

9 December 2021

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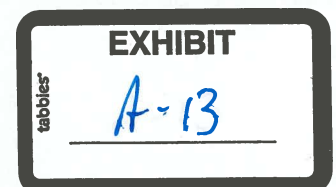
Mr. Daniel F. Hanlon, Esq.  
Marquardt & Belmont, P.C.  
311 S. County Farm Road, Suite I  
Wheaton, IL 60187

**Subject: Review of local siting application for proposed transfer station near West DuPage Airport**

Dear Mr. Hanlon:

Geosyntec Consultants, Inc. (Geosyntec) has reviewed various applicable sections of a draft local siting application prepared by Civil Engineering Consultants, Inc. (CEC) for a new municipal solid waste (MSW) transfer station at the Lakeshore Recycling Systems, LLC (LRS) transfer facility. The new MSW transfer station at LRS facility, located at 1655 Powis Road, West Chicago, DuPage County, would accept municipal solid waste (MSW) and single stream recyclable (SSR) materials. Currently the LRS facility is permitted to accept only construction and demolition (C&D) waste and therefore is not required to have local siting approval under the Illinois Environmental Protection Act (Act). LRS are seeking both local siting and Illinois Environmental Protection Agency (IEPA) approvals prior to construction of the new MSW transfer station. The evaluation has been organized to include the following sections:

- Project Background
- Documents Reviewed
- Compliance with FAA Advisory Circular
- Proposed bird mitigation methods
- Industry standards for odor and bird mitigation
- Proposed conditions for airport and facility operating agreement



## **PROJECT BACKGROUND**

### **FAA Advisory Circular**

FAA Advisory Circular (AC) 150/5200-33C provides guidance for land uses which may act as attractants to hazardous wildlife near airports. The primary goal is to minimize hazards to aircraft posed by birds and other wildlife. Hazardous wildlife (birds, deer, etc.) attractants include natural and constructed areas that provide suitable habitats and food odors.

Aircraft collisions with birds and other wildlife in recent decades may impact public health and safety and significant financial losses, especially in highly developed areas. The AC seeks to reduce the potential for collisions through strategic land-use planning at properties adjacent to airports. Properties near airports with ponds, wetlands, marshes, or tall grasses, including water management facilities, golf courses, and properties with surface water management infrastructure may attract wildlife seeking suitable habitat. Agricultural facilities, waste management operations, restaurants, and other facilities that create food odors near airport properties may also attract wildlife.

Hazardous wildlife attractants are recommended to be at least 5,000 feet from an airport serving piston-powered aircraft. This distance is based on flight patterns of aircraft, the altitude at which most strikes occur, and recommendations from the National Transportation Safety Board (NTSB).

Fully enclosed MSW transfer stations are considered compatible with safe airport operations as long as they are outside of the runway protection zone (RPZ). The RPZ is an area off the end of a runway established to enhance the protection of people and property on the ground.

### **Site Location**

The LRS transfer station is within less than 5,000 feet of DuPage Airport Runway 28 and partially located within RPZ. The RPZ for the DuPage Airport is defined as the area within 1,000 feet of the end of a runway. The proposed MSW transfer facility is located adjacent to the southern property boundary, outside the RPZ. Per the AC, in order to be considered compatible with safe airport operations, the proposed facility must meet the FAA's definition of fully enclosed.

### **Key Definitions**

Waste-handling facilities must meet the following criteria to be considered enclosed per the AC:

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- Receive garbage behind closed doors for processing;
- Remove all residue by enclosed vehicles that do not leak or have waste clinging to the exterior;
- Neither handle nor store putrescible waste outside or in partially enclosed structures accessible to wildlife;
- Control odors by ventilation and filtration systems (odor masking is not considered acceptable).

### Documents Reviewed

The following documents were reviewed as part of this evaluation:

- Request to DuPage Airport Authority, Lakeshore Recycling Systems, LLC, West Dupage Recycling & Transfer Facility, CEC Project 163-899, dated 8 September 2021, including the following attachments:
  - Draft Criterion 2 – Design, Location Standards, and Operating Plan, CEC, dated July 2021;
  - Appendix 2-I Ventilation and Odor Control System Design, CEC, dated 8 September 2021;
  - LRS West DuPage Recycling & Transfer Station Local Siting Application Design Drawings, CEC, dated July 2021;
- Lakeshore Recycling Services Wildlife Hazard Site Visit, Loomacres Wildlife Management, June 2019;
- United States Environmental Protection Agency (USEPA) Waste Transfer Stations Manual<sup>1</sup>;
- Solid Waste Associate of North America (SWANA) Transfer Station Management Course Manual<sup>2</sup>.

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<sup>1</sup> USEPA Division Solid Waste and Emergency Response, Waste Transfer Stations: A Manual for Decision-Making, EPA530-D-01-001, April 2001

<sup>2</sup> SWANA, Transfer Station Management Course Manual, 2016.

## **COMPLIANCE WITH FAA ADVISORY CIRCULAR**

The proposed LRS facility meets the AC's criteria for an enclosed transfer station. Overhead doors will be closed during normal operations except to allow ingress/egress of trucks for unloading and loading waste. Trucks carrying MSW to and from the facility will be required to be tarped, not leaking, and without waste clinging to the exterior. The MSW area will have an active ventilation and filtration system for odor control and wastes temporarily stored outside will be in tarped trucks. Based on the information provided to Geosyntec, the proposed new MSW transfer station will meet the definition of an enclosed transfer station.

