Rantoul Village Board

In re: APPLICATION FOR LOCAL SITING APPROVAL OF A POLLUTION CONTROL FACILITY, RANTOUL RECYCLING AND TRANSFER STATION	)
Submitted by: AREA DISPOSAL SERVICE, INC.	)
Applicant.	)

REPORT OF HEARING OFFICER AND FINDINGS PURSUANT TO ORD. 2796 § 28-112(B)(14)

INTRODUCTION

On December 22, 2025, Area Disposal Service, Inc. ("Applicant") filed its application for local siting approval of a recycling and transfer station at the location of an existing waste hauling business owned by Applicant at 896 West Champaign Avenue, Rantoul, Champaign County, Illinois. The Village Board is to render a decision on the Application in accordance with the criteria and procedures set forth in Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2) (the "Act") and Chapter 28 of the Rantoul Code of Ordinances (the "Ordinance").

Among the procedures set forth in the Act and the Ordinance is the requirement to send proper notices of the Application, hold a public hearing on the Application, accept public comment, and for the Board to make a formal decision on the Application within 180 days of the date of filing (i.e., June 22, 2026, because 180 days falls on Saturday June 20, 2026). The Village held the public hearing on April 17, 2026.

In accordance with the procedures and other terms and provisions of the Act and the Ordinance, I reviewed the Application, pre-hearing notices, and initial filings which included, among other things, affidavits and proofs of publication; public letters of support; a December 12, 2025 letter detailing Foth Infrastructure & Environment, LLC's review of the Application (the "Foth Letter"), the identity and *curriculum vitae* of Applicant's proposed expert witnesses; and each witness' proposed Hearing testimony. Within the time set forth in §28-110(A) of the Ordinance, American Disposal Services of Illinois, Inc. d/b/a Republic Services of Bloomington filed an appearance and stated its intent to appear at the Hearing. Prior to the Hearing, however, American Disposal Services of Illinois, Inc. formally withdrew its appearance. (R-1755.)[1] At the hearing, the Applicant was represented by counsel, specifically Janaki H. Nair of Elias, Meginnes & Seghetti, P.C. (See R-1323.) The Village Board and Mayor were represented by David B. Wesner of Evans, Froehlich, Beth & Chamley. No other entity or individual filed an appearance prior to the Hearing or within the timeframe set forth in the Ordinance.

During the Hearing, I admitted the Application (which included within it the Host Agreement between the Applicant and the Village); the Foth Letter; a Certificate of Publication; an Affidavit of Publication; an Affidavit of Compliance; public comment filed prior to the Hearing; the Applicant's witness list; power point presentations, and testimony from witnesses called by the Applicant in support of the Application. No other party submitted any pre-Hearing written findings or filings. At the Hearing, the Applicant called four expert witnesses, each of

[1] Citations to "R-####" are to the Record filed with the Village Clerk on May 29, 2026.

whom were subject to cross-examination by the Village and by the individual Board members: John E. Hock, P.E.; J. Christopher Lannert, RLA; Dale J. Kleszynski, MAI, SRA; and Michael Werthmann, PE, PTOE.

Section 28-110(D) of the Ordinance states that only the Applicant and others who have provided the requisite pre-Hearing notice can actively participate in the Hearing. Furthermore, §28-110(C) limits cross-examination of witnesses to parties who have an attorney representing them at the Hearing. As a result of Area Disposal Services of Illinois, Inc.'s withdrawal of its appearance prior to the Hearing, the Village and Mayor, through Mr. Wesner, and the Board Members were the only parties permitted to cross-examine or question the witnesses. In addition, there was no contrary evidence submitted during the Hearing.

The Hearing took place at the Rantoul Village Municipal Building at 333 S. Tanner Street, Rantoul, IL 61866. The meeting room for the Hearing was open to the public and contained ample space for those in attendance. In addition, the Hearing was livestreamed on the Village of Rantoul website and advance notice of the livestream (including a link to the location of the livestream) was included in the Applicant's pre-hearing notices. (*See* R-1582, 1586.) In addition, the Hearing was transcribed by a certified court reporter and notary public, and also video-recorded and the recordings were made available on the Village website through the period of public comment (and remain available on the website as of the writing of this Report).

Though no individual had registered pursuant to § 28-110 of the Ordinance, to promote fundamental fairness, I opened the floor for live public comment at the Hearing and announced the ability to provide such comment throughout the Hearing. (*See, e.g.,* R-1339, 1452.) The

Village of Rantoul's public participation guide (available on the Village website) typically limits public comment at Board meetings to three minutes per person, with a total of 30 minutes of public participation. At the Hearing, I enlarged the allotted time to five minutes per person and did not impose a total cap on public speaking time. Nine members of the public spoke at the Hearing, six of whom opposed the Application and three of whom supported it. (R-1500-1520.) "Comment" (whether received at the Hearing or following the Hearing) is distinguished from "testimony" in that "comment" is not provided under oath and is not subject to cross examination and therefore entitled to less weight than testimony. Following conclusion of the public speakers, I again asked whether anyone would like to speak. (R. 1515, 1520.) I also announced at several points throughout the Hearing, that written public comment could be submitted to the Village Clerk within the thirty-day period following the Hearing. (R. 1330, 1340, 1498, 1499, 1520.)

I declared the Hearing closed on April 17, 2023. In accordance with the Act, written comments were then received by the Village for an additional 30 days (i.e., through 11:59:59 p.m. on May 18, 2026, including any written comment post-marked on or before May 18, 2026).[2] As indicated above, public comment is entitled to less weight because it is not subject to being tested by the opportunity for cross examination.

