

**REVISED REPORT OF THE COMMITTEE ON ENVIRONMENTAL CONTROL**

**April 16, 2013**

The Honorable,  
The Board of Commissioners of Cook County

**ATTENDANCE**

Present: Acting Chairman Steele, Commissioners Gainer, Gorman, Murphy, Schneider, Silvestri and Tobolski (7)

Absent: None (0)

Also Present: Commissioner Fritchey; Deborah Stone, Director of Environmental Control

Chairman Gorman requested that Vice Chairman Steele chair the Environmental Control committee held on Tuesday, April 16, 2013 at the hour of 12:00 P.M.

Ladies and Gentlemen:

Your Committee on Environmental Control of the Board of Commissioners of Cook County met pursuant to notice on Tuesday, April 16, 2013 at the hour of 12:00 PM in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

322582 AN AMENDMENT TO THE COOK COUNTY CODE, CHAPTER 30 ENVIRONMENT, ARTICLE II ADMINISTRATION AND ENFORCEMENT, DIVISION 8 POLLUTION CONTROL FACILITY SIGHTING BARRING THE OPERATION OF MUNICIPAL SOLID WASTE LANDFILL UNITS AND SANITARY LANDFILLS IN UNINCORPORATED COOK COUNTY (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by John A. Fritchey and Jeffrey R. Tobolski, County Commissioners; Co-sponsored by Jesus G. Garcia, Timothy O. Schneider, Gregg Goslin, John P. Daley and Joan Patricia Murphy, County Commissioners.

**PROPOSED ORDINANCE AMENDMENT**

**BARRING THE OPERATION OF MUNICIPAL SOLID WASTE LANDFILL UNITS AND SANITARY LANDFILLS IN UNINCORPORATED COOK COUNTY**

**WHEREAS**, the Illinois Constitution grants Cook County the home rule authority to regulate pollution control facilities, including municipal solid waste landfill units and sanitary landfills; and

**WHEREAS**, Cook County has the authority to protect the health, safety, and welfare of its citizens; and

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**WHEREAS**, it is the stated policy of Cook County to reduce its dependence on landfills; and

**WHEREAS**, on April 3, 2012, the Cook County Board of Commissioners approved a Solid Waste Plan Update; and

**WHEREAS**, the Solid Waste Plan Update articulates a number of goals related to decreasing dependence on landfills and increasing recycling participation throughout Cook County, including promoting a “zero-waste” philosophy with a 100% diversion rate; and

**WHEREAS**, Cook County’s solid waste disposal needs can be met without adding a municipal solid waste landfill unit or sanitary landfill within unincorporated Cook County and the health, safety, and welfare of the inhabitants of unincorporated Cook County are best served and advanced by a prohibition on municipal solid waste landfill units and sanitary landfills within unincorporated Cook County; and

**WHEREAS**, on June 19, 2012, the Board of Commissioners of Cook County passed a Resolution declaring full support of HB 3881 and calling upon Governor Pat Quinn to sign it into law; and

**WHEREAS**, the Illinois legislature has enacted the Illinois Environmental Protection Act, 415 ILCS 5/1 *et seq.*, which was amended effective July 22, 2012 by Public Act 97-0843 (formerly HB 3881), which among other things prohibits the Illinois Environmental Protection Agency (IEPA) from issuing a permit to new or expanded landfills in counties with a population of more than 2,000,000.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment, Article II Administration and Enforcement, Division 8 Pollution Control Facility Siting, Section 30-271 of the Cook County Code is hereby amended as follows:

**Sec. 30-271. - Rules and definitions.**

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Cook County Solid Waste Management Coordinating Committee* means the committee as defined in Section 70-32 of this Code.

*County* means the unincorporated area of Cook County, Illinois.

*Municipal solid waste landfill unit* means as provided in 415 ILCS 5/3.285 (Environmental Protection Act—municipal solid waste landfill unit defined).

*Pollution control facility* means as provided in 415 ILCS 5/3.330 (Environmental Protection Act—pollution control facility defined), except that the term does not include facilities exempt from 415 ILCS 5/39.1 (Environmental Protection Act—permits for alternative emission control strategies). A new pollution control facility is:

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- (1) A pollution control facility initially permitted for development or construction after July 1, 1982;
- (2) The area of expansion beyond the boundary of a currently permitted pollution control facility; or
- (3) A permitted pollution control facility requesting approval to store, dispose of, transfer or incinerate, for the first time, any special or hazardous waste.

Sanitary landfill means as provided in 415 ILCS 5/3.445 (Environmental Protection Act—sanitary landfill defined).

Site means as provided in 415 ILCS 5/3.460 (Environmental Protection Act—site defined).

Special waste means as provided in 415 ILCS 5/3.475 (Environmental Protection Act—special waste defined).

Storage means as provided in 415 ILCS 5/3.480 (Environmental Protection Act—storage defined).

Treatment means as provided in 415 ILCS 5/3.505 (Environmental Protection Act—treatment defined).

