

1 BEFORE THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

2 IN THE MATTER OF: PROPOSED)
ISSUANCE OF AN AIR POLLUTION)
3 CONTROL CONSTRUCTION PERMIT FOR) EPA No. 220-00
MATERIAL SERVICE CORPORATION,)
4 MC COOK)

5 REPORT OF PROCEEDINGS taken at the
6 hearing of the above-entitled matter, held at
7 53 South LaGrange Road, LaGrange, Illinois,
8 before Hearing Officer Deborah J. Williams,
9 reported by Janice H. Heinemann, RDR, CRR, a
10 notary public within and for the County of
11 Du Page and State of Illinois, on the 25th day
12 of May, 2000, commencing at the hour of 7:00 p.m.

13

14 IEPA APPEARANCES:
15 MS. DEBORAH J. WILLIAMS, Acting IEPA Hearing Officer;
16

MR. HARISH B. DESAI, Bureau of Air, Unit

17 Permit Section;

18 MR. VALERIY BRODSKY, Bureau of Air, Engineer, Permit Section;

19

MR. ERIC E. JONES, Bureau of Air, Engineer;

20

MR. DAVID P. GINDER, Bureau of Water, Engineer;

21

MR. BRAD FROST, Community Relations Coordinator.

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1 I N D E X

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1 HEARING OFFICER WILLIAMS: Good evening,
2 ladies and gentlemen. My name is Deborah Williams,
3 and I will be the hearing officer this evening from
4 the Illinois Environmental Protection Agency.
5 Let the record reflect that this is a
6 public hearing before the Illinois Environmental
7 Protection Agency in the Matter of the Proposed
8 Issuance of an Air Pollution Construction Permit
9 and a National Pollutant Discharge Elimination
10 System Permit for Material Service Corporation,
11 Illinois EPA File No. 220-00.
12 Welcome to this public hearing.
13 Tonight I will be hearing officer for the combined
14 air and water permit hearing. Let the record also
15 show that it's now about 7:02 p.m. on Thursday,
16 May 25, 2000. This hearing is being held for the
17 purpose of explaining the Illinois EPA's permit
18 review process setting forth the relevant
19 information about the project, which is the subject
20 of both air and water permit applications, and to
21 gather public comments concerning these permit
22 applications.
23 This hearing is being held by the
24 permit sections of both the Illinois EPA's Bureau

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1 of Air and Bureau of Water for the purpose of
2 providing an opportunity for the public to
3 understand and comment on the issuance of two
4 pollution control permits to the Material Service
5 Corporation facility located at 9101 West 47th
6 Street in McCook, Illinois.
7 The first permit application involves
8 a construction permit from Bureau of Air to replace
9 two aggregate crushers and to add three conveyors.
10 Upon completion of the construction phase, this
11 permit would then be incorporated into Material
12 Service Corporation's life-time air operating
13 permit. The second permit application is for an
14 NPDES, or National Permit Discharge Elimination
15 System, permit to address the facility's water
16 discharge.
17 The hearing is being held tonight
18 under the provisions of Illinois EPA's procedures
19 for Permit and Closure Plan Hearings, which can be
20 found in 35 Illinois Administrative Code, part 166.
21 Copies of these procedures can be attained
22 from me upon request.
23 Now, I would like to explain a little
24 bit about how tonight's hearing is going to

5

1 proceed. First there will be a brief presentation
2 from both the Agency employees of the Bureau of Air
3 and the Bureau of Water. Then we will provide an
4 opportunity for a statement from the permit
5 applicant if desired. After that will be followed
6 by a question and answer and public comment period,
7 in which everyone who wants to address the Agency
8 will be given an opportunity to speak.
9 Any person who wishes to make oral
10 comments, that is, to testify, may do so as long as
11 the statements are relevant to the issues which are
12 to be addressed at the hearing and have indicated
13 that they wish to comment on their registration
14 card. Persons making comments or asking questions
15 will initially be limited to five minutes until
16 everyone who wishes to comment or ask questions has
17 had a chance to speak.
18 If you have lengthy comments or
19 questions, please submit them to me in writing
20 before the close of the comment period; and I will
21 ensure that they are included in the hearing record
22 as exhibits. There are some public comment forms
23 provided back on the table that you can also write
24 your comments on that have my address on them and

6

1 can be sent to me or any comments on any 8.5 by
2 11-inch paper will be fine. All written and oral
3 comments and questions will become part of the
4 written record of these proceedings.

5 For anyone wishing to make comments or
6 ask questions, I would like to ask you first please
7 state your name and, if applicable, any
8 governmental body, association or organization that
9 you represent for the hearing record. Also, for
10 the benefit of the court reporter, I would ask that
11 you spell your last name and maybe your first name
12 if you think necessary.

13 Questions asked by the speakers must
14 be first framed as a question, second, relevant to
15 the subject presented, and also not repetitious of
16 other questions that have already been asked.
17 Arguing or dialogue with any speaker will not be
18 allowed.

19 Questions need to be directed to me,
20 the Hearing Officer, and then I will direct them to
21 the proper Agency person to respond, if necessary.
22 The Illinois EPA will listen to all relevant
23 comments and accept all relevant documents or data
24 as exhibits into the record.

1 Once the hearing is adjourned today, I
2 plan to hold the hearing record open until June 9,
3 2000. That was the same date that was provided in
4 the public notice that has been sent out. This
5 would provide for a 15-day comment period. I will
6 also be prepared to extend that up to as late as
7 June 26, 2000, if there is a request to do so this
8 evening during the public comment period. During
9 this comment period, all relevant comments,
10 documents or data will also be accepted and entered
11 into the record as exhibits.
12 Please send all written documents or
13 data to my attention as follows: Deborah Williams,
14 Hearing Officer, Illinois Environmental Protection
15 Agency, 1021 North Grand Avenue East, P.O. Box
16 19276. And that's in Springfield, Illinois, 62794.
17 That address is also in the back on the public
18 comment forms.
19 Written comments do not need to be
20 notarized, but they should be postmarked by
21 midnight of the ending date of the comment period.
22 Anyone who fills out a registration card will also
23 receive a copy of the Responsiveness Summary, which
24 is the document in which the Illinois EPA responds

1 to the public comments and questions that are
2 received tonight and informs the public of our
3 final decision with regards to these permits as
4 soon as that document becomes available.
5 If you wish to make comments this
6 evening but you have some type of time constraint,
7 please let one of the Agency staff at the back
8 table know and they will try and bring that to my
9 attention. Back there, I would like to introduce
10 Brad Frost and Carol Fuller from our office of
11 community relations. And if you require any
12 further information after this hearing is over, you
13 can contact me at area code 217-782-5544 or Brad
14 Frost at 217-782-5562 concerning these permits.
15 Because a verbatim record of this
16 hearing is being made, I would ask for the benefit
17 of the court reporter that you keep your
18 conversation noise levels to a minimum so that she
19 is able to hear everything that you say and get an
20 accurate recording of what goes on today.
21 And if you haven't yet registered back
22 at the back table, please go ahead and do so now
23 and mark the box on the registration card if you
24 would like to testify.

1 On behalf of Tom Skinner, Director of
2 Illinois EPA, and the staff present, I would like
3 to thank you for attending, participating in this
4 hearing.
5 Now I would like to ask Illinois EPA's
6 representatives present this evening to introduce
7 themselves. We will start with the folks to my
8 right here from the Bureau of Air.
9 MR. DESAI: Harish Desai in the permit
10 section.
11 MR. BRODSKY: Valeriy Brodsky, permit
12 engineer.
13 MR. JONES: Eric Jones, permit engineer.
14 HEARING OFFICER WILLIAMS: Now the Bureau
15 of Water on my left.
16 MR. HEACOCK: Dan Heacock in Watershed
17 Management Section.
18 MR. GINDER: David Ginder in Watershed
19 Management Section.
20 HEARING OFFICER WILLIAMS: Now I would like
21 to begin with the presentations. We will start
22 with the Bureau of Air.
23 MR. BRODSKY: Good evening, ladies and
24 gentlemen. First of all, I would like to thank

1 everybody for coming here tonight and your interest
2 in environmental issues. My name is Valeriy
3 Brodsky. I'm a permit engineer of Illinois
4 Environmental Protection Agency Bureau of Air. I
5 have been working in Bureau of Air Permit Section
6 for more than six years. In that time, I have
7 reviewed hundreds of permit applications including
8 many for aggregate processing plants.
9 The second thing which I would like to
10 mention is a small correction in the draft of both
11 construction and operating permit sent to the
12 public notice, wrong I.D. number of the permit.
13 It's supposed to be 031174AAD rather than AAI.
14 And now let me give you short overview
15 of the Material Service Corporation McCook quarry.
16 The McCook quarry, Yard 19, was first time
17 permitted in 1973. In 1998, the company received a
18 lifetime operating permit. In January of this year
19 the Material Service Corporation, Yard 19, applied
20 to the Illinois EPA to modify their operations and
21 to extend the plant boundaries. The modification
22 consists of the replacement of two crushers and
23 addition of three conveyors without increase in the
24 plant production rate and emissions.

1 The Material Service Corporation, Yard
2 19, represents a typical example of aggregate
3 processing plant. It performs blasting, crushing,
4 screening, transferring and storage operations. At
5 this location Material Service Corporation operates
6 9 rock crushers, 13 screens, 70 conveyors, and 15
7 storage silos and hoppers.
8 The area in which Yard 19 is located
9 in has been designated by the USEPA as non-
10 attainment area for ambient air quality for
11 particulate matter with diameter less than 10
12 microns, also called PM10. It means that Material
13 Service Corporation, Yard 19, must comply with much
14 more stringent emission and operational limitations
15 than identical facilities located elsewhere in the
16 state. These limitations are especially stringent
17 in regards to fugitive emissions. The company is
18 obligated to develop and implement an Operating
19 Program and Contingency Measure Plan to control its
20 fugitive emissions. Besides the state regulations
21 the aggregate processing plants are subject to the
22 federal New Source Performance Standard, which also
23 requires the plant to comply with additional
24 emission limitations.

1 The primary pollutant emitted from the
2 facility is particulate matter of which less than
3 50 percent is considered PM10. There are two types
4 of particulate matter emissions: Process and
5 fugitive. The company would utilize various
6 control measures to reduce their process
7 particulate matter emissions: Building enclosure
8 and water spray bars for the process units. The
9 company also uses regular surfactant and water
10 application to the hauling roads and storage piles,
11 traffic speed limits within the plant, covering for
12 trucks and use of road sweepers on the surrounding
13 streets to control fugitive emissions.
14 After review of the application the
15 Illinois EPA made determination that the company's
16 operations are in compliance with all applicable
17 state and federal regulations. This facility is
18 eligible for the state lifetime operating permit
19 rather than Clean Air Act Program Permit or
20 federally enforceable State Operating Permit
21 because neither actual nor potential emissions of
22 PM10 exceed major source threshold emission rate of
23 100 tons per year.
24 Due to significant public interest and

1 concerns in this matter, the Director of the
2 Illinois EPA decided to hold a public hearing prior
3 to any final action on this application. The
4 public hearing gives the residents an opportunity
5 to raise questions on the company's operations and
6 environmental regulations governing them.
7 Now, the representatives of the
8 Material Service Corporation, my colleagues and
9 myself, are ready to answer your questions. Thank
10 you for your attention.
11 HEARING OFFICER WILLIAMS: Okay. Now we
12 would like to hear from the Bureau of Water.
13 MR. GINDER: Good evening, ladies and
14 gentlemen. My name is David Ginder; and I am an
15 engineer in the Facility Evaluation Unit in the
16 Illinois EPA's Bureau of Water Watershed Management
17 Section. Tonight's hearing involves an application
18 filed by Material Service Corporation with the
19 Illinois Environmental Protection Agency for the
20 operation of a limestone quarry, according to the
21 requirements of the Mine Related Water Pollution
22 Control Regulations adopted by the Illinois
23 Pollution Control Board, under 35 Illinois
24 Administrative Code, Subtitle D, and under

1 Section 402 of the Clean Water Act and the
2 applicable federal regulations in 40 Code of
3 Federal Regulations, part 436, Mineral Mining and
4 Processing Point Source Category.

5 These regulations provide certain
6 regulatory and permit authorities to the Illinois
7 EPA. Subtitle D states, in part, that except as
8 provided in specific exemptions “No person shall:
9 1) Prepare land for mining activities or construct
10 a mine-related facility which could generate
11 refuse, result in a discharge or have a potential
12 to cause water pollution without a construction
13 permit; or 2) Carry out mining activities without
14 an operating permit.”

