

ILLINOIS POLLUTION CONTROL BOARD
July 30, 2024

REPUBLIC SERVICES, INC,)
)
 Petitioner,)
)
 v.) PCB 24--65
) (Third-Party Pollution Control Facility
 McLEAN COUNTY, ILLINOIS, McLEAN) Siting Appeal)
 COUNTY BOARD, and LAKESHORE)
 RECYCLING SYSTEMS, LLC.,)
)
 Respondents.)

HEARING REPORT

On July 29, 2024, a hearing in this matter was held at the Government Center in Bloomington, Illinois. Attorneys Scott Sievers, Lucas Hall and Claire Meyer appeared on behalf of the petitioner. Attorney Taylor Williams appeared on behalf of McLean County. Attorneys Sara Chamberlain and Stacy Stotts appeared on behalf of Lakeshore Recycling Systems (LRS).

Witnesses

Six witnesses testified during the hearing:

Mr. Mark Bounds
Ms. Rebecca McNeil
Mr. Joshua Schuster
Ms. Susan Schafer
Mr. David Brown
Ms. Catherine Metsker

Exhibits

The petitioner and respondents offered exhibits as evidence at hearing. An exhibit list itemizing the offered exhibits and summarizing their status is attached to this order.

Respondents objected to Exhibit 3, as it was comprised of more than 30 pages of information that they had not been given sufficient time to review. Petitioner agreed to offer into evidence only an email from Exhibit 3 which has been admitted as Exhibit 3A.

Respondents objected to Exhibit 7, as they did not have sufficient time to review it for accuracy and foundation. It was not admitted, but petitioner may make an offer of proof.

There was no Exhibit 11 or Exhibit 12. Petitioner did not object to Exhibit 18, the written testimony of Richard Guerard, despite his inability to appear that day for cross examination.

Briefing Schedule

The expedited transcript is due by August 5, 2024. Written public comments must be filed with the Clerk of the Board by August 13, 2024. By August 6, 2024, respondent LRS agreed to file a deadline waiver to October 3, 2024, to accommodate the following briefing schedule. Petitioner's brief is due by August 20, 2024, and respondents' briefs are due by September 3, 2024.

IT IS SO ORDERED.



Carol Webb
Hearing Officer
Illinois Pollution Control Board
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PCB 24-65
July 29, 2024 Exhibit List

Exhibit	Description	Status
Exhibit #1 (Petitioner)	Parcel Control Change Request dated 8/17/23	Admitted
Exhibit #2 (Petitioner)	Respondent County Board's Responses to Petitioner's Interrogatories	Admitted
Exhibit #3A (Petitioner)	County Emails Regarding Site	Admitted
Exhibit #4 (Petitioner)	Trustee's Deed 11/24/09	Admitted
Exhibit #5 (Petitioner)	Special Warranty Deed	Admitted
Exhibit #6 (Petitioner)	Trustee's Deed 2/4/22	Admitted
Exhibit #7 (Petitioner)	McLean County Parcel Search	Not Admitted
Exhibit #8 (Petitioner)	Petitioner did not move to admit County Timing Chart	Not Admitted
Exhibit #9 (Petitioner)	Andrews Engineering Diagram	Admitted
Exhibit #10 (Petitioner)	Site map from previous application	Not Admitted
Exhibit #13 (Petitioner)	McLean County Real Estate Tax Bill	Admitted
Exhibit #14 (LRS)	Recorder of Deeds Assessment Plat 8/17/23	Admitted
Exhibit #15 (LRS)	Legal Description Facility Site	Admitted
Exhibit #16 (LRS)	Preliminary Plan HDI Subdivision	Admitted
Exhibit #17 (LRS)	Direct Testimony of Catherine Metsker	Admitted
Exhibit #18 (LRS)	Written Testimony of Richard Guerard	Admitted

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were e-mailed on July 30, 2024, to each of the persons on the service list below.

It is hereby certified that a true copy of the foregoing order was e-mailed to the following on July 30, 2024:

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“@” Consents to email service.

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