

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PROTECT WEST CHICAGO,)	
)	
Petitioner,)	
)	
v.)	PCB 23-107
)	(Third-Party Pollution Control Facility
CITY OF WEST CHICAGO, WEST)	Siting Appeal)
CHICAGO CITY COUNCIL and)	
LAKESHORE RECYCLING SYSTEMS,)	
LLC,)	
)	
Respondents.)	

PEOPLE OPPOSING DUPAGE)	
ENVIRONMENTAL RACISM,)	
)	
Petitioner,)	
)	
v.)	PCB 23-109
)	(Third-Party Pollution Control Facility
CITY OF WEST CHICAGO and)	Siting Appeal)
LAKESHORE RECYCLING SYSTEMS,)	
LLC,)	
)	
Respondents.)	

NOTICE OF FILING

TO: See Attached Service List

PLEASE TAKE NOTICE that on April 18, 2023, the CITY OF WEST CHICAGO and the WEST CHICAGO CITY COUNCIL electronically filed with the Office of the Clerk of the Illinois Pollution Control Board the Record of its Proceedings along with the Certificate of Record on Appeal and the Index to Record of Proceedings, a copy of the Certificate of Record on Appeal and Index to Record of Proceedings which is hereby served upon you.

Respectfully submitted,


CITY OF WEST CHICAGO and
WEST CHICAGO CITY COUNCIL,
Respondents

By: 
One of Respondent's Attorneys

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AFFIDAVIT OF SERVICE

I, the undersigned, on oath state that I have served on this 18th day of April, 2023, the Notice of Filing, Certificate of Record on Appeal and Index to Record of Proceedings on behalf of the City of West Chicago and the West Chicago City Council upon the following persons to be served via email transmittal from 20 N. Wacker Drive, Chicago, Illinois 60606, this 18th day of April, 2023.


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CERTIFICATE OF RECORD ON APPEAL

In accordance with the Illinois Pollution Control Board’s procedural requirements, I, Michael Guttman, City Administrator of the City of West Chicago, hereby certify that the documents enclosed and described in the attached Index to Record of Proceedings, are true and accurate copies of the documentation deposited in the official files and records of this office regarding the Application for Local Siting Approval for the West DuPage Recycling and Transfer Station filed by Lakeshore Recycling Systems, LLC with the City of West Chicago on September 16, 2022.

Dated this 18th day of April, 2023.

A handwritten signature in black ink, appearing to read "MG", written over a horizontal line.

Michael Guttman
City Administrator for the City of West Chicago

INDEX TO RECORD OF PROCEEDINGS

A.	THE SITING APPLICATION	C000001-C001929
1.	September 16, 2022 Letter from Richard Golf to Mayor Pineda	C000001
2.	Cashier's Check	C000002
3.	Application Cover Page	C000003
4.	Table of Contents	C000004-C000007
5.	Executive Summary	C000008-C000013
6.	Criterion 1	C000014-C000305
7.	Narrative	C000015-C000066
8.	Table 1-1 West DuPage Recycling and Transfer Station Service Area Townships	C000019
9.	Table 1-2B Summary of Waste Disposal Volume	C000024
10.	Table 1-3A Summary of Shortfall/Need in Service Area	C000028
11.	Table 1-3B Population of Municipalities Served by Hauling Company	C000033
12.	Table 1-5 Illinois Active Landfills	C000036
13.	Table 1-7 Percentages of Collection Revenues and Internal Disposal	C000043
14.	Table 1-8 Revenues per Ton of Waste Disposed - 2021	C000045
15.	Table 1-9 Comparison of Transfer Station Density	C000057
16.	Table 1-10 Summary of Reduced Environmental Impacts	C000063
17.	Table 1-2A Service Area Census Data 2010-2040	C000068
18.	Table 1-2B Solid Waste Projections Utilizing Census Data 2020 - 2040 and SWMP	C000069
19.	Table 1-2C Solid Waste Projections Utilizing Census Data 2020 - 2040 and DCEO	C000070
20.	Table 1-4 Collection Company by Municipality	C000071-C000074
21.	Table 1-6 Illinois Landfill Waste Disposal Volumes and Capacity	C000075
22.	Criterion 1 Figures	C000076-C000084
23.	Figure 1-1 Transfer Station Service Area	C000077
24.	Figure 1-2A 1995 Transfer Stations	C000078
25.	Figure 1-2B 2020 Transfer Stations	C000079
26.	Figure 1-2C 2020 Transfer Stations and Companies Serving Various Municipalities	C000080
27.	Figure 1-2D Permitted Facilities and Transfer Station 1655 Powis Road West Chicago, Illinois	C000081
28.	Figure 1-3 Illinois Environmental Protection Agency Administrative Regions	C000082
29.	Figure 1-4A Service Area and Landfill Locations 1995	C000083
30.	Figure 1-4B Service Area and Landfill Locations 2020	C000084
31.	Appendix 1-A Affidavit by Rich Golf	C000085-C000087
32.	Appendix 1-B1 Letters of Support from Hydro Excavating Companies and Association	C000088-C000100
33.	Appendix 1-B2 Letter of Support from Strom	C000101-C000103