15 The National Pollutant Discharge
16 Elimination System (NPDES) permit required under
17 Section 402 of the Clean Water Act regulates
18 wastewater discharges to the waters of the state
19 and establishes water quality limits that must be
20 met by the permittee. Subtitle D establishes the
21 rules by which the Illinois EPA reviews and makes a
22 determination on the applications for mine permits.
23 These rules address various water pollution issues,
24 including the requirement that the applicant

- 1 provide information for Illinois EPA review on the
- 2 following subjects:
- 3 1. a description of the activities on
- 4 the affected land, such as earth moving and site
- 5 preparatory work;
- 6 2. the location of all waterways on
- 7 the affected land;
- 8 3. the location of all water supply
- 9 wells within a specified distance;
- 10 4. the method of mining;
- 11 5. the location of all bore holes,
- 12 mine shafts and wells on the affected land;
- 13 6. areas of the affected land where
- 14 mine refuse and spoil will be deposited;
- 15 7. the location of all streams,
- 16 creeks, bodies of water and aquifers receive
- 17 drainage from the affected land;
- 18 8. the location of all mine discharge
- 19 points and nonpoint source mine discharge sources
- 20 including a surface drainage plan, the method or
- 21 type of sediment basins, erosion control devices
- 22 and wastewater treatment facilities including the
- 23 designation of collection points for water
- 24 discharged from all mechanical pumping or gravity

1 flow systems used for draining the mine and mine
2 refuse area; and,
3 9. the provisions for abandoning the
4 gravel pit, meaning the reclamation of the
5 property, as needed to prevent water pollution.
6 This is an extended example and is not
7 a complete list of the issues covered by the mining
8 regulations and the factors that the Illinois EPA
9 will use in its review of the present application.
10 The Illinois EPA received a NPDES
11 permit application for Material Service Corporation
12 on January 11, 2000. The application was reviewed
13 and draft permit and Public Notice Fact Sheet was
14 circulated on April 26, 2000. The Illinois EPA
15 received requests for a public hearing on this
16 matter and consequently decided to hold a public
17 hearing.
18 As part of the Illinois EPA's hearing
19 process, a copy of the January 11, 2000,
20 application was placed in the Brookfield Public
21 Library, the Illinois EPA regional office in
22 Maywood and one was also made available in our
23 Springfield office for public review. For the sake
24 of those who were not able to review those

1 documents, I will now provide a brief description
2 of the application.
3 The application submitted on
4 January 11, 2000, by Material Service Corporation
5 obtained in general the following information:
6 1. The facility will be operated as a
7 corporation under the name Material Service
8 Corporation, with the mine identified as Yard 19,
9 Federal Quarry.
10 2. The site is located in McCook at
11 the intersection of West 47th Street and East
12 Avenue.
13 3. The facility will be operated as
14 an open pit quarry, expanding 16 acres in size to
15 approximately 150 acres in size, which will be
16 mined at a rate of 5 to 15 acres per year, with an
17 expected life of 16 years. Mine operations will
18 include the removal and stockpiling of overburden
19 for use in reclamation or the construction of berms
20 on the perimeter of the site and the excavation,
21 crushing, screening, sizing, stockpiling and
22 loading of limestone aggregate.
23 4. Groundwater seepage, storm water
24 runoff and pit pumpage will collect in the proposed

1 and existing pits and are directed to two settling
2 basins prior to discharge. Groundwater seepage,
3 stormwater runoff and pit pumpage are discharged at
4 an average rate of 2.6 million gallons per day to
5 the McCook Ditch at Outfall 001.

6 5. Boring locations and logs have
7 been provided.

8 6. The abandonment plan specifies
9 final use of the quarry pit will be as a lake.
10 Abandonment will include the removal of all mining
11 and processing equipment, aggregate product
12 stockpiles and dewatering pumps. Grading and
13 seeding of the berms will be completed prior to the
14 initiation of abandonment. Final reclamation will
15 be performed at the termination of the mining
16 operations and will be completed within one year of
17 the end of the quarry operation. The facility
18 holds a Surface-mine Land Conservation and
19 Reclamation Act permit issued by the Illinois
20 Department of Natural Resources' Division of Mines
21 and Minerals.

22 7. Copies of the United States
23 Geological Survey topographic maps indicating the
24 location of the site, the general layout and

1 features of the mining operations such as the pit,
2 the discharge point and private wells in the
3 immediate area have been provided.
4 8. Four private wells have been
5 identified within 400 feet of the property boundary
6 of the expanded excavation area. These wells are
7 owned by Electro Motive Corporation. These wells
8 are greater than 200 feet of the proposed
9 excavation area. And,
10 9. A list of public water supply
11 wells within ten miles has been provided.
12 Following the closing of the public
13 hearing record on June 9, 2000, all pertinent
14 information submitted by the applicant and the
15 public will be reviewed. The Illinois EPA will
16 write a Responsiveness Summary that addresses the
17 relevant comments made during this hearing and
18 any comments submitted prior to the closure of the
19 record. This document will be made available to
20 the public.
21 The Illinois EPA's decision will be
22 based on whether the gravel pit will comply with
23 Subtitle D and NPDES regulations and the applicable
24 provisions of the Illinois Environmental Protection

1 Act.
2 This concludes my statement on
3 application and the procedures the Illinois EPA
4 will use in reviewing this case.
5 HEARING OFFICER WILLIAMS: I notice I see a
6 bunch of people standing. There are plenty of
7 seats up front if you would like.
8 It's my understanding that some
9 representatives from the applicant, Material
10 Service Corporation, would like to address the
11 public at this time. Is that correct?
12 MR. O'TOOLE: Yes, it is.
13 HEARING OFFICER WILLIAMS: Would you prefer
14 to sit up here or that mike?
15 MR. O'TOOLE: We will do it from here.
16 HEARING OFFICER WILLIAMS: Would you please
17 state your name and spell it for the court reporter
18 when you get started.
19 MR. O'TOOLE: My name is Gary O'Toole.
20 Good evening. My name is Gary
21 O'Toole. I am a manager of the environmental
22 services department. As a part of my duties, I
23 ensure that the company operations are in
24 compliance with environmental laws and regulations,

1 which include local county, state and federal.
2 Our recent acquisition allows us to
3 continue to mine with an additional plus or minus
4 20 acres just south of the existing quarry. And I
5 will use this diagram here, if I may, to point out
6 those areas.
7 (Indicating:) The area in green down
8 here is the new mining area. This is, for
9 orientation, this is 47th Street. East Avenue.
10 The quarry office is right here, trucks enter off
11 of 47th Street. This is a stockpile area. The
12 main plant is an enclosed facility. The secondary
13 crushing takes place in tertiary at this location.
14 This is the south quarry. Our current crusher,
15 primary crusher, is at this location. We plan to
16 move it to somewhere in this location.
17 We applied for an IEPA division of
18 water pollution control permit to modify an
19 existing NPDES discharge for the facility in
20 January of this year. The application was prepared
21 to include the new mining area, which was not
22 previously included in the existing permit.
23 Therefore, we will not be -- Therefore, there will
24 not be any physical changes in the existing

1 discharge system. We have also updated the storm
2 water pollution prevention plan to include this new
3 mining area. Also in January of this year, we
4 applied to the IEPA division of air to obtain a
5 construction and operating permit.
6 The plan is to install two new more
7 efficient replacement crushers while removing two
8 old existing crushers. There will not be any
9 increase in capacity nor production.
10 We will be installing one new feeder.
11 We will also be installing three conveying systems
12 and removing an old conveying system as well as one
13 hopper. All of the replacement equipment is
14 located approximately 300 feet below the street
15 level. Therefore, there is no net change in the
16 general operation of the plant or the crushing
17 capacity of the plant.
18 I would also like to explain at this
19 time that we have committed to several other
20 projects involving the yard. These include an
21 extensive paving project, a newly modified water
22 truck with high pressure sprays that will clean the
23 internal roadways, and the use of a new road dust
24 suppressant.

1 In closing, I would like to state that
2 Material Service is committed to working with the
3 neighboring communities through our complaint
4 response program and to being an overall good
5 neighbor.
6 HEARING OFFICER WILLIAMS: Thank you very
7 much. Does that complete your presentation?
8 MR. O'TOOLE: Yes.
9 HEARING OFFICER WILLIAMS: Now we are going
10 to start the question and answer and public comment
11 period. As I said at the beginning, technically we
12 limit folks to five minutes. I don't like to have
13 to sit here watching the watch. And I probably
14 won't do that assuming everyone respects the fact
15 that there are a lot of folks here that would like
16 to comment. And so just keep that in mind.
17 Now, I will go through the cards that
18 I was given and call people's names off. And when
19 I do, feel free to come up to the podium.
20 And is Senator Radogno here? We will
21 start with her if she is here or someone from her
22 office.
23 MS. RADOGNO: Good evening. I'm Chris
24 Radogno. I'm the state senator for the 24th

1 District, which we are in now and which the quarry
2 is located.
3 First of all, I would like to request
4 that the comment period be held open until the
5 29th. I think that we are always best to have more
6 public discussion about items of importance rather
7 than less.
8 Secondly, I would like to thank the
9 IEPA for having this hearing. I realize this was
10 not a requirement, and we do respect the fact that
11 you have held the hearing. As you can see, to say
12 that there is significant public interest is an
13 understatement.
14 Speaking for myself and for my
15 constituents, I want to go on record that we are
16 opposed to this expansion, myself as well as every
17 constituent without exception that I have heard
18 from. There was a zoning hearing in McCook
19 regarding the land use at which much opposition was
20 expressed, especially with respect to preferring an
21 alternate use for that land, possibly light
22 industry, warehousing activities, thinking that
23 this would be good for the tax base as well as for
24 the quality of life.

1 Now, having said that, I realize that
2 this public hearing is specifically about the
3 issuance of permits relative to equipment changes
4 and water drainage at the Material Service quarry.
5 I also know that you have specific standards that
6 you have to look at with respect to the
7 application. So after you hear the testimony today
8 and you review the application, my biggest concern
9 if you go ahead and grant this permit is regarding
10 the ongoing monitoring by the IEPA to ensure
11 compliance with all the applicable standards
12 pertaining to the quarry.
13 People in this area are extremely
14 concerned about air quality in particular. We live
15 in an area where we have sort of a double-edged
16 sword of a lot of industry and manufacturing, which
17 on the one hand provides jobs and tax base. But on
18 the other hand, we always have this tension with
19 the environmental impact. And as you know, we are
20 a PM10 nonattainment area.
21 I would like specific information if
22 this permit is granted as to how the IEPA will
23 monitor compliance so that we can be certain that
24 our critical concerns about the air quality in this

1 area are respected.

2 And finally, I just appreciate the
3 fact that you are here; and I'm looking forward to
4 hearing my neighbors and constituents get their
5 questions answered and hear their comments with
6 respect to this project. Thank you.

7 HEARING OFFICER WILLIAMS: Thank you very
8 much.

9 (Applause.)

10 HEARING OFFICER WILLIAMS: We also have
11 someone here from Representative Lyons' office. Is
12 that right, Brian Burian?

13 MR. BURIAN: Good evening. My last name

14 is Burian.

15 Regretfully, Representative Lyons
16 could not be here this evening. She is in South
17 Africa. She did prepare a statement, though, that
18 I would like to read at this time.

19 Application for an air permit for a
20 new crusher at a quarry facility may seem routine
21 for this board. But the only thing that this
22 community views as routine is the clouds of dust
23 that emanate from the quarry on a regular basis.
24 The fact that this is accompanied by blasting

1 problems compounds the situation, but it is air
2 quality that is the subject of this hearing.
3 It is the responsibility of the quarry
4 industry to keep the by-products of their operation
5 within their boundaries. This is not happening.
6 Therefore, it has been necessary to introduce
7 legislation that will impose stricter regulations
8 regarding dust emissions due to the blatant
9 disregard of the complaints of this community
10 regarding visible air pollution. This board needs
11 to be aware that in granting this air permit the
12 problems in this area will be exacerbated.
13 Unless Material Services is willing to
14 take dramatic steps, as they have indicated they
15 will but we have no concrete evidence as of yet,
16 this community's air quality will continue to be
17 compromised on a daily basis. This community asks
18 the EPA to look beyond the routine and consider a
19 more global view of the area and the ramifications
20 that will accompany your decision. Thank you.
21 (Applause.)
22 HEARING OFFICER WILLIAMS: Thank you very
23 much. Now, I would like to call Diane Capiluppo.
24 I'm sure that's wrong.

1 MS. CAPILUPO: I have no comment.
2 HEARING OFFICER WILLIAMS: You have no
3 comment. Okay.
4 How about Warren Peterson.
5 MR. PETERSON: Warren Peterson here. I
6 want to ask a question of Mr. O'Toole if he would
7 stand, please.
8 HEARING OFFICER WILLIAMS: It's up to him
9 if he wants to address questions at this point or
10 not. Why don't you go ahead.
11 MR. ELLEDGE: Ask the question. We will
12 try to answer one way, either in writing later
13 or—
14 MR. PETERSON: Okay. You are talking about
15 washing your screens in there and washing the air
16 within the unit. How about the trucks that go out
17 of the unit that carry stone on their bumpers?
18 They don't have a cover over the stone when they
19 are driving down the highway and the stones jump
20 out. That's your responsibility. And I allude
21 this to the fact that when somebody has too much
22 alcohol gets in an accident at a tavern the tavern
23 is the one that is sued by this problem. You have
24 a -- I see these trucks going in and out of there

1 all the time because I have to go over to Loyola
2 Hospital and over to Hines Hospital quite a bit. I
3 look at it. And when I go by your gates, I
4 shudder. It's a mess.
5 You have a hose there with a sprinkler
6 on it like you do on a front lawn. You should have
7 equipment like the aircraft industry has when they
8 spray their aircrafts so they won't freeze when
9 they go into the air. Really they do a good job on
10 it.
11 And speaking about aircraft, they
12 cause what we call -- They cause noise pollution.
13 Noise is -- What is noise? Noise is a vibration.
14 And if it's a vibration, all the people around
15 O'Hare, they have—they had to soundproof their
16 houses, spend millions of dollars, soundproof them
17 houses. Now, the houses—some of the houses
18 around the quarry due to the vibrations, which is
19 to me is an environmental thing, if you are causing
20 excess vibration in the ground, you are causing
21 buildings to crack. And even if the buildings were
22 cracked before the vibration, you can see those
23 buildings moving and actually particles falling out
24 of the walls. And I watch it. I sit and watch

1 because I know just about when the blast is going
2 to occur. I watched this one crack. And I have
3 seen things fall out, fall right out of the wall.