I also received proposed findings of fact from the Applicant as well as written response to the public comment from the Hearing which are both part of the Record. (R-1756-1791.)

[2] Because the thirty-day timeframe fell on a weekend, the period for comment was extended to the following Monday which was May 18, 2026.

RECOMMENDATION

For the reasons set forth below, I find that the Village of Rantoul has jurisdiction over the Application, and my recommendation to the Village is to approve the Application as satisfying the siting criteria of Section 39.2. More specifically, I find that the Application as filed, and the testimony concerning the Application, has established that the proposed Facility satisfies all of the criteria for local siting approval set forth in Section 39.2 of the Act.

JURISDICTION

I find that the Applicant complied with all notice requirements of Section 39.2(b) and (d) of the Act and Section 28-109 of the Ordinance concerning the notice requirements prior to the Hearing. (R-1578-1599.) No objections were filed concerning compliance with these sections. I find that the Applicant complied with these requirements and that the Village has jurisdiction to consider the statutory criteria of Section 39.2

SECTION 39.2 CRITERIA

These proceedings are governed by Section 39.2 of the Environmental Protection Act ("the Act"), 415 ILCS 5/39.2, which sets forth the exclusive siting procedures for pollution control facilities in Illinois. Section 40.1 of the Act and case law require that siting proceedings and the decision making be conducted in accordance with the requirements of fundamental fairness. The application (or request) must contain sufficient details of the proposed facility to meet each of the nine criteria. *Land & Lakes Co. v. Illinois Pollution Control Board,* 319 Ill. App. 3d 41, 44 (3d Dist. 2000). If the Applicant fails to establish any one of the criteria, the application should be denied. *Waste Management v. Pollution Control Board,* 175 Ill. App. 3d 1023, 1029 (2d Dist. 1988). On the other hand, if the Applicant proves compliance with each of nine different criteria (or alternatively demonstrate that they do not apply) approval shall be granted. Before the Board

may rule against an Applicant on any criterion, the Board must find competent rebuttal or impeachment evidence in the record. *Industrial Fuels and Resources v. Illinois Pollution Control Board,* 227 Ill.App.3d 533, 592 N.E. 2d 148 (1st Dist. 1992). As explained above, there were no pre-Hearing written submissions opposing the Application and no contrary evidence introduced at the Hearing. The opposition to the Application consists exclusively of oral public comment from the Hearing and written public comment submitted after the Hearing which is entitled to less weight than the under-oath testimony provided by the Applicant's witnesses at the Hearing who were subject to cross-examination. The Applicant called four expert witnesses to offer evidence as to the statutory siting criteria. Counsel for the Village as well as Board Members were permitted to question and/or cross-examine each witness during the Hearing. No other sworn witnesses testified at the Hearing.

The basis and rationale for my findings on each criterion is set forth below.

Criterion 1: The Facility is necessary to accommodate the waste needs of the area it is intended to serve

The first criterion found in Section 39.1(a)(i) of the Act is that the "facility is necessary to accommodate the waste needs of the area it is intended to serve." Though the Act does not provide a specific formula to determine necessity, case law has provided some guidance, including the fact that, under this standard, an Applicant does not need to show absolute "necessity" to satisfy Criterion 1. *Waste Management of Illinois, Inc. v. Pollution Control Bd.*, 234 Ill. App. 3d 65, 69 (1st Dist. 1992). Instead, the Application must show that the facility is expedient and reasonably required by the waste needs of the area it is intended to serve, including the area's waste production and disposal capabilities. *Id.*

The Applicant defines the intended service area. *See Metropolitan Waste Sys., Inc. v.*

Pollution Control Bd., 201 Ill. App. 3d 51, 55 (3d Dist. 1990). Here, the Service Area of the proposed Rantoul Recycling and Transfer Station is all of Champaign County, Illinois, the townships of Sullivant, Drummer, Dix, Peach Orchard, Wall, Patton, and Button in Ford County, Illinois, and Loda Township in Iroquois County, Illinois. The Service Area is estimated to generate approximately 650 tons per day (tpd) of Municipal Solid Waste (MSW) requiring disposal. There are no active landfills within the Service Area. Approximately 350 tpd of MSW generated in the Service Area is currently managed by transfer stations and recycling facilities within the Service Area, and disposed at landfills located outside of the Service Area. Approximately 300 tons per day of MSW generated in the Service Area is currently being managed by transfer stations and/or disposed at landfills not located in the Service Area landfills. Of the three permitted transfer stations in the Service Area, only one purports to accept MSW from unaffiliated waste haulers, namely, the Central Waste Services and Recycling Facility (RS Urbana Transfer Station). The Applicant executed a Host Community Agreement (R-120-130) with the Village of Rantoul in June, 2025, providing a host benefit fee of $0.40 per ton of waste transferred to a landfill or disposal facility via the proposed Rantoul Recycling and Transfer Station.

The portion of the Application pertaining to Criterion 1 can be found at R-13 through R-130. At the Hearing, the Applicant presented the testimony of John E. Hock regarding Criterion 1. Mr. Hock has over 38 years' experience in the solid waste business. He has a B.S., in Chemical Engineering and is licenses as a Professional Engineer in six states, including Illinois. He has served as the principal engineering witness at local siting hearings for six other transfer stations. Mr. Hock was qualified as an expert witness to provide testimony on Criterion 1. (R-1347.) He also prepared a report regarding Criterion 1. (R-14-R-46.)

