document	eastest
61:17 64:18	61:15	15:21	18:21 23:3	50:8,12 57:10	4:11 65:1
closures	congestion	crossexamina...	26:14 38:14	62:15,22	easily
28:20	10:24 13:15	15:17	38:15 41:16	documents	20:24
cockeyed	14:7	crossing	designated	57:13	east
45:12	congratulat...	9:17,18	50:9 62:15	doesn't	8:24
collected	55:16	csr	10:23 22:7	9:6 13:18	easy
62:20	cons	1:23 66:15	41:12	19:12 51:7,8	11:9
come	9:24 11:21,24	cubic	designing	51:8 55:1,20	ecopark
4:8,8 5:5	12:5,7,9,19	20:14 25:21,23	21:18	60:22	8:7 10:23 13:2
12:16 46:19	consider	culbertson	desist	doing	ecoparks
52:13 54:2	63:19	2:4	41:4	15:13 57:8,19	8:11
56:9 58:13	considered	cx	despite	59:6 64:12	education
60:17 64:17	16:11	3:7	29:7	66:6	40:6,14
comes	construction		destroyed	dollars	effective
34:7	20:12 48:4	D	13:19	11:16 13:1,2	19:5,7,8
coming	consultants	d	detailed	dont	either
5:17 23:18	12:3	3:1	55:10	4:14 10:6,18	37:6 48:24
44:4 63:14	contain	daily	determination	16:18 17:4	64:20
64:24	49:13	36:1	17:19 64:16	18:4,9,15	eliminate
comment	contained	date	determine	21:19 22:3	19:9 26:18
4:3,5,5 7:5,10	49:8	59:10	18:21	22:10 25:22	eliminated
15:9,10 50:3	containers	day	determined	37:16 39:7	19:14
57:1,11,17	48:1,3 49:3	1:12 9:9 10:22	33:15 34:5	43:6,10,11	eliminating
59:5,6 64:13	containment	55:2 57:21	determines	43:12 46:6	19:13
64:15	47:8	57:24 60:4,5	34:9	46:10 51:23	emanating
commented	contains	60:24 62:11	determining	51:24 52:7,8	35:22
19:18	66:11	days	17:12 20:9	54:6,11,13	emergency
comments	contemplated	35:8,21 57:3	developed	55:4 57:20	47:7 48:12
3:3 57:3 64:24	54:4	57:18 58:2,5	8:8	57:23 58:16	49:9
common	contingency	deactivated	device	60:8,16	emitted
39:5,24	49:8	24:10,13	8:17	62:19,23	22:24
commonsense	continue	dead	devin	64:4	enact
13:21	15:17	9:5			40:22

29:18, 22	23:9	inconsistent 51:5	k 66:3	31:3 51:3,4	2:12
30:1 31:1, 9	house	increase 11:3	karlovics 2:6 7:17 22:13	lane 6:7	load 34:7 48:21
32:1 35:13	5:5,8 6:7	indicate 48:2	61:4 62:21	large 19:23 21:23	local 1:7 11:13,15
36:10, 14, 17	housekeeping 62:13	individual 40:21	62:23 63:1	62:9,10	located 41:12
37:4, 11, 14	huge 8:11	industries 1:8 2:5	64:11, 14	larry 2:17	location 41:17
38:1 39:1, 6	hundred 12:24 13:2	information 51:9	keep 27:16 61:13	late 35:24	lock 29:1
39:11, 12	hurt 14:6	infrastructure 13:16	62:5	lavender 5:2	locked 28:20
42:7, 10, 18	hypothetical 27:22	11:7 12:4 31:7	kept 48:4	law 2:6,9 37:7,19	long 59:11 62:2
42:21, 23	<hr/> I <hr/>	51:9	kids 11:4 12:8	39:14 56:11	longterm 12:1 13:18
43:6, 10, 17	id 8:23	initial 26:14	kind 29:15 42:2	56:23	looking 9:3,17 13:12
43:23 44:1,9	idea 10:20 13:23	inside 26:22	54:4 56:6	lawyers 56:21	51:11,12,13,16
44:12, 18, 22	14:12 45:13	installing 8:17	59:8 64:19	lay 39:5	58:19 61:21
45:3,4,6,16	52:17 61:11	instance 9:7	kinds 44:3 55:8,11	layout 27:1	63:16
45:22 46:10	ideas 27:9,10	instructive 39:14	kleszynski 60:19,21 63:6	laypersons 39:24	looking 51:20 52:1,9
47:1,19 48:9	identified 45:8,18	insufficient 19:22,24 20:2	kleszynskis 63:21	learn 8:21 24:9	54:8,13,15
49:15,21	identifies 35:20	intent 53:12	knocking 17:10	learned 8:10 34:18	54:24 57:16