4 If anybody wants to come over at my
5 house, I will show them what I'm talking about.

6 HEARING OFFICER WILLIAMS: Okay. Thank
7 you, Mr. Peterson.

8 MR. PETERSON: I think I covered
9 everything.

10 And I would like a comment on the
11 cleanup that they are doing right now. Why haven't
12 they done it right now? Why haven't they done it a
13 week ago?

14 HEARING OFFICER WILLIAMS: I understand
15 your question. I think it's up to the company if
16 they want to respond. I think that this hearing is
17 to address what's going on in the future. So to
18 the extent it goes to that issue, I'm not sure that
19 it's completely appropriate; but if you want to
20 comment, you can.

21 MR. O'TOOLE: Mr. Peterson, I will address
22 the issue as far as the changes that we have made
23 at the quarry. And the one thing that I alluded to
24 in my opening remarks was the paving of certain

1 areas within the yard and the use of, you know, you
2 talked about the impulse water sprinklers that you
3 see from the roadway. Those are just there for
4 that specific purpose because they are in a high-
5 traffic area. We have modified a water truck that
6 has a real high power dousing effect on the
7 roadways. You haven't seen that, and that's
8 something that would answer your question.

9 MR. PETERSON: I would like to see
10 something cleaning them trucks off similar to what
11 they clean the aircraft off at O'Hare field.

12 MR. O'TOOLE: We will look into that.
13 (Applause.)

14 HEARING OFFICER WILLIAMS: Okay. Next I
15 have one card for Mr. and Mrs.—it looks like
16 Bradley Anderson or Alderson.

17 MR. ANDERSON: I have no comment right now.

18 HEARING OFFICER WILLIAMS: None right now.
19 How about Judith Knittle?

20 MS. KNITTLE: Hi. My last name is Knittle.

21 I live in Lyons and I deal with Material Service in
22 Lyons. That's why I'm here, to support this group
23 of people that are fighting the expansion. I
24 totally agree with the people who do not deal want

1 to deal with the expansion. I deal with the
2 blasting of my home, the lamps shaking on my table,
3 dishes rattling on my cabinet, and damage to my
4 house. And I have talked to Mr. Gary O'Toole
5 personally and he has told me that he has no idea
6 what is damaged in my house but it is not Material
7 Service, and I disagree with that. Thank you.
8 (Applause.)
9 HEARING OFFICER WILLIAMS: Okay. Thank
10 you. Now we have Glen Wentink.
11 MR. WENTINK: Pretty good. My name is Glen
12 Wentink. I am here on behalf of the Village of
13 LaGrange as chairman of the Environmental Quality
14 Control Commission. I will submit into the record
15 a copy of the Village Resolution R-00-01. It was a
16 resolution adopted by the Village in opposition to
17 the expansion of the Material Service's quarry in
18 McCook and forms essentially the basis of action
19 which my Commission was asked to pursue with regard
20 to Freedom of Information Act inquiries and an
21 evaluation of the draft permits as well as the
22 existing permit for the facility.
23 I will also be providing the record
24 with a copy of my comments, but I would like to at

1 least summarize them because I do not want to
2 belabor the meeting with the recitation of a number
3 of numbers, comparisons. But I will try to
4 summarize, give you the intent.
5 As part of the initial work which the
6 Commission did with the Village was to secure
7 through the Freedom of Information Act copies of
8 the annual emission reports for the subject
9 facility for the period of 1997 and 1998, which
10 were available at that time from the Agency. The
11 information was all -- The information reviewed
12 also then included copies of the draft air permit.
13 The annual emission report forms
14 indicate that the facility reported emissions of
15 approximately 50 tons of particulate matter, 24
16 tons of which was PM10 and approximately a tenth of
17 a ton of volatile organic matter from the year
18 1996. Interestingly enough, the annual emission
19 report for that year also indicated that the
20 allowable emissions were almost 400 tons per year
21 of particulate matter and almost 35 tons of PM10.
22 The estimated emissions in -- The
23 emissions which were estimated by the IEPA for the
24 year 1997 were 160 tons particulate matter and

1 approximately 29 tons of PM10. The facility
2 reported in 1997 emissions of 71.4 tons of
3 particulate and 34 tons of PM10. The data for 1998
4 shows similar additional differences. The 1998
5 permit, which was the initial small source permit,
6 indicated allowable emissions to be 3.44 tons. The
7 proposed lifetime permit under the New Source
8 Performance Standards is now 11 tons.
9 You will note the variation of two
10 orders of magnitude in the allowable emissions
11 associated with the facility and the differences
12 between allowable, estimated and reported
13 emissions. When we inquired of the Agency
14 regarding this fact or whether or not the
15 determination of the potential to emit had been
16 pursued to answer this question, the EPA indicated
17 to us that very straightforwardly and correctly
18 that the action that the Agency must take is based
19 solely on the content of the application.
20 Moving further into that, neither the
21 application nor the draft permit addresses the
22 determination of particulate emissions through
23 calculations for blasting, truck loading or road
24 dust. Although the draft permit addresses the

1 general operating criteria under the provisions of
2 the fugitive dust control plan, no actual estimate
3 of these potential emissions has been shown as part
4 of the Agency's determination or the appropriate
5 form of permit for this facility.
6 The application and the permit
7 principally reflect the estimation of emissions
8 from controlled emission sources. Determination of
9 the appropriate form of permit must address the
10 potential to emit of uncontrolled sources or
11 sources in an uncontrolled state. The draft
12 operating permit does not restrict the hours of
13 operation, nor the total hours of operation of the
14 emission units.
15 In summary, given the available
16 information, there are significant questions as to
17 whether this facility has received a correct
18 appropriate permit. We, therefore, request, one,
19 that the IEPA establish a quantitative estimate for
20 the uncontrolled potential to emit for all emission
21 sources and fugitive sources at this facility to
22 establish the appropriate form of permit for this
23 facility; two, that whatever form of permit the
24 facility receives that the permit be federally

1 enforceable; three, that any permit the facility
2 receives include limitations on the total hours of
3 operation consistent with the appropriate emission
4 rates and allowable emissions, additional
5 consideration regarding the actual daytime hours of
6 operation should reflect the proximity of
7 residential areas; and four, that given the
8 prevailing area of particulate standards any permit
9 for this facility include provisions for the
10 installation, maintenance and operation of ambient
11 air monitoring equipment along with sampling,
12 testing and reporting protocols sufficient to
13 establish conditions at the property boundary and
14 determine compliance with applicable regulatory
15 requirements. Thank you very much.

16 (Applause.)

17 HEARING OFFICER WILLIAMS: Would the Bureau
18 of Air like to make comment? Okay. We will move
19 on to Michael Smetko.

20 MR. SMETKO: Michael Smetko. And my
21 question is for the Illinois EPA. I want to know
22 how you are going to monitor what is actually going
23 on at the boundary so we can be assured that they
24 are meeting all rules and regulations?

1 MR. DESAI: My name is Harish Desai. We do
2 have a field operation section that goes around the
3 facility and visit the facility very frequently. I
4 would like to introduce George Ordija. He has been
5 to the facility, and he is in this area. And he
6 determines whether the source is in compliance or
7 not when he makes the visit.
8 MR. SMETKO: How often does he visit?
9 Because there is dust and dirt and stuff coming
10 out.
11 MR. DESAI: George, do you want to address
12 that, how often you visit?
13 MR. ORDIJA: I visit at least I would say
14 about every two months.
15 MR. SMETKO: Yes. Every two months. And
16 do they know when you are coming?
17 MR. ORDIJA: I never call ahead of time,
18 no. I always go -- I go there unannounced. I
19 never call ahead.
20 FEMALE VOICE: Pardon?
21 MR. DESAI: Well, sir, in addition to that,
22 we also have a complaint phone number and also the
23 complaint forms that you can -- Any time you see
24 the visible dust coming off the plant boundary

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1 line, you can address it with the Maywood office.
2 And in such cases, they will also make an immediate
3 visit.
4 MR. SMETKO: Thank you.
5 HEARING OFFICER WILLIAMS: Thank you very
6 much.
7 (Applause.)

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1 HEARING OFFICER WILLIAMS: We have Patrice
2 Grant.

3 MS. GRANT: Thank you for this opportunity
4 to express our concerns. I represent the Parkview
5 Homeowners Association. Earlier this year, we
6 collected well over 2,000 signatures to express and
7 protest our concerns about the expansion of the
8 Material Service quarry.

9 Our community has long been subjected
10 to the negative effects of the quarry. Some of
11 these include noise, dust, traffic. But
12 Mr. O'Toole opened the topic, so I'm going to step
13 right through the door. Material Service has a
14 history of not being a good neighbor. And a good
15 illustration—

16 (Applause.)

17 MS. GRANT: -- is their boundary on 47th
18 Street and on East Avenue along LaGrange. The
19 fence line is just atrocious and it's an eyesore.
20 But aside from that, we have health
21 concerns. The dust is unbelievable. I live within
22 maybe 600 feet of the edge of the new quarry.
23 Every morning when I leave the house my windshield
24 has dust on it. And I know it's not a point of

1 sympathy, I have an in-ground swimming pool and it
2 has one of those covers that is a mesh. So over
3 the winter the water passes through and so does the
4 dust. And you could almost shovel the sediment out
5 of the bottom of that pool every spring. I have to
6 vacuum continuously quite a while to get all of
7 that limestone dust out. Aside from that, I know
8 you really feel bad for me. But the dust is also
9 on our windows, and it actually is like chalk
10 that's difficult to remove. It's on our children's
11 toys. It's on our plants. And it's drawn into our
12 homes through the ventilating system.
13 I-- Everyone in my family has
14 respiratory problems, so I buy the most expensive
15 pleated filters and run my air system continuously.
16 And those filters are supposed to be good for three
17 to six months. I have to change them once a month
18 because my furnace actually starts to rattle. They
19 are clogged because of the dust. We each have
20 individual room air cleaners, and I repeatedly have
21 to change those filters because of the dust.
22 So it may seem that the emissions are
23 within a standard that's allowable by the law. But
24 in fact, we have grave concerns. And my neighbors

1 in LaGrange and Countryside, the neighbors of the
2 quarry, have good reason to be concerned.
3 I would like to also ask for the
4 period of public comment to be extended. And the
5 IEPA, you mentioned that you have a phone line that
6 we can call or a form to file complaints? Is there
7 someone who could give us that information?
8 MR. DESAI: George?
9 MR. ORDIJA: Yes. Yes. You can call the
10 Maywood office which is 708 --
11 MALE VOICE: Speak slower so we can write.
12 MS. GRANT: I'll repeat it.
13 MR. ORDIJA: Okay.
14 MS. GRANT: 708 --
15 MR. ORDIJA: 708-338 --
16 MS. GRANT: 338 --
17 MR. ORDIJA: 7969.
18 MS. GRANT: That's 708-338-7969. Thank you
19 very much.
20 (Applause.)
21 HEARING OFFICER WILLIAMS: How about Rose
22 Hilger?
23 MS. HILGER: If it's all right with you, my
24 son would like to speak.

1 HEARING OFFICER WILLIAMS: That's fine.
2 MR. HILGER: Hi. My name is Mike Hilger.
3 I'm third generation in our family to live on the
4 same house on 11th Avenue in LaGrange about two
5 blocks from Material Service's quarry. I also have
6 asthma. My doctor tells me that a lot of kids my
7 age have it and that more and more are being born
8 as the result of air pollutants like those of
9 Material Service's quarry activity create.
10 Ever since I can remember, I have to
11 be responsible enough to take my medication and
12 monitor my activity so that my asthma is kept in
13 check. Material Service's quarry expansion plans
14 put my health and the health of hundreds of kids
15 like me in danger. Material Service keeps saying
16 it's going to be a good neighbor, that it is going
17 to bring money into McCook. Countryside has
18 already lost a multi-million dollar business in Air
19 Liquide because of their blasting. Hundreds of its
20 employees had to be relocated or take early
21 retirement.
22 This not only affects Countryside but
23 also all the surrounding areas including the tax
24 base for our schools. For what, so Material

1 Services can hold on to some 40-odd jobs and make
2 millions at the cost of our health and our futures?
3 So they can pollute our air? So their blasting can
4 cause structural damage to our streets, businesses,
5 and homes? Is that being a good neighbor?
6 My illness, illnesses, has forced me
7 to be responsible for my actions. Why isn't
8 Material Service's being expected to be responsible
9 for theirs? What concerns me the most is the
10 danger Material Service possesses—poses to the
11 health of our communities and the people who live
12 in them. Does anyone even know what substances are
13 buried on that property, what materials were used
14 in the building of the GM factory, what pollutants
15 Material Services extended blasting will release?
16 My grandfather told me stories that
17 when Material Services first came here, they were
18 given a 100-year permit. That time has come and
19 gone. Since then our community has grown and
20 includes a large park where hundreds, if not
21 thousands, of children come and play, participate
22 in sports and have family picnics. This park is
23 only a few hundred yards from the quarry site.
24 What are these people going to be breathing in? Is

1 anyone going to be -- Is anyone going to want to
2 be in the park that is shaken by Material Services
3 frequent blasting? It's like trying to exist on a
4 fault line.
5 As a young adult, I hear frequent
6 lectures that my generation should give back to the
7 community, be good citizens, honor the people that
8 live there, and to think of the well-being and
9 happiness of others before we think of ourselves.
10 I, like many young people in this community, give
11 of myself and various organizations. I understand
12 the importance of taking care of others, of putting
13 the needs of many before the few. Apparently
14 Material Services and the Village officials in
15 McCook have not learned these lessons. They are
16 putting money before the safety of and well-being
17 of not only their own residents but the surrounding
18 communities as well.
19 I am here to ask that you do not allow
20 the special permit to be issued. I am asking the
21 members of the community that we are able to come
22 here tonight to make sure that our voices are
23 heard. There is a power in numbers and that if we
24 stand together nothing will stop us.