## **OTHER BIRD MITIGATION METHODS**

### **Applicants' Expert Recommendations**

In June 2019, Loomacre Wildlife Management conducted a wildlife hazard evaluation at the LRS facility and made recommendations to minimize hazardous wildlife attractants. Most of Loomacre's recommendations, which focus on exterior conditions at the facility, were incorporated into the operating plan. Section 2.4.18 of the proposed facility operating plan discusses implementation of the following mitigation measures:

- Train staff to develop a wildlife hazard mitigation plan;
- Install anti-perching devices at the MSW and SSR buildings;
- Perform quarterly wildlife surveys at the MSW and SSR buildings;
- Use deterrents in misters;
- Install netting along roof structures;
- Focus ventilation on areas with high odor-causing potential;
- Place rip-rap around bank of west pond;
- Monitor wildlife with game cameras;
- Vary wildlife harassment techniques;
- Maintain grass height of one foot or less; and
- Install a wire grid system at both ponds.

## REGULATORY AND INDUSTRY STANDARDS FOR ODOR AND BIRD MITIGATION

The USEPA manual for waste transfer station includes sixteen facility design and operating procedures for odor mitigation, as shown in **Table 1**. Several of these procedures are similar to the AC criteria for fully enclosed structures, including enclosed trucks, use of odor neutralizing systems, and keeping exterior doors closed. SWANA has also established industry standards that incorporate USEPA's procedure for odor control, including:

- Maintaining enclosed operations;
- Following a "first-in, first-out" policy;
- Rapid handling of odorous waste;
- Incorporating odor control agents into dust-control misting systems;
- Regular facility cleaning, and;
- Using active odor treatment systems.

**Table 1** provides a comparison of the USEPA recommended procedures to the design and operating conditions proposed by LRS. The proposed facility design and operating plan incorporates the applicable USEPA and SWANA designs and operating procedures.

## PROPOSED CONDITIONS FOR AIRPORT AND FACILITY OPERATING AGREEMENT

The draft agreement between the DuPage Airport Authority and LRS should include a reference to the draft final version of the September 8, 2021 letter, and include specific references to Attachment 4 in regard to the LRS Transfer Facility Operating Plan. The following modifications are recommended to the September 8, 2021 submittal:

- Section 2.0 – Design Features and Operational Procedures
- Attachment 3 – Design Drawings: Wildlife Hazard Mitigations are not shown in the design drawings. It is recommended that details regarding the type and location of mitigation measures be added for clarity.
- Attachment 4, Section 2.4.3: Repeated non-compliance with LRS's tarping policy is not defined. Section 2.4.3 should be modified to include a copy of the tarping policy as an attachment.



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- Attachment 4, Section 2.4.11 – Odor Control: The current odor control system is designed to manage organic odors only. Should odors related to hydrogen sulfide or other reduced sulfur compounds be detected off-site, a filtration or treatment system designed for those compounds should be incorporated into the active odor mitigation system;
- Attachment 4, Section 2.4.18 – Wildlife Hazard Mitigation: Addition of rip rap to the east pond is recommended for consideration by LRS and DAA. Rip rap placed around the east pond would serve the dual purposes of discouraging wildlife and eliminating or reducing the need for mowing along the steep bank between the paved area and the east pond. Reduced mowing requirements, especially when the soils along the bank are wet or saturated, would help prevent erosion caused by tire ruts and be safer for site employees.
- Attachment 4, Section 2.4.18 – Wildlife Hazard Mitigation: Proposed quarterly wildlife surveys should be expanded from the MSW and SSR buildings to the entire facility, including ponds, storage areas, and inactive equipment, as recommended in the Loomacre report.
- Attachment 4, Section 2.4.18 – Wildlife Hazard Mitigation: It is recommended that recordkeeping for quarterly wildlife surveys and wildlife camera footage be retained by LRS for a minimum period of time and submitted DAA on a quarterly basis.
- Attachment 4, Section 2.4.18 – Wildlife Hazard Mitigation: It is recommended that LRS develop a communications plan with DAA to alert DAA staff of the presence of wildlife hazards if they are observed onsite, as recommended in the Loomacre report.

The agreement between the DAA and LRS should include the following:

- Item 5: (***In addition to current language***) Should LRS sell the Transfer Facility, Oscar, LLC, or the new Transfer Facility operator shall maintain quarterly payments to the DAA throughout the operating period of the Transfer Facility.
- Item 6: LRS shall comply will all design and operational features described in Section 2.0 of the letter (included as Exhibit B to the agreement) and the Operating Plan (included as Attachment 4 of Exhibit B).
- Item 7: (In addition to current language) If the DAA becomes aware of any concerns created by the construction or operation of the Transfer Station on the Subject Property

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after issuance of the final non-appealable siting approval pursuant to ILCS 5/39.2 and DAA and LRS are unable to resolve the DAA's concern, then (*reference to conflict resolution clause*)

- Item 8 (NEW): LRS establish a line of communication with personnel at the DAA and make available all wildlife inspection records and video footage upon request. Further, LRS will allow DAA or their authorized representatives access to the LRS facility for wildlife hazard management/harassment upon request.
- Item 9 (NEW): Should LRS close its Powis Road operations and sell or surrender the site infrastructure (utilities, structures, all site improvements) to Oscar, LLC, or another entity, the New Avigation Easement shall not be modified or withdrawn.

If you have any questions on this evaluation, please reach out to either Regan Welch at (614) 468-0417 or Jesse Varsho at (630) 203-3349.

Sincerely,



Regan Welch  
Senior Project Engineer



Jesse P. Varsho, P.E., P.G.  
Principal Engineer

Attachment

Copies to: