

ORIGINAL

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CLERK'S OFFICE

JAN 12 2015

STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
) No.
ILLINOIS POLLUTION CONTROL)
BOARD MEETING)

REPORT OF THE PROCEEDINGS held in the above entitled cause before Hearing Officer Deanna Glosser, called by the Illinois Pollution Control Board, taken by Steven Brickey, CSR, for the State of Illinois, 100 West Randolph Street, Chicago, Illinois, on the 8th day of January, 2015, commencing at the hour of 11:00 a.m.

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A P P E A R A N C E S

MS. DEANNA GLOSSER, Chairman
MR. JERRY O'LEARY, Board Member
MS. JENNIFER BURKE, Board Member
MS. CARRIE ZALEWSKI, Board Member
MR. JOHN THERRIAULT, Clerk

1 MS. GLOSSER: We will now allow
2 members of the public to address the Board
3 concerning items that appear on today's agenda. I
4 understand that we do have people here today that
5 would like to speak. If you can come forward and
6 state your name and who you represent for the
7 record and share your comments.

8 MR. SPENCER: My name is Bill
9 Spencer. I'd like to talk on the cases concerning
10 Clinton Landfill. I would like to thank this
11 Board for the opportunity to state -- for me to
12 state and defend my position regarding the act
13 requirements under 39.2 for siting approval for
14 CLI's new hazardous waste disposal operations. As
15 of this Board's decision regarding PCB 13-22 three
16 official actions have occurred.

17 DeWitt County Board has ruled a
18 siting was needed due to CLI's desire to accept
19 hazardous waste and the Agency has modified CLI's
20 permit that was granted for hazardous waste
21 disposal at a facility. This was due to CLI's
22 lack of meeting siting requirements under 39.2.
23 Clinton Landfill had falsified Agency required
24 documents stating they had County Board approval

1 to accept hazardous waste and two counties, DeWitt
2 and Piatt, have just placed on its last election
3 ballot an advisory referendum concerning the
4 disposal of hazardous waste by CLI. Over 90
5 percent of the electorate said no to hazardous
6 waste disposal by CLI.

7 What action does this Board
8 suggest to enforce 39.2? This Board stated in PCB
9 13-22 because Section 39.2 is directed as a
10 responsibility of a local authority the Board has
11 previously held Section 39.2 is not properly the
12 subject of an enforcement action. For all
13 practical purposes, anyone and everyone agrees
14 that 39.2 was not followed. Permitting and siting
15 was -- are separate and distinct requirements for
16 a hazardous waste landfill. CLI's failed attempts
17 to expand its hazardous waste facility was a clear
18 motive to violate 39.2.

19 Why is the lack of CLI's
20 compliance with siting requirements under 39.2 not
21 construed as an accessible citizen enforcement
22 action? Is CLI following the law or is CLI's
23 actions even moral? CLI has admitted lying and
24 has no problem misleading government officials and

1 the people to get what they want, a hazardous
2 waste landfill. With over a million unreported
3 violations, CLI continues to place the people in
4 danger of being poisoned by its desire just to
5 make money. CLI is operating an open hazardous
6 waste landfill that is dumping leachate directly
7 into Salt Creek. Explosions have been occurring
8 at CLI's facility that can be seen miles away due
9 to gas clouds shooting hundreds of feet into the
10 air.

11 CLI has after being exposed
12 admitted to its plans to dispose of hundreds of
13 federal hazardous waste cleanups in the Chicago
14 area at its facility. CLI has openly made public
15 threats against elected officials at public
16 meetings. CLI has funded bullies to threaten
17 elected officials and the people. CLI has
18 threatened the news media and anyone that would
19 exercise its First Amendment rights.

20 CLI has stopped paying hosting
21 and recycling fees. A rogue landfill threatening
22 the State of Illinois must be held accountable for
23 not paying its taxes. CLI cannot be trusted.
24 Clearly, it has been involved in a conspiracy to

1 dispose of hazardous waste without first informing
2 the government officials or the public. With this
3 said, I do not see landfilling as a solution to
4 the disposal of hundreds, if not thousands, of
5 illegally dumped hazardous waste materials to the
6 site. Landfilling is not the only choice the
7 people have right -- the people have a right to
8 know how tax dollars are spent.

9 Obviously, CLI wants the money
10 that is in favor of landfilling, but it may make
11 more sense to look for more permanent solutions,
12 not temporary ones like landfilling. Some form of
13 dialogue needs to be made between the government
14 officials and the public. CLI has a great
15 financial advantage and is clearly driven by greed
16 as to public -- as to the public's simple desire
17 for health and safety. You could look at this as
18 a battle between David and Goliath or just putting
19 the cart before the horse.