1 Help me to ensure that Material
2 Services is not allowed to infest our lives, our
3 homes, our communities, and our air with their
4 blight. Stand with me and tell—and tell the
5 IEPA panel and the Village officials here that you
6 want them to stop Material Services. Material
7 Services must be stopped before they annihilate not
8 only our homes but also our health and the futures
9 of our children.

10 (Applause.)

11 HEARING OFFICER WILLIAMS: I want to thank
12 you, Mike, for coming. It's real nice to see
13 younger people getting involved in public affairs.
14 Next let's move on to Marie

15 Blankenship.

16 MS. BLANKENSHIP: Well, I wasn't sure
17 whether I was going to comment or not. These
18 people covered a lot of the things that I had in my
19 mind. I want to ask how many people have actually
20 followed that clean-up truck that they have on East
21 Avenue? Any of you?

22 (A show of hands.)

23 MS. BLANKENSHIP: Well, they say that they
24 are going to have an improvement to this truck; but

1 the point is why even have the mess to clean up in
2 the first place? To me it's like a vicious circle.
3 So I think to me that was something that I noticed
4 on a daily basis because I used to work that way.
5 The other thing is the transportation,
6 the trucks are on LaGrange Road. They do shed
7 gravel. They are ruining our new streets. They
8 are creating a noise level that's impossible in the
9 evening. And we talk about limiting hours. Does
10 that mean that they are not going to wake us up at
11 4 o'clock in the morning and that the trucks are
12 going to adhere to the speed limit? Or are we
13 going to make them go ten miles an hour and
14 circumvent our town? This is something that we all
15 have to think about. Thank you.
16 (Applause.)
17 HEARING OFFICER WILLIAMS: I just want to
18 say for the record I have been handed a statement
19 from Congressman Lipinski's office. And the
20 Congressman has sent a representative here to
21 listen to the citizens' comments, though, they felt
22 the statement was too long to be read into the
23 record. But I will mark it as Exhibit 4 and make
24 it a part of the record. Okay.

1 Next, let's move on to James
2 Wilkinson.
3 MR. WILKINSON: I will pass at this time.
4 HEARING OFFICER WILLIAMS: Okay. How about
5 John Walsh?
6 MR. WALSH: Hi. I am John Walsh. I live
7 in Countryside. I'm a trustee with the South Lyons
8 Township Sanitary District. We recently replaced
9 and relined to the tune of about \$1 million our
10 sewer system adjacent to the area of LaGrange in
11 the proximity of the quarry. As a standard
12 practice, we hydrojet our lines to keep—to make
13 sure that they are clean. And we completed the
14 hydrojetting of our lines and then embarked upon a
15 replacement relining program and replacing a lot of
16 our lids on the sewers, the sewer covers
17 themselves. And we televised the data. You would
18 be amazed to find out the granulated particulate
19 matter that we find in our sewer system. It's
20 something that, you know, deeply concerns us.
21 We talk about monitoring in the quarry
22 itself. But these particulates fly through the
23 air, and they are all over the lawns of our—of
24 my neighbors. I mean I live in Countryside and

1 these particulates are found on homes. One
2 individual called me recently after blasting, and
3 there is up to an eighth of an inch of granulated
4 material on their car and on their home. That's
5 how severe this is.
6 I'm glad to hear Material Service is
7 going to—is making some improvements because
8 what they have done in the past certainly has been
9 detrimental to this community. We also would
10 like -- I would also like to get some
11 clarification as to the monitoring system. It's
12 been expressed by several people here this evening
13 as to how you do that. If all this information is
14 a matter of public record, if you can tell me that,
15 because I understand under the Mining Act there is
16 a lot of confidential information that can't be
17 obtainable.
18 And I would also like to know if you
19 could set up monitoring systems in the adjacent
20 areas outside of the quarry itself because this is
21 the area that -- These are the areas that are
22 being affected. We have experienced this situation
23 with not only this quarry but the quarry to the
24 south of us here. And we look on you as a

1 monitoring Agency to provide us with some solutions
2 to the problems that we are having.
3 Our feeling generally is that another
4 crusher would just further serve to crush the
5 residents of this area as it's done in the past.
6 Thank you for your time.
7 (Applause.)
8 HEARING OFFICER WILLIAMS: This might be a
9 good time to point out to the extent that the
10 Agency members didn't feel they have direct
11 questions that they wanted to respond to at this
12 time, all the issues that are raised today will be
13 addressed in the Responsiveness Summary that we put
14 out and sent to all of you. So we are going to try
15 and look at all the issues that are raised and
16 include that in our formal response.
17 Next I have Don Johnston.
18 MR. JOHNSTON: The question I have is—I
19 don't really expect an answer, I just expect it to
20 be something that we need to come to grips with.
21 Just down the block a couple of miles from what we
22 are talking about is a road which mysteriously is
23 broken. It's so far cost something like 3 million
24 bucks to just figure out why this could possibly

1 have happened. I don't think that's a \$3 million
2 question. I'm not convinced it's a \$100 question.
3 But it's a heck of a lot more straightforward it
4 seems to me than the kind of issues that can arise
5 within the concept of violation of EPA issues.
6 My concern is that if we can't figure
7 out what broke the road for 3 million bucks, how
8 the devil are we ever going to be able to address
9 what is going on in this area in terms of the
10 damage that might occur, and who is paying the bill
11 when that happens? Will it be me again? Do I have
12 to foot the bill for the investigation, which is
13 going to have a harder time proving damage
14 presumably than we have proving damage to a roadway
15 that happens to be between two quarry sections?
16 I have a big problem. You can't
17 unbreak the egg. Then you have to deal with it.
18 And it's my money and it's our health which is
19 being impacted, so this is not a situation to be
20 taken lightly. It's not a lousy roadway between
21 two quarries.
22 (Applause.)
23 HEARING OFFICER WILLIAMS: Okay. The next
24 one is a little tough—you have to—D.

1 Ondrejka?

2 MS. ONDREJKA: No comment at this time.

3 HEARING OFFICER WILLIAMS: No comment at
4 this time? Okay.

5 And it looks like Maureen or Laureen
6 Silver?

7 MS. SILVER: Good evening. My name is
8 Laureen Silver. I represent a group called CARE,
9 Citizens Active in Reclaiming the Environment. We
10 recently were involved in the operation with the
11 incinerators, restricting them, and the repeal of
12 the Illinois retail rate law, subsidized pollution
13 with taxpayers' funding. We also succeeded in
14 preventing a proposed ten billion-gallon sewage
15 reservoir from locating at the almost identical
16 property which is at issue this evening. It seems
17 like we are here again talking about the same thing
18 all over again.

19 I also recently resigned a position on
20 the board of directors on the Illinois
21 Environmental Council, which as you know is an
22 umbrella environmental advocacy organization based
23 in Springfield. I am also an organizer of the
24 Retail Environment Coalition, an organization

1 comprised of the municipalities of a 48 town
2 geographical area and numerous environmental and
3 citizen groups.
4 My family has lived in LaGrange since
5 1958 and, as such, feel an even stronger
6 stewardship obligation to protect this beautiful
7 residential area. We are very concerned about the
8 toll that pollution has taken on our lives. I am
9 an attorney, a registered nurse, and a mother to
10 six children who have many years left to grow up in
11 this community. I am speaking for my children, and
12 I am speaking for this community when I strongly
13 ask you to deny the requested permit for this
14 facility.
15 We are in a PM10 nonattainment area as
16 you know. This means that the levels of
17 particulate matter, essentially dust, is greater
18 than that which is allowable by law. This should
19 be a very straightforward matter then. We live in
20 an area which is labeled unsafe by USEPA standards.
21 By law no new facilities can be considered which
22 would in any way increase that danger to the health
23 and welfare of the citizens of this community.
24 That is your mandate, not ours.

1 Then why you have to ask can a 67-acre
2 quarry site of all things with its obvious
3 tremendous dust pollution possibly be considered
4 for this area? I don't know how long you have had
5 your car parked here in LaGrange today. But the
6 closer you might be to 47th and East Avenue the
7 more likely it is that you can't help but notice
8 the layer of dust which has settled on your car.
9 That is PM10. It's the same stuff that settles on
10 our roofs, our patios, our vegetable gardens. The
11 same stuff that finds its way through our screened
12 windows, that finds its way into the lungs of every
13 baby, child and adult who walks outside. After
14 avoiding it for ten years, I finally gave in and
15 installed air conditioning in my older home last
16 year. One of the main reasons was that the dust
17 level in this town is unbearable. We do not think
18 we should be praying for rain just so we can
19 breathe.
20 It is pretty hard to argue that we are
21 wrong about this. According to the National
22 Resources Defense Council report, metropolitan
23 Chicago has the third highest death rate from
24 pollution in the entire United States. The report

1 also names five hot spots, which, of course, four
2 as you know are in this very area in the southwest
3 suburbs. How can the federal guidelines allow a
4 new quarry site in this area with its attendant
5 massively polluting rock crushing and the huge
6 increase in truck traffic through what is entirely
7 a residential area? We are well aware that the new
8 federal regulations are currently at the Supreme
9 Court level and that the measurement factor may
10 change.
11 However, until then, the PM10
12 attainment levels remain the law. We are entitled
13 as citizens to expect the Environmental Protection
14 Agency to review all data in the light most
15 favorable to its citizenry. Is that correct? Can
16 we expect that from you?
17 We recognize the need to be reasonable
18 and to consider the economic concerns of industry.
19 We have considered the industrial concerns most
20 futilely at the December 29, 1999, McCook zoning
21 board hearing. Material Service Corporation argued
22 that the quarry was necessary to save 35 jobs in
23 their company. In fact, they felt it necessary to
24 bus in Chicago-residing union workers just to make

1 this point.
2 The community counter-argued that the
3 loss of the Air Liquide Company from across the
4 street would represent the loss of at least 140
5 jobs. This simple math was lost on the McCook
6 trustees. The Air Liquide Company has left with
7 its 140-plus jobs as a direct result of McCook
8 granting that zoning permit. What economic sense
9 has this made? The Village of McCook has made
10 itself abundantly clear that they have absolutely
11 zero concern for our health and safety. But your
12 standards must be stricter.
13 Your standards must be strict enough
14 to protect even the most susceptible individuals,
15 our infants and our children, the sick and the
16 elderly. You, unlike the Village of McCook, cannot
17 be allowed to gamble with our futures and the
18 futures of our children.
19 Despite your best judgment in
20 complying with the strictest possible
21 interpretation of the laws of this state of
22 Illinois, we recognize that this permit might be
23 granted. If that unfortunate circumstance is the
24 result of tonight's hearing, we will expect the

1 very strictest, the most stringent requirements to
2 be a condition of that permitting. This would
3 include, for example, restricted hours of blasting.
4 Cessation of all work on weekends and holidays.
5 Paved quarry roadways. Washing of all vehicle
6 tires before exiting. Restriction to 47th Street
7 entry and exit only, and reduced speed limits for
8 rock and gravel trucks.
9 Additionally, the Agency's
10 responsibility must be the assurance of monitoring
11 services which actually are in place at appropriate
12 locations to be determined by local, municipal and
13 environmental decision. As your public, we are
14 entitled to your absolute assurance that if you
15 allow a polluting industry to neighbor our homes
16 and to jeopardize our health that you will keep
17 close watch on this industry and will be able to
18 reverse a bad decision on the basis of your own
19 monitoring equipment.
20 In other words, we want you to be able
21 to say tonight that if you give Material Services a
22 chance and they don't live up to that expectation
23 you can come back to us, the people of the State of
24 Illinois who have hired you, and say, "I'm sorry,

1 we were wrong,” and shut Material Service’s
2 Corporation quarry down once and for all. If you
3 can’t give us that assurance tonight, maybe you are
4 not as confident in Material Service’s Corporation
5 as you should be. Thank you.
6 (Applause.)
7 HEARING OFFICER WILLIAMS: Next we have
8 Jane Yount.
9 MS. YOUNT: Thank you. Like Laureen, I
10 grew up in this community. In fact, my children
11 are the fifth generation of their family to grow up
12 in this community. And I would like to say that I
13 think this room would be filled to the brim had
14 this meeting been publicized more. I only myself
15 heard about it today. And I would just like to
16 make a couple of short comments.
17 First of all, when I walk out my door,
18 I know that the air is dirty. I feel it. I smell
19 it. I see it. The air here is dirty. The one
20 thing that I notice more and more, having had the
21 history of living here, is these trucks are like
22 rodents, they are everywhere. One day I was at
23 Ogden Avenue. They come up East Avenue to Ogden
24 and turn right onto Mannheim. And I thought -- I

