

RECEIVED  
CLERK'S OFFICE

OCT 15 2010

STATE OF ILLINOIS  
Pollution Control Board

Edward Miguel  
124 E Sunset Pl  
DeKalb, IL 60115

IPCB  
James Thompson Center  
100 W Randolph Suite 11-500  
Chicago, IL 60601

PC# 20

Case Number PCB2010-103 – 500 acre expansion of DeKalb County landfill and acceptance of waste from 16 other Illinois Counties

Dear Illinois Pollution Control board,

It is with a heavy heart that I write you today to consider the reasons for our appeal of the decision to expand our landfill from 80 acres to 500 acres and take in waste from 16 additional counties besides our own. My heart is heavy because I feel we are destroying the very thing that sustains us, our Mother Earth.

The dump expansion project started in 2009 with a host agreement and was being sold as a good deal for the county. I personally did not become aware of it until the announcement before the hearing which gave me no time in advance to attend since it was held during the day when I worked and had plans on the evening that was scheduled. These hearings should have been held sooner and spread out in time. I began hearing rumors that it was a done deal, that my county board member for my area would not be able to talk to me. I can only tell you that I 'felt' the die was cast as I heard that the courthouse expansion was going to get funded by the tipping fees and why else would my county board members be ignoring me? I spoke to them anyway and wrote to them anyway. Some spoke back to me but they seemed like they were frightened for their lives. I got the impression that they had made up their minds. I got the impression that they were threatened by Waste Management leaving if they did not get this expansion approved. There was not enough money in the dump as it exists for Waste Management to continue. We are too good with recycling. I got the impression that the DCB felt like they would be stuck with the dump. I felt that this was exactly what Waste Management wanted to get across.

The siting law is not a constitutional process. This is a process made to benefit one side only. This is not the way our system is supposed to work but our state politicians and lobbyists got this made into law. In the words of Bob Pritchard when answering my question about how such a law could exist he just said lobbyists and that nobody would ever vote for a landfill the traditional way. Well that may be true but should an unconstitutional law be made to go around our rights?

It was stated that the DCB had to act like jurors. Assuming that they had to act as jurors, what would you say about a juror who already made up their mind before a trial? Our board was acting like the deal was already cut. They were already earmarking the money to go for the jail and courthouse expansions. The money from the tipping fees was

already 'spent' before the 'hearing'. I put hearing in quotes because many board members did not even attend it. You would think that they would want to hear what their constituents would have to say. Does this make the hearing NOT a hearing if those that are making the decision are not even there? Did they even want to know? Or were their minds already made-up and they did not want to hear our feedback?

To add insult to injury they were sequestered from talking with those of us that elected them. They themselves told me that they would not talk about this until the vote. By that time what is the point? Actually they could have talked to us however Ray Bockman, who is not a lawyer, forbade any discussion about this. He put his authority behind it and most of them believed it as fact. Why would he say that? What was the motivation to do that? I do not believe that the siting law says that the county boards have to act as jurors.

During this 'hearing' not one witness was planned to be called by Waste Management about hydrogen sulfide, water or air quality. But they were sure proud of the post dump images of swing sets and parks that would be there after they left in about 30-40 years. When WM leaves the dump it will be the highest elevation in Dekalb County.

The average citizen does not have the time or inclination to deal or understand all of the complicated issues about a landfill but our elected reps on the county board were supposed to call on the people who could advise them. They did neither.

The scientists and chemists who came forward to stand up for the science or facts only did so on their own as volunteers. We are fortunate that we live in a university community but our board for some reason did not consider NIU as a source for input.

Look up the term 'group think'. That is what this process became. It had the appearance of looking legitimate and legal but it really was a process with no impartial outside input except for those who planned to gain from it. In essence it was a closed process with dissenting opinions squelched.

The elementary school in Cortland was being planned while the landfill expansion was also being discussed. The DCB was involved in both cases so why wouldn't they bring the school into the process? The school was brought into the process by the community and especially by the people of Cortland who were also left in the dark about what was going to happen.

Our earth will die without our help. Dekalb County was trying to make a difference. Our recycling rates were up to 40%. We were extending the time that our landfill would be full by dozens of years. We felt pretty good about that and more could be done. What is being proposed here is a solution out of the 1950's. The only reason could be that Waste Management stands to make more money keeping it this way. This flies in the face of everything we need to do to preserve our earth for the future, for our children.

I am an electronic engineer by trade for the last 35 years. If I have learned anything, there is no such thing as a perfect system nor a perfect measurement. You also must be open to the unexpected and assume that there may be variables unaccounted for. It can take many trials to get a small system right and this is a huge scale system. While we may prefer a simple solution or a simple answer to many of the concerns and questions, the fact is there was not enough time nor enough tests to verify everything except on maybe a very superficial level. Why wasn't there an impartial committee consisting of a variety of non-county board members such as scientists and residents of each town? Open up the process and really let the opinions be heard.

The land-fill application has not followed the procedure; it has not been fully vetted in public. It has the appearance that there is some sort of agenda on the part of the county board to get this passed. Most of us who are normally well informed and get the paper were not aware of it until the hearings began indicating minimal coverage. The hearings were mostly run during the day and not in the evenings when working people are free. The hearings should have started sooner and been spread out over a period of weeks. There was no concerted effort to get the word out. Once the hearings started it was too late to petition for a referendum. This has tremendous repercussions on the part of the Cortland community and the whole county for something of this magnitude and scope. Why wasn't there more public discussion? As a public official you should realize that while it may be inconvenient to hear opposing views and deal with opinions that may differ from your own, something more should have been done to really make this issue heard. With all this and finally the hydrogen-sulfide gas exposure of children from the existing dump, you should not approve this expansion.



**Edward Miguel (author) and Christine Hoy-Miguel**  
124 East Sunset Pl  
DeKalb, IL 60115