



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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PAT QUINN, GOVERNOR

217/524-3300
July 19, 2011

Certified Mail
7009 3410 0002 3808 3442
7009 3410 0002 3808 3459

OWNER
TKNTK, LLC
Attn: Tom Kirk
705 N. East Street
Bloomington, Illinois 61704

OPERATOR
Henson Disposal, Inc.
Attn: Tom Kirk
705 N. East Street
Bloomington, Illinois 61704

Re: 1138045002 -- McLean County
HENSON DISPOSAL INC RECYCLE
Permit No. 2011-089-DE/OP
Log No. 2011-089
Permit Storage/Treatment File
Permit Approval

Dear Mr. Tom Kirk and Mr. Tim Kirk:

Permit is hereby granted to TKNTK, LLC, as owner, and Henson Disposal, Inc., as operator, to develop and operate a solid waste management site to receive and transfer construction and demolition debris and woody landscape waste, consisting of 6.16 acres in the SW1/4, NW1/4, NW1/4, Section 15, T23N, R2E, 3rd PM, and also described as 2148 Tri Lakes Road, Bloomington, Illinois, pursuant to 35 Illinois Administrative Code (hereinafter IAC) Part 807 and the Illinois Environmental Protection Act (Act), and in accordance with the application and plans prepared, signed and sealed by Robert L. Massa, Jr., P.E., of Juneau Associates, Inc., PC, signature dated March 2, 2011, as modified by these conditions. Final plans, specifications, application and supporting documents as submitted and approved shall constitute part of this permit and are identified on the records of the Illinois Environmental Protection Agency, Bureau of Land by the permit number(s) and log number(s) designated in the heading above.

The application approved by Permit No. 2011-089-DE/OP consists of the following documents:

<u>DOCUMENT</u>	<u>DATED</u>	<u>DATE RECEIVED</u>
Original Application (Log No. 2011-089)	March 2, 2011	March 2, 2011
Additional Information	March 11, 2011	March 24, 2011
Additional Information	April 19, 2011	April 21, 2011

Additional Information	May 13, 2011	May 16, 2011
Additional Information	May 23, 2011	May 24, 2011
Additional Information	June 10, 2011	June 13, 2011

The permit is issued subject to the standard conditions attached hereto and incorporated herein by reference, and further subject to the following special conditions. In case of conflict between the application and plans submitted and these special conditions, the special conditions of this permit shall govern.

1. The construction-demolition debris recycling facility consists of 6.16 acres on the east and west sides of 2148 Tri Lakes Road, Bloomington, Illinois, more particularly described in the application. The operator shall not cause or allow the modification to the design or operation of this facility or accept any type of debris for recycling except as authorized in a permit issued by the Illinois EPA. The operator may submit an application for supplemental permit to the Illinois EPA. Storage and processing of construction-demolition debris and woody landscape waste and finished materials is limited to only those areas defined on the plan sheet identified as "Supplemental Exhibit," undated and received May 16, 2011.
2. The operator shall limit management activities at the facility to receipt, storage and transfer of construction or demolition debris and woody landscape waste only. This permit does not authorize land application of any material processed at this facility.
3. The facility shall be designed, constructed, operated and maintained with roads and traffic flow patterns adequate for the volume, type and weight of traffic using the facility including, but not limited to, hauling vehicles, emergency vehicles, and on site equipment. Sufficient area shall be maintained to minimize traffic congestion, provide for safe operation, and allow for queuing waste hauling vehicles.
4. The operator shall provide adequate parking for all vehicles and equipment used at the facility and as necessary for queued hauling vehicles.
5. Roadways and parking areas on the facility premises shall be designed, constructed, operated and maintained for use in all weather considering the volume, type and weight of traffic and equipment at the facility.
6. The facility shall be designed, constructed, operated and maintained so that site surface drainage will be diverted around or away from the recycling and management areas. Surface drainage shall be designed and controlled so that adjacent property owners

encounter no adverse effects during development, operation and after closure of the facility.

7. Run-off from roadways and parking areas shall be controlled using storm sewers or shall be compatible with natural drainage for the site. Best management practices (e.g., design features, operating procedures, maintenance procedures, prohibition of certain practices and treatment) shall be used to ensure that run-off from these areas does not carry wastes, debris or constituents thereof, fuel, oil or other residues to soil, surface water or groundwater.
8. The facility, including but not limited to, all structures, roads, parking and recycling areas, shall be designed, constructed, operated and maintained to prevent malodors, noise, vibrations, dust and exhaust from creating a nuisance or health hazard during development, operation and closure of the facility. Facility features (e.g., berms, buffer areas, paving, grade reduction), best available technology (e.g., mufflers, machinery enclosures, sound-absorbent materials, odor neutralizing systems, air filtering systems, misting systems), and building features (e.g., enclosed structures, building orientation) shall be among the measures to be considered to achieve compliance.
9. The facility shall be designed, constructed, operated and maintained to prevent litter and other debris from leaving the facility property. Facility features (e.g., windbreaks, fencing, netting, etc) shall be among the measures considered to ensure that the debris does not become wind strewn and that no other provisions of the Act are violated.
10. The permit is issued with the expressed understanding that no air emissions will occur from these facilities, except as authorized by a permit from the Bureau of Air (BOA). This permit is issued with the expressed understanding that no process discharge to Waters of the State or to a sanitary sewer will occur from these facilities, except as authorized by a permit from the Bureau of Water (BOW).
11. The facility shall be designed, constructed, operated and maintained with a water supply of adequate volume, pressure, and in locations sufficient for cleaning, firefighting, personal sanitary facilities, and as otherwise necessary to satisfy operating requirements (e.g., dust suppression, wheel washing) and the contingency plan.
12. The facility shall be designed and constructed with exterior and interior lighting for roadways, and waste handling areas adequate to perform safely and effectively all necessary activities.
13. The facility shall be designed, constructed, operated and maintained with truck wheel curbs, guard rails, bumpers, posts or equivalents to prevent backing into fuel storage tanks, equipment, and other structures.

14. The facility shall be designed, constructed, operated and maintained with adequate shelter, sanitary facilities, and emergency communications for employees.
15. The facility operator shall install fences and gates, as necessary to limit entry. Except during operating hours, the gates shall be securely locked to prevent unauthorized entry.
16. The facility may receive construction-demolition debris at the site from 6:00 a.m. to 10:00 p.m., Monday through Saturday. Processing equipment (grinders) may be operated from 8:00 a.m. to 5:00 p.m., Monday through Friday, and 8:00 a.m. to 12:00 noon on Saturday. When the facility is operated before sunrise or after sunset, adequate lighting shall be provided. If it is required for the facility to be open beyond normal operating hours to respond to emergency situations, a written record of the date, time and reason the facility was open shall be maintained in facility operating records. The Illinois EPA's Regional Office responsible for inspection of this facility or Emergency Response Center must be notified and must grant approval each day that the operating hours need to be extended.
17. Fire safety equipment (fire extinguishers) shall be maintained in accordance with recommended practice.
18. Non recyclable waste may be left at the site overnight, however, it shall be in a covered container or waste collection vehicle.
19. Piles of general construction or demolition debris shall be covered or wetted to prevent air-borne dust.
20. The facility shall be designed and constructed to prevent unauthorized access to recycling areas, storage areas for unauthorized wastes, salvaged and recycled materials, and staging areas where loaded site equipment or vehicles may be parked. Facility features such as fences and gates shall be provided.
21. Waste and debris handling areas shall be designed and constructed to prevent exposure of wastes and recyclable materials to run-on and flooding.
22. The sorting areas shall be properly graded and compacted to prevent ponding from forming leachate during storms.
23. Records shall be maintained on-site at the facility office for each operating day. The operator shall record operating hours, load ticket information, load inspections, daily processing time, volume processed per day, transfer load out and waste disposition details.