Mr. Hock testified regarding the Applicant and its affiliated companies. He also testified

about the proposed site, existing operations at the site, proposed operations at the site, proposed facility improvements. He also testified regarding the service area, existing operational facilities within and outside the service area, trends in the waste disposal system, the importance of vertical integration, pricing observations, and benefits to Rantoul and the surrounding area. His testimony on Criterion 1 can be found at R-1346 through R-1386.

Following his direct testimony, the Village and the Mayor were permitted an opportunity to ask Mr. Hock questions regarding Criterion 1; they did not have any questions. (R-1385.) Trustee Wilson asked Mr. Hock questions regarding the proposed location and what other locations were considered. (R-1386.) Mr. Hock testified that the location was originally purchased for waste hauling, making it generously sized, and that it represented the "ideal" location given its size and proximity to the expressway. (R-1386).

No evidence was submitted in opposition to the Applicant on Criterion 1 and no other witnesses testified on the criterion. Notably, many of the written and oral public submissions opposing the Application acknowledge the need for the transfer station and, instead, question the specific location (which is more appropriately covered by Criterion 3). Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 1 is satisfied.

Criterion 2: The Facility is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected

The second criterion found in Section 39.1(a)(ii) of the Act is that the "facility is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected." This includes demonstrating that the facility is not flawed from a public safety standpoint and that its proposed operations are neither substandard nor unacceptably risky. *Indust. Fuels and Resources, Inc. v. Ill. Pollution Control Bd.*, 227 III. App. 3d 533, 592 (1st Dist. 1992).

The portion of the Application pertaining to Criterion 2 can be found at R-131 through R-917. At the Hearing, the Applicant presented the testimony of John E. Hock regarding Criterion 2. Mr. Hock was qualified as an expert witness to provide testimony on Criterion 2. (R-1453.) He also prepared a report regarding Criterion 2. (R-132 – 160.)

Mr. Hock's testimony and report discuss the design of the facility including recent improvements to parking, plans for a 12,000 square foot transfer building, planned improvements to access roads, enhanced security at the site, materials for the proposed building, the plan for concrete barrier walls, and the treatment of liquid runoff at the facility. Mr. Hock's testimony and report also discuss the location of the facility including the lack of any historical, archeological, or architectural resources at the site, that no rivers designated for protection flow through the site, that it does not affect any protected wetlands, that it would not interfere with the Rantoul Airport, and that the site met all required setbacks from occupied dwellings and residentially zoned property. Mr. Hock's testimony and report also discuss the operations at the proposed facility including the plan to accept municipal solid waste and household recyclables but not hazardous waste, proposed operating hours, anticipated volume, that waste would be delivered in closed vehicles, the frequency of cleaning of the tipping floor, and the plan to operate within the confines of Illinois laws and Village ordinances. His testimony on Criterion 2 can be found at R-1454 through R-1477.

Following his direct testimony, the Village and the Mayor were permitted an opportunity to ask Mr. Hock questions regarding Criterion 2; they did not have any questions. (R-1490-1491.) Trustee Robertson asked Mr. Hock about the plan if the ventilation fan failed. (R-1493.) Mr. Hock testified that the fan was a "belt-and-suspenders" such that no odors were expected due to the relatively short amount of time and material would be placed on the indoor floor surface, but that

the fan would be repaired relatively quickly. (R-1493-1494.)

No evidence was submitted in opposition to the Applicant on Criterion 2 and no other witnesses testified on the criterion. Though several of the public comments related to potential odor from the facility due to experience with odors emanating from a pork processing plant, none included any evidence rebutting the evidence submitted by the Applicant with respect to the proposed facility. Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 2 is satisfied.

Criterion 3: The Facility is so located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of surrounding property

The third criterion found in Section 39.1(a)(iii) of the Act is that the "facility is so located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of surrounding property."

The portion of the Application pertaining to Criterion 3 can be found at R-918 through R-1013. At the Hearing, the Applicant presented the testimony of J. Christopher Lannert regarding Criterion 3. Mr. Lannert is the President of Lannert Group, is a member of several professional associations including the American Society of Landscape Architects and the American Planning Association, and has provided testimony on approximately 60 solid waste-related proposals. Mr. Lannert was qualified as an expert witness to provide testimony on Criterion 3. (R-1389.) He also prepared a report regarding Criterion 3. (R-919 – 937.)

Mr. Lannert's testimony and report focused on whether the proposed transfer station was located so as to minimize incompatibility with the surrounding area. He explained that the proposed facility is located in a C-2 Commercial district within the Village. He focused on the area within approximately 2,500 feet of the site and noted that it is approximately 64.9% agricultural

or open space, approximately 12.4% transportation or right-of-way, approximately 8.9% commercial use, and approximately 8.7% industrial purposes. He also studied a wider area approximately one mile from the site and noted that 74.3% of that area is agricultural or open space and acknowledged that 7.3% of that wider study area is residential use. He noted, however, that there was no residential zoned or used property within 1,000 feet of the site, meeting the setback requirement in 415 ILCS §22.14. He also testified regarding plantings along the Western and Southern roadway frontages and the Northern property line. He ultimately opined that the location would blend in with the existing land use in the area and would minimize incompatibility with the surrounding area. His testimony on Criterion 3 can be found at R-1387 through R-1404.

Following his direct testimony, the Mayor asked Mr. Lannert whether the vegetation referenced in Mr. Lannert's testimony was aesthetic only or whether it had other benefits. (R-1402.) Mr. Lannert responded that the existing physical terrain and natural conditions were beneficial, and that the landscaping plan would add to that buffer. (R-1402-1403.) The Mayor also asked about potential odors and pests and Mr. Lannert deferred to Mr. Hock's testimony and report on this issue. (R-1403.) The Trustees were offered the opportunity to ask Mr. Lannert questions and they did not have any questions. (R. 1404.)