1 was sitting at the red light. Now, I wasn't
2 counting the time of the light because I thought
3 I'm just going to count how many trucks there are
4 here during this one single light. But I don't
5 think lights last more than two to three minutes
6 would be my estimate. During that two to three
7 minutes, there were 19 trucks turning left.
8 Nineteen. Two of them were covered. I did not
9 count the number, so I won't even estimate a guess;
10 but I will tell you that the vast majority of them
11 were well beyond their best years. I don't know if
12 they are privately owned trucks or -- You know. I
13 don't know. But very few of those trucks, they are
14 spewing out black -- You know, aside from what's
15 in them, aside from the quarry materials, what they
16 are spewing out of the trucks is disgusting. And
17 I'm sick of it. I'm sick of being taken advantage
18 of. The bottom line is we were here first. This
19 is a community. It's a good community. Don't
20 destroy it, please.
21 (Applause.)
22 HEARING OFFICER WILLIAMS: Thank you. Next
23 I would like to hear from Roxanne Connolly.
24 MS. CONNOLLY: You know, I also want to say

1 that I forgot where the meeting was, couldn't find
2 anybody, called—you know, the villages are
3 closed, so I had to call the police department.
4 Nobody knew. For an area being surrounded by a lot
5 of problems. That's a little odd. And I bet you
6 this whole room would have been filled if more --
7 And I just, I kept fighting. And I said, hey, I'm
8 going to find where this place is.
9 I also -- I live on Cracow. I live
10 off of 47th Street, so I have all three quarries
11 coming my way. I strengthen my kids' immune system
12 because just because what's in our foods. Now what
13 are they breathing? I have a picture with me, and
14 naturally I can't let you have it, it's the only
15 one, that I was cutting my branches, and particles
16 were flying everywhere. So I went to my neighbor's
17 houses and I said, "Hey, what's going on here?"
18 I'm trying to strengthen my asthma children, all of
19 us. And you know what, they all came over and,
20 sure enough, you could see that the dust and all
21 those particles flying everywhere. That gets in
22 our lungs, there is no doubt about that.
23 You know, I'm in the cosmetology
24 field. And, you know, if you walk out and you go

1 out with a clean face, in ten minutes it will be
2 dirty. So imagine what your lungs look like over
3 there.

4 I also two weeks ago was on my way
5 from where the road closes, and I thought a big
6 storm was coming in from like First Avenue. As I
7 got closer, it was all that dust. It wasn't fog.
8 It wasn't a big storm. That's a problem. And you
9 know, I can't believe we are all here today
10 fighting for our health. You know, because I know
11 everybody wants to make some more money; but I
12 think we need to do it in another direction. You
13 know, because I think this is important. Thank
14 you.

15 (Applause.)

16 HEARING OFFICER WILLIAMS: James Wilkinson.

17 MR. WILKINSON: My question is, and it's
18 directed both to the EPA and to Material Service,
19 is the permit application or applications that are
20 currently on your desk based upon the purchase of
21 the new property? And if they were not or had not
22 purchased the new property, would Material Service
23 be applying for these new permits?

24 And the question that follows that,

1 what is the expected life in years of the present
2 site and what is the estimated life with the
3 additional purchase? Thank you.
4 (Applause.)
5 HEARING OFFICER WILLIAMS: And since I'm
6 not sure I understand exactly what he's referring
7 to, I would ask if the company has a comment first
8 so I would know whether that was directed more
9 toward land or water.
10 MR. ELLEDGE: We will respond in writing.
11 HEARING OFFICER WILLIAMS: Okay. Do either
12 of the bureaus have anything to say at this time?
13 How about Nancy—a lovely Italian
14 name—Cipolato—
15 MS. CIPOLATO-GIRUIATI: My name is Nancy
16 Cipolato-Giuriati. I live at 231 South Loyola.
17 I was at a school board meeting, so I
18 hope I'm not being redundant. I drive to school
19 where I teach every day along 47th Street. And in
20 addition to the cloud of dust that everybody I'm
21 sure has already been mentioning, which is
22 incredibly visible, I once had an incident that
23 really was frightening. There was just a little
24 bit of rain and all of that dirt that is along the

1 ground is so slick that I actually had a spin out
2 and almost collided with one of the trucks. So in
3 addition to our air quality, we are talking also
4 about that kind of thing that really is a dangerous
5 situation for all the traffic that goes there,
6 especially those little cars confronting all those
7 giant trucks. And if we expand, it's going to be
8 worse. And I really wonder -- I saw a school bus
9 today right there at the entrance to your facility,
10 and I think about all the school buses that go down
11 that road that may be having accidents like that if
12 there was more of a problem because the street is
13 not clean. Thank you.

14 (Applause.)

15 HEARING OFFICER WILLIAMS: Next we have
16 Michael -- And I can't tell if it's Tubs -- I
17 can't tell what the first letter is. Michael W.
18 something.

19 MR. TURLEK: Turlek. Thank you. My name
20 is Mike Turlek. I live in the Village of Lyons.
21 And if I may, I would like to address a question to
22 Material Service. The representative stated that
23 it was something like 20 acres involved in the new
24 area that's applied for permits? Was that 20

1 acres?
2 HEARING OFFICER WILLIAMS: Okay. I think
3 that -- Well, first we have to go through me.
4 That's okay.
5 MR. TURLEK: Okay. I'm sorry.
6 HEARING OFFICER WILLIAMS: But would you
7 prefer to discuss that in writing?
8 MR. TURLEK: It's a matter of record. It's
9 a matter of record. He used the word 20 acres.
10 HEARING OFFICER WILLIAMS: Who did? Just
11 now?
12 MR. TURLEK: Mr. Olson. Mr. O'Toole.
13 HEARING OFFICER WILLIAMS: Mr. O'Toole,
14 okay. All right. I'm sorry. Go on.
15 MR. TURLEK: Then I am confused because the
16 papers from what I have read talked about a total
17 of 60 some odd acres that was involved in this
18 deal. I'm under the impression from newspaper
19 quotes there was 60 some odd acres involved in the
20 deal and not 20.
21 HEARING OFFICER WILLIAMS: Would the
22 company like to respond to that?
23 MR. O'TOOLE: Yes.
24 MR. ELLEDGE: Would you like us to answer?

1 HEARING OFFICER WILLIAMS: It's up to you.
2 I don't have an answer so—
3 MR. O'TOOLE: The permit is for 20.
4 MR. TURLEK: What was the total acreage
5 bought?
6 MR. O'TOOLE: I don't have the figure in
7 front of me.
8 MR. TURLEK: I do this for a very specific
9 reason because I'm going to address the question to
10 the IEPA.
11 One of the other questions I want to
12 address to the inspector that inspects the area;
13 and that is, you do not call Material Service when
14 you are going down there; right?
15 MR. ORDIJA: That is correct.
16 MR. TURLEK: Would anybody from your
17 organization perhaps call?
18 MR. ORDIJA: No.
19 MR. TURLEK: Nobody?
20 MR. ORDIJA: Nobody.
21 MR. TURLEK: I want to relate to you, I'm
22 with the Lyons Incinerator Opponent that has been
23 active environmentally here for over eight years.
24 About a month ago I attended a meeting on the MWRD

1 cooperative permitting they're trying to work out
2 with the steel treatment people. And in attendance
3 was a law student who worked in a private lab that
4 did inspections to back up inspections that are—
5 backups that are much needed here, much needed
6 here.
7 And one of the points that she made
8 during our conversations was "I would go down there
9 when I worked part time, and they would be waiting
10 for me and telling me what I could take the check?
11 And then once a year we would go down there, and we
12 would meet the IEPA down there, and they would
13 greet us there knowing that we are coming there.
14 What was the point of our verifications, and what
15 was the point of their inspection?" This is fact.
16 I can get a statement from this lady
17 if you want, but I would rather do it after she
18 gets—passes her bar examination rather than
19 before. Not that I don't trust you people.
20 (Applause.)
21 MR. TURLEK: You have got more than 20
22 acres involved in this deal. Yet, people stand up
23 here and say, "This is all we want is 20 acres."
24 Nonsense, it's a lot more than 20. I'm going to

1 ask you in your air permitting process part of what
2 your permit is allowing is the use or nonuse of
3 spray water in crushing operation based on a
4 moisture content of the rock of 1.5 percent. This
5 is because of groundwater levels. Did you verify
6 that? One. Did you verify it to the extent that
7 it covers this entire 20-acre area?
8 Two, do you plan on verifying that
9 level annually, semi-annually, or every other year
10 in relativity to the depths they are operating at
11 to see that the water level is there?
12 Another condition from your permit, if
13 I remember correctly, is that MS—and I will say
14 this with skepticism—will do their own
15 monitoring that this water content is there because
16 this means they don't have to do a lot of spraying
17 to eliminate the dust.
18 They can do it as the trucks leave. I
19 don't know how they can do that. They can do it
20 from their stockpiles. If those things are out
21 there in the summers when we are getting very
22 little rain, I don't know how the devil they would
23 have 1.5 percent water content. There is a lot of
24 I don't know's there.

1 I am asking, one, that every one of
2 these relevant factors that you get in an
3 application, not only theirs but all others, should
4 be verified. And I will tell you why: In 1994 and
5 1995, IEPA processed an application on an
6 incinerator project here. The incinerator
7 applicant asked for trade secrecy on a flew dust
8 neutralizing process. He had a patent on it. It
9 was at a public hearing that one of the public
10 asked for the patent number. It took weeks to get
11 it. Guess what? It was the wrong number. Totally
12 irrelevant. It took again weeks to get the correct
13 number. And guess what, it was not in that
14 company's name. And it had been assigned to
15 entirely different company. The IEPA had not
16 checked that out.
17 During the process of the application,
18 thank God these people made legal mistakes. They
19 were in the process of selling those properties and
20 holding on to state permits. One of your
21 requirements is that if an applicant makes any
22 change he is to notify you people. How many of
23 them do? MS says, "we are going to apply for these
24 new crushers, and there is no change in production

1 because we are only going to have 20 acres. The
2 other 40 some odd we are not going to talk about
3 till later.”
4 They have made no change in production
5 against what, last year, two years ago? This year
6 I don't know if they did as much mining they had
7 because they had stockpiles there that you couldn't
8 believe were 40 feet high. How do you attain a
9 production level of that without exceeding certain
10 production levels, without exceeding certain
11 emissions? Did you ask these people to supply you
12 with past sales records against the reported
13 production records so they can be verified? I
14 think we are entitled to that.
15 I have lived in this area for a good
16 many years. The young lady talked about somebody
17 spinning out at 47th and Plainfield. That's not
18 the only one. I have a friend that did the same
19 thing there. Drive down there tomorrow if you
20 will, broad daylight, high noon, high sun, try to
21 see the yellow line on that road.
22 FEMALE VOICE: That's right.
23 MR. TURLEK: Go east and say, "Damn, I
24 can't see the yellow line. If there is a truck

1 coming, I'm going to get hit." I have had that
2 fear.
3 How much depth does your permitting
4 process have? What are the inspections? Let me
5 tell you another little incident on inspections.
6 We filed a complaint on a crusher, illegal stone
7 crusher in the Summit area. When we were out
8 there, it was hot, dry. You could cut the PM10
9 with a knife. I filed a complaint. I called, "Oh,
10 we are waiting for it to stop raining" because this
11 was about a week later and the rains came by. I
12 says, "Good deal, fellows."
13 What I'm saying is you have got to get
14 down there. You cannot take the word of MS. You
15 can't take the word of any applicant. There is a
16 lot of big bucks involved.
17 FEMALE VOICE: That's right.
18 MR. TURLEK: I saw a figure of 3.5 tons a
19 year in that permit. You have got 5 tons a year on
20 that road. Weigh it coming out of the trucks.
21 Now, I'm serious. Weigh it coming out of the
22 trucks.
23 I have been around here a long time.
24 I have seen a lot of things promised.