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34. Appendix 1-B3 Letters of Support from Waste Haulers	C000104-C000115
35. Appendix 1-B4 Letters of Support from Municipalities	C000116-C000121
36. Appendix 1-B5 Letters of Support from Demolition and Construction Companies	C000122-C000142
37. Appendix 1-B6 Letters of Support from Citizens	C000143-C000256
38. Appendix 1-C West Chicago Host Agreement	C000257-C000289
39. Appendix 1-D DuPage County Host Agreement	C000290-C000305
40. Criterion 2	C000306-C001025
41. Narrative	C000306-C000356
42. Criterion 2 Figures	C000357-C000361
43. Figure 2-1 Site Location Map	C000358
44. Figure 2-2 Surrounding Properties and Zoning for 1000 Foot Property Offset	C000359
45. Figure 2-3 Surrounding Properties	C000360
46. Figure 2-4 MSW and SSR Storage Plan	C000361
47. Criterion 2 Tables	C000362-C000366
48. Table 2-1 Projected Material Processing and Traffic Volume 750 Tons per Day Construction or Demolition Debris	C000363
49. Table 2-2 Projected Material Processing and Traffic Volume 250 Tons per Day Single Stream Recyclables	C000364
50. Table 2-3 Projected Material Processing and Traffic Volume 650 Tons per Day Municipal Solid Waste	C000365
51. Table 2-4 Projected Material Processing and Traffic Volume 300 Tons per Day of Hydro Excavation Waste	C000366
52. Criterion 2 Drawings	C000367-C000393
53. Drawing C000 Cover Page	C000368
54. Drawing C100 Aerial Photograph and Surrounding Features	C000369
55. Drawing C100A Aerial Photograph with USGS Site Topography	C000370
56. Drawing C100B Flood Information and Zoning Composite	C000371
57. Drawing C101 ALTA/NSPS Land Title Survey	C000372
58. Drawing C102 Existing Site Conditions West	C000373
59. Drawing C103 Existing Site Conditions East	C000374
60. Drawing C104 Amended P.U.D. Site Plan West	C000375
61. Drawing C105 Amended P.U.D. Site Plan East	C000376
62. Drawing C106 Amended P.U.D Grading and Drainage Plan West	C000377
63. Drawing C107 Amended P.U.D Grading and Drainage Plan East	C000378
64. Drawing C108 Amended P.U.D Utilities West	C000379
65. Drawing C109 Amended P.U.D Utilities East	C000380
66. Drawing C200 Proposed Site Plan West	C000381
67. Drawing C201 Proposed Site Plan East	C000382