Waste means as provided in 415 ILCS 5/3.535 (Environmental Protection Act—waste defined).

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 30 Environment, Article II Administration and Enforcement, Division 8 Pollution Control Facility Siting, Section 30-285 of the Cook County Code is hereby enacted as follows:

**Section 30-285. - Operation of Municipal solid waste landfill units**

(a) Notwithstanding any provision of the Illinois Environmental Protection Act, 415 ILCS 5/1 et seq. or any provision of this Chapter, no person shall install or constructor operate any municipal solid waste landfill unit or sanitary landfill in an unincorporated area of Cook County.

(b) Notwithstanding the provisions of this Section, nothing contained herein shall be construed to limit any duties or liabilities imposed on an owner or operator of a municipal solid waste landfill unit or sanitary landfill pursuant to applicable authority, including but not limited to the following:

(i) Federal laws and regulations promulgated thereunder, including but not limited to the Environmental Protection Act and Resource Conservation and Recovery Act of 1976; and

(ii) State laws and regulations promulgated thereunder, including but not limited to:

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A. any duties or liabilities set forth in the Illinois Environmental Protection Act relating to landfill post-closure care, including but not limited to 415 ILCS5/22.3 and 415 ILCS 5/22.17; and

B. any duties or liabilities set forth in any permits or supplemental permits issued by the Illinois Environmental Protection Agency, including but not limited to corrective measures or monitoring requirements set forth in such permits or supplemental permits; and

C. any duties or liabilities set forth in any other provisions of the Illinois Environmental Protection Act; and

(iii) Local laws and regulations.

**Effective date:** This amended Ordinance shall be in effect immediately upon adoption.

**\*Referred to the Committee on Environmental Control 3/20/13**

Acting Chairman Steele asked the Secretary of the Board to call upon the registered public speakers, in accordance with Cook County Code, Sec. 2-107(dd).

1. Cheryl Johnson, People for Community Recovery
2. Peggy Salazar, Southeast Environmental Task Force
3. Mary Margaret Cowhy, Land and Lakes Company
4. Tom Cushing, Attorney at Law
5. Bob Pfister, Illinois Chapter, National Solid Waste Management Association
6. Daniel Doyal, President, Zero G
7. Ramona Wilkins Robinson, Concerned Citizen
8. Marguerite Jacobs, Farmers Market

**Commissioner Murphy, seconded by Commissioner Gorman, moved to Approve Communication No. 322582. Commissioner Gainer called for a roll call, the vote of yeas and nays being as follows:**

**ROLL CALL ON THE MOTION TO APPROVE  
TO COMMUNICATION NO. 322582**

**Yeas:** None (0)

**Nays:** Commissioners Gainer, Murphy, Schneider, and Silvestri (4)

**Present:** Acting Chairman Steele, Commissioners Gorman and Tobolski (3)

**Absent:** None (0)

**The motion to Approve Communication No. 322582, FAILED.**

Commissioner Gorman has submitted correspondence from various organizations, and requested that they be entered into the record (included here as Attachment A).

**Commissioner Silvestri moved to adjourn the meeting, seconded by Commissioner Gorman. The motion carried and the meeting was adjourned.**

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION  
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 322582

**~~FAILED~~ Not Recommended for Approval**

Respectfully submitted,  
Committee on Environmental Control



Robert B. Steele, Acting Chairman

Attest:

  
Matthew B. DeLeon, Secretary

\*An audio recording of this meeting is available in the Office of the Secretary to the Board, 118 North Clark Street, Room 567, Chicago, IL 60602.

**ATTACHMENT A**

## **Statements of Support for HB 3881, barring new and expanded landfills in Cook County**

### **Chicago Recycling Coalition**

#### **Mike Nowak, Executive Director**

“The Chicago Recycling Coalition (CRC) champions environmentally and fiscally sound management of solid waste through research, education and advocacy. We strongly support the ban on landfills in Chicago and strongly support your legislation which aims to prohibit any new landfill in Cook County. The CRC emphasizes waste reduction through reuse, recycling, composting and buying recycled. The state currently has 40 active landfills and six additional in different phases of expansion, providing sufficient capacity to accommodate the state’s waste needs for decades.”

### **Developing Communities Project**

#### **Phyllis Palmer, Board member**

“For months we have joined community efforts to approve legislation that would prohibit new or expanded landfills within our neighborhood and that will protect and promote the preservation and restoration of unique environmental areas. Now, waste companies want to use that land for dumping, hurting our environment and affecting our quality of life. For 23 years, Developing Communities Project (DCP) has advocated for positive community change and environmental justice. Therefore we must see HB3881, SA 1 pass. I hope you and other legislators will join us in supporting no Chicago landfills.”