1 FEMALE VOICE: That's right.
2 MR. TURLEK: These people have good
3 intentions tonight, and I hope to God they carry
4 them out. They are not good neighbors. They
5 stink.
6 (Applause.)
7 MR. TURLEK: I want you to go through that
8 application and answer every one of my questions;
9 that those water levels are verified, that their
10 content of water is verified, that there will be an
11 outside firm that will make inspections without
12 being advertised.
13 These guys are going down there
14 without somebody in the office picking up a phone
15 and say, "Hey, our guy will be there in two hours."
16 Because whether you want to admit it or not that's
17 what's happening now. Thank you.
18 (Applause.)
19 HEARING OFFICER WILLIAMS: Okay. Max
20 Moskal.
21 MR. MOSKAL: My name is Max Moskal. I'm a
22 resident of LaGrange. I have lived here for
23 about—since 1962. My profession is a
24 metallurgical engineer. I have studied a lot and

1 worked in areas of materials failure. And I am
2 considered to be an expert in the area of cast
3 iron. During one of the hearings at the McCook
4 Village Hall, prior to the granting of the—of
5 the zoning change, we heard from a metallurgic or
6 from a geologic consultant from Kentucky who spoke
7 about the detrimental effects of fracturing of the
8 limestone substrate adjacent to the quarry.
9 According to his statement, the limestone will
10 fracture. And I'm not sure of the exact term that
11 he used. But it tends to break up into a rubble
12 below the surface for some distance adjacent to the
13 mining work.
14 And this occurs because of vibrations,
15 blasting and so forth. I understand that
16 fragmentation and settling has been—the earth
17 has been considered one of the problems or one of
18 the reasons why the Joliet Road area has settled.
19 And my concern is that the—of the cast iron city
20 water pipeline that runs just a few feet adjacent
21 to the new mining activity or new mining area,
22 blasting and vibrations from rock crushing and the
23 like. Cast iron pipe is a brittle material, and
24 it's not suited for application—for such

1 application, for this kind of application. The
2 pipe material has very low tensile strength but
3 very high compressing strength. And when the earth
4 around it will settle, it will fail because of its
5 low tensile and bending strength. When this
6 occurs, I expect that it will be at the most
7 difficult time, usually when the water is needed
8 the most and is running the hardest.
9 And my question, I have several
10 questions, first is to people of LaGrange and
11 LaGrange officials. First would be what study has
12 been made to ensure that failure of the pipeline
13 will not occur, and who did the study?
14 Second question is what emergency plan
15 does LaGrange have to address the pipeline failure
16 and replacement?
17 And my question to IEPA is this, are
18 material -- Are vibrations that are induced from
19 blasting and operations like this, are they being
20 considered in the granting of the permit, and what
21 tests or reports are being used by IEPA in this
22 evaluation?
23 And my final question to Material
24 Service Corporation is what assistance and

1 guarantee can we expect from you to help in this
2 kind of condition in this situation. Thank you.
3 (Applause.)
4 HEARING OFFICER WILLIAMS: Okay. I have
5 come to the end of my little cards.
6 Oh, have I not?
7 MS. WISNIEWSKI: Good evening. My name is
8 Jane Wisniewski. I have been a resident of
9 LaGrange for 28 years, and I would like to thank
10 you for holding this hearing tonight. I'm very
11 concerned with the serious threat our community
12 faces of further impaired air quality and dust
13 generation by Material Service with their quarry
14 expansion on East Avenue.
15 Common sense tells me that conditions
16 which have already been poor will worsen
17 considerably. I'm trusting that the EPA's
18 knowledge and experience will be used carefully to
19 examine these issues and to do what is best for
20 residents who will undoubtedly be adversely
21 affected. I can only report what I have seen and
22 experienced. This expansion is in close proximity
23 to residences, an elementary school and park.
24 Massive amounts of choking dust generated by the

1 quarry is breathed by residents. My daughter now
2 has asthma, and I know of many residents who suffer
3 from respiratory conditions.
4 A Material Service outdated street
5 sweeper unsuccessfully attempts to control the dust
6 churned up by the countless semis. The results are
7 tremendous amounts of dust turned into spattering
8 mud. Thus, endless amounts of grit, which feels
9 like powder, accumulates in and outside of our
10 houses and our cars. It's a losing battle. And
11 again, most importantly, residents are breathing it
12 in constantly.
13 Last fall our community fought the
14 quarry expansion by presenting a petition opposing
15 this expansion to McCook Mayor Sergio and zoning
16 Chairman John Bubash. However, despite this
17 community outcry, they went ahead and granted the
18 final permit. Upon declaring expansion approval,
19 Mr. Bubash flippantly advised the people attending
20 the meeting that, quote, There will be no questions
21 and no answers. This disregard for our community
22 along with their greed will be their legacy.
23 I have been shown an article that
24 appeared recently in the Will County newspaper

1 regarding Material Service, "Preservation agencies,
2 mostly working in Will County, have received about
3 half a record \$7 million settlement from a lawsuit
4 against a quarry operator in Romeoville.
5 "CorLands, the land preservation
6 affiliate of open lands project released \$3.3
7 million in grants in cooperation with the U.S. Army
8 Corps of Engineers. Federal officials filed suit
9 in June of '95 alleging that Chicago-based Material
10 Service Corporation destroyed 37 acres of high
11 quality wetlands at its operation along the
12 Des Plaines River near Romeo Road and Illinois."
13 "Material Service officials would not
14 admit any wrongdoing or liability."
15 I ask that the EPA carefully consider
16 the health and welfare of each and every one of the
17 LaGrange residents along with those living in the
18 surrounding communities, many of whom are before
19 you tonight. And I can only say to Material
20 Service that I am really looking forward to all of
21 the improvements that you say you are going to make
22 because so far in the 28 years that I have lived
23 here you have been lousy neighbors.
24 (Applause.)

1 HEARING OFFICER WILLIAMS: Okay. I have
2 reached the end of my cards. Because everyone has
3 been pretty good about sticking to the five-minute
4 time limit, I will open it up to anyone else who
5 would like to speak and didn't get a chance to
6 speak or if there is someone—if after everyone
7 else has gotten a chance to speak if some people
8 who have already spoken have brief additional
9 remarks.
10 I would like to make one announcement
11 for the benefit of people who have already had a
12 chance to speak and might want to leave. Based on
13 the comments received so far, I am willing to
14 extend the comment period an additional ten days
15 beyond that listed in the public notice to I
16 believe then June 19, 2000, which I think is a
17 Monday. And all written comments should be
18 addressed to my attention at the address I gave at
19 the beginning of the hearing.
20 And if you came in late, I will get
21 back to you at the end or Brad or Carol in the back
22 can get you the right address to send it to you.
23 So that, just to repeat the record, that this
24 hearing will close on June 19, 2000.

1 Okay. Do we have anyone else who
2 would like to speak? I will start with the woman
3 in the back.
4 MS. WELENC: My name is Rose Ann Welenc.
5 Excuse me. I'm a little nervous. I have a couple
6 questions.
7 I would like to know what the due
8 diligence that is done by the IEPA when they
9 consider the application for this and all permits
10 of these types of operations? So I want to know if
11 they just look at what is submitted by the
12 permittee or if they look at other things and they
13 have to do other due diligence, I need to know what
14 that is.
15 There is also a question I have with
16 respect to the letter that you handed out here
17 tonight. It says that the company is obligated to
18 develop and implement an operating program and
19 contingency measure plan to control its fugitive
20 emissions. My question is this, who is responsible
21 for making sure that this is done and can the
22 citizens review this plan? It says that they are
23 obligated to develop. I'm assuming that there is
24 no developed plan yet. So I think the citizens

1 are—should be given that opportunity to at least
2 be given something in writing so that we can review
3 what this plan is. And I just want to say that I
4 have been a resident for three and a half years,
5 and I would like to very much stay here. Thank
6 you.

7 (Applause.)

8 HEARING OFFICER WILLIAMS: Could the Bureau
9 maybe clarify whether the fugitive plan is part of
10 the permit? Is the fugitive plan part of the
11 permit?

12 MR. DESAI: Yes, it is part of the plan.

13 The fugitive plan is a part of the permit. And it
14 will be implemented as federally enforceable.

15 HEARING OFFICER WILLIAMS: Is there anyone
16 else?

17 MS. PARKER: Thank you very much for having
18 this hearing. My name is Toni Parker.
19 I would like to make a few comments.

20 I reside at 4614 South Warsaw Avenue, which is at
21 the corner of First Avenue and 47th Street. I have
22 filed numerous complaints about sweepers running
23 down 47th Street with no water. The result is that
24 released to air at the height of 18 to 24 inches

1 are clouds of particles. There are apartments at
2 the end of my block with small children where that
3 is breathing level. Mr. Ordija is probably sick of
4 me calling and making complaints. I have also
5 called to file complaints and been told all the
6 technicians are at smoke school, and we can't take
7 a complaint.
8 Your phone number is not listed in the
9 telephone directory. And 50 percent of the time—
10 If you don't believe me, there are various people,
11 including John Kelly and John Summerhays at Region
12 5 USEPA, 50 percent of the time when people call
13 directory assistance, they are given the federal
14 number instead.
15 It is difficult in the extreme to get
16 odor logs or official complaint forms from the
17 Maywood office. They do not have, which at least
18 the County does, a 24-hour tape hot line for people
19 to call. I personally became aware of the problems
20 last summer when I was driving a dog to the vet in
21 the middle of the day. And normally I work. And
22 the dust was so thick at 47th Street and Plainfield
23 Road I could not see the stoplight from one side of
24 the street to the other. Total lack of visibility.

1 I work with PM5, PM10, PM18 lubricants
2 in my work as a research chemist, so I know what
3 they look like. And I have gotten down on my hands
4 and knees on the curb on 47th Street, and that dust
5 sure doesn't look any different from what
6 micropowders or shan—rock does to me.
7 Admittedly, I haven't sieved it. But if that's
8 what you need, I would be happy to do that.
9 I have a real problem with using
10 method nine particularly for piles, etcetera. And
11 I will read right from the method. Here where it
12 talks about, under Conditions, presenting a less
13 contrasting background, meaning a quarry yard where
14 everything is white, whether it's white dust in the
15 air perhaps, the apparent opacity of a plume is
16 less, it approaches zero as color and luminescence,
17 contrast decrease towards zero; and the engineers
18 all know what I mean. As a result, significant
19 negative bias and negative errors can be made when
20 a plume is viewed under less contrasting
21 conditions.
22 You have in this permit for fugitive
23 emissions numbers like 10 percent opacity, 5
24 percent opacity. Yet further on in this test

1 method you see under 2 for white plumes, 99 percent
2 of the steps were read with a positive error of
3 less than 7.5 percent opacity. 95 percent were
4 read with a positive error of less than 5 percent
5 opacity. How can you designate something as
6 5 percent opacity when the accuracy of your test is
7 not even that great? This is a problem.
8 You have one monitor that is
9 reporting, according to Mr. Dave Pullman of
10 Region 5, USEPA data. And that is located at 50th
11 and Glencoe in the Village of McCook. It is south
12 of the Material Service site on Longdale Avenue in
13 Lyons. It is also south and significantly to the
14 east of the site which is requesting a permit. The
15 average height of the emissions of dust from that
16 site is probably less than 40 feet and probably
17 much more concentrated 10 to 20 feet or less.
18 Obstructing the path of those
19 particles to that one monitor—which, by the way,
20 has no aerometric instrumentation so you don't know
21 where your particles that you are trapping at any
22 time are coming from—there is McCook Metals,
23 which is very high, very large building. And then
24 there is the overpass to 171. Given the

1 limitations inherent in method No. 9 for measuring
2 fugitive emissions, and given the presence of only
3 one monitor and only one monitor is reporting data
4 to the USEPA, and they have verified this, and
5 Mr. Mazurek of the Maywood IEPA office also
6 verified that you had no instrumentation to measure
7 wind velocity or wind direction on that monitoring
8 station in McCook. I think we deserve a little
9 better. Directly north of 9101 West 47th Street,
10 two blocks, is Elder Park. And on Saturdays there
11 are ten's of children playing soccer there right in
12 harm's way.
13 I admit today the streets are clean.
14 I invited Mr. Ed Bukowski from Springfield down
15 back in April to come visit when he asserted that
16 the Material Service facility in Lyons was not
17 operating anymore. And I said, "Well, we will go
18 down First Avenue and you look to your left as we
19 go south and you will see a sign that says
20 'Caution, blast zone' and 15 feet further another
21 sign that says 'Caution, blast zone.'"
22 And I will say, and I don't mean to be
23 rude, but I am extremely disappointed at the
24 apparent indifference towards the health and

1 welfare of children. In addition to this park,
2 within six blocks to the northeast and to the
3 northwest are two elementary schools. If you look
4 at the permit, 90 percent of their production will
5 take place in the months of March through November,
6 precisely the months when children are outside,
7 when elderly people at risk are trying to do lawn
8 work. And no one has warned anyone officially
9 about any health effects, no one has said high
10 concentrations of particulates are particularly
11 dangerous if you exercise, if you have
12 cardiovascular problems or preexisting respiratory
13 problems. And I am wading through the thousand
14 plus draft documents on particulate matter that is
15 on the web for the USEPA, which I cannot cite or
16 quote here now but it is a draft, but it is totally
17 frightening data.
18 I have to say you have no idea
19 realistically, no basis in provable facts that can
20 be corroborated. Perhaps you have modeling data,
21 but garbage in/garbage out because you don't even
22 know with what frequency the air is blowing, at
23 what speeds. So you have no idea what either of
24 those sites are emitting.

1 I did crunch the numbers, and you
2 have in my comments what happens with the
3 conveyors, miscellaneous equipment, whatever the
4 PM10 emission factor from AP42 using the same
5 summary figures that Mr. O'Toole used to generate
6 his factor. When I used the uncontrol factor on
7 that, the .0014 with a production of 3,450 hours of
8 production, I came up with 70.3 pounds of PM10 just
9 from the conveyors, feeders, and miscellaneous
10 equipment, which definitely qualifies under the
11 USEPA as a major source.