20 Clearly, 39.2 does come to --
21 before permitting. It is a problem that must be
22 resolved. I ask the Board to work with the
23 public, not just CLI. Thank you.

24 MS. GLOSSER: Thank you,

1 Mr. Spencer. Is there someone else that would
2 like to provide comments? Sir?

3 MR. WISSMILLER: My name is George
4 Wissmiller. I'm a retired Champaign police
5 officer. I've been involved in this issue for
6 about six years. I would like to thank the Board
7 for letting me speak. I'm going to talk a little
8 bit about public opinion.

9 In this country, public opinion
10 is what is supposed to direct government. That is
11 the way it is supposed to work and generally
12 that's the way it does work. Public opinion on
13 this -- we had a referendum in DeWitt County. It
14 was 90 percent opposed to this. We had a
15 referendum in Piatt County. It was 96 percent
16 opposed to it. We had record turnouts for both of
17 these elections for a non-presidential year and 90
18 and 96 percent of the public agreeing on any issue
19 is absolutely unheard of. Just absolutely unheard
20 of.

21 I ran for office a little over
22 two years ago. I was an independent candidate
23 running in a Republican fortress county, DeWitt
24 County. I won. I ran on the landfill issue. The

1 way I won I knocked on about a thousand doors. Of
2 those thousand doors, I literally had two people
3 who thought this was a good idea. Two out of a
4 thousand. Well, I didn't talk to all of them, but
5 about 700. We have meetings about this. The
6 attendance of this meeting -- at these meetings
7 with the exception of the CLI representatives are
8 universally opposed to it. We all know about
9 governmental meetings. I mean, look around here
10 today. We've got, what, three people here. We
11 get 250 people, 300 people show up for some of
12 these meetings all entirely opposed to this thing.

13 The public is what is supposed
14 to direct government in this county. The public
15 has given government its marching orders on this
16 one. The public does not want this to happen. We
17 have proof, after proof, after proof, after proof
18 that this is the case. I have asked a question
19 for six years now. I modified it a little bit,
20 but I have asked the same question over and over.
21 I have yet to get an answer to it. Will somebody
22 please explain to me how it can possibly be a good
23 idea, a safe idea, a responsible idea, to dump
24 some of the most deadly toxins known on top of the

1 drinking water supply for 850,000 people?

2 I own property in DeWitt County,
3 up in the northeast corner of DeWitt County. It
4 is about probably 12 or 15 miles away from the
5 landfill. I'm not suggesting that we do this, but
6 my property is not over the aquifer. We move 15
7 miles we've got a better solution. I wouldn't be
8 happy with that solution. A plasma furnace is
9 something that would be a responsible solution,
10 but there are better options available. Why
11 aren't we exploring those? This is just about the
12 worst option available and this is the one that
13 we're pushing for. Thank you very much.

14 MS. GLOSSER: Thank you, sir.
15 Anybody else that wishes to make comments? I want
16 to thank you all for coming here on such a cold,
17 blistery winter morning and providing comments to
18 us.

19 I want you to be aware that your
20 comments have been recorded by a court reporter
21 and they will be published for the record in our
22 online system and so that will be -- they will be
23 there for everybody else to share in the future.
24 So is there anybody else that wishes to speak?

1 Anybody in the Chicago office that wishes to
2 speak?

3 Seeing no one coming forward,
4 this concludes the time the Board has set aside to
5 allow the public to address the Board. We will
6 now proceed with the next item on our agenda.

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1 STATE OF ILLINOIS)
 2) SS.
 3 COUNTY OF COOK)
 4

5 I, Steven Brickey, Certified Shorthand
 6 Reporter, do hereby certify that I reported in
 7 shorthand the proceedings had at the trial
 8 aforesaid, and that the foregoing is a true,
 9 complete and correct transcript of the proceedings
 10 of said trial as appears from my stenographic
 11 notes so taken and transcribed under my personal
 12 direction.