50:1,14,19	identify 51:8	intention 48:17	know 5:9,12,18,20	leave 59:13,16,17	59:3 61:16
50:22 51:4	ignore 57:7	interior 17:9	9:2,17 11:12	lectern 4:10	loses 11:19
51:10,16	ii 38:13 41:11,19	interruption 6:13	11:13 12:6	legislature 40:19,20	lost 9:21 12:24
53:2,8,16,21	41:22 51:21	intersection 14:4	15:9 16:10	letting 54:2,2	44:10
54:23 55:17	ill 5:14 13:21	interviews 34:12	16:24 17:4	lic 66:16	lot 8:10 11:1,10
56:13,17,19	36:24 39:16	involved 53:9	18:7,9,16	license 1:24 32:14	11:23 12:14
57:15 58:3	39:17 55:5	involves 33:8	22:10 46:6	40:22	44:2
60:15 61:2,4	61:11,15	irrelevant 30:20,23	46:15 51:13	licensed 18:12,14,19	low 20:23 21:24
61:10,18	illinois 2:18 18:13,15	isnt 22:20 25:24	54:10,13	32:6,20 36:8	luetkehans 2:2,2 36:5
62:17,21	29:21 32:6	27:3 32:12	57:24 58:15	38:10	38:10
64:10,15	32:12,15,18	33:16	59:9 60:1,8	<hr/> M <hr/>	<hr/> m <hr/>
66:9,12	32:21 36:8	issue 8:14 22:4	60:16,22	32:10,24 38:12	1:13,14,23
help	38:3,8 66:1	33:16 38:11	61:13 62:2,8	38:20	2:17 3:8
28:17 54:15	im 4:8,12 5:11,15	38:19 39:12	62:19,23	lie 8:24	7:19 15:18
helsten	5:22 6:13	41:1,4,16	63:4,13,14	life 53:14	22:16 61:6,7
53:1 55:5	8:7 10:4,19	42:13 63:5	64:23	likelihood 13:24 23:12	63:11 65:9
hes	11:23 12:10	issues 24:22 25:17	knowing 25:14	lilies 5:2	66:5,15
36:8 38:16	12:20 13:23	31:16 44:3	28:1,2,4 29:19	limit 62:4	magna 2:6
hi	14:16 15:2	50:6	30:8 39:4,24	limitations 58:22	maintain 23:15
4:12	16:19 19:15	ive 4:1,24 8:9 9:3	40:4,11,13	limited 50:23	major 52:5 54:9
hide	25:3 29:15	9:13 19:6,11	57:24 58:15	lines 55:1	majority 62:10
29:1	30:19 31:1	19:14 39:7	59:9 60:1,8	liquid 49:11	makeup 28:3,8
higher	39:21 46:11	lady 4:7	60:16,22	lisa 1:23 66:5,15	making 15:3
20:24 23:6,19	49:22 50:19	laid 30:21 38:20	61:13 62:2,8	66:5,15	management 22:11 25:18
highest	52:1,9,23	45:17,21,24	62:19,23	listed 2:22 26:3	43:5
28:15	54:2,2,6,8	labeled 50:8 52:4	63:4,13,14	listen 59:14	manner 57:5
hinshaw	54:20,24	labeling 52:5	64:23	little 9:4 27:4 61:16	manuals 21:17 22:3,5,7
2:4	55:18 56:6	lack 22:23 27:22	licensed 18:12,14,19	live 4:22 6:6,7	22:12
hire	56:18 57:19	41:6 44:5	32:6,20 36:8	11:4 15:1	51:17 54:19
13:12	58:17 59:6	46:21	38:10	lived 9:13	55:18
history	60:1,2,8,12	lady 4:7	licensure 32:10,24 38:12	llc 2:2,14	maps 55:10
19:2	61:19,20,22	laid 30:21 38:20	38:20	llp	marous 60:23,23
hoards	62:4 63:13	45:17,21,24	lie 8:24		massive 10:24
10:21	63:22 64:3,5	take 1:2,9 2:7,10	life 53:14		
hold	imagine 13:7	2:13,18,20	likelihood 13:24 23:12		
52:8 57:23	implement 27:11	2:21 4:19	lilies 5:2		
holds	improper 27:22 41:17	5:7 6:7 8:4	limit 62:4		
40:21	incapable 19:13	8:8 10:3,6	limitations 58:22		
holidays	include 20:6	10:10,11	limited 50:23		
58:6	includes 47:8 49:10	11:17,18	lines 55:1		
home	including 10:23	12:13,23,24	liquid 49:11		
9:7 11:24 12:8		15:3	lisa 1:23 66:5,15		
homeowner		landfill 29:22 30:18	66:5,15		
9:13		50:18 53:13	listed 2:22 26:3		
homes		56:2	listen 59:14		
2:16 8:24 9:21		landfills	little 9:4 27:4 61:16		
12:20,21,23			live 4:22 6:6,7		
12:24			11:4 15:1		
honest			lived 9:13		
61:11			llc 2:2,14		
honestly			llp		
44:1 64:11					
hopefully					
52:19					
hoping					
52:13					
hot					
