

**TAZEWELL COUNTY**

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## **Citizens Guide to Pollution Control Facilities and the Siting Process**

**Produced by the Tazewell County Health Department**

**Solid Waste Planning and Enforcement Office**

**(309) 925-5511 extension 226**

**[www.tchd.net/solid\\_waste/siting.htm](http://www.tchd.net/solid_waste/siting.htm)**

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In Illinois, a developer who wants to build a new or expand an existing landfill or other pollution control facility, in an unincorporated area of the County, must first request approval of its location from the County Board. The County Board is also known as the local siting authority.

The law outlines the rights and responsibilities of the various interested parties in this process:

- The applicant must comply with certain notification requirements and must present a proposal that meets the criteria of the siting law;
- The public must be notified of the proposal and given an opportunity to comment on it;
- The local officials are assigned the responsibility of examining the application and evaluating public comments and other information submitted into the record to determine whether the site meets the requirements of the siting law; and
- The Illinois EPA will not review a permit application for the new site until the siting application has been approved by the local siting authority.

Tazewell County Landfill, Inc. (TCL), an affiliate of Peoria Disposal Company (PDC), is applying for siting approval from the Tazewell County Board to expand the Indian Creek landfill. This landfill only accepts nonhazardous solid waste (primarily household garbage) from Tazewell County and other nearby communities. If the County approves local siting, TCL will then apply for permits from the Illinois EPA. The expansion will add approximately 86 acres to their current 37-acre footprint. The expanded landfill will meet Tazewell County's growing solid waste disposal needs for approximately 40 more years.

Copies of the Rules of Order and registration forms for the Public Hearing may be obtained from either of the following:

Tazewell County Clerk  
11 S. 4<sup>th</sup> Street  
Pekin, IL 61554  
(309) 477-2264

or

Tazewell County Health Department  
Solid Waste Planning & Enforcement Director  
21306 Illinois Route 9  
Tremont, IL 61568  
(309) 925-5511

Public comments may be sent to the Tazewell County Clerk  
as follows:

Tazewell County Clerk  
11 S. 4th Street  
Pekin, IL 61554  
Fax: (309) 477-2244  
E-mail: [icexpansion@tazewell.com](mailto:icexpansion@tazewell.com)

application.

While the public is encouraged to participate in the siting process, the County Board's decision on the siting application must be based exclusively on the record developed during the siting application review process. The record consists only of those items which are either filed with the County Clerk on a timely basis or which are presented at the Public Hearing. Therefore individuals should not contact County Board Members directly with comments, information, concerns or opinion outside of the Public Hearing process or the records kept by the County Clerk. All communications should be directed to the County Clerk for filing in the public record. The County Board will be directed to disregard any and all comments, communications or contacts which are not filed with the County Clerk and/or contained in the record of the Public Hearing.



Under State law, Tazewell County may only consider the following 9 statutory siting criteria in their decision to either approve or deny the application request:

1. The facility is necessary to accommodate the waste needs of the area it is intended to serve.
2. The facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.
3. The facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property.
4. The facility is located outside the boundary of the 100-year flood plain.
5. The plan of operations for the facility is designed to minimize the danger to the surrounding area from fire, spills or other operational accidents.
6. The traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flow.
7. If the facility will be treating, storing or disposing of hazardous waste, an emergency response plan for the facility will be developed to include notification, containment and evacuation procedures to be used in case of an accidental release.
8. If the facility will be located within a regulated recharge area, any applicable requirements specified by the Pollution Control Board for such areas have been met.
9. If the facility is to be located in a county where the county has adopted a solid waste management plan, the facility is consistent with the plan.

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

Illinois law intends that citizens have the opportunity to be fully informed about the proposal and to have an opportunity to comment. At least 14 days before filing its request for approval of the site, TCL notified all owners of property within 250 feet in all directions of the boundary of the site and notified members of the General Assembly from the legislative district in which the facility is located. TCL has also published a notice in Pekin Daily Times. TCL will also be required to publish similar notices prior to the Public Hearing.

A copy of TCL's application, and all other documents filed relating to the proposed expansion are on file at the County Clerk's office, and are available to the public for inspection and copying by interested persons. Anyone wishing copies of the application and/or other documents are required to pay the County for the cost of copying.

The law also requires that the County conduct at least one public hearing between 90 and 120 days of receiving the application. To satisfy this requirement a public hearing has been scheduled for January 30<sup>th</sup> and 31<sup>st</sup> 2007 and if necessary February 1<sup>st</sup> and 2<sup>nd</sup> from 9:00 am to 5:00 pm at the Boynton Mennonite Church located at 326 N.W. Jefferson, Hopedale, Illinois 61747. The hearing will be open to the public and individuals interested in attending and/or participating in the public hearing should consult the Rules of Order which have been developed for the hearing. The Rules of Order may be obtained from either the Tazewell County Clerk's office or the Tazewell County Health Department.

There are numerous deadlines for those wishing to present evidence and/or participate at the Public Hearing, including a requirement that any person wishing to participate at the Public Hearing must fill out a Participant Registration Form and file it with the County Clerk at least two (2) business days before the start of the Public Hearing.

In addition to the opportunity to provide comment before and during the Public Hearing, the public also may comment on the application in writing until 30 days after the public hearing. Written public comment may be mailed to the County Clerk, sent by fax or email, or filed in person. In order to be considered as part of the record upon which the County Board determines whether the nine (9) siting criteria have been met, all such written comments must be filed and/or post marked no later than the 30<sup>th</sup> day after the close of the Public Hearing.

The Public Hearing proceedings will be transcribed by a court reporter and will be available at the County Clerk's office for public inspection, and copying as with other documents filed pertaining to the proposed expansion.

The County Board's decision concerning TCL's application for local siting approval is not necessarily the final say on the matter. If the County denies siting approval, TCL may appeal the decision to the Illinois Pollution Control Board. If the siting is approved by the County, a citizen opposed to the development may also appeal the decision to the Pollution Control Board, as long as he has established his interest in the case by having participated in the public hearing. Citizens must also show that in some way they are affected by the landfill expansion. In either case, a petition for a hearing must be filed with the Pollution Control Board within 35 days of the County's written decision on the siting