The Applicant also presented the testimony of Dale J. Kleszynski regarding Criterion 3. Mr. Kleszynski has worked for over 45 years in the appraisal space and has been awarded the MAI and SRA designations by the Appraisal Institute. He is licensed in both Indiana and Illinois. Mr. Kleszynksi was qualified as an expert witness to provide testimony on Criterion 3. (R-1406.) He also prepared a report regarding Criterion 3. (R-939 – 1013.)

Mr. Kleszynski's report and testimony consisted of his conclusions with respect to a real estate impact study he conducted. He opined that the proposed site is in an area of historic industrial

and commercial use development and that the surrounding area has man-made boundaries that isolate and buffer the property—noting that location is centralized on the property. His study including looking at three comparable transfer stations and he concluded that transfer stations generally do not have impacts on surrounding property values. He ultimately opined that the proposed facility was located so as to minimize effect on the value of the surrounding area. His testimony on Criterion 3 can be found at R-1404 through R-1433.

Following his direct testimony, the Village and Mayor were permitted to ask Mr. Kleszynski questions. On their behalf, Mr. Wesner noted that one of Mr. Lannert's presentation slides had shown a "close study area" and a "wide study area" which included some residential neighborhoods. Mr. Wesner asked Mr. Kleszynski whether the site would have a potential negative impact on the residential neighborhoods in proximity to the location. (R-1429-1430.) Mr. Kleszynski responded that this was the reason his study included "test site number two" because it contained residential areas that were even closer in proximity to the facility than the residential neighborhoods in the wider area for the proposed Rantoul facility. He noted that site showed no impact on the residential property values. (R-1430-1431.) Mr. Wesner also asked Mr. Kleszynski's opinion on whether the proposed site would have a negative impact on potential commercial or residential development in the general area. (R-1431-1432.) Mr. Kleszynski responded that, while he did not think the area was conducive to a "spot" residential zone, the proposed facility was consistent with the transportation activities in the area and that future development would feed off the proposed facility, such that it would be an enhancement to the area. (R-1432-1433.) The Trustees were offered the opportunity to ask Mr. Kleszynksi questions and they did not have any questions for him. (R-1433.)

No evidence was submitted in opposition to the Applicant on Criterion 3 and no other

witnesses testified on the criterion. Though it does not constitute evidence, I note that at least two of the public comments raised the point that the Village of Rantoul's Code of Ordinances, Chapter 46, Article 9 states that a "solid waste transfer station" is "not permitted" in a district zoned C-2. (R-1861-1862.) Upon review of the Ordinance, this appears to be a correct statement of the Ordinance, but I note that Section 39.2 of the Act specifically addresses this by saying that the Act's "siting approval procedures, criteria and appeal procedures provided for in this Act for new pollution control facilities shall be the exclusive siting procedures and rules and appeal procedures for facilities subject to such procedures. ***Local zoning or other local land use requirements shall not be applicable to such siting decisions.***" (Subsection g, emphasis added). Accordingly, the Ordinance's zoning restrictions are not a barrier to the location of the proposed facility at its proposed location. Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 3 is satisfied.

Criterion 4: The Facility is located outside the boundary of the 100 year floodplain

The fourth criterion found in Section 39.1(a)(iv) of the Act is that the "facility is located outside the boundary of the 100 year floodplain." As part of the Application, Mr. Hock conducted a floodplain assessment. (R-1015-R-1019.) He determined that, based on maps prepared by the Federal Emergency Management Agency, the proposed facility was not located within any 100-year floodplain. (*Id.*) He testified consistently. (R-1458.) No evidence was submitted in opposition to the Applicant on Criterion 4 and no other witnesses testified on the criterion. Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 4 is satisfied.

Criterion 5: The plan of operations for the Facility is designed to minimize the danger to the surrounding area from fire, spills and other operational accidents

The fifth criterion found in Section 39.1(a)(v) of the Act is that the "plan of operations for the facility is designed to minimize the danger to the surrounding area from fire, spills and other operational accidents." The portion of the Application pertaining to Criterion 5 can be found at R-1020 through R-1031. At the Hearing, the Applicant presented the testimony of John Hock regarding Criterion 5. Mr. Hock was qualified as an expert witness to provide testimony on Criterion 5. (R-1453.) He also prepared a report regarding Criterion 5. (R-1020-1031.)

Mr. Hock's testimony and report covered several areas pertinent to Criterion 5. He discussed a twofold plan covering prevention of fires, spills and operational incidents, as well as actions should one of those events occur. Per Mr. Hock, a Safety Officer will be on-site at all times during operation, and the Applicant will train all employees prior to them being allowed to work at the facility. With respect to spills, the transfer facility will not accept liquid waste and, to the extent minor liquid spills occur, that liquid will be captured and diverted to tanks rather than being permitted into the stormwater system. Mr. Hock testified that fuel tanks will be stored on site to service the facility's vehicles, and that the Applicant will stock absorbent materials to contain any spilled liquids. Regarding fire suppression, the building will be equipped with 24-hour thermal monitoring, and a Fire Rover early detection system that can dispense targeted foam to control/extinguish fires. More traditional fire prevention/suppression methods will also be employed such as fire extinguishers on all heavy equipment, on-site water truck with pressurized hose supply, and a hot-load containment area if smoldering loads are detected. His testimony on Criterion 5 can be found at R-1478 through R-1484 and 1491 through 1493.