24. The operator shall, within 48 hours of receipt of the general construction or demolition debris at the facility, sort the general construction or demolition debris. The operator shall separate the recyclable general construction or demolition debris from non-recyclable general construction or demolition debris and dispose of the non-recyclable general construction or demolition debris.
25. The operator must place wood, tires, and other unacceptable materials in covered dumpsters or vehicles adequate to prevent the release of leachate.
26. The operator must separate and place all non-recyclable general construction or demolition debris and unacceptable materials in covered dumpsters. The operator shall transport all non-recyclable general construction or demolition debris, and unacceptable material offsite for disposal in accordance with all applicable federal, State, and local requirements within 72 hours of its receipt at the facility.
27. For each operating day, the operator shall limit the percentage of incoming non-recyclable general construction/demolition debris to 25% or less of the total incoming general construction/demolition debris, as calculated on a daily basis.
28. The operator shall transport all non-putrescible recyclable general construction or demolition debris for recycling or disposal within 6 months of its receipt at the facility.
29. Within 45 days of its receipt at the facility the operator must separate and place all putrescible or combustible recyclable general construction or demolition debris in covered dumpsters for recycling or disposal, and transport offsite.
30. The operator shall employ tagging and record keeping procedures to identify the source and transporter of material accepted by the facility.
31. The operator shall use load tickets to control the site activities and comply with the tagging and record keeping procedures in condition 30 above. These load tickets shall identify the source of the material delivered to the site. The operator shall use these tickets to identify the location in the yard or in the covered dumpsters and the length of time stored at the site to achieve compliance.
32. The operator is prohibited from receiving hazardous and asbestos containing materials.
33. The operator may separate clean concrete, and clean soil from the general construction or demolition debris as recyclable materials for use in construction. The operator is permitted to store these recyclable materials for a maximum period of 3 months.

34. The operator may store the steel separated from concrete and other construction or demolition debris for a maximum period of 6 months. After six months, the steel must be sent offsite for disposal or recycling.
35. The operator shall notify the Illinois EPA of any changes from the information submitted to the Illinois EPA in its application for a Development and Operating permit for this site. The operator shall notify the Illinois EPA of any changes in the names or addresses of both beneficial and legal titleholders to the herein-permitted site. Such notification shall be made in writing within fifteen (15) days of such change and shall include the name or names of any parties in interest and the address of their place of abode; or, if a corporation, the name and address of its registered agent.
36. The operator shall ensure that site surface drainage, during development, during operation and after the site is closed, shall be such that no adverse effects are encountered by adjacent property owners.
37. The operator shall ensure that the best available technology (mufflers, berms and other sound shielding devices) shall be employed to minimize equipment noise impacts on property adjacent to the site during both development, operation and during any applicable post-closure care period.
38. Management of Unauthorized Waste by the operator
 - a. Landscape waste found to be mixed with CDD shall be removed the same day and transported to a facility that is operating in accordance with the Illinois Environmental Protection Act (Act), Title V, Sections 21 and 39 [415 ILCS 5/21 and 39].
 - b. Lead-acid batteries mixed with CDD will be removed the same day and transported either to a drop-off center handling such waste, or to a lead-acid battery retailer.
 - c. Special wastes including hazardous waste, non-hazardous special waste, and potentially infectious medical waste mixed with CDD shall be containerized separately and removed as soon as possible by a licensed special waste hauler. Special wastes shall be transported to a licensed special waste management facility that has obtained authorization to accept such waste. The operator shall maintain a contract with haulers so that the immediate removal is ensured. The operator shall develop an emergency response/action plan for such occurrences.

- d. Asbestos debris from construction-demolition shall be managed in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAPS) regulations.
 - e. Tires found to be mixed with CDD shall be removed and managed in accordance with Section 55 of the Act [415 ILCS 5/55].
 - f. White good components mixed with CDD shall be removed and managed in accordance with Section 22.28 of the Act [415 ILCS 5/22.28].
 - g. No person may knowingly mix liquid used oil with CDD.
 - h. After the unauthorized waste has been removed from the facility, a thorough cleanup of the affected area will be made according to the type of unauthorized waste managed. Records shall be kept for three years and will be made available to the Illinois EPA-BOL upon request.
39. The operator must maintain a contingency plan that allows for the correct management of leaky containers. This plan must include, but is not limited to, shipping and handling damaged containers first. Containers which are not open to the atmosphere and therefore minimize leachate generation must be utilized.
40. Special wastes generated at the site for disposal, storage, incineration or further treatment elsewhere shall be transported by the operator to the receiving facility utilizing the Illinois EPA's Special Waste Authorization system and manifest system.
41. The owner/operator shall submit a new 39(i) certification and supporting documentation within 30 days of any of the following events:
- a. The owner or officer of the owner, or operator, or any employee who has control over operating decisions regarding the facility has violated federal, State, or local laws, regulations, standards, or ordinances in the operation of waste management facilities or sites; or
 - b. The owner or operator or officer of the owner, or operator, or any employee who has control over operating decisions regarding the facility has been convicted in this or another State of any crime which is a felony under the laws of this State, or conviction of a felony in a federal court; or
 - c. The owner or operator or officer of the owner, or operator, or any employee who has control over operating decisions regarding this facility has committed an act of

gross carelessness or incompetence in handling, storing, processing, transporting, or disposing of waste.