Electronic Filing: Received, Clerk's Office 04/19/2023

68.	Drawing C300 Hydro Excavation Waste Building Plan	C000383
69.	Drawing C301 MSW and SSR Transfer Building Plan View	C000384
70.	Drawing C302 Combined Building Plan	C000385
71.	Drawing C400 Vehicle Traffic Flow Plan	C000386
72.	Drawing C401 Vehicle Tracking Turning Plan	C000387
73.	Drawing C402 Queing/Stacking Plan	C000388
74.	Drawing C403 Signage and Pavement Marking Plan	C000389
75.	Drawing A1A MSW and SSR Transfer Building Elevation Views 1	C000390
76.	Drawing A1B MSW and SSR Transfer Building Elevation Views 2	C000391
77.	Drawing A2 MSW and SSR Transfer Building Elevation Views 3	C000392
78.	Drawing A3 Hydro Excavation Waste Building Elevation View	C000393
79.	Appendix 2-A C&D Recycling Permit	C000394-C000406
80.	Appendix 2-B1 2015 Ordinance Granting Planned Unit Development	C000407-C000426
81.	Appendix 2B-2 2020 Ordinance Granting Amended Planned Unit Development	C000427-C000448
82.	Appendix 2-C1 Certificate of Good Standing	C000449-C000450
83.	Appendix 2-C2 Solid Waste Management Experience	C000451-C000452
84.	Appendix 2-C3 Deed for OSCAR IL LLC	C000453-C000461
85.	Appendix 2-D1 Railroad Property Photographic Log	C000462-C000464
86.	Appendix 2-D2 Letter from West Chicago	C000465-C000466
87.	Appendix 2-E1 Request for State Historic Preservation Office Review	C000467-C000473
88.	Appendix 2-E2 Response from State Historic Preservation Office	C000474-C000475
89.	Appendix 2-E3 EcoCAT Information	C000476-C000478
90.	Appendix 2-F1 Stormwater Report November 2019	C000479-C000841
91.	Appendix 2-F2 DuPage County Authorization for Stormwater Certification	C000842-C000847
92.	Appendix 2-F3 West Chicago Site Development Permit	C000848-C000874
93.	Appendix 2-F4 West Chicago Approval of Record Drawings	C000875-C000886
94.	Appendix 2-F5 NPDES General Permit	C000887-C000903
95.	Appendix 2-G1 Runway Protection Zones	C000904-C000905
96.	Appendix 2-G2 Avigation Easement	C000906-C000911
97.	Appendix 2-G3 DuPage Airport Agreement	C000912-C000983
98.	Appendix 2-H Hydro Excavation Operating Plan	C000984-C000990
99.	Appendix 2-I Ventilation and Odor Control System	C000991-C000995
100.	Appendix 2-J WDRTS Filing Affidavit	C000996-C001025
101.	Criterion 3	C001026-C001092
102.	Land Use Compatibility and Real Estate Impact Study	C001028-C001092

103. Criterion 4	C001093-C001099
104. Narrative	C001094-C001097
105. Criterion 4 Figures	C001098-C001099
106. Figure 4-1 Flood Insurance Rate Map	C001099
107. Criterion 5	C001100-C001113
108. Narrative	C001101-C001111
109. Criterion 5 Figures	C001112-C001113
110. Figure 5-1 Emergency Vehicle Traffic Plan	C001113
111. Criterion 6	C001114-C001223
112. KLOA Report	C001115-C001223
113. Criterion 7	C001224-C001227
114. Narrative	C001225-C001227
115. Criterion 8	C001228-C001899
116. Narrative	C001229-C001246
117. Appendix 8-A DuPage County SWMP Volume 1	C001247-C001516
118. Appendix 8-B DuPage County SWMP Volume 2	C001517-C001642
119. Appendix 8-C DuPage County SWMP Volume 3	C001643-C001686
120. Appendix 8-D DuPage County SWMP 1996 Update	C001687-C001829
121. Appendix 8-E DuPage County SWMP 2001 Update	C001830-C001842
122. Appendix 8-F DuPage County SWMP 2007 Update	C001843-C001859
123. Appendix 8-G DuPage County SWMP 2012 Update	C001860-C001877
124. Appendix 8-H DuPage County SWMP 2017 Update	C001878-C001897
125. Appendix 8-I DuPage County SW Plan Consistency Letter	C001898-C001899
126. Criterion 9	C001900-C001929
127. Narrative	C001901-C001903
128. Drawings	C001904-C001929
129. List of Drawings Cover Page / Drawing C000	C001904
130. Drawing C100	C001905
131. Drawing C100A	C001906
132. Drawing C100B	C001907
133. Drawing C101	C001908
134. Drawing C102	C001909
135. Drawing C103	C001910
136. Drawing C104	C001911
137. Drawing C105	C001912
138. Drawing C106	C001913
139. Drawing C107	C001914
140. Drawing C108	C001915
141. Drawing C109	C001916
142. Drawing C200	C001917
143. Drawing C201	C001918
144. Drawing C300	C001919
145. Drawing C301	C001920
146. Drawing C302	C001921
147. Drawing C400	C001922
148. Drawing C401	C001923