Following his direct testimony, the Village and the Mayor were offered the opportunity to ask Mr. Hock questions regarding Criterion 5; they did not have any questions. (R-1490 – R-1491.)

Trustee Wilson asked Mr. Hock several questions about the fire prevention measures, given Trustee Wilson's role as a Captain in the Rantoul Fire Department. First, Trustee Wilson asked Mr. Houck if there was a battery or generator backup for the fire suppression system. (R-1491.) Mr. Hock assured Trustee Wilson there would be a backup power supply. (*Id.*) Next, Trustee Wilson asked if there was a dry fire suppression system installed in the building. (*Id.*) Mr. Hock acknowledged that the current plans do not call for one, but noted that, following the siting approval process, there would still need to be a building permitting process and that the Applicant could work through those questions with the Village at that time. (R-1941-1492.) Trustee Wilson also asked how the Applicant would keep the on-site water truck from freezing in cold weather. (R-1492.) Mr. Hock explained there is an existing fire hydrant just East of the existing buildings, and that blankets could be used to smother a fire, but also acknowledged that freezing temperatures for a water truck would need to be addressed. (R-1493.)

No evidence was submitted in opposition to the Applicant on Criterion 5 and no other witnesses testified on the criterion. Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 5 is satisfied.

Criterion 6: The traffic patterns to or from the Facility are so designed as to minimize the impact on existing traffic flow

The sixth criterion found in Section 39.1(a)(vi) of the Act is that the "traffic patterns to and from the facility are so designed as to minimize the impact on existing traffic flow." The portion of the Application pertaining to Criterion 6 can be found at R-1032 through R-1185. At the Hearing, the Applicant presented the testimony of Michael Werthmann, POE, PTOE, a registered professional engineer and certified professional traffic operations engineer, with more than 25 years of traffic engineering experience for both the private and public sectors. Mr. Werthmann was

qualified as an expert witness to provide testimony on Criterion 6. (R-1435.) He also prepared a report regarding Criterion 5. (R-1033-1185.)

Mr. Werthmann prepared a Traffic Impact Study in December 2025 related to the proposed site. The study accounted for the facility's proposed operating schedule of 5:00 a.m. to 6:00 p.m. on weekdays and 5:00 a.m. to 12:00 p.m. on Saturdays, as well as the expected number of employes (five), the fact that many of the trucks anticipated to be used for the facility are already located at the subject site, and considered the maximum tonnage of waste and recyclables expected on a given day. Mr. Werthmann acknowledged that waste transfer stations do result in an increase in traffic, but that the traffic would be distributed throughout the day and peak waste transfer facility periods do not typically coincide with peak commuter traffic time periods. As part of his study, he monitored weekday peak traffic near the facility.

Mr. Werthmann also noted that, as part of the development, the Applicant would be expanding the radius at the southwest corner of the intersection of Murray Road and the West Champaign Avenue Service Road to accommodate turning truck traffic (a plan which has been preliminarily approved by the Rantoul Public Works Director), and that the Illinois Department of Transportation already has plans to upgrade the traffic signal at that intersection, including making phasing and timing adjustments and ADA enhancements. These are the only upgrades that are needed to accommodate the additional traffic. Mr. Werthmann found that the adjacent intersections currently operate at a good level of service rating of A, B, or C and would continue to following the placement of the facility, given the existing roadway system's sufficient reserve capacity.

Following his direct testimony, the Village and the Mayor were offered the opportunity to ask Mr. Werthmann questions regarding Criterion 6; they did not have any questions. (R-1451.) The Trustees were also offered an opportunity to ask Mr. Werthmann questions regarding Criterion

6 and they did not have any. (R-1451.) No evidence was submitted in opposition to the Applicant on Criterion 6 and no other witnesses testified on the criterion. Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 6 is satisfied.

Criterion 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

The seventh criterion found in Section 39.1(a)(vii) of the Act only applies to facilities which are designed to treat, store or dispose of hazardous waste. Mr. Hock testified that the proposed facility will not be allowed to accept hazardous waste including, but not limited to, medical waste, asbestos-containing materials, PCB waste, motor oils, liquids, sludges, white goods, batteries, tires or landscape waste. (R-1471.) The Applicant will conduct load inspections to prevent such materials from coming through the facility and, in the event it does, will separate it from the rest of the waste and recyclables in special containers until it can be removed and disposed of appropriately at another location. (R-1471-1472.) Accordingly, this criterion does not apply and is therefore deemed satisfied. No evidence was submitted to suggest that it may apply and no other witnesses testified regarding this criterion.

Criterion 8: If the Facility is to be located in a County were the County Board has adopted a Solid Waste Management Plan consistent with the planning requirements of the local Solid Waste Disposal act or the Solid Waste Planning and Recycling Act, the Facility is consistent with that Plan

The eighth criterion found in Section 39.1(a)(viii) of the Act is that the Facility must comply with any applicable plan made pursuant to the Solid Waste Disposal Act or the Solid Waste Planning and Recycling Act. The portion of the Application pertaining to Criterion 8 can be found at R-1190 through R-1318. At the Hearing, the Applicant presented the testimony of John Hock, regarding Criterion 8. Mr. Hock was qualified as an expert witness to provide testimony on

Criterion 8. (R-1453.) He also prepared a report regarding Criterion 8. (R-1191-1318.)