### **East Side Pride**

#### **Sharon Resendez**

“It is East Side Pride’s goal to provide a welcoming neighborhood for all citizens and to make the east side of Chatham one of the safest places to live, work and play. For months now we have joined fellow concerned community and environmental groups in the effort to support an important issue taking place on the southeast side of Chicago. After decades of living without a

landfill, once again the quality of life for residents in this community is being threatened. We must not allow the reversal of decades of revitalization efforts and we are pleased to support HB3881, SA 1. We must continue to build and maintain a safe and healthy neighborhood for our children, teens, seniors and their families. We must prevent waste companies that want to use our land for dumping, hurting our environment and affecting our quality of life.”

**Environmental Law and Policy Center**

**Howard Lerner, Executive Director**

“Already known for its reputation of high concentration of former landfills, dumpsites and other industrial uses, the Lake Calumet area has benefited from recent investments by all levels of government. To date, more than \$40 million dollars has been committed to restore properties in the Calumet area and for on-going efforts to develop the Calumet Open Space Reserve and Millennium Reserve Initiative. For months now, concerned community and environmental groups have aimed to build a broad base of support for an important issue taking place on the southeast side of Chicago. After decades of living without a landfill, once again the quality of life for residents in this community is being threatened. With a long history of advocating for environmental causes, The Environmental Law and Policy Center (ELPC), supports no Chicago landfills and your commitment toward seeing this important piece of legislation move forward.”

**Faith in Place**

**Rev. Dr. Clare Butterfield, Director**

“Community efforts have been under way to support your sponsored legislation banning Cook County landfills and protecting unique environmental areas in the Lake Calumet region. Now, waste companies want to use that land for dumping, hurting our environment and affecting our quality of life. At Faith in Place, our mission is to help people of faith understand that issues of ecology and economy—of care for Creation—are at the forefront of social justice. Therefore, we applaud your efforts and support this important legislation.”

**Friends of the Chicago River**

Margaret Frisbie, Executive Director

“As you know, community efforts are under way to prohibit any new or expanded landfills within the Calumet region, which include branches of the Chicago River. Friends of the Chicago River is the only organization solely dedicated to the Chicago River, and we believe the river can be both ecologically healthy and a catalyst for community revitalization. We support your efforts in Springfield and we must see this important piece of legislation pass. This measure would not only protect the River, but also protect more than \$40 million in investments for the Calumet Region.”

**Hegewisch Community Committee**

Patty Wojokowski, Executive Director

“The greatest strength of the Hegewisch Community Committee is the community itself. For months now, concerned community and environmental groups have aimed to build a broad base of support for an important issue taking place on the southeast side of Chicago. After decades of living without a landfill, once again the quality of life for residents in this community is being threatened. We must not allow the reversal of decades of revitalization efforts. For nearly 100 years we have been advocates for this community and we are pleased to support HB3881, SA 1.”

**Illinois Environmental Council**

Jennifer Walling, Executive Director

“The Illinois Environmental Council supports this legislation creating a landfill ban in Cook County because it will protect communities in the Lake Calumet region which have suffered through decades of landfill and dump site development. This legislation will safeguard the development and restoration plans of numerous parcels of land in the Lake Calumet region. This includes \$12 million in environmental investments made by the City of Chicago, and more than \$40 million in preservation and restoration to the community.”

**Natural Resources Defense Council**

**Henry Henderson, Executive Director**

“As one of the nation's largest and most effective environmental action groups, combining the grassroots power of 1.3 million members, activists and other professionals, the Natural Resources Defense Council support efforts to stop landfills from opening in the Chicago area and your legislation in Springfield to protect ongoing environmental efforts taking place in the Calumet Region. This import piece of legislation will protect the important investments from all levels of government.”

**Openlands**

**Stacy Meyers**

“We are writing to demonstrate our strong support for your efforts to provide a landfill moratorium in Cook County. Over the years, Openlands has worked to help save, secure and provide public access to more than 55,000 acres of land for prairies, wetlands, greenway corridors, as well as parks, forest preserves and urban gardens in Illinois. We understand the negative impacts on the wildlife and Chicago’s river network by allowing landfills to operate in Cook County. We have strongly supported the landfill moratorium in the past and will continue to work to preserve the ban in the future.”

**Sierra Club**

**Jack Darin, Executive Director**

“The Illinois Sierra Club supports legislation introduced to ban landfills in Cook County and protect communities that have long suffered from dump sites and landfills. After decades of living without a landfill, once again the quality of life for residents in the Calumet Region is being threatened. As America's largest and most influential grassroots environmental organization, the Sierra Club supports your efforts in Springfield aimed to preserving the ongoing work in Chicago.”

**South Chicago Neighborhood House**

**Rich Melendrez, Executive Director**

“As a leading organization historically dedicated to serving the Southeast Side, the South Chicago Neighborhood House supports your efforts in passing legislation that would prohibit new or expanded landfills within Cook County. Historically, the SCNH has worked with community leaders and public officials to promote revitalization efforts in the area. Since 2005, the SCNH has worked alongside Chicago Alderman John Pope to prevent the reversal of the Chicago moratorium on landfills and has since reaped significant benefits.”