149. Drawing C402	C001924
150. Drawing C403	C001925
151. Drawing A1A	C001926
152. Drawing A1B	C001927
153. Drawing A2	C001928
154. Drawing A3	C001929
B. PUBLIC HEARING TRANSCRIPTS	C001930-C002706
1. Tuesday, January 3 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy	C001930-C002139
2. Wednesday, January 4 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy	C002140-C002374
3. Thursday, January 5 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy	C002375-C002587
4. Tuesday, January 10 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy	C002588-C002813
5. Thursday, January 12 from 6:00 p.m. to 10:00 p.m. at the West Chicago Community High School	C002814-C003066
6. Monday, January 16 from 1 p.m. to 5 p.m. at the West Chicago City Hall	C003067-C003304
7. Thursday, January 19 from 1 p.m. to 5 p.m. at the West Chicago City Hall	C-003305-C003346
C. PUBLIC HEARING EXHIBITS	C003347-C005731
1. Applicant - Exhibit #2	C003347-C003364
2. Applicant - Exhibit #3	C003365-C003369
3. Applicant - Exhibit #4	C003370-C003398
4. Applicant - Exhibit #5	C003399
5. Applicant - Exhibit #6	C003400
6. Applicant - Exhibit #7	C003401-C003406
7. Applicant - Exhibit #8	C003407-C003417
8. Applicant - Exhibit #9	C003418
9. Applicant - Exhibit #10	C003419-C003433
10. Applicant - Exhibit #11	C003434-C003463
11. Applicant - Exhibit #12	C003464-C003472
12. Applicant - Exhibit #13	C003473-C003479
13. Applicant - Exhibit #14	C003480
14. Protect West Chicago - Exhibit #1	C003481-C003512
15. Protect West Chicago - Exhibit #9	C003513-C003535
16. Protect West Chicago - Exhibit #10	C003536-C003572
17. Protect West Chicago - Exhibit #13	C003573-C003579
18. Protect West Chicago - Exhibit #13A	C003580-C003581
19. Protect West Chicago - Exhibit #16	C003582
20. Protect West Chicago - Exhibit #17	C003583-C003588
21. Protect West Chicago - Exhibit #23	C003589-C003613
22. Protect West Chicago - Exhibit #38	C003614-C003617
23. Protect West Chicago - Exhibit #40	C003618-C003619
24. Protect West Chicago - Exhibit #43	C003620-C003666

25. Protect West Chicago - Exhibit #44	C003667-C003691
26. Protect West Chicago - Exhibit #45	C003692-C003693
27. Protect West Chicago - Exhibit #46	C003694
28. Protect West Chicago - Exhibit #47	C003695
29. Protect West Chicago - Exhibit #49	C003696-C003761
30. Protect West Chicago - Exhibit #151A	C003762
31. Protect West Chicago - Exhibit #155	C003763-C003766
32. Protect West Chicago - Exhibit #156	C003767-C003807
33. Protect West Chicago - Exhibit #157	C003808-C003828
34. Protect West Chicago - Exhibit #200	C003829-C003839
35. Protect West Chicago - Exhibit #201	C003840-C003845
36. Protect West Chicago - Exhibit #202	C003846-C003852
37. Protect West Chicago - Exhibit #205	C003853-C003860
38. Protect West Chicago - Exhibit #301	C003861-C003864
39. Protect West Chicago - Exhibit #302	C003865-C003882
40. Protect West Chicago - Exhibit #350	C003883
41. Protect West Chicago - Exhibit #351	C003884-C003888
42. Protect West Chicago - Exhibit #352	C003889-C003900
43. Protect West Chicago - Exhibit #602	C003901-C003903
44. Protect West Chicago - Exhibit #603	C003904-C003908
45. Protect West Chicago - Exhibit #603A	C003909-C003922
46. Protect West Chicago - Exhibit #604	C003923-C004060
47. Protect West Chicago - Exhibit #651	C004061-C004130
48. Protect West Chicago - Exhibit #700	C004131
49. Protect West Chicago - Exhibit #701	C004132
50. Protect West Chicago - Exhibit #702	C004133-C004176
51. Protect West Chicago - Exhibit #706	C004177
52. Protect West Chicago - Exhibit #707	C004178-C004191
53. Protect West Chicago - Exhibit #800	C004192-C004221
54. Protect West Chicago - Exhibit #801	C004222-C004239
55. People Opposing DuPage Environmental Racism-Exhibit 1	C004240
56. People Opposing DuPage Environmental Racism-Exhibit 2	C004241-C004254
57. People Opposing DuPage Environmental Racism-Exhibit 3	C004255
58. People Opposing DuPage Environmental Racism-Exhibit 4	C004256
59. People Opposing DuPage Environmental Racism-Exhibit 5	C004257-C005727
60. People Opposing DuPage Environmental Racism-Exhibit 5 Excel Data Sheets	C004258-C005727
61. People Opposing DuPage Environmental Racism-Exhibit 7	C005728-C005730
62. People Opposing DuPage Environmental Racism-Exhibit 8	C005731
D. NOTICE OF PARTICIPATION BY ORAL PUBLIC COMMENT	C005732-C005757
1. David Sabathne	C005732
2. Peter J. Poulos	C005733
3. Mike Hampson/Chicagoland AGC	C005734
4. Greg Walstra	C005735