Champaign County adopted a Solid Waste Management Plan (the "SWMP") in 1991. It has been updated approximately every five years, in 1996, 2002, 2007, 2012, 2017 and 2022. As part of his report, Mr. Hock analyzed the SWMP and the Application's compliance therewith. He also attached a complete copy of the 2022 update to the SWMP (R-1204 – R-1318) and summarized it (R-1196 – 1198). The Village of Rantoul adopted Ordinance 2796 in June 2025, as amended by Ordinance 2813, in December 2025. The Application was prepared consistent with the Ordinance and the Applicant must follow the Ordinance. As part of that, the Applicant has entered into a Host Agreement with the Village which is attached to the Application at R-120 – R-130.)

Mr. Hock testified that, as part of its compliance with the SWMP, the Facility will perform unloading, loading, and temporary storage in an enclosed building. The building will include green/sustainable principles, including the use of recycled construction materials, LED lighting, and minimal energy usage for heating/cooling. He was qualified as an expert on Criterion 8 (R-1453) and his testimony regarding Criterion 8 can be found at R-1484 to R-1490.

Following his direct testimony, the Village and the Mayor were offered the opportunity to ask Mr. Hock questions regarding Criterion 8; they did not have any questions regarding this Criterion. (R-1491.) The Trustees were also offered an opportunity to ask Mr. Werthmann questions regarding Criterion 8 and they did not have any. (*Id.*) No evidence was submitted in opposition to the Applicant on Criterion 8 and no other witnesses testified on the criterion. Based on the Application, pre-Application submissions, and Hearing Testimony, I find that Criterion 8 is satisfied.

Criterion 9: If the Facility will be located within a regulated recharge area, any

applicable requirements specified by the Board for such areas have been met

The ninth criterion found in Section 39.1(a)(ix) of the Act only applies to facilities which are located in a "regulated recharge area" which are determined by the Illinois Pollution Control Board as compact geographic areas, the geology of which renders a potable resource groundwater particularly susceptible to contamination. 415 ILCS 5/3.67; R-1321. Mr. Hock's report, submitted as part of the Application, explained that there is only one regulated recharge area established in Illinois and it is over 75 miles West of proposed site. Accordingly, this criterion does not apply and is therefore deemed satisfied. No evidence was submitted to suggest that it may apply and no other witnesses testified regarding this criterion.

Previous Operating Experience

Though not explicitly one of the nine criteria, the Act also permits the Board to consider the previous operating experience of an Applicant including the "past record of convictions or admissions of violations of the Applicant..." when considering Criteria 2 and 5. Here, the record contains no past convictions or violations by the Applicant nor admissions by the Applicant, which favors approval of the Application.

PUBLIC COMMENT

In addition to the public comment received during the Hearing, the Village Clerk received written public comments after the Hearing closed. These are located at R-1792 through R-1880. Except as otherwise referenced, I found that the majority of the public comment was not focused on the statutory criteria in a relevant or probative way. In addition, several of the comments were auto-generated or cut-and-paste from other comments, making them redundant. While some of the comments did purport to address the criteria, they mostly disagreed with the expert testimony

without any basis other than opinions or unsupported statistics.[3] As mentioned, since the public comment (wither oral or written, whether in favor of or opposed to the Application) is not subject to cross-examination, it is afforded less weight than the sworn expert testimony that was subject to cross-examination and questions from the Village and Board at the Hearing.

The bulk of the written comments centered around items that were also raised orally by the public at the Hearing and fell within the following categories: missed garbage pick-ups or anecdotal reports of trash falling from trucks; odors (including from the existing pork processing facility) and the potential to attract rodents; dust generation from increased truck traffic into and out of the Facility; the "look" of the Facility for visitors entering Rantoul; concerns over real estate values; and the fact that the traffic study was performed on a weekday instead of a weekend. Each of these concerns appeared in multiple written comments and were also raised at the Hearing. I find that the Applicant's response to these items sufficiently addresses the public comments as well as similar comments raised in the written comments following the Hearing, by citing to the specific sections of the Application which address the concerns. (*See* R-1756 through R-1761.)

One written comment took issue with the Hearing, suggesting it lacked fairness because "the opposing side did not get an opportunity to show their slide shows or have their 'expert' witnesses testify" and because the public was "only given 5 minutes of public comment." (R-1834.) It is unclear who the "opposing side" is referred to in this comment but, as stated above, no opposition was submitted prior to the Hearing and the only appearance other than the Applicant's

[3] One of the written public comments that did address the criteria was submitted by an attorney from Naperville, Illinois which is outside the relevant area. (R-1856 – R-1860.) The submission states that the author has "heard from members of this community" but does not identify any members of Rantoul or the service area. Nor did the author file an appearance on behalf of any entity or individual per the Ordinance. Indeed, the comment acknowledges that it is the author's "opinions" as to the criteria. Like other public comment, it is not subject to cross-examination.

was withdrawn—in other words, no individual entity complied with the Ordinance such that it could participate at the hearing, cross-examine witnesses, or present expert witnesses. This is not a flaw in the Hearing, it is the operation of the Ordinance. In addition, and as noted above and on the record, public comment was not limited to 5 minutes. Nor was it limited to 30 minutes as is typical for Rantoul Board meetings. Nine members of the public spoke at the meeting and were allotted 5 minutes *each* for a total of 45 minutes. Three of the speakers spoke in support of the Application. I also asked twice if anyone else would like to speak following the speakers who had signed up.

* * *

In addition to the Section 39.2 findings above, I submit the following proposed findings of fact and conclusions of law for the Board's consideration:

PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The name and address of the owner and operator of the proposed Rantoul Recycling and Transfer Station is Area Disposal Service, Inc., 4700 N. Sterling Avenue, Peoria, IL 61615.