**Southeast Environmental Task Force**

**Peggy Salazar, Executive Director**

“As a leading organization dedicated to serving the Southeast Side and south suburbs of Chicago by promoting environmental education, pollution prevention and sustainable development, the Southeast Environmental Task Force supports your efforts in Springfield to help pass this important piece of legislation banning Chicago landfills. Already noted for high concentration of former dump sites and other industrial uses with legacy environmental concerns, the Lake Calumet area has benefited from recent investments from the City of Chicago, Cook County and the state of Illinois to implement development plans for preserving and restoring numerous parcels of land.”



**K. HOVING COMPANIES**  
2351 Powis Road, West Chicago, IL 60185

4-8-2013

Robert B. Steele  
Committee on Environmental Control  
Cook County Building  
118 N. Clark Street, Room 567  
Chicago, IL 60602

Re: Opposition to Proposed Ordinance Amendment Barring the Operation of Municipal Solid Waste Landfill Units and sanitary Landfills in unincorporated Cook County.

Dear Commissioner Gorman,

As a private company operating in the recycling and waste disposal sector, K. Hoving Recycling & Disposal, Inc. is opposed to the adoption of the proposed ban on Cook County Landfills.

This ordinance would eliminate the only privately-owned landfill in unincorporated Cook County. Without Land & Lakes Company, at whom this ordinance is directed, other independently owned companies, such as this one, would be forced to send all of our disposal business to distant landfills, the vast majority of which are owned and controlled by two national firms. These same firms have a long history of acquisitions, both friendly and hostile, of independent firms in our industry.

While this proposal is framed as being pro-environment, it does neither to promote recycling nor improve public health and safety. It does, however, eliminate a family business which has operated for fifty years while giving national competitors a lock on the competition.

Please look past the "green" wording of this proposal and see the true signal this sends to probate firms throughout the county.

Sincerely,

Kenneth Hoving, President  
Kenneth Loerop, Vice President  
K. Hoving Recycling & Disposal, Inc.



April 11, 2013

Commissioner Robert B. Steele  
Chairman, Committee on Environmental Control  
Cook County Building  
118 N. Clark Street, Room 567  
Chicago, IL 60602

Re: Opposition to Proposed Ordinance Amendment Barring the Operation of Municipal Solid Waste Landfill Units and Sanitary Landfills in Unincorporated Cook County

Dear Commissioner Robert B Steele,

On behalf of the Construction Materials Recycling Association (CMRA), I urge your opposition to the proposed ordinance which would bar operation of municipal solid waste landfill units and sanitary landfills in the unincorporated Cook County.

Our Association is the national trade group representing those who recycle construction and demolition (C&D) Materials, usually for the property owners who seek leadership in Energy and environmental Design (LEED) certification.

While technology is improving, there is still approximately 25% of the materials that our members process is not recoverable. In Northern Illinois, this material is sent to landfills. The relationship of C&D recyclers and landfills is symbiotic. Many landfills use our residue material for beneficial uses such as alternative daily cover. Other parts of the C&D waste stream are material unsuitable for recycling that must be landfilled.

Eliminating the last remaining landfill in Cook County means that our members must seek more distant sites and pay increased costs for hauling to those locations. Increasing the cost of the recycling process discourages property owners, architects, and builders from specifying that C&D recycling be undertaken at their job locations. Removing nearby landfills discourages parties from engaging in the recycling services our members offer.

On behalf of the CMRA, we encourage you to oppose this proposed ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Hoving", is written over a light blue horizontal line.

Ken Hoving  
President, Illinois Chapter of CMRA



April 9, 2013

Commissioner Robert B. Steele  
Committee on Environmental Control  
Cook County Building  
118 N Clark Street, Room 567  
Chicago, IL 60602

Re: **Opposition to Proposed Ordinance Amendment barring the Operation of Municipal Solid Waste Landfill Units and Sanitary Landfills in Unincorporated Cook County**

Dear Commissioner Steele,

As a private company operating in the recycling and waste disposal sector, C&D Recycling LLC is opposed to the adoption of the proposed ban on Cook County landfills.

This ordinance would eliminate the only privately-owned landfill in unincorporated Cook County. Without Land & Lakes Company, at whom this ordinance is directed, other independently owned companies such as this one would be forced to send all of our disposal business to distant landfills, the vast majority of which are owned and controlled by two national firms. These same firms have a long history of acquisitions, both friendly and hostile, of independent firms in our industry.

While this proposal is framed as being pro-environment, it does nothing to promote recycling or improve public health and safety. It does, however, eliminate a family business which has operated for fifty years while giving national competitors a lock on the competition.

Please look past the "green" wording of this proposal and see the true signal this sends to private firms throughout the County.

Sincerely,

Nancy Hirsch

Managing Partner



4-10-2013

Commissioner Elizabeth Doody Gorman  
Committee on Environmental Control  
Cook County Building  
118 N. Clark Street, Room 567  
Chicago, IL 60602

Re: Opposition to Proposed Ordinance Amendment Barring the Operation of Municipal Solid Waste Landfill Units and sanitary Landfills in unincorporated Cook County.