5. Bob Molenhouse	C005736
6. Janice F. Guider	C005737
7. Connie Schmidt, Chair River Prairie Group Sierra Club – DuPage County	C005738
8. Omar Espinosa	C005739
9. Joshua Connell	C005740
10. George Strom	C005741
11. Joy Rifkin	C005742
12. Jennifer Quinn Morales	C005743
13. Jamshed ‘Jim’ Engineer	C005744
14. Joseph Lucarelli	C005745
15. Travis Ralph	C005746
16. Jen Bora	C005747
17. Brian Clinite	C005748
18. Andy Ferrer	C005749
19. Jose R. Franco	C005750
20. Christina Grano	C005751
21. Jennifer Tormey	C005752
22. John Stoetzel	C005753
23. Greg Walstra	C005754
24. Nicholas Dzierzanowski	C005755
25. Paul Kubinski	C005756
26. Noreen Ligino-Kubinski	C005757
E. WRITTEN PUBLIC COMMENT	C005758-C005960
1. Martin Avila, Nidec Mobility America, November 18, 2022	C005758-C005759
2. Jasper Rubino, January 9, 2023	C005760
3. Connie Schmidt, Chair, January 9, 2023 River Prairie Group, Sierra Club	C005761-C005762
4. Juan E. Chevez, January 10, 2023	C005763
5. Colin Hale	C005764
6. Blachford Acoustics Group: January 11, 2023 Matthew Taub, President and COO Ramon Leon, Plant Manager Peter Marinelli, Ph.D., Vice President of Technology Colin Hale, New Product Introduction Engineer	C005765
7. Kathy Leski, January 13, 2023	C005766
8. Mary Passini, January 13, 2023	C005767
9. Adam C, January 15, 2023	C005768
10. Anna Ramiar, Ramiz Ramiar, January 15, 2023	C005769
11. Barbara Laimins, January 16, 2023	C005770-C005771
12. Blachford Acoustics Group: January 16, 2023 Matthew Taub, President and COO Ramon Leon, Plant Manager Peter Marinelli, Ph.D., Vice President of Technology Colin Hale, New Product Introduction Engineer	C005772-C005773
13. Katharine Hart, January 18, 2023	C005774

Electronic Filing: Received, Clerk's Office 04/19/2023

14. Gene M. Della Torre, January 19, 2023	C005775
15. Janet Paulsen, January 20, 2023	C005776
16. Ines Turus, January 21, 2023	C005777
17. Chris Muehlschlegel, January 25, 2023	C005778
18. Richard Kassanits, January 25, 2023	C005779
19. Dan Souk, January 25, 2023	C005780
20. Guy Bevente, January 25, 2023	C005781
21. Jim Zanoni, January 25, 2023	C005782
22. Anthony and Marilyn Solano, January 25, 2023	C005783
23. Paul D. Robbins, January 25, 2023	C005784
24. Zach Wirtz, January 25, 2023	C005785
25. Chris Johnson, January 25, 2023	C005786
26. Susan K. Kvasnicka, January 25, 2023	C005787
27. Rosemarie and Ivan Hozjan, January 25, 2023	C005788
28. Kelly Janek, January 25, 2023	C005789
29. Mayra Barajas, January 25, 2023	C005790
30. Steve and Pat Cochran, January 25, 2023	C005791
31. Bhupendra Patel, January 25, 2023	C005792
32. Ken and Linda Kelley, January 25, 2023	C005793
33. Jeff Siegrist, January 25, 2023	C005794
34. Kristine Novak, January 25, 2023	C005795
35. Mohamed Akqil, January 25, 2023	C005796
36. Patricia Rouille, January 25, 2023	C005797
37. Denise Kolode, January 25, 2023	C005798
38. Carroll & Dennis Keeley, January 25, 2023	C005799
39. Tracey Sabala, January 25, 2023	C005800
40. Paul and Linda Kramer, January 25, 2023	C005801
41. Steve Krug, January 25, 2023	C005802
42. Julie A. Mategrano, Managing Broker, January 25, 2023	C005803
43. Gary Dobos, January 25, 2023	C005804
44. Robert Van Tholen, January 25, 2023	C005805
45. Emmanuel Dabu, January 25, 2023	C005806
46. Sanjay Patel, January 26, 2023	C005807
47. Robert Drake, January 26, 2023	C005808
48. Jay Van Proyen, January 26, 2023	C005809
49. Wendy Christman, January 26, 2023	C005810-C005811
50. Scott Ligoeki, January 26, 2023	C005812
51. Mike and Barb Halko, January 26, 2023	C005813
52. Scott and Evelyn Jenkins, January 26, 2023	C005814
53. Charles and Lorraine Poe, January 26, 2023	C005815
54. Peggy Mateski-Price, January 26, 2023	C005816
55. Tim Shea, January 26, 2023	C005817
56. Stephanie Ross, January 26, 2023	C005818
57. Tim Shea, January 26, 2023	C005819
58. Sharon Scialabba, January 26, 2023	C005820
59. Holly Van Tholen, January 27, 2023	C005821