2. The proposed Rantoul Recycling and Transfer Station will be located at the existing waste hauling business owned by Area Disposal Service, Inc. located northeast of Interstate 57 and West Champaign Avenue (or Route 136) in the western portion of Rantoul, Illinois. The mailing address is 896 West Champaign Avenue, Rantoul, Illinois in Champaign County.

3. The Applicant entered into a Host Community Agreement with the Village on June 10, 2025. It is in the Record at R-120 through R-130 and is part of the Application.

4. Prior to filing its Application for Local Siting Approval of the Rantoul Recycling and Transfer Station (Application), the Applicant provided a complete copy of the Application for review by an independent engineering company retained directly by the Village of Rantoul: Foth Infrastructure & Environment, LLC (Foth).

5. In its pre-filing Review Letter dated December 12, 2025 (R-1569-1577), Foth recommends approval of the Application without any added conditions.

6. On December 1, 2025, more than fourteen (14) days prior to the filing of the Application, the Applicant mailed the required written notices stating that it intended to file the Application on December 22, 2025, via certified mail, return receipt requested, in accordance with 415 ILCS §5/39.2(b) and Section 28-103 of the Village of Rantoul Code of Ordinances. (R-890-913.)

7. On December 4, 2025, more than fourteen (14) days prior to the filing of the Application, Area Disposal Service, Inc. caused the required written notice stating that it intended to file the Application on December 22, 2025, to be published in accordance with 415 ILCS §5/39.2(b) and Section 28-103 of the Village of Rantoul Code of Ordinances. (R-913-917.)

8. On December 22, 2025, Area Disposal Service, Inc. filed the Application with the Rantoul Village Clerk.

9. The Applicant paid the requisite $50,000 application fee (R-3) and the Hearing Officer confirmed receipt with the Village Administrator.

10. The Application includes a summary of the experience of the Applicant in operating other transfer stations in Illinois that complies with the requirements of Sections 28-102(A)(2)(j) of the Village of Rantoul Code of Ordinances. (R-180-182.) The Director of Public Works did not require the Applicant to submit additional information regarding operating experience.

11. On February 14, 2026, more than sixty (60) days prior to the public hearing, Area Disposal Service, Inc. caused the required written notice of the public hearing to be published in accordance with Section 28-109(A) of the Village of Rantoul Code of Ordinances. (R-1578.)

12. On March 24, 2026, more than fourteen (14) days prior to the public hearing, Area Disposal Service, Inc. mailed the required written notices of the public hearing via certified mail, return receipt requested, in accordance with 415 ILCS §5/39.2(b) and Section 28-109(B) and (D) of the Village of Rantoul Code of Ordinances. (R-1586-1599.)

13. On March 27, 2026, more than fourteen (14) days prior to the public hearing, Area Disposal Service, Inc. caused the required written notice of the public hearing to be published in accordance with 415 ILCS §5/39.2(d) and Sections 28-109(C) of the Village of Rantoul Code of Ordinances. (R-1581.)

14. Given the Applicant's compliance with the pre-hearing notice requirements, the Board has jurisdiction to consider the Application.

15. On April 17, 2026, the Board of Trustees of the Village of Rantoul conducted a public hearing regarding the Application at the Rantoul Village Hall at 333 S. Tanner St.

16. The public Hearing was presided over by a Hearing Officer appointed by the Mayor, namely, William R. Andrichik, Esq.

17. Five (5) of the six (5) Trustees of the Village of Rantoul attended the public hearing, as well as the Mayor of the Village of Rantoul, the Clerk of the Village of Rantoul, and various other Village of Rantoul officials and employees.

18. A written transcript of the Hearing was prepared by a certified court reporter and notary public who was also authorized in that capacity to swear in each witness under oath.

19. In addition to the written transcript, the Hearing was livestreamed via a link available on the Village website and which was included in the pre-hearing notices. The Hearing was also video recorded.

20. Despite the livestream and the video recording, the written transcript (R-1324 to R-1568) is the official transcript of the Hearing.

21. Neither the Village nor the Hearing Officer received any requests for translation services for the Hearing or with respect to the livestream, recorded video, or printed transcript.

22. The Application for Local Siting Approval of the Rantoul Recycling and Transfer Station filed with the Rantoul Village Clerk on December 22, 2025, was admitted by the Hearing Officer as Applicant's Exhibit 1 at the public hearing on April 17, 2026.

23. The pre-filing Review Letter dated December 12, 2025, prepared by Foth Infrastructure & Environment, LLC (Foth) for the Village of Rantoul recommending approval of the Application, was admitted by the Hearing Officer as Applicant's Exhibit 2 at the public hearing on April 17, 2026.

24. Applicant's Certificate of Publication memorializing the publication of notice pursuant to Section 28-109(A) of the Code of the Village of Rantoul was admitted by the Hearing Officer as Applicant's Exhibit 3 at the public hearing on April 17, 2026.

25. Affidavit of Publication memorializing the publication of the final pre-hearing notice pursuant to Section 28-109(C) of the Code of the Village of Rantoul was admitted by the Hearing Officer as Applicant's Exhibit 4 at the public hearing on April 17, 2026.

26. Affidavit of Compliance with 415 ILCS 5/39.2(d) and Section 28-109(B), (C), and (D) of the Code of the Village of Rantoul was admitted by the Hearing Officer as Applicant's Exhibit 5 at the public hearing on April 17, 2026.

27. Sixteen (16) letters of support for the Rantoul Recycling and Transfer Station filed prior to the hearing were admitted by the Hearing Officer as Applicant's Exhibit 6 at the public hearing on April 17, 2026

28. Applicant's Witness List for the hearing, including its expert witnesses' resumes, was admitted by the Hearing Officer as Applicant's Exhibit 7 at the public hearing on April 17, 2026.