Dear Elizabeth,

On behalf of the CMRA (Construction Material Recycling Association of Illinois), I am writing to inform you of the association's opposition to the proposed ordinance which would bar operation of municipal solid waste landfill units and sanitary landfills in the unincorporated Cook County.

The CMRA is a recycling group and independent recyclers representing the private companies that provide waste and recycling services.

Further, the not-in-my-backyard attitude Cook County would adopt with this proposed ordinance pushes responsibility for the environmental control of the County's Waste onto facilities not regulated by the County, reflects poor understanding of the current landfill design and operation standards and ignores the advice of the County's own experts.

In April 2012, the county board unanimously passed the Cook County Solid Waste Management Plan 2012 update (The Plan). The Plan included several findings:

- Since 2000, recycling has declined in all reporting areas (Plan Page 9)
- Population growth has leveled off in suburban Cook County over the last 10 years while per capita waste generation has increased (Plan page 10)
- Landfills currently accept all MSW (Municipal Solid Waste) that is not diverted through reuse or recycling (Plan page 29), and rates at which MSW is landfilled from Cook County are likely underestimates (Plan Page 28)
- This increased reliance on landfill disposal has taken place despite the fact that landfill capacity in Cook County has continued to diminish (Plan Page 28)

The County's own plan, researched over months and recently adopted, illustrates that there is no relationship between recycling rates and the operation of landfills in Cook County. This proposed ordinance does not decrease the County's reliance on landfills, but it does require all businesses in the Cook County's to choose landfills outside of the County for disposal.

This attempt to control the flow of waste does not improve the health, safety and welfare of the inhabitants of unincorporated Cook County. There is no assurance that the disposal of waste outside the County improves health, safety or welfare, nor is use of the transportation of Cook County waste to remote disposal locations a clear environmental improvement. The County's own plan is clear that remote disposal comes at both environmental and economic costs;

- "No matter how waste may end up in the landfills, it is important to recognize that shipping waste to more remote locations has significant economic and environmental impacts such as higher transportation costs and air pollution related to fuel usage." (Plan Page 29)

In fact, recommendation 20 of the plan urges consideration of "setting a goal for percentage of waste transported out-of-county to reduce dependence on remote disposal sites and reduce transportation costs and climate aspects." (Plan Page 5)

By definition, landfills are pollution control facilities. These facilities are highly engineered, regulated, and routinely inspected. Such facilities are only located after satisfying an exacting list of standards, including setback requirements to ensure public safety.

This proposed ordinance affects a single property. The only landfill that the Association is aware of in unincorporated Cook County is the Land & Lakes landfill in unincorporated Cook County located at the North East corner of 138<sup>th</sup> Street and Cottage Grove Avenue.

Eliminating landfills in the County does nothing to produce increased recycling. It merely makes it more difficult to dispose of material that is not recycled. What elimination of the only landfill in the unincorporated Cook County does is create economic hardship on local communities and businesses that must transport waste further.

Sincerely,

Kenneth Hoving, President  
CMRA (Construction Material Recycling Association of Illinois)

Steele



National Solid Wastes Management Association

April 10, 2013

Commissioner Elizabeth "Liz" Doody Gorman  
Chairman, Committee on Environmental Control  
Cook County Building  
118 N Clark Street, Room 567  
Chicago, IL 60602

Re: Opposition to Proposed Ordinance Amendment Barring the Operation of Municipal Solid Waste Landfill Units and Sanitary Landfills in Unincorporated Cook County

Dear Commissioner Gorman,

On behalf of the Illinois Chapter of the National Solid Wastes Management Association (the "Association"), I am writing to inform you of the Association's opposition to the proposed ordinance which would bar operation of municipal solid waste landfill units and sanitary landfills in the unincorporated Cook County. We welcome the opportunity to testify in front of your committee in opposition to this proposed ordinance.

Our Association is the national trade group representing the private companies that provide waste and recycling services. We pride ourselves on living our slogan: "Environmentalists. Everyday" As experts in the field of environmental control, we can categorically state that this proposed ordinance does nothing to encourage recycling in Cook County.

Further, the "not-in-my-backyard" attitude Cook County would adopt with this proposed ordinance pushes responsibility for environmental control of the County's waste onto facilities not regulated by the County, reflects poor understanding of current landfill design and operation standards, and ignores the advice of the County's own experts.

In April 2012, the County Board unanimously passed the Cook County Solid Waste Management Plan 2012 Update ("the Plan"). The Plan included several findings.

- Since 2000, recycling has declined in all reporting areas. (Plan, p 9)
- Population growth has leveled off in suburban Cook County over the last 10 years while per capita waste generation has increased. (Plan, p 10)
- Landfills currently accept all municipal solid waste (MSW) that is not diverted through reuse or recycling (Plan, p 29).
- This increased reliance on landfill disposal has taken place despite the fact that landfill capacity in Cook County has continued to diminish (Plan, p28).