9:9					
hour					
1:13 19:18					
20:10 21:2,9					
21:14 23:7					
65:8					
hours					

material 47:22	moderate 20:23, 23	notification 47:8 49:14	7:4, 8, 16, 17 7:20 15:7	16:11, 24 17:3 17:5, 8, 18	particular 15:12 22:4, 21
materials 17:16, 19 18:21	moment 11:18	november 57:18, 20 59:9	16:15, 19 22:13, 17	29:8	24:23 31:11
matter 62:13	money 12:15	number 3:18 20:9	27:13, 24 28:12 29:13	opinion 16:4 33:12	34:6, 7 37:8
maximum 10:22	moose 3:14 6:15 7:1	21:12 50:15 51:1 62:10	30:1 31:1 32:1 35:13	41:15, 23 42:3	51:18, 21
McCarty 2:21 22:15	7:9 46:15, 20 48:15 55:22	numbers 10:3	36:10, 14, 17 36:19, 21, 24	opinions 33:3 38:13	52:2
mcginley 3:8 6:23 7:10	mooses 19:20 24:3, 5	<hr/> o <hr/>	37:4, 11, 14 39:1, 6, 11	41:18	particularly 38:4
15:15, 18, 23 16:23 29:14	morning 55:6, 12 58:13	o 66:3, 3	42:8, 10, 18 42:21, 23	opportunity 52:19 62:7	parties 52:13 53:6
30:7 37:15 37:23 41:10	morton 13:12	oath 46:22 66:6	43:6, 10, 17 43:23 44:1, 9	63:23 64:2	57:13 58:13
mcginleys 41:8	motion 59:2 62:17	object 22:21 30:19	44:12, 18, 22 45:3, 5, 6, 16	options 11:22 25:15	60:11, 13
mcnally 54:20, 21 55:18	move 11:19 36:8	objecting 63:15	45:22 46:10 47:1, 19 48:9	26:12, 16 31:14	party 37:6 57:7
mean 18:4 19:8, 12	42:5, 8	objection 27:12, 24 29:16	49:15, 21 50:1, 14, 19	order 4:2 34:19	pass 28:24
58:16	moved 8:4	31:2 35:11 36:7 37:5	50:22 51:10 51:16 53:2, 8	ordinance 63:24	passable 35:20
means 57:12	moving 9:15	42:10, 12, 21 42:24 43:13	53:16, 21 54:23 55:17	orientation 15:24	passage 23:10, 12 28:22
measures 31:13	msw 43:5	44:2, 6, 7, 17 44:23 45:1	56:13, 17, 19 57:15 58:3	oriented 16:6	passes 29:1
mechanical 21:7	mueller 52:23	46:3 50:12 60:18 63:2	60:15 61:2, 4 61:10, 18	original 54:5 63:1	pat 2:20 7:18
medical 41:1	<hr/> N <hr/>	63:14, 17	62:17, 21 64:15	output 24:1, 17	pay 12:3
meet 20:20 28:17	n 3:1	objections 26:19 28:18	officers 31:10	outside 26:22	paying 13:10
meeting 61:5 64:18	name 4:14 5:16 6:6	42:14 43:16 50:15	offices 2:6	outweigh 14:17	people 5:4 9:15 13:13
member 8:21	8:2 46:23	observed 30:13	officially 62:14	outweighs 14:19	28:4, 9, 10
members 10:9	nancy 3:4 4:12, 13	46:22 60:16 63:17	oh 16:16 27:18	overall 42:13	35:24
mentioned 19:17 22:3	5:15	occur 25:8 60:6 62:3	okay 4:7, 13, 17, 20	override 28:19	percent 9:21 11:12
23:4 25:11 32:5	necessary 20:9 27:10, 16	56:7	5:23 6:23 7:4, 8, 15	overrides 29:2	19:15 34:15
met 9:13	27:20 29:8 34:1 63:24	oclock 1:13 4:1, 4	23:17 24:20 36:24 37:4	overruled 27:24 60:21	period 61:24 63:7
method 49:12	need 13:19 16:18, 19	64:14	42:18, 23 43:17 44:18	<hr/> P <hr/>	permit 34:21 36:3
mic 4:9 16:13	23:5 33:12 34:5, 9 40:10	october 42:17 43:3, 21	45:3 47:4 49:21 50:5	p 1:13, 14 2:9	persistent 26:9
michael 2:15 3:5 8:2	46:23	44:21 65:8	55:18 56:6 56:19 61:10	7:19 15:18 22:16 49:8	person 39:2, 22 40:8
mics 16:16	needed 23:11, 14 24:11	odor 16:2 17:10	61:18, 19 63:4	61:6, 7 63:11 65:9	54:6
middle 47:22	26:23 64:7	19:5, 7, 9, 13 19:15 22:11	omitting 39:21	page 3:3, 10, 14	personally 30:13
midnight 61:23	needs 17:13 28:24	23:20 24:22 24:22 25:16	once 9:22 57:16	40:17 47:17 47:18 48:20	persons 38:6 39:5