29. At the public hearing on April 17, 2026, John E. Hock, P.E., of Civil & Environmental Consultants, Inc., was qualified by the Hearing Officer as an expert witness to testify regarding Criteria 1, 2, 4, 5, 7, 8, and 9. *See* 415 ILCS §5/39.2(a).

30. Mr. Hock's PowerPoint presentation presented at the public hearing on April 17, 2026, was admitted by the Hearing Officer as Applicant's Exhibit 8.

31. At the public hearing on April 17, 2026, J. Christopher Lannert, R.L.A., of the Lannert Group, was qualified by the Hearing Officer as an expert witness to testify regarding the first part of Criterion 3 ("the facility is located so as to minimize incompatibility with the character of the surrounding area..." 415 ILCS §5/39.2(a)(iii)).

32. Mr. Lannert's PowerPoint presentation presented at the public hearing on April 17, 2026, was admitted by the Hearing Officer as Applicant's Exhibit 9.

33. At the public hearing on April 17, 2026, Dale J. Kleszynski, MAI, SRA, of Associated Property Counselors, LTD., was qualified by the Hearing Officer as an expert witness to testify regarding the second part of Criterion 3 ("the facility is located so as ... to minimize the effect on the value of the surrounding property" 415 ILCS §5/39.2(a)(iii)).

34. Mr. Kleszynski's PowerPoint presentation presented at the public hearing on April 17, 2026, was admitted by the Hearing Officer as Applicant's Exhibit 10.

35. At the public hearing on April 17, 2026, Michael A. Werthmann, PE, PTOE., of Kenig, Lindgren, O'Hara, Aboona, Inc., was qualified by the Hearing Officer as an expert witness

to testify regarding Criterion 6 ("the traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows" 415 ILCS §5/39.2(a)(vi)).

36. Mr. Werthmann's PowerPoint presentation presented at the public hearing on April 17, 2026, was admitted by the Hearing Officer as Applicant's Exhibit 11.

37. The withdrawal of the appearance of American Disposal Services of Illinois, Inc. d/b/a Republic Services of Bloomington was admitted by the Hearing Officer as Applicant's Exhibit 12.

38. The Applicant and the Village of Rantoul were the sole participants at the public hearing on April 17, 2026, as defined by Section 28-110 of the Ordinance.

39. Only the Applicant provided sworn testimony or presented sworn witnesses at the Hearing.

40. A total of nine (9) members of the public provided unsworn comment at the Hearing. The Hearing Officer removed the 30-minute limit on public comment which is typically imposed at Rantoul Village Board meetings. The Hearing Officer also enlarged the public comment time from three (3) minutes per person to five (5) minutes per person.

41. The Hearing closed on April 17, 2026.

42. The Village of Rantoul provided a thirty (30) day period following the conclusion of the public hearing on April 17, 2026, for the filing of written public comment regarding the Application. Because the thirtieth (30^{th}) day fell on a weekend, public comment was received through May 18, 2026.

43. No complaints regarding access to and availability of the Application have been received.

44. There were no amendments to the Application.

45. No pre-hearing motions were filed by any party or participant.

46. On May 28, 2026, the Village Clerk noticed public comment letters in her email spam filter which were "sent" prior to May 18 and alerted the Hearing Officer. The Hearing Officer accepted these emails as "timely" and included them in the Record before filing the Record with the Village Clerk on May 29, 2026.

47. The public hearing and attendant procedures implemented by the Village of Rantoul were fundamentally fair and were consistent with 415 ILCS §5/39.2 and the Village of Rantoul Code of Ordinances.

48. The public hearing and attendant procedures implemented by the Village of Rantoul were in compliance with the requirements of 415 ILCS §5/39.2(d-5).

49. The record indicates that the Facility is not located within 1,000 feet from the nearest property zoned for primary residential uses or within 1,000 feet of any dwelling.

50. The Applicant demonstrated that the proposed Facility meets Criterion 1: "the facility is necessary to accommodate the waste needs of the area it is intended to serve."

51. The Applicant demonstrated that the proposed Facility meets Criterion 2: "the facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected."

52. The Applicant demonstrated that the proposed Facility meets Criterion 3: "the facility is so 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."

53. The Applicant demonstrated that the proposed Facility meets Criterion 4; "for a facility other than a sanitary landfill or waste disposal site, the facility is located outside the boundary of the 100-year floodplain, or the site is flood-proofed."

54. The Applicant demonstrated that the Facility meets Criterion 5: "the plan of operations for the is designed to minimize the danger to the surrounding area from fire, spills, or other operational accidents."

55. The Applicant demonstrated that the proposed Facility meets Criterion 6: "the traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows."

56. The Applicant demonstrated that the Facility will not be accepting hazardous waste and therefore demonstrated that Criterion 7 is not applicable.

57. The Applicant demonstrated that the proposed Facility meets Criterion 8: " ... where the county board has adopted a solid waste management plan consistent with the planning requirements of the Local Solid Waste Disposal Act or the Solid Waste Planning and Recycling Act, the facility is consistent with that plan ..."

58. The Applicant demonstrated that the facility is not located within a regulated recharge area and therefore Criterion 9 is not applicable.

59. The Applicant's operating history demonstrates that the Applicant is qualified to operate the Facility safely and properly.

60. The Applicant has agreed to comply and approval is conditioned upon compliance with all terms of the Host Community Agreement dated June 10, 2025.

Respectfully submitted,

By: _____
William Andrichik
Hearing Officer