The County's own Plan, researched over months and recently adopted, illustrates that there is no relationship between recycling rates and the operation of landfills in Cook County. This proposed ordinance does not decrease the County's reliance on landfills, but it does require all businesses in the Cook to choose landfills outside of the County for disposal.

Commissioner Elizabeth "Liz" Doody Gorman  
Chairman, Committee on Environmental Control

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This attempt to control the flow of waste does not improve the health, safety and welfare of the inhabitants of unincorporated Cook County. There is no assurance that disposal of waste outside the County improves health, safety or welfare, nor is transportation of Cook County waste to remote disposal locations a clear environmental improvement. The County's own Plan stresses that remote disposal comes at both environmental and economic costs:

"No matter how waste may end up in landfills, it is important to recognize that shipping waste to more remote locations has significant economic and environmental impacts such as higher transportation costs and air pollution related to fuel usage." (Plan, p 29)

In fact, Recommendation 20 of the Plan urges consideration of "setting a goal for percentage of waste transported out-of-county to reduce dependence on remote disposal sites and reduce transportation costs and climate aspects." (Plan, p 5)

By definition, landfills are pollution control facilities. These facilities are highly engineered, regulated, and routinely inspected. Such facilities are only located after satisfying an exacting list of standards, including setback requirements to ensure public safety.

his proposed ordinance affects a single property. The only landfill that the Association is aware of in unincorporated Cook County is the Land & Lakes landfill in unincorporated Cook County located at the northeast corner of 138<sup>th</sup> Street and Cottage Grove Avenue.

In May 2012, the Association was opposed to a provision enacted by the Illinois General Assembly and signed into law that prohibits the Illinois Environmental Protection Agency from issuing permits for new or expanded landfills in Cook County. This proposal goes far beyond the state law: it also prohibits *installation, construction or operation* of a landfill.

Eliminating landfills in the County does nothing to produce increased recycling. It merely makes it more difficult to dispose of material that is not recycled. What elimination of the only landfill in the unincorporated Cook County does is create economic hardship on local communities and businesses who must transport waste further.

Sincerely,



Robert Plüster  
[Municipal Manager, Advanced Disposal]  
Chairman, Illinois Chapter  
National Solid Wastes Management Association

Copy to Members of Environmental Control Committee (all at same address):

Robert B. Steele  
Bridget Gainer  
Joan Patricia Murphy  
Timothy O. Schneider  
Peter N. Silvestri  
Jeffrey R. Tobolski



**630 S. HICKS RD., PALATINE, IL 60067**  
**847.776.1500 Fax 847.776.1510**

April 8, 2013

Mr. Robert B. Steele  
Committee on Environmental Control  
Cook County Building  
118 N Clark Street, Room 567  
Chicago, IL 60602

Re: Opposition to Proposed Ordinance Amendment barring the Operation of Municipal Solid Waste Landfill Units and Sanitary Landfills in Unincorporated Cook County

Dear Mr. Steele,

As a private company operating in the recycling and waste disposal sector, MBL Recycling is opposed to the adoption of the proposed ban on Cook County landfills.

This ordinance would eliminate the only privately-owned landfill in unincorporated Cook County. Without Land & Lakes Company, at whom this ordinance is directed, other independently owned companies such this one would be forced to send all of our disposal business to distant landfills, the vast majority of which are owned and controlled by two national firms. These same firms have a long history of acquisitions, both friendly and hostile, of independent firms in our industry.

While this proposal is framed as being pro-environment, it does nothing to promote recycling or improve public health and safety. It does, however, eliminate a family business which has operated for fifty years while giving national competitors a lock on the competition.

Please look past the "green" wording of this proposal and see the true signal this sends to private firms throughout the County.

Sincerely,

MBL Recycling, Inc.

A handwritten signature in cursive script that reads 'Wendy Gold'.

Wendy Gold  
CEO



National Solid Wastes Management Association

April 10, 2013

Commissioner Elizabeth "Liz" Doody Gorman  
Chairman, Committee on Environmental Control  
Cook County Building  
118 N Clark Street, Room 567  
Chicago, IL 60602

Re: Opposition to Proposed Ordinance Amendment Barring the Operation of Municipal Solid Waste Landfill Units and Sanitary Landfills in Unincorporated Cook County

Dear Commissioner Gorman,

On behalf of the Illinois Chapter of the National Solid Wastes Management Association (the "Association"), I am writing to inform you of the Association's opposition to the proposed ordinance which would bar operation of municipal solid waste landfill units and sanitary landfills in the unincorporated Cook County. We welcome the opportunity to testify in front of your committee in opposition to this proposed ordinance.

Our Association is the national trade group representing the private companies that provide waste and recycling services. We pride ourselves on living our slogan: "Environmentalists. Everyday". As experts in the field of environmental control, we can categorically state that this proposed ordinance does nothing to encourage recycling in Cook County.

Further, the "not-in-my-backyard" attitude Cook County would adopt with this proposed ordinance pushes responsibility for environmental control of the County's waste onto facilities not regulated by the County, reflects poor understanding of current landfill design and operation standards, and ignores the advice of the County's own experts.