mile 4:22, 23 9:8	35:17	27:1 30:9, 14 31:13 32:8	ones 11:14 14:22	64:12	peter 2:6
11:5	negative 23:15	32:10 33:1 33:10, 15	open 20:18 23:8, 11	pages 39:17 44:13	phillip 2:2
mind 61:14	never 19:14	35:16, 21 41:15, 18, 18	23:13, 14, 20 28:21 34:1, 3	59:11	photo 45:8
minimize 25:9 26:6	new 6:7 35:6, 10, 19	42:1	opened 28:23	paint 8:18, 23	picture 8:18, 23
minimized 23:19, 23	35:23 53:24	odorous 34:7	opener 8:12	paper 12:8	piece 12:8
minimum 21:13 38:9	nice 5:4 9:8, 10	odors 22:23 25:5, 8, 9	opening 33:7	paragraph 47:18, 22	pieces 48:15
minute 20:14 25:21, 23	nobrainier 53:7	25:13, 16 26:7, 9 29:3	openings 20:5, 15	pardon 18:5	pink 4:7
49:2	noise 11:2 13:5 16:2	31:13, 14	operated 41:12	park 1:2 2:8, 11, 20	piscitello 3:4 4:12, 12, 16
minutes 62:2	58:15, 19 60:24 64:10, 19	offered 33:4	operating 29:9	2:21 5:7 6:7 8:8 10:3, 6	4:16, 18, 21
mist 17:8, 12, 16	nos 3:22 43:19	offering 16:4 38:13	operation 28:21 36:4	10:10 11:17 11:18 12:13	6:2, 5
misting 17:13, 14, 15, 24	noses 28:9	office 2:3 3:10 4:1	operational 23:2	12:24 15:3	place 15:2 22:23
18:8, 22 19:4 19:6, 12	notes 43:12 52:1	4:13, 17, 20 5:14, 23 6:3	operator 19:7, 8	part 6:19 8:5 26:13	27:16 35:7 35:21
model 33:11	66:10	6:14, 17, 23		27:1 36:3 44:15, 16	placed 23:24 28:17

33:20 36:4	22:24 35:22	41:17	19:17 21:21,24	19:9	respiratory
plants	preruling	proposed	22:8,9 23:16	referring	11:3
21:10,13	64:3,5	6:8 30:23	23:18	26:4 49:3	respond
play	presence	41:12 47:14	rates	reflect	38:23 63:20
61:10	7:18 22:15	50:17 56:21	20:6	7:18 22:14,18	response
please	present	58:15 59:4	rats	regard	42:22 47:7
4:20 7:18,23	2:19	proposition	11:2	29:3 39:18	48:12 49:9
14:10 15:15	presented	52:23	rcx	regarding	49:12 50:11
16:14 28:12	65:2	pros	3:7	31:9,13	57:8
28:13 45:6	presently	9:24 11:20,24	rdx	regardless	rest
53:3 55:19	53:12	12:5,7,9,12	3:7	51:2	60:4 61:8
57:23 62:23	presents	protected	reaching	regional	restate
62:24	58:20	41:14	40:2	50:9	46:23
point	pressure	provide	reaction	registered	resubmit
15:12 22:14	23:15	4:15 37:23	49:9	18:17	46:11
41:10 42:3	presumes	38:21 52:17	read	registration	resume
49:21 56:20	23:8	provided	19:20 24:5	41:3,7	42:9
56:23 58:19	presuming	37:7	34:21 37:7	regulation	resumed
58:21	20:11	provides	37:12 39:7	35:6	15:21
pollution	pretty	35:16 38:5	49:2 51:15	regulations	retrofit
1:3 11:2 13:5	62:11	providing	reads	37:8 38:4	26:12,15
13:6 24:13	prevents	54:19	6:11	regurgitate	retrofitted
24:15,19,21	30:9	public	ready	59:11	26:11
poor	previously	3:3 4:3,5,5	49:5 59:22	reinvent	returned
11:4 14:21	2:22 6:22	5:22 6:4,19	61:20 62:1	55:4	47:23
28:10	15:19 57:9	7:4,10 15:9	63:20	reiterate	revenue
porter	prior	15:10 41:13	real	36:6 37:17	10:2,5 12:12
2:4 3:12 6:13	36:7 43:13,14	50:2 57:17	10:20 12:20	rejected	12:19 14:10
6:24 7:3	43:16	59:4,6 64:12	55:7	32:18 52:23	rich
14:1 16:18	pro	64:15	really	relate	28:9
16:20 30:19	12:16 13:3	pull	5:4,6,11 9:10	59:4	richard
32:1,3 35:15	14:11	48:24	16:15 22:21	related	2:4
36:5,11,13	probably	pursuant	41:22 49:17	41:15	right
37:4,14,17	50:7 53:1	25:12 43:14	51:17 55:22	relates	4:8,9 9:9 14:1
42:12,14,22	59:22 60:7	put	56:15 58:9	41:16	15:1 16:20