12 If you crunch the numbers in
13 section 13 to calculate worst possible case for
14 storage piles, you find a variance using 2 moisture
15 levels, a controlled moisture level of 1.5 percent,
16 and uncontrolled level of half that, .75 percent.
17 You will see I have included in tabular form what
18 you calculate based on that. And it varies at 1.3
19 miles per hour and a moisture level of 1.5 percent
20 from storage piles, you get half a ton annually
21 based on their total permitted production volume.
22 However, if you let that moisture
23 level dwindle to .75 percent, and the winds, the
24 mean wind speed is 15 miles an hour, you are

1 generating over 50 tons based on that. The truth
2 is probably somewhere in between. But I think we
3 deserve, and I think the USEPA deserves reliable
4 representative core data that can be corroborated.
5 There is an agreement, a delegation
6 agreement with the USEPA.
7 HEARING OFFICER WILLIAMS: I'm going to
8 have to ask you—
9 MS. PARKER: I'm wrapping up.
10 HEARING OFFICER WILLIAMS: No, you can wrap
11 up your thought but—
12 MS. PARKER: But I mean that you are
13 supposed to be honoring it, it does say that proper
14 monitoring analysis is supposed to take place.
15 It's supposed to be funded, adequate personnel.
16 Not just poor George who has to the run around over
17 miles and miles. And if you can't get people, put
18 in particulate monitors, please.
19 (Applause.)
20 HEARING OFFICER WILLIAMS: How many folks
21 do we have left that would like to speak?
22 I would like to take a really quick
23 break if that's okay. Is it just three?
24 Okay. We will go till 9:00, if we can

1 get everybody in by 9:00. Raise your hands again.
2 Have you all spoken already?
3 FEMALE VOICE: I did, though.
4 HEARING OFFICER WILLIAMS: Is there someone
5 who hasn't spoken yet who had their hand raised?
6 Would you like to speak? Come to the
7 mike, please.
8 MAYOR LE GANT: I think the subject has
9 been pretty well covered. We have some very good
10 people that have addressed your council here this
11 evening, and they know where they are coming from.
12 And I don't want to take up a lot of time and be
13 redundant in repeating anything that was said. But
14 as a temporary measure, till they get more
15 equipment and the technology improves more to
16 control the dust from the crushing operation, in
17 the meantime there is a very serious problems as we
18 all know with the dust that has settled on the
19 street that is brought out of the quarry and
20 settles there.
21 My suggestion to Material Service was
22 instead of using an archaic Elgin sweeper, which
23 does nothing to clean the dust and the small fine
24 particles up off of the grounds or out of the

1 crevices, to use a vacuum sweeper, which I predict
2 probably in the next 10 to 15 or 20 years to be the
3 only type of equipment that will be used or allowed
4 on the streets or be sold. This will not solve
5 that problem, but it will go a long way to helping
6 the conditions that now exist until something more
7 permanent can be installed. I'm not a salesman for
8 Johnson. We have had one for 15 years in our town.
9 And that machine raises absolutely no dust at all
10 traveling around. And if they have got at least
11 one, possibly two, like they do now, it would go a
12 long way as far as solving that problem with dust
13 on the road.
14 And as a note with the coming weekend
15 coming up, Memorial Day, I don't know how many
16 people here are aware of it from the area, if you
17 use East Avenue and 47th Street, they are going to
18 close that crossing down in the middle of July for
19 two weeks. So if you are not aware of it, you use
20 it a lot, figure on taking some other route. With
21 that, I will leave you for the weekend. Thank you
22 all.
23 (Applause.)
24 MS. ZIVKOVICH: Hello. My name is Jan

1 Zivkovich. And I'm speaking to you as a mother.
2 And I would like to say as we start the new
3 millennium with a record number of children
4 suffering from asthma, I am asking that the
5 Illinois EPA put our children's health before big
6 business and deny the permit to Material Service
7 Corporation.
8 If I understand what was given out to
9 me when I first came in, one of the factors that
10 were included in the application indicates that the
11 company uses regular surfactant and water
12 application, covering for trucks, road sweepers. I
13 don't understand how a company could blatantly lie
14 on an application and get a permit. I was out
15 there today at Sedgwick Park with my children for
16 at least an hour and looked at all the trucks that
17 went by. One truck was covered. When I have
18 called the Maywood office to make a complaint, I
19 have been told they are in compliance. I don't
20 know what the rules and regulations are. But if
21 they are supposed to have their trucks covered,
22 they are not covering them.
23 The sweeper does not use water when I
24 have seen it in action. It basically kicks up dust

1 on your car. If you are driving on East Avenue
2 behind it, you are in trouble.
3 And I would also like you to answer
4 one question, if my understanding was correct,
5 there were reportable emissions in excess of what
6 are allowable in the last several years. If that
7 was what I heard, if that was correct, I would like
8 to know what are the penalties for these companies?
9 Are you giving them a slap on the hand? Is it a
10 substantial financial penalty? Because if it's
11 not, they are just laughing at us. We have to do
12 something to make them comply with what they say
13 they are going to do. Thank you.
14 (Applause.)
15 MS. CONNOLLY: I forgot to mention this.
16 And when I'm listening to everything, I would like
17 to know why EPA, which is protection for us -- Is
18 that right? Why you are not out there -- Every
19 two months? Ooh. You know, doesn't it require
20 more checking than every two months? I would say,
21 gosh, look at the air like in an hour. So every
22 two months, that's not appropriate. So if you are
23 protecting us, what are you doing to help protect
24 us? And what measures did you put out there?

1 Because we have our trust in you, and I'm not—
2 That's not what I'm hearing here. So—
3 (Applause.)
4 HEARING OFFICER WILLIAMS: I think Harish
5 would like to respond to that.
6 MR. DESAI: What I would like to state here
7 is that we are definitely short-handed with the
8 people we have.
9 (Voices.)
10 MR. DESAI: Let me finish first. In the
11 permit section, we review or receive application,
12 about 300 to 400 application per month. Some of
13 them are granted, some of them are denied, with
14 very few number of people that we have. Same thing
15 goes with the Maywood office also. They look
16 after, what, about 11 counties?
17 MR. ORDIJA: Something like that.
18 MR. DESAI: With a staff of about 30
19 engineers. So they cannot be at each and every
20 place all the time.
21 FEMALE VOICE: Get help.
22 MR. DESAI: Let me finish, ma'am. Let me
23 finish first.
24 We do not issue the permit for the

1 expansion of the quarry. We are issuing the permit
2 under the division of air pollution control is
3 issuing the permit for the equipment that they will
4 be installing. Whether they install the equipment
5 at the new locations or the new expansion of the
6 quarry or the old location, it really does not make
7 any difference. The new -- Issuance of the permit
8 or review of the permit application is based on
9 applicable standards. If the source -- If the
10 applicant demonstrates that the source is in
11 compliance with applicable regulation, then we have
12 no other choice but to issue the permit.
13 Now, some of -- I think one of the
14 gentlemen, Mike Turlek, has demonstrated that there
15 are a difference of numbers in annual emission
16 report. There are several regulations applicable
17 to this company. One of the application -- One of
18 the rules is that allowable emission which is based
19 on the total process rate rate. And the total
20 process rate rate allows—because it's a large
21 process rate rate, the allowable emissions are
22 extremely large. So we see very high number is
23 allowable emission. And that is the right the
24 company has to emit. Whether the company decides

1 to emit their emissions by taking the restrictions
2 on their emissions, that's their privilege. If the
3 company requests for a higher number and if they
4 still demonstrate in compliance, then we will have
5 to issue the permit.

6 Now, where does it -- What do we do
7 about the dust coming off from the property? There
8 are procedures and matters by which that can be
9 prevented or the action can be present. Given the
10 fact that the air quality in this area is
11 considered as a non -- This area is considered a
12 nonattainment area. However, in last three to four
13 years of ambient air quality data indicates that
14 the air quality is constantly improving.

15 FEMALE VOICE: You haven't heard what
16 anybody said up here.

17 MR. DESAI: I'm pretty sure that many of
18 you will not agree with me. However, we do the
19 monitoring of ambient air quality in this area and
20 it shows definite improvement over the last several
21 years. I am not going to -- I'm not saying that
22 the Material Service is not creating dust beyond
23 their property line. I'm not saying that Material
24 Service is not producing any air pollution.

1 MS. HILGER: Let me see if I understand
2 this. Are you saying that I—
3 HEARING OFFICER WILLIAMS: Excuse me,
4 ma'am. Would you please, if you are going to
5 speak, you need to state your name before you
6 speak.
7 MS. HILGER: My name is Rose Hilger. Am I
8 understanding correctly, are you saying that all—
9 What you are basing this on is the equipment that's
10 south of where we are at? I'm sorry. North. Is
11 that right?
12 MALE VOICE: South.
13 MS. HILGER: South. Is that what you are
14 basing all this on, or am I not understanding that
15 correctly?
16 MR. DESAI: That is correct.
17 MS. HILGER: Well, then you need to put
18 your equipment where it's actually affecting we the
19 people.
20 MR. DESAI: We're—
21 MS. HILGER: To get accurate readings.
22 MR. DESAI: I personally don't decide where
23 the equipment goes.
24 MS. HILGER: Who decides where they go

1 then?

2 MR. DESAI: It is decided by the Agency,
3 and I will definitely convey your message to them.

4 MALE VOICE: Is it possible to get a second
5 machine?

6 MR. DESAI: I'm sorry?

7 HEARING OFFICER WILLIAMS: Excuse me. We
8 have to have a little order. When Harish is done
9 responding, I will call the next person that wants
10 to ask another question.

11 MR. DESAI: Now, it is designated as a
12 nonattainment area and that allows the most
13 stringent regulation for constructing any new piece
14 of equipment in this area. It does not prevent any
15 new construction as such. However, if anybody
16 constructs something new, then they are required to
17 comply with the most stringent requirement. And
18 this company is subject to that requirement, and
19 they will comply with that regulation.

20 Now, obviously, if we make our
21 determination issuing permit or denying permit
22 based on whether the company has demonstrated in
23 compliance with applicable rules and regulation,
24 once the permit is issued, if they are out of

1 compliance or if they are housing dust beyond the
2 property line, then there is a procedure by which
3 the action can be taken. We definitely need
4 complaints from the citizens, then an enforcement
5 action, or the company will be required to explain.
6 There will be an enforcement action, and the
7 company will need to take appropriate action to
8 prevent something happening.

9 MS. HANKINS: Could you tell us again how
10 to file such complaints? Mary Hankins. And I'm
11 not familiar enough to know how to properly file
12 such a complaint. I would like to know.

13 MR. DESAI: I heard a lot of complaints
14 today and also in past that the main concern is
15 that dust flying off from the trucks and the trucks
16 are not being covered. Truck traffic is definitely
17 not controlled by us. Also, the truck running on
18 the streets, we have absolutely no control over
19 that.

20 HEARING OFFICER WILLIAMS: Well, let's read
21 back the Maywood office number, though. I don't
22 know if you can do it. I don't know it off the top
23 of my head. Would you repeat the Maywood office
24 number for the folks ?

1 MR. ORDIJA: 708-338-7969.
2 FEMALE VOICE: That is our only form of a
3 complaint is the Maywood office phone number?
4 MALE VOICE: I thought there was a written
5 form.
6 HEARING OFFICER WILLIAMS: Well, also,
7 he's referring to how to complain in response to
8 how Harish said about specific problems with this
9 company as through time. However, in this process,
10 this hearing process, I am accepting written
11 comments from everyone for the record in terms of
12 helping us make this permitting decision.
13 And that address I can repeat again if
14 you want for the comments that are due by June 19.
15 That would be Deborah Williams is my name. I'm the
16 hearing officer. My address is 1021 North Grand
17 Avenue East, P.O. Box 19276. And that's in
18 Springfield, Illinois, 62794. And you can address
19 any questions to me at 217-782-5544. Okay.
20 MR. DESAI: And we will definitely respond
21 to all the comments in our response summary.
22 HEARING OFFICER WILLIAMS: Okay. It is
23 9:00. How many more folks do we have left?
24 Just one, two? Okay. Come on up.

1 MR. WENTINK: I'm Glen Wentink. I spoke
2 earlier. After listening to a number of comments,
3 I would like to at least offer some observations
4 and suggestions in addition to those I gave you
5 earlier. The annual emission reports for the
6 facility do, in fact, confirm a reported violation
7 of the allowable emissions in 1998.
8 Second, the Agency does have
9 jurisdiction and has demonstrated this in a number
10 of permits over noise and vibration, which directly
11 and indirectly I suppose also has an effect on
12 blasting. So that I would suggest that perhaps the
13 Agency might investigate the incorporation of some
14 at least mention of these in the construction and
15 operating permits to address the issues.
16 And thirdly, in addition to the
17 previous request that we put forward with regard to
18 property line monitoring and compliance protocols,
19 basically to supplement the regional air monitoring
20 system, and/or to supplement it to the point of
21 being able to monitor compliance specifically for a
22 facility, which is—has precedent, I reach
23 further into the Agency's own previous actions with
24 regard to the incinerator at Robbins. That

1 particular facility is required by permit to have
2 an independent contractor on site to report
3 directly to the EPA, the IEPA, on operational
4 compliance. I request that the Agency consider it
5 specifically for Material Service quarry, 47th
6 Street. Thank you.

7 (Applause.)

8 HEARING OFFICER WILLIAMS: Okay. I think I
9 saw one other hand.

10 MR. SMETKO: Mike Smetko. Now that we have
11 found out that the one monitoring device is located
12 off in the corner that doesn't affect us, how
13 expensive are those devices? And if the Village of
14 LaGrange and the Village of Countryside consented
15 to buy one, would they—and set it up, would they
16 be allowed to use it? Or if not, you know, how do
17 you get one of those machines to actually track the
18 air quality?

19 MR. DESAI: The monitoring devices are all
20 over the state of Illinois. And addressing the one
21 that is closest to the McCook quarry, and there are
22 several communities that do install their own
23 monitoring devices. I do not exactly know how much
24 they cost. Some of the industries also put their

1 own monitoring devices. However, if you need --
2 If you are proposing to have a monitoring system
3 near your residence area, then I will definitely
4 propose that—make that suggestion to our
5 monitoring section manager, Terry Switzer.