In April 2012, the County Board unanimously passed the Cook County Solid Waste Management Plan 2012 Update ("the Plan"). The Plan included several findings.

- Since 2000, recycling has declined in all reporting areas. (Plan, p 9)
- Population growth as leveled off in suburban Cook County over the last 10 years while per capita waste generation has increased. (Plan, p 10)
- Landfills currently accept all municipal solid waste (MSW) that is not diverted through reuse or recycling (Plan, p 29).
- This increased reliance on landfill disposal has taken place despite the fact that landfill capacity in Cook County has continued to diminish (Plan, p28).

The County's own Plan, researched over months and recently adopted, illustrates that there is no relationship between recycling rates and the operation of landfills in Cook County. This proposed ordinance does not decrease the County's reliance on landfills, but it does require all businesses in the Cook to choose landfills outside of the County for disposal.

Commissioner Elizabeth "Liz" Doody Gorman  
Chairman, Committee on Environmental Control

April 10, 2013  
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This attempt to control the flow of waste does not improve the health, safety and welfare of the inhabitants of unincorporated Cook County. There is no assurance that disposal of waste outside the County improves health, safety or welfare, nor is transportation of Cook County waste to remote disposal locations a clear environmental improvement. The County's own Plan stresses that remote disposal comes at both environmental and economic costs:

"No matter how waste may end up in landfills, it is important to recognize that shipping waste to more remote locations has significant economic and environmental impacts such as higher transportation costs and air pollution related to fuel usage." (Plan, p 29)

In fact, Recommendation 20 of the Plan urges consideration of "setting a goal for percentage of waste transported out-of-county to reduce dependence on remote disposal sites and reduce transportation costs and climate aspects." (Plan, p 5)

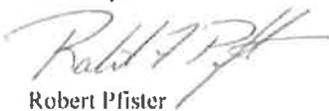
By definition, landfills are pollution control facilities. These facilities are highly engineered, regulated, and routinely inspected. Such facilities are only located after satisfying an exacting list of standards, including setback requirements to ensure public safety.

his proposed ordinance affects a single property. The only landfill that the Association is aware of in unincorporated Cook County is the Land & Lakes landfill in unincorporated Cook County located at the northeast corner of 138<sup>th</sup> Street and Cottage Grove Avenue.

In May 2012, the Association was opposed to a provision enacted by the Illinois General Assembly and signed into law that prohibits the Illinois Environmental Protection Agency from issuing permits for new or expanded landfills in Cook County. This proposal goes far beyond the state law: it also prohibits *installation, construction or operation* of a landfill.

Eliminating landfills in the County does nothing to produce increased recycling. It merely makes it more difficult to dispose of material that is not recycled. What elimination of the only landfill in the unincorporated Cook County does is create economic hardship on local communities and businesses who must transport waste further.

Sincerely,



Robert Pfister  
[Municipal Manager, Advanced Disposal]  
Chairman, Illinois Chapter  
National Solid Wastes Management Association

Copy to Members of Environmental Control Committee (all at same address):

Robert B. Steele  
Bridget Gainer  
Joan Patricia Murphy  
Timothy O. Schneider  
Peter N. Silvestri  
Jeffrey R. Tobolski



April 10, 2013  
Hon. Elizabeth Doody Gorman  
Commissioner, 17<sup>th</sup> District  
118 N. Clark Street, Room 567  
Chicago, IL 60602

Re: Support of Cook County Landfill Moratorium

Dear Commissioner Gorman,

As a coalition of organizations dedicated to serving the environment and communities of Cook County, the Southeast Side and south suburbs of Chicago, we support your efforts to pass this important ordinance banning new and expanded landfills in unincorporated Cook County.

A landfill moratorium in unincorporated Cook County will codify state law into county statute so that unincorporated areas are protected from the encroachment of new and expanded landfills. This will strengthen the state legislation, which co-exists with the city of Chicago moratorium, enacted in 1983 and extended by an additional 20 years in 2004.

For decades, residents, neighborhood groups, and environmental organizations from the Calumet Region have been fighting private interests that want to extend the operation of landfills in their community, one of the most at-risk areas for new and expanded landfills in Cook County. If the back door is left open, more than \$40 million dollars that has been committed to restore thousands of acres in the Calumet area and for on-going efforts to develop the Calumet Open Space Reserve will be jeopardized. In addition to preserving the area's natural wildlife – home to endangered species, such as bald eagles and black-crowned night herons, a Cook County ordinance will also safeguard the \$17 million allocated to the Millennium Reserve Initiative, which at a 140,000 acres, will establish the largest open space project in the country.

Our coalition was formed to support the state landfill legislation, which was signed into law in July 2012 by Governor Pat Quinn. The Cook County Board of Commissioners voted unanimously on June 19, 2012 declaring full support of HB 3881 and calling upon Governor Quinn to sign it into law. We ask you to re-affirm your support and pass the ordinance for a landfill moratorium in unincorporated Cook County to ensure equal protection for all of our communities.