43:15,24	60:10	4:22 9:4 52:14	reason	relation	31:9 34:8,14
45:3,16,17	problem	60:22	5:3 8:5 33:22	33:12 38:17	35:17 48:6
46:1,8,11	26:9 33:16	putting	reasonable	release	59:3 61:15
51:13,15	45:11,15	38:11,19 60:23	34:13 53:1	47:10 49:18	risk
52:18,24	50:24	Q	reasoning	relevant	9:15
53:10,11,17	procedures	qualifications	43:14	37:21 41:7	risks
53:18 54:17	47:9 48:22	18:10 32:20	rebuttal	42:1	10:1 14:17,19
54:19 55:15	49:14	38:12,21	44:4 61:13,16	remain	roads
55:17 56:17	proceed	39:4,23	recall	35:7	51:18,24 52:4
56:18,24	4:20 7:23 60:3	qualified	31:7 35:8	remainder	52:5,6 54:9
58:24 61:15	proceeding	38:6 40:13	52:22 64:13	47:24	54:10,22
62:12,13,19	4:2 31:20	qualify	received	remember	roadways
63:2	proceedings	40:8,10	3:18 42:16	46:22 51:24	55:10
porters	1:11,14 31:11	question	43:2,19	52:7 57:20	roar
37:1 43:13	65:6 66:8,11	3:14 6:9,9,21	44:20	removed	62:5
61:12	process	7:2,6,9	reciprocity	35:17	rocket
portions	34:4 62:10	23:10,16	32:13,23	removing	27:4 29:6
39:8	produce	28:5 31:8,10	recognize	36:1	rodents
portraying	23:6 25:20	35:14 37:22	32:10	rendering	13:16,19
23:1	product	46:15,18,20	recommend	21:9,11,13	room
position	18:3,18	47:2,3,4	25:13 28:16,19	report	34:18
56:1 59:15	professional	48:9,11	recommenda...	42:20	round
possibility	18:12,19 21:6	49:16 56:19	26:2 27:15	reported	1:2 2:7,10,13
23:20 59:20	38:4,7,15	60:14	recommended	1:23 66:8	2:20,21 4:18
possible	40:21 41:1	questioning	25:22	reporter	5:7 6:7 8:4
26:12 64:6	professionals	32:5 34:17	recommending	66:6	8:8 10:3,6
possibly	55:7,8	questions	25:19	request	10:10,10
17:23 18:2	proffered	6:15,18 8:13	reconvene	50:11	11:17,18
potential	40:13	25:12 29:11	61:6	required	12:13,23,24
50:8,8,16 51:1	program	29:14 30:3	record	40:8	15:3
62:14	55:7	46:17	7:18 21:7	requires	route
pr	project	quote	22:14,17	10:21	51:23
10:16	11:21	39:7,15	35:12 37:1	requisite	routes
practical	promising	R	49:22 55:23	38:12	50:9,17 51:1,8
40:5,9	61:21	radial	63:8	51:21,22	
practice	promoting	9:7	recross	52:10 53:19	
33:1 38:5,7	11:14	rae	32:2 37:1	research	
prairie	proper	2:21 22:15	recycle	40:6	
9:17,18	17:19 41:20	58:10	48:24	resident	
predetermined	58:10	raised	recycling	8:4	
40:3	properly	32:4	9:19	residents	
prefer	49:1,14	rand	red	14:22,23 15:4	
57:1 61:17	property	54:20,21 55:18	46:5	respect	
prejudicial	9:15 12:19,21	rate	redirect	17:9 24:6 25:5	
30:20,24	16:6 30:9		30:5	31:16 33:3	
premises	proposal		reduced	60:18,19	
					run

24:13 25:2 33:12 58:7	seen 19:4,6,14	10:5	stadium 45:10	15:2 34:18,23 35:1	5:23 15:16 22:1 23:4
rushed 58:10	sell 18:8	19:1 40:14	stamp 44:13	strike 24:4 36:9 39:16	44:6 46:8,21 49:22 57:18
S	sells 17:23 18:2	16:11, 23 17:3 17:5,7,18 18:20 29:8	stand 4:10 15:16 37:16 45:18 46:21	structural 22:6	taken 25:9 66:10
s	semblance 30:22	slowing 34:4	standard 28:15 40:24	studies 20:1,7 21:5 33:11 40:6	takes 61:5
2:6,15 3:16	seniors 14:21 15:1	slows 34:2	standards 20:20 40:23	study 46:4 54:7 58:15 62:7	talk 10:11,13 31:4 58:13
sacrifice 14:9	sense 22:2 33:7	small 62:13	stands 22:2	submitted 49:20 50:10	talked 6:22 8:19 59:1