Electronic Filing: Received, Clerk's Office 04/19/2023

60. Michael and Maria Doria, January 27, 2023	C005822
61. William Krueger, January 28, 2023	C005823
62. Christine Gicela, January 29, 2023	C005824
63. Annmarie Carnduff, January 29, 2023	C005825
64. Michaela Hull, January 29, 2023	C005826
65. Cindy Prince, January 29, 2023	C005827
66. Donald Kvasnicka, January 30, 2023	C005828
67. Eugenia Wilson, January 30, 2023	C005829
68. Elizabeth VanDerWal, January 30, 2023	C005830
69. Jamie Wilson, January 31, 2023	C005831
70. Julie Odom, January 31, 2023	C005832
71. Tara Thornton, January 31, 2023	C005833
72. Kevin T. Donahue, State & Local Affairs Manager, CN Rail, February 2, 2023	C005834
73. Kimberlee Clark, February 2, 2023	C005835
74. Jeffrey Allen, February 2, 2023	C005836
75. Nancy and José Orozco, February 2, 2023	C005837
76. Carroll Keeley, February 4, 2023	C005838
77. Donald Kvasnicka, February 4, 2023	C005839
78. John Bush, February 4, 2023	C005840
79. Rosemarie and Ivan Hozjan, February 4, 2023	C005841
80. Jayme Manley, February 4, 2023	C005842
81. Janet Wolfe, February 4, 2023	C005843
82. Paul and Linda Kramer, February 4, 2023	C005844
83. Rick Kerley, February 4, 2023	C005845
84. Lynda Cruz, February 4, 2023	C005846
85. Christy Holinka, February 4, 2023	C005847
86. Paul Christman, February 4, 2023	C005848
87. Sonia Sperner, February 4, 2023	C005849
88. Connie Tuazon, February 4, 2023	C005850
89. Rosa Varco, February 5, 2023	C005851
90. Alexander Lee, February 5, 2023	C005852
91. Barbara Melville, February 6, 2023	C005853-C005854
92. Marlena Mcaleer, February 6, 2023	C005855
93. Joseph McAleer, February 6, 2023 Regional Operations Specialist BDI-USA	C005856-C005857
94. Elizabeth Flores, February 6, 2023	C005858
95. Gregory Fantozzi, February 7, 2023	C005859
96. bl404269@sbcglobal.net , February 7, 2023	C005860
97. Pathik Chitania, February 8, 2023	C005861
98. Jasper Rubino, February 8, 2023	C005862-C005865
99. Cathy Griff, February 9, 2023	C005866
100. Susan Winquist, February 9, 2023	C005867
101. Brandi Moore, February 9, 2023	C005868
102. Melissa and Tony Lewis, February 9, 2023	C005869

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103. Melissa R. Lewis, February 9, 2023	C005870
104. Joe Griff, February 10, 2023	C005871
105. Jamie Gottlieb, February 10, 2023	C005872
106. Peggy Mateski-Price, February 11, 2023	C005873
107. Mary Passini, February 12, 2023	C005874
108. Thomas Cherrington, February 12, 2023	C005875
109. Nate Odom, February 13, 2023	C005876
110. Douglas Ollie, MBA, PMP, February 14, 2023 Retail, Ecommerce, Catalog, Supply Chain	C005877
111. Jacqueline Schalow, Treasurer, February 14, 2023 Warwick Publishing Company	C005878
112. Leo Gershun, February 14, 2023	C005879
113. Kevin Sampson, February 14, 2023	C005880
114. Carl Schweizer, February 14, 2023	C005881
115. Liz Wojtas, February 14, 2023	C005882-C005883
116. Carole Ferrill, February 14, 2023	C005884
117. Daniel E. Carnduff, February 14, 2023	C005885
118. Cheryl Copre, February 14, 2023	C005886
119. Joe McAleer, February 14, 2023	C005887-C005888
120. Alondra Cordero, February 14, 2023	C005889
121. Bl1949@comcast.net , February 14, 2023	C005890
122. Laura Segretto, February 14, 2023	C005891
123. Donald Kvasnicka, February 15, 2023	C005892
124. Helen and Leo Gershun, February 15, 2023	C005893
125. Maribeth Gould, February 15, 2023	C005894
126. Anita Breen, February 15, 2023	C005895
127. George and Myrtice Benson, February 15, 2023	C005896
128. Heather Colie, February 16, 2023	C005897
129. Luke Mercaldo, February 16, 2023	C005898
130. Jim Roach, February 16, 2023	C005899
131. Gayle Woods, February 16, 2023	C005900
132. Timothy and Nancy Kinsley, February 16, 2023	C005901
133. Raymond Gicela, February 16, 2023	C005902
134. Christine Paran Paluero and Aries Paluero, February 16, 2023	C005903
135. Steven Chapa, February 16, 2023	C005904
136. Mary B. Peterson (2 different emails), February 16, 2023	C005905-C005906
137. Annette Musil, February 17, 2023	C005907
138. Thomas M. Butkovich, February 17, 2023	C005908
139. Colin Hale, February 17, 2023	C005909
140. Susan Corriero, February 17, 2023	C005910
141. Mary E. Racz, February 17, 2023	C005911
142. Rick Trost, February 17, 2023	C005912
143. Robert Adam Weinstock, February 17, 2023 Counsel for PODER-Immigrant Solidarity DuPage	C005913-C005930
144. Don Peterson, February 17, 2023	C005931