Sincerely,

Thomas Shepherd  
Vice Chairman, Southeast Environmental Task Force

#### **No Chicago Landfills Coalition**

- Illinois Dept. of Natural Resources
- Illinois Environmental Council
- Illinois Sierra Club
- Developing Communities Project
- Chicago Recycling Coalition
- Altgeld's Local Advisory Council
- The Zone Youth & Community Center
- Concordia Place Tenants
- Pullman Civic Organization
- Faith in Place
- Environmental Law and Policy Center
- East Side United Methodist Church
- Southeast Environmental Task Force
- South Chicago Neighborhood Committee
- Hegewish Community Committee
- East Side Pride
- Calumet Ecological Center
- Golden Gates Foundation
- Openlands
- People for Community Recovery
- Environmental Justice Alliance of Southeast Chicago
- Committee for Safe Passage to Schools
- Friends of the Chicago River

# SUPPORT THE ORDINANCE TO BAN LANDFILLS IN UNINCORPORATED COOK COUNTY

Sponsors: Comm. John A. Fritchey, Comm. Jeffrey Tobolski, Comm. Tim Schneider, Comm. Jesus Garcia  
Comm. Joan Murphy, Comm. John P. Daley, Comm. Gregg Goslin, Comm. Elizabeth Gorman

## THE FACTS

The Board of Commissioners has already voiced support for a landfill ban in Cook County by unanimously voting for a resolution supporting the state legislation. A Cook County ordinance will complement the existing city of Chicago and state of Illinois landfill moratoriums.

### Unincorporated lands vulnerable

Unless the County acts, any future changes in state law would leave more than 60 square miles of unincorporated Cook County unprotected, affecting more than 100,000 residents.

### Reinforces official County policy

The ordinance is consistent with the Cook County Solid Waste Plan. It secures the status quo protections of the last 30 years for communities that have been subjected to landfill operations.

### Landfill phasing out

There are only two existing municipal solid waste landfills in Cook County.

## WHAT THE ORDINANCE WILL PROTECT

### State investments

Allowing landfills to operate in Cook County puts more than \$25 million of state taxpayer greenspace investments at risk.

### Quality of life

The moratorium guarantees communities the ability to plan investments and address quality of life issues. An operating landfill negatively impacts an area's property value, economic development and a community's ability to promote itself.

### Environment

A Cook County ordinance will strengthen efforts to revitalize the Calumet watershed, open space, other at-risk natural habitat, and prevent landfills on unincorporated lands bordering the Forest Preserve.

### Health

The daily exposure to the smell of rotting waste has severe impacts to the respiratory health of dense populations living in surrounding areas.

## COOK COUNTY BOARD OF COMMISSIONERS

**Unanimously passed a Resolution  
declaring full support of HB 3881  
and calling upon Governor Pat  
Quinn to sign it into law (6/19/12).**

Commissioner Earleen Collins  
Commissioner Robert Steele  
Commissioner Jerry Butler  
Commissioner William Beavers  
Commissioner Deborah Sims  
Commissioner Joan Murphy  
Commissioner Jesus Garcia  
Commissioner Edwin Reyes  
Commissioner Peter Silvestri  
Commissioner Bridget Gainer  
Commissioner John P Daley  
Commissioner John A Fritchey  
Commissioner Larry Suffredin  
Commissioner Gregg Goslin  
Commissioner Tim Schneider  
Commissioner Jeffrey Tobolski  
Commissioner Elizabeth Gorman



## GROUPS THAT SUPPORTED STATE LEGISLATION TO BAN LANDFILLS IN COOK COUNTY

- Illinois Dept. of Natural Resources
- Southeast Environmental Task Force
- Illinois Environmental Council
- South Chicago Neighborhood Committee
- Illinois Sierra Club
- Hegewisch Community Committee
- Developing Communities Project
- East Side Pride
- Chicago Recycling Coalition
- Calumet Ecological Center
- Altgeld's Local Advisory Council
- Golden Gates Foundation
- The Zone Youth & Community Center
- Openlands
- Concordia Place Tenants
- DuPage County Forest Preserve
- Pullman Civic Organization
- People for Community Recovery
- Faith in Place
- Environmental Justice Alliance of Southeast Chicago
- Environmental Law and Policy Center
- East Side United Methodist Church
- Committee for Safe Passage to Schools
- Friends of the Chicago River

For more information, visit [www.NoChicagoLandfills.com](http://www.NoChicagoLandfills.com)



/NoChicagoLandfills

# Unincorporated Cook County **NOT** protected from new and expanded landfills

Vast swaths of unincorporated Cook County are unprotected from the potential of new and expanded landfills. A Cook County ordinance will strengthen the existing city of Chicago and state of Illinois landfill moratoriums to protect residents and neighbors of unincorporated Cook County.

## KEY

-  Unincorporated Cook County
-  City of Chicago
-  Incorporated Cook County
-  Major Highways
-  Land and Lakes Landfill