safely 49:1	sensitive 28:9	smell 5:5,9 9:4 11:2	start 48:16 60:1,10 60:11	substantially 32:14,19	talking 18:11 24:15 25:24 31:2 31:11 54:18 55:21 56:18 63:9
safety 41:13	separate 23:16 33:6	smells 9:20	starting 64:19	substitute 46:5	taught 22:11 33:9
sake 60:20	separated 47:24	smith 3:14 5:18,19 5:21 6:1,6,6 6:18,21 7:7 7:13,15 46:13,14,15 46:19,23 47:4,21 48:10,11 49:16,17,24 58:2	state 5:11 14:2,2 18:12 31:18 32:9,10,14 38:8 40:17 40:22 47:2 47:11 50:8 62:14 63:8 66:1	sufficient 31:7 45:20 49:4 61:24	tax 11:16
sales 18:2,7	september 1:13 63:10	smiths 6:15 46:18	statements 41:24	suggest 34:12 63:24	taxpayer 8:21
salesman 18:1 19:1	serve 40:9	socioeconomic 28:3,7	states 32:8 47:5,21 48:6	suggested 57:5	tch 3:19 42:8,15 43:1,18
salesperson 17:23	set 59:18	sole 18:24	station 1:9 4:23 8:6 9:8,19 10:20 13:1 15:24 16:5,24 17:9 18:20 21:16 24:7,23 25:1 25:15,16 27:11,17,21 28:2 29:9 31:3 44:14 47:14 48:23 49:12	suggestion 53:4	teach 12:8
sat 56:3,8,9	setting 40:22	solid 2:17	statement 6:19,24 41:21 56:11	suggestions 59:14	tell 6:5 8:11 9:24 9:24 11:8 12:10,16 13:22,23 14:11 20:17 58:23 62:1
satisfied 37:13	settled 39:19	solution 54:24	statements 41:24	suitably 16:6	temporary 48:2
saw 10:3 19:10 34:21	seven 35:8,21 57:3	somewhat 45:11	states 32:8 47:5,21 48:6	sunday 63:10	ten 31:17
saying 28:7	sheet 12:6	soon 36:11,12	station 1:9 4:23 8:6 9:8,19 10:20 13:1 15:24 16:5,24 17:9 18:20 21:16 24:7,23 25:1 25:15,16 27:11,17,21 28:2 29:9 31:3 44:14 47:14 48:23 49:12	suppose 38:10	tentative 62:9
sayings 11:14	shes 47:1	sorry 4:8 6:13 56:18	statements 41:24	supreme 38:1	term 24:19
says 10:15 39:16 49:18 54:9 66:6	shorthand 66:8,10	sort 16:2 17:2 20:1 23:5 27:8	states 32:8 47:5,21 48:6	sure 5:15 15:2 16:19 22:10 49:22 50:20 54:20 60:12	terms 23:2
scant 5:2 9:5	shortterm 12:1 13:17 14:10	sound 39:20	station 1:9 4:23 8:6 9:8,19 10:20 13:1 15:24 16:5,24 17:9 18:20 21:16 24:7,23 25:1 25:15,16 27:11,17,21 28:2 29:9 31:3 44:14 47:14 48:23 49:12	surprise 24:9,12 60:17	testified 15:20 20:3 29:17,21 31:15 51:20 52:7 55:23
schedule 56:10,22 58:14 59:13,18 62:3	show 13:21 14:16,18 14:20 43:12	sounds 12:14	station 1:9 4:23 8:6 9:8,19 10:20 13:1 15:24 16:5,24 17:9 18:20 21:16 24:7,23 25:1 25:15,16 27:11,17,21 28:2 29:9 31:3 44:14 47:14 48:23 49:12	sustain 31:1	testify 38:22 39:3,22 41:5 60:22
scheduled 4:3 61:1	showing 51:17,23 52:10	source 18:24 34:12	stations 5:10 8:10,15 8:20 11:11 16:11 21:18 21:19 25:6 31:6 35:7	surprise 24:9,12 60:17	testifying 31:11 36:7
schedules 58:16,20	shows 51:1 54:21	space 23:14 26:21	statute 35:19 40:22	surprise 24:9,12 60:17	testimony 8:2 19:21 24:3 31:12 37:24 38:21 39:18 39:20 40:1 40:12,15,20 41:8,9 42:13 53:11 54:2,5 54:8,16 55:20 63:21
schirott 2:2	side 12:9,10,16 24:17 27:7	speak 8:1	statute 35:19 40:22	suppose 38:10	thank 5:14,16,16 7:15,16 8:1 15:6,6,7,13 15:13 28:13 36:13 42:7 42:14 46:8 49:24 50:1,5 64:22,22 65:3
science 27:4 29:6	signs 59:4	speaker 16:13	statute 35:19 40:22	suppose 38:10	
scientific 40:6	simple 20:4,17	speaking 5:22 6:4 21:22 26:17 28:2	statute 35:19 40:22	suppose 38:10	T
screening 48:21	simplest 55:2	specialized 40:4	statute 35:19 40:22	suppose 38:10	