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145. Sue and Tom Wilczak, February 17, 2023	C005932
146. Juvenal Espino, February 17, 2023	C005933
147. Catalina Espino, February 17, 2023	C005934
148. Clint Fanter, Business Owner/Residents of West Chicago February 17, 2023	C005935
149. Jorge Garcia, February 18, 2023	C005936
150. Aide Barajas, February 18, 2023	C005937
151. Eduardo Cortez, February 18, 2023	C005938
152. Jorge Garcia, February 18, 2023	C005939
153. Mayra Barajas, February 18, 2023	C005940
154. Leonardo Mendoza, February 18, 2023	C005941
155. Rick Harmon, February 18, 2023	C005942
156. Sofia Solis, February 18, 2023	C005943
157. Salvador Manriquez, February 18, 2023	C005944
158. Jackson Paller, Community Lawyer, February 18, 2023 Citizen Advocacy Center	C005945-C005947
159. Maria Camacho, February 18, 2023	C005948
160. Daniella Sanchez, (2 different emails) February 18, 2023	C005949-C005950
161. Salvador Sanchez, February 18, 2023	C005951
162. Cynthia Tomlin, February 18, 2023	C005952
163. Kathy Leski, February 18, 2023	C005953-C005959
164. Nino Despota, February 20, 2023	C005960
F. VARIOUS CITY OF WEST CHICAGO ORDINANCES AND RESOLUTIONS	C005961-C005977
1. An Ordinance Amending the Code of Ordinances of the City of West Chicago Regarding Pollution Control Facility Site Approval Procedures (Ordinance 12-O-0030)	C005961-C005977
G. MINUTES/AGENDAS OF ALL RELEVANT OPEN MEETINGS OF THE CITY COUNCIL	C005978-C006006
1. August 20, 2012 City Council Regular Meeting Agenda	C005978-C005979
2. August 20, 2012 City Council Regular Meeting Open Session Minutes	C005980-C005982
3. April 1, 2019 City Council Regular Meeting Agenda	C005983-C005985
4. April 1, 2019 City Council Regular Meeting Open Session Minutes	C005986-C005988
5. September 19, 2022 City Council Regular Meeting Agenda	C005989-C005991
6. September 19, 2022 City Council Regular Meeting Open Session Minutes	C005992-C005993
7. October 3, 2022 City Council Regular Meeting Agenda	C005994-C005996
8. October 3, 2022 City Council Regular Meeting Open Session Minutes	C005997-C005998
9. November 7, 2022 City Council Regular Meeting Agenda	C005999-C006001
10. November 7, 2022 City Council Regular Meeting Open Session Minutes	C006002-C006003
11. February 27-28, 2023 City Council Regular Meeting Agenda	C006004