- d. A new person is associated with the owner or operator who can sign the application form(s) or who has control over operating decisions regarding the facility, such as corporate officer or a delegated employee.

The certification shall describe the violation(s), convictions, carelessness or incompetence as outlined in 1, 2, or 3 above and must include the date that a new person as described in 4 above began employment with the applicant.

The 39i certification and supporting documentation shall be submitted to the address specified below:

Illinois Environmental Protection Agency
BOL #33, 39(i) Certification
Post Office Box 19276
Springfield, Illinois 62794-9276

42. The closure plan and cost estimate for closure in Application Log No. 2011-089 are hereby approved in accordance with 35 IAC, Subtitle G, Part 807, subject to the following conditions:
 - a. The operator shall notify the Illinois EPA within 30 days after receiving the final volume of waste. The cost estimate for closure is \$130,625.00. Financial assurance is not required to be provided to the Illinois EPA.
 - b. The operator shall initiate implementation of the closure plan within 30 days after the site receives its final volume of waste.
 - c. The operator shall not file any application to modify the closure plan less than 180 days prior to receipt of the final volume of waste.
 - d. Upon completion of closure activities, the operator will notify the Illinois EPA that the site has been closed in accordance with the approved closure plan utilizing the Illinois EPA's "Affidavit for Certification of Completion of Closure of Non-Hazardous Waste Facilities," available online at www.epa.state.il.us/land/regulatory-programs/permits-and-management/forms/index.html#solid-waste-forms.

Within 35 days after the date of mailing of the Illinois EPA's final decision, the applicant may petition for a hearing before the Illinois Pollution Control Board to contest the decision of the

Illinois EPA, however, the 35-day period for petitioning for a hearing may be extended for a period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Illinois EPA within the 35-day initial appeal period.

Work required by this permit, your application or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This permit does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with these laws. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

Sincerely,



Stephen F. Nightingale, P.E.
Manager, Permit Section
Bureau of Land

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Attachment: Standard Conditions

cc: Robert L. Massa, Jr., P.E., Juneau Associates, Inc., P.C.

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS
ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
BUREAU OF LAND

August 22, 2001

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) grants the Environmental Protection Agency authority to impose conditions on permits which it issues.

These standard conditions shall apply to all permits which the Agency issues for construction or development projects which require permits under the Bureau of Land. Special conditions may also be imposed in addition to these standard conditions.

1. Unless this permit has been extended or it has been voided by a newly issued permit, this permit will expire two years after date of issuance unless construction or development on this project has started on or prior to that date.
2. The construction or development of facilities covered by this permit shall be done in compliance with applicable provisions of Federal laws and regulations, the Illinois Environmental Protection Act, and Rules and Regulations adopted by the Illinois Pollution Control Board.
3. There shall be no deviations from the approved plans and specifications unless a written request for modification of the project, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.
4. The permittee shall allow any agent duly authorized by the Agency upon the presentation of credentials:
 - a. to enter at reasonable times the permittee's premises where actual or potential effluent, emissions or noise sources are located or where any activity is to be conducted pursuant to this permit.
 - b. to have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit.
 - c. to inspect at reasonable times, including during any hours of operation of equipment constructed or operated under this permit, such equipment or monitoring methodology or equipment required to be kept, used, operated, calibrated and maintained under this permit.
 - d. to obtain and remove at reasonable times samples of any discharge or emission of pollutants.

- e. to enter at reasonable times and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.
5. The issuance of this permit:
 - a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located;
 - b. does not release the permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities;
 - c. does not release the permittee from compliance with other applicable statutes and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations;
 - d. does not take into consideration or attest to the structural stability of any units or parts of the project;
 - e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.
6. Unless a joint construction/operation permit has been issued, a permit for operating shall be obtained from the Agency before the facility or equipment covered by this permit is placed into operation.
7. These standard conditions shall prevail unless modified by special conditions.
8. The Agency may file a complaint with the Board for modification, suspension or revocation of a permit:
 - a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed; or
 - b. upon finding that any standard or special conditions have been violated; or
 - c. upon any violation of the Environmental Protection Act or any Rule or Regulation effective thereunder as a result of the construction or development authorized by this permit.

SFN\STANDARD CONDITIONS