seams 20:12	simply 45:7 54:19	specific 40:7 41:24,24	statute 35:19 40:22	suppose 38:10	
seat 37:15	simultaneous 59:12	specifically 18:11 48:2 50:16 59:4	statute 35:19 40:22	suppose 38:10	
sechen 2:9,10 3:9 15:16,22 16:22 22:19 27:14,19 28:6,14 29:11 36:19 36:20 57:12 60:9 63:5	simultaneously 57:12	spell 4:14	statute 35:19 40:22	suppose 38:10	
sechens 32:5 63:9	sir 7:23 22:20 26:18 27:15 28:10	spend 52:15	statute 35:19 40:22	suppose 38:10	
seconds 34:3	site 6:8 20:20 27:1 37:24	spill 49:13	statute 35:19 40:22	suppose 38:10	
section 29:17,22 41:22 47:17	sites 50:10	spoke 10:8,14	statute 35:19 40:22	suppose 38:10	
see 10:16 11:20 12:4,5 13:9 20:2 48:23 55:6 57:14 61:18 65:4	siting 1:4,7 6:10 38:18	spoken 14:14	statute 35:19 40:22	suppose 38:10	
	sitting 1:3	ss 66:2	statute 35:19 40:22	suppose 38:10	
	situation 57:6		statute 35:19 40:22	suppose 38:10	
	six 19:18 23:13 34:2		statute 35:19 40:22	suppose 38:10	
	size		statute 35:19 40:22	suppose 38:10	

thanks 16:17	15:6 17:20 24:7 36:5	8:24 9:6	<hr/> V <hr/>	33:3 48:23 49:11 51:8 55:2 64:20	54:21 55:6 55:11
thanksgiving 58:7	58:22 61:8 61:24 63:7 63:20 64:7 64:12	traveled 30:14 traveling 30:10 treated 47:13 treating 6:12 47:6,15 tressler 2:12 trial 39:21 tried 18:15 56:9 trier 40:1,15 truck 11:2 23:10,12 28:22,24,24 50:9 51:21 53:23 62:15 trucks 10:21 34:2 true 16:23 17:7 32:12 33:17 66:9 trust 34:15 trustee 2:20,21 7:18 22:15 trustees 2:7,22 7:21 try 52:15 58:13,20 60:2 62:5 trying 54:7 58:18 59:1 60:8 tuesday 64:20 turn 62:23 twins 45:9 two 23:13 43:5 49:2 56:8 twofold 63:16 type 31:12,20 typically 21:12,15 33:24	v 49:7 value 9:22 12:20,22 13:1 values 9:16 van 38:3 41:2 velocity 20:17,19,21 21:1 23:6,17 versus 10:1 11:20 12:5,7 14:11 victims 14:24 view 23:24 vii 6:10,11 47:5 47:16 48:8 48:12,16 49:17,20 village 1:1,2 2:7,10 2:13,20,21 10:2,6 12:13 12:23 57:21 61:5 64:17 64:23 villages 10:9 violation 48:8 volume 20:4,15 22:9	ways 20:12 wed 5:13 61:7 wednesday 60:12 64:19,21 week 56:4 weekandahalf 56:3 weigh 11:24 weighed 11:22 weight 41:7 welfare 41:13 went 8:18,19 41:14 west 4:18 8:24 52:2 weve 62:10 whats 14:19 21:15 46:4 56:7 whatsoever 30:22 38:17 wheel 55:4 whiff 9:1 white 49:5 wildspring 4:18 williams 2:20 7:19 willing 6:14 7:1 52:24 60:12 wind 17:1 20:23,24 33:15 34:6 winds 8:24 winnebago 50:17 51:2 56:1 winter 9:5 wish 4:9 6:20 7:5 15:12 37:5 42:5 60:11 61:9 wishes 4:5 7:12 15:8 37:9 50:3 withdraw 62:14,17 witness 3:7 15:19 28:1 31:2,15 36:7 37:19,20 45:8,18 witnesses 40:23 wont 16:19 33:23 34:13 word 44:5 46:21 58:17 work 10:10,17 12:18 16:16 52:24	worked 53:5 working 4:9 16:17 18:7 works 18:17 world 65:2 worth 15:4 wouldnt 18:14 24:12 wrong 10:4,19 13:23 52:8 58:17 60:1 64:12 wrote 45:12