12. February 27-28, 2023 City Council Regular Meeting Open Session Minutes	C006005-C006006
H. NOTICES OF PUBLIC HEARINGS AND RELEVANT MEETINGS OF THE CITY COUNCIL	C006007
1. Notice of a Meeting of the City Council of the City of West Chicago for the public hearings on Tuesday, January 3 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy (900 Prince Crossing Road) Wednesday, January 4 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy (900 Prince Crossing Road) Thursday, January 5 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy (900 Prince Crossing Road) Tuesday, January 10 from 6:00 p.m. to 10:00 p.m. at Wheaton Academy (900 Prince Crossing Road) Thursday, January 12 from 6:00 p.m. to 10:00 p.m. at the West Chicago Community High School (326 Joliet Street)	
I. REPORT OF HEARING OFFICER RECOMMENDED FINDINGS OF FACT AND RECOMMENDED CONDITIONS OF APPROVAL	C006008-C006038
J. AN ORDINANCE CONDITIONALLY APPROVING THE APPLICATION FOR LOCAL SITING APPROVAL OF LAKESHORE RECYCLING SYSTEMS, LLC FOR WEST DUPAGE RECYCLING AND TRANSFER STATION (ORDINANCE 23-0-0006)	C006039-C006084
K. BRIEFS, ARGUMENTS AND STATEMENT OF PARTIES AND PARTICIPANTS	C006085-C006343
1. Notice of Intent to File a Request for Local Siting Approval of a New Pollution Control Facility with the City of West Chicago, Illinois	C006085-C006091
2. Notice of Participation as a Party by Phillip A. Leutkehans of Leutkehans, Brady, Garner & Armstrong, LLC. and Ricardo Meza of Meza Law on behalf of Protect West Chicago	C006092-C006093
3. Notice of Participation as a Party by Julieta Alcantara Garcia on behalf of People Opposing DuPage Environmental Racism	C006094
4. Notice of Participation as a Party by Julieta Alcantara Garcia and Cristobal Cavazos on behalf of People Opposing DuPage Environmental Racism	C006095
5. Waste Transfer Station Hearing Request by Noreen Ligino-Kubinski	C006096
6. Notice of filing Traffic Report Review Letter By Gerald P. Callaghan	C006097-C006100
7. Protect West Chicago Motion to Dismiss Applicant's Request For Local Siting Approval of a Transfer Station For Inadequate Notice	C006101-C006185
8. Applicant's Response to Motion to Dismiss-Notice	C006186-C006187

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| 9. Applicant's Memorandum entitled The 1000 Foot Residential Zoning Setback Does Not Apply to This Project Due to Impossibility | C006188-C006192 |
| 10. Notice of Withdrawal of Luetkehans, Brady, Garner & Armstrong of its representation of Protect West Chicago | C006193-C006194 |
| 11. Letter from Canadian National to John Hock dated February 2, 2023 filed by Applicant | C006195 |
| 12. Letter from Associated Property Counselors, Ltd to LRS c/o George Mueller dated February 16, 2023 filed by Applicant | C006196-C006198 |
| 13. Public Comments of PODER-Immigrant Solidarity DuPage in Opposition to the Application for Local Siting Approval submitted by Lakeshore Recycling Systems, LLC. | C006199-C006215 |
| 14. Notice of Filing Proposed Conditions and Siting Conditions proposed by City Staff | C006216-C006215 |
| 15. Applicant's Proposed Findings of Fact and Law | C006216-C006243 |
| 16. Protect West Chicago's Proposed Combined Findings of Fact and Conclusions of Law | C006244-C006308 |
| 17. People Opposing DuPage Environmental Racism's Proposed Combined Findings of Fact and Conclusions of Law | C006309-C006343 |
| L. HOST AGREEMENTS | C006344-C006389 |
| 1. Resolution No. 19-R-0016 A Resolution Authorizing the Mayor to Execute a Host Community Benefit Agreement Between the City of West Chicago and Lakeshore Recycling Systems, LLC for a Solid Waste Transfer Facility | C006344 |
| 2. Host Community Benefit Agreement Between the City of West Chicago, DuPage County, Illinois, and Lakeshore Recycling Systems, LLC for a Solid Waste Transfer Facility | C006345-C006374 |
| 3. Resolution EN-R-0266-20 Secondary Host Community Benefit Agreement Between DuPage County, Illinois and Lakeshore Recycling Systems, LLC for a Solid Waste Transfer Facility | C006375-C006376 |
| 4. Secondary Host Community Benefit Agreement Between DuPage County, Illinois, and Lakeshore Recycling Systems, LLC for a Solid Waste Transfer Facility | C006377-C006389 |
| M. MISCELLANEOUS CONTRACTS | C006390-C006399 |
| 1. Facilities Agreement Between City of West Chicago and Wheaton Academy | C006390-C006391 |
| 2. Agreement for Use of School Facilities Between City of West Chicago and West Chicago High School (10/3/2022) | C006392-C006396 |
| 3. Agreement for Use of School Facilities Between City of West Chicago and West Chicago High School (1/27/2023) | C006397-C006399 |