13 Witness my official signature in and for
 14 Cook County, Illinois, on this 12th day of
 15 January, A.D., 2015.



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 24

<p style="text-align: center;">A</p> <p>a 2:1,1,1 3:17,21 4:9,10,16,17 5:1,2,21,24 6:3 6:7,14,18,21 7:4,7,13,14,17 7:21,23 8:1,3,3 8:18,19,22,23 8:23 9:7,8,9,16 9:20 11:8 A.D 11:15 a.m 1:7 about 7:6,8 8:1 8:5,5,8 9:4,11 above 1:4 absolutely 7:19 7:19 accept 3:18 4:1 accessible 4:21 accountable 5:22 act 3:12 action 4:7,12,22 actions 3:16 4:23 address 3:2 10:5 admitted 4:23 5:12 advantage 6:15 advisory 4:3 aforsaid 11:8 after 5:11 8:17 8:17,17 against 5:15 Agency 3:19,23 agenda 3:3 10:6 ago 7:22 agreeing 7:18 agrees 4:13 air 5:10 all 4:12 8:4,8,12 9:16 allow 3:1 10:5 Amendment 5:19</p>	<p>an 4:3,12,21 5:5 7:22 8:21 and 3:5,6,7,12 3:19 4:1,2,13 4:14,15,23,24 5:17,18,21 6:14,15,17,18 7:11,17,18 8:20 9:12,17 9:21,22 11:8,9 11:11,13 answer 8:21 any 7:18 anybody 9:15,24 10:1 anyone 4:13 5:18 appear 3:3 appears 11:10 approval 3:13 3:24 aquifer 9:6 are 4:15 6:8 8:7 9:10 area 5:14 aren't 9:11 around 8:9 as 3:14 4:9,21 6:3,16,16,17 11:10 aside 10:4 ask 6:22 asked 8:18,20 at 1:7 3:21 5:8 5:14,15 6:17 8:6 11:7 attempts 4:16 attendance 8:6 authority 4:10 available 9:10 9:12 aware 9:19 away 5:8 9:4</p> <p style="text-align: center;">B</p>	<p>ballot 4:3 battle 6:18 be 5:8,22,23 6:13,21 8:22 9:7,9,19,21,22 9:22 because 4:9 been 5:7,24 7:5 9:20 before 1:4 6:19 6:21 being 5:4,11 better 9:7,10 between 6:13,18 Bill 3:8 bit 7:8 8:19 blistry 9:17 Board 1:2,5 2:2 2:3,3 3:2,11,17 3:24 4:7,8,10 6:22 7:6 10:4,5 Board's 3:15 both 7:16 Brickey 1:5 11:5 11:20 bullies 5:16 BURKE 2:3 but 6:10 8:4,20 9:5,10 by 1:5,5 4:4,6 5:4 6:15 9:20</p> <p style="text-align: center;">C</p> <p>C 2:1 called 1:5 can 3:5 5:8 8:22 candidate 7:22 cannot 5:23 CARRIE 2:3 cart 6:19 case 8:18 cases 3:9 cause 1:4 Certified 11:5 certify 11:6</p>	<p>Chairman 2:2 Champaign 7:4 Chicago 1:6 5:13 10:1 11:22 choice 6:6 citizen 4:21 cleanups 5:13 clear 4:17 clearly 5:24 6:15 6:20 Clerk 2:4 CLI 4:4,6,22,23 5:3,5,11,14,16 5:17,20,23 6:9 6:14,23 8:7 CLI's 3:14,18,19 3:21 4:16,19 4:22 5:8 Clinton 3:10,23 clouds 5:9 cold 9:16 come 3:5 6:20 coming 9:16 10:3 commencing 1:7 comments 3:7 7:2 9:15,17,20 complete 11:9 compliance 4:20 concerning 3:3 3:9 4:3 concludes 10:4 conspiracy 5:24 construed 4:21 continues 5:3 Control 1:2,5 Cook 11:3,14 corner 9:3 correct 11:9 could 6:17 counties 4:1 country 7:9 county 3:17,24 7:13,15,23,24</p> <p style="text-align: center;">D</p> <p>danger 5:4 David 6:18 day 1:6 11:14 deadly 8:24 Deanna 1:4 2:2 decision 3:15 defend 3:12 desire 3:18 5:4 6:16 DeWitt 3:17 4:1 7:13,23 9:2,3 dialogue 6:13 didn't 8:4 direct 7:10 8:14 directed 4:9 direction 11:12 directly 5:6 disposal 3:14,21 4:4,6 6:4 dispose 5:12 6:1 distinct 4:15 do 3:4 6:3 9:5 11:6 documents 3:24 does 4:7 6:20 7:12 8:16 dollars 6:8 doors 8:1,2 drinking 9:1 driven 6:15 due 3:18,21 5:8 dump 8:23 dumped 6:5 dumping 5:6</p> <p style="text-align: center;">E</p> <p>E 2:1,1</p>
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