that's 5:23 6:1 7:13 8:3 9:2,12 9:14,23 10:22 11:23 12:15,18 13:2 14:18 14:18 16:16 19:24 21:11 21:12 23:7 30:22 31:22 39:10 42:2 43:22 45:14 48:18,18 49:18 52:9 53:18 54:14 55:21 56:19 57:18,22 58:5,10 59:7 59:8 61:3 63:21	times 31:15,17 33:13 62:8 timing 58:8 tipping 34:17 48:1 tires 49:6 today 25:12 31:12 33:4 36:8 37:10,22 46:13 told 60:17 tomorrow 15:10 46:5,10 55:5 58:15 59:15,16,17 59:21 60:10 60:24 61:1,3 61:17,20 62:1 63:5 64:4,10,13 64:16 65:4 tonight 4:6 64:9 tool 11:8 top 57:19 topics 38:22 totally 19:9 track 44:10 traffic 14:7 51:5 trained 17:3,5,7 training 30:8 33:5,6 40:6,7,14 transcript 1:11 24:5 66:10 transfer 1:9 4:23 5:10 8:6,10,14,20 9:8,19 10:20 11:11 13:1 15:24 16:5 16:11,24 17:9 18:20 21:15,18,19 24:7,23 25:1 25:6,15,16 29:9,22 30:17 31:3,6 35:7 44:14 47:14 48:23 49:12 transferred 47:12 translate 21:3 transmission 16:1 transmissions 16:1 transport 49:5 travel	travels 15:10 46:5,10 55:5 58:15 59:15,16,17 59:21 60:10 60:24 61:1,3 61:17,20 62:1 63:5 64:4,10,13 64:16 65:4 tonight 4:6 64:9 tool 11:8 top 57:19 topics 38:22 totally 19:9 track 44:10 traffic 14:7 51:5 trained 17:3,5,7 training 30:8 33:5,6 40:6,7,14 transcript 1:11 24:5 66:10 transfer 1:9 4:23 5:10 8:6,10,14,20 9:8,19 10:20 11:11 13:1 15:24 16:5 16:11,24 17:9 18:20 21:15,18,19 24:7,23 25:1 25:6,15,16 29:9,22 30:17 31:3,6 35:7 44:14 47:14 48:23 49:12 transferred 47:12 translate 21:3 transmission 16:1 transmissions 16:1 transport 49:5 travel	U unacceptable 48:3,22 49:4 uncomfortable 65:3 understand 32:17 36:3 54:16 56:2,4 58:24 64:6 understanding 40:16 35:6,20 36:1 44:14 47:7 47:12,15,22 47:24 48:3,7 48:14,17,21 48:22 49:4 49:10,11 51:6 53:13 water 34:24 35:1 way 5:12 9:16 25:14 26:6	W waiting 5:20 34:3 44:4 waiving 42:11 want 4:10,22 5:4,5 6:18 12:17 12:18 15:5 15:15,16 24:20 37:17 46:19,20 54:6 55:4,24 60:22 62:14 63:8,22 64:4 64:6 wanted 4:21 5:11 40:20 61:6 washers 49:6 washing 34:17 wasnt 11:9 24:10 37:10 waste 2:17 11:10 35:6,20 36:1 44:14 47:7 47:12,15,22 47:24 48:3,7 48:14,17,21 48:22 49:4 49:10,11 51:6 53:13 water 34:24 35:1 way 5:12 9:16 25:14 26:6	X x 3:1,16 Y year 8:5,9 12:14 years 4:24 13:9 19:16 you'll 4:7 you're 7:1 13:5 14:4 16:4 21:22 28:2,7 39:6 39:8 46:22 48:13 52:4 62:6 you've 5:20 13:8,15 15:2 16:16 25:11 29:2 31:12 33:3 37:7,11 53:24 Z 0 00 1:13 4:1,4 7:19 61:2,6 61:6,7 64:14 64:16 65:9 000 9:22,22 10:4 12:14 13:5 13:17 07 63:11 084003301 1:24 66:16 1 14:4 42:17 43:3,21 44:21 65:8 10 3:24 11:11,12 12:15 14:4 21:8,13 43:24 44:6,8 44:10,12,20 62:2 100 10:4 12:14

13:17 19:15 34:15 100feetperm ... 20:21 100footperm ... 21:1 11 43:24 44:7,23 44:24 45:2 11a 46:4 12 12:15 21:8,13 65:9 120 10:4 11:1 12:14 13:17 14:1 58:2 1300 6:8 137 51:23 52:8 15 3:9 4:24 16 1:14 180 58:1 1st 57:18	3:12 39 29:17,22				
<hr/> 2 <hr/>	<hr/> 4 <hr/>				
2 29:17,22 47:17 48:20 63:11 20 13:5 22:16 51:19 52:3 59:10 200 9:22 2013 1:13 42:17 43:3,21 44:21 65:8 204 6:7 213 37:18,20 21st 58:4 221 39:16,17 23 44:13 24 44:13 240 10:22 29 3:10 39:17 44:13 29th 63:10 2d 39:16,17 2nd 57:18	3:4,21 42:20 43:2 47:17 48:20 64:14 64:16 40 19:15 400 9:22 41 3:22 43:4,19 414 39:17 42 3:20,22 43:4 43:19 428 39:17 43 3:21,22 431 40:17 433 40:19 434 40:18,19 44 3:24 47 3:14				
<hr/> 3 <hr/>	<hr/> 5 <hr/>				
3 3:20 42:8,16 30 3:11 44:13 57:18 61:7 301 1:8 30th 1:12 32	5 61:2 62:2 50 9:21 512 4:18				
	<hr/> 6 <hr/>				
	6 61:6				
	<hr/> 7 <hr/>				
	7 1:13 4:1,4 7:19 22:16 61:6,7,7				
	<hr/> 8 <hr/>				
	8 1:14 3:5 47:17 48:20 8th 57:22 59:9				
	<hr/> 9 <hr/>				
	9 11:11 94 51:19 52:3				