6 MR. SMETKO: Okay. Thank you.

7 MS. HANKINS: My name is Mary Hankins. And
8 I would just like to clarify one point that was
9 just made about you not having jurisdiction over
10 the trucks being covered and dirty on the roadway.
11 And I'm reading from page 4 of the draft of your
12 construction permit, item No. 9, where it says, "No
13 person shall cause or allow any visible emissions
14 of fugitive particulate matter from any process
15 including material handling or storage activity
16 beyond the property line of the emission source
17 pursuant to 35 Illinois admin., Code 212.301."
18 Would this not include the trucking? Is that not
19 material handling?

20 MR. DESAI: Is this related beyond the
21 property line, or is it within the property line?
22 That's the main issue here.

23 MS. HANKINS: We are talking about beyond
24 the property line, on our streets and in our

1 neighborhoods.

2 MR. DESAI: Is it caused -- When is it
3 caused?

4 MS. HANKINS: By the trucks transporting
5 the material.

6 MR. DESAI: By the truck after it leaves
7 the property. If the company's equipment, like in
8 this particular case, crushers, grinders, storage
9 pipe, if the dust flies off from the storage piles
10 and causes fugitive emissions beyond the property
11 line, then, yes, there will be a violation if that
12 happens.

13 If the truck loading equipment fills
14 with—after leaving the property causes any dust
15 emission, then to the best of my knowledge it is --
16 Material Service is not liable.

17 MS. HANKINS: So they are not their trucks?

18 MR. DESAI: I don't know is their truck or
19 not. I have no idea.

20 MS. HANKINS: But you are saying trucking
21 is not part of what is included in material
22 handling in here?

23 MR. DESAI: Material handling within the
24 property, and that causes the dust beyond the

1 property. Leaving the truck, and that causes the
2 dust.

3 MS. HANKINS: Okay. Thank you.

4 HEARING OFFICER WILLIAMS: And in the back
5 there?

6 MS. DULSKI: My name is Delores Dulski. You
7 are talking about not being able—the trucks not
8 being covered. There is rocks and debris that come
9 out of there. My husband and I were on the
10 expressway right behind the trucks, those rocks
11 flew out and broke my windshield. Not once, twice,
12 but three times I had that windshield replaced
13 going behind those trucks. There are numerous
14 trucks coming out of there not being covered.
15 Now, who is responsible if something
16 comes through? And we were lucky, it just hit and
17 splattered ours. It could have come through and
18 killed us. Who is responsible for that then if
19 they are not responsible for the debris coming out
20 of those trucks that are not covered? Who is
21 responsible for that, for the death of people?

22 MR. DESAI: Julie is our attorney in the
23 Illinois EPA.

24 HEARING OFFICER WILLIAMS: Julie, could you

1 please come up to the microphone.
2 MS. ARMITAGE: I know that the trucks once
3 they have left the quarry property do create issues
4 for citizens, and it's not just at this quarry.
5 It's at quarries throughout the State of Illinois.
6 Unfortunately, that is an issue that needs to be
7 really directed I think to the state police force.
8 The Illinois EPA at one time had regulations that
9 required trucks to be tarped, and at one point in
10 time had regs that dealt with the emissions from
11 trucks traversing the highways and local roads
12 throughout Illinois. Those have been repealed.
13 And rather it's those issues are dealt with through
14 laws and regulations, not enforced by us. And they
15 are not our laws and regs.
16 So I think in situations such as yours
17 you need to lodge a complaint with the state or the
18 local police. One of the reasons we don't deal
19 with those situations is that we don't have the
20 powers. We can't stop those trucks. Now what our
21 powers deal with are for the most part stationary
22 sources, like, for example, in this context we can
23 deal with what we call emission sources, stationary
24 sources, at a particular site. So we can deal with

1 any—with, for example, the crushing operation,
2 the screening operation, the conveying operations,
3 the storage piles, the truck travel, all inside the
4 source that we regulate. So on the property --

5 MS. DULSKI: Can you answer me one
6 question, why were they repealed? It was a good
7 law to have them covered. Now, this protected the
8 public. All the citizens of wherever these
9 quarries are, this protected them. Why was that
10 repealed? Why?

11 MS. ARMITAGE: There are many legal—

12 MS. DULSKI: Good laws are always taken
13 away. Why? Was it money behind it or what?
14 Because there has to be whenever a good law is
15 taken away it is because money is behind it, and
16 that's exactly what we have here. We are nothing.
17 They are everything because they have the money.
18 We are nobody. We don't count. And that isn't
19 fair. God made us all equal only if you have
20 greenbacks. Then when you have greenbacks, you are
21 equal. Otherwise, you are nothing. And that's the
22 way it's been with big business all the time.
23 And it's not fair because we have
24 children growing up in this community. And it's

1 not fair for them to have to suffer the pollution
2 and the rocks coming through the car breaking
3 windshields and possibly killing somebody when
4 there is no responsibility. There is only
5 responsibility after death? Is that right? Do you
6 have to wait for somebody to die because of big
7 money? It's just like putting a stoplight after a
8 child is dead when they know it's dangerous. Why
9 do you have to wait that long? Why do we have to
10 wait that long? It isn't fair. It isn't fair to
11 us. Because we don't have the money to fight big
12 business, and it isn't fair. That's all I have to
13 say.

14 (Applause.)

15 MS. CIRESE: I have one question. I think
16 I can speak loud enough for you to hear.

17 HEARING OFFICER WILLIAMS: Well, could you
18 state your name first at least.

19 MS. CIRESE: My name is Peggy Cirese. And
20 I think I heard a couple of things tonight, that
21 there have been formal complaints made to the IEPA
22 regarding compliance of Material Service; is that
23 correct? Have there been complaints?

24 HEARING OFFICER WILLIAMS: Does someone

1 from the Maywood office want to speak to that?

2 MR. ORDIJA: There have been complaints but
3 not too many.

4 MS. CIRESE: Have they been investigated?

5 MR. ORDIJA: Yes.

6 MS. CIRESE: Has Material Service been in
7 compliance?

8 HEARING OFFICER WILLIAMS: Julie, do you
9 want to speak?

10 MS. CIRESE: As a result of those
11 complaints.

12 MR. ORDIJA: In my investigations, yes.

13 Ms. ARMITAGE: Yes.

14 MR. ORDIJA: Yes. I have found them to be
15 in compliance.

16 MS. CIRESE: Are your investigations for
17 public knowledge? Can we see those? Can we see
18 how they were handled?

19 MR. ORDIJA: Yes. You have access to my
20 reports through a FOIA.

21 MS. CIRESE: I guess my point that I would
22 like to make as a citizen and a resident here in
23 LaGrange for many, many years is that you are
24 probably going to be getting an awful lot of more

1 complaints. And if those do come through to your
2 office, I would expect them to be investigated.
3 And if Material Service is not in compliance in any
4 one of those complaints, I can't believe that the
5 Illinois or the IEPA would grant them a new permit
6 if they have already shown that they are not in
7 compliance. That's all I have to say.
8 (Applause.)
9 HEARING OFFICER WILLIAMS: I think someone
10 would like to respond from the Agency.
11 MS. ARMITAGE: The one comment I would like
12 to make -- And, actually, I had the opportunity of
13 meeting with Senator Radogno and Representative
14 Lyons, along with my director, Director Tom
15 Skinner, a few months ago. And actually one of the
16 issues we discussed with her was the fact that
17 basically the compliance issues at this quarry from
18 an air perspective can basically be broken down
19 into two areas. You have got your mass emissions
20 coming off of crushers, and what we call the point
21 source equipment. And then you have got your
22 fugitive emissions coming off of sundry sources out
23 at the facility.
24 And based on testing that's been

1 conducted at the facility, based on numbers
2 crunched by the facility, and then independently by
3 the IEPA and actually independently by the USEPA,
4 the facility's point source emissions are
5 compliant.

6 MS. HILGER: But again, isn't that based on
7 that meter that's way south?

8 HEARING OFFICER WILLIAMS: Excuse me.
9 Ma'am, please state your name again.

10 MS. HILGER: But is this again based again
11 on the meter read? I mean is that what you're
12 quoting? When you're talking crunch, I mean you
13 are talking about -- I have no idea.

14 MS. ARMITAGE: Right.

15 MS. HILGER: If there is only one and
16 that's where you are getting your figures, I live
17 to the west. I am two blocks from this thing. And
18 even the one that's over on Joliet Road. My house
19 is filled with dust, my car is filled with dust, my
20 son depending on the day and how much they are
21 blasting and where the air is blowing -- He was
22 sick today because of it.

23 MS. ARMITAGE: Right. No, the monitors
24 haven't factored into our compliance determinations

1 thus far. It's something that we could factor into
2 the second issue, which is the air pollution issue,
3 which is what largely most of these complaints
4 tonight are speaking to. You are speaking to off-
5 site impacts from the facility.
6 And one of the things that we do look
7 at is whether these off-site impacts that you are
8 alleging have, in fact, impacted the monitor. And
9 the monitor is showing that the off-site impact
10 that you are claiming is not being registered at
11 the monitor. But as Harish said before, and as the
12 Agency has said before, that's not to say that, in
13 fact, there isn't air pollution off site, that
14 there isn't that, in fact, dust off site.
15 But one of the problems that the IEPA
16 is having is that we can't be there all the time.
17 In fact, you are the people who are in the best
18 position to tell us what's going on out there so
19 that we can at times come out and respond to you.
20 But it's as George Ordija says, we have a distinct
21 lack of complaints filed with us and filed with the
22 local officials. And so what we would encourage
23 you to do is to help us out. And when you
24 receive -- I guess when you observe what you

1 believe to be air pollution, dust off site, visible
2 debris off site, then you need to log that down for
3 us, the date and time and location of these
4 observations. And then you need to phone us and
5 write us with this information so that we can
6 follow it up because the fact of the matter is if
7 there is an unreasonable interference to you off
8 site directly relating to this facility, then that
9 is a problem that we would do something about.
10 It's just that at this juncture our files are,
11 unfortunately, fairly void with these complaints.
12 But we definitely would investigate them. And you
13 can actually -- When you call the Maywood office,
14 you can actually ask for these log forms. And we
15 would encourage you to fill these out.
16 HEARING OFFICER WILLIAMS: I did say that
17 we would break at 9 o'clock. So I would like to
18 break now until 9:30. And anyone else that has any
19 other comments or questions, they will definitely
20 be addressed. So we'll go off the record now.
21 (Recess taken.)
22 HEARING OFFICER WILLIAMS: Now, do we have
23 some more folks who still want to make some
24 comments or ask some questions? Would you please

1 raise your hand.

2 MS. LAUTERBACH: Linda Lauterbach. I would
3 like to address this to Material Services. I, too,
4 have skidded on the streets. Material Services
5 professes to be a good neighbor. If they were a
6 good neighbor in my opinion regardless of any law,
7 they would require that all—and I assume they
8 are independent carriers—that all the gravel
9 trucks that come in and carry gravel off of their
10 facility be covered, and that they would be
11 investigating and spending some money and getting
12 better washing equipment so that those trucks were
13 washed down so cleanly that we didn't—would not
14 need the sweepers on the street which kick up more
15 dust than they help settle and are extremely
16 dangerous during rush hour. Thank you.

17 (Applause.)

18 HEARING OFFICER WILLIAMS: Thank you.

19 Anyone else?

20 Yes, ma'am.

21 MS. PARKER: I would like to address the
22 questions over there. You mentioned processing
23 testing on the quarry site. What type of testing
24 was that, please?

1 HEARING OFFICER WILLIAMS: You know what,
2 you have got to address the questions to me first
3 and then we can—
4 MS. PARKER: The young lady mentioned
5 processing testing that took place on the quarry
6 site on the facility there. What type of test
7 methodology was used? Was it method nine?
8 HEARING OFFICER WILLIAMS: If someone wants
9 to respond to that, they can; or else we can just
10 include that in our written comments.
11 MS. ARMITAGE: Yes.
12 MS. PARKER: Okay.
13 HEARING OFFICER WILLIAMS: Anything else?
14 Does anyone have any further questions
15 or comments? Sir? Another hand.
16 MR. LAUTERBACH: My name is Richard
17 Lauterbach. Just one comment and that has to do
18 with the whole permitting process, and that is that
19 possession is 9/10 of the law. And you close the
20 door after the—or the barn door after the horses
21 have left. Both of these sayings seem to me to be
22 saying something to what's going on here.
23 Once that permit is granted, Material
24 Services does not have -- They have the

1 obligations but they also can operate with some
2 impunity. They can make all the promises that they
3 want prior to being granted that permit. And I,
4 for one, don't have great trust that they will
5 maintain that trust. Thank you.

6 (Applause.)

7 HEARING OFFICER WILLIAMS: Okay. I don't
8 see any further hands, questions or comments.
9 Does the Agency or the company have
10 anything further?

11 MS. DULSKI: May I say something further?
12 Instead of asking them to be—do it in their own
13 goodwill, if they could be required before we give
14 them the right to do it, have it down on paper
15 saying what they will do to help stop the
16 pollution, that would be part of their permit --
17 excuse me, I'm nervous—part of their permit
18 restriction is to apply the goodwill and the good
19 neighbor that they say they are to help us with the
20 pollution. Cover their trucks. Make sure they do
21 blasting with the time they were saying that they
22 were going to do the blasting and not on holidays,
23 not on weekends. Restricted. Could it be part of
24 their permit? I hope I explained that correctly.

113

1 I'm a little nervous. Thank you.
2 (Applause.)
3 HEARING OFFICER WILLIAMS: Do either the
4 bureau representatives have anything else?
5 Corporation?
6 Okay. Seeing no more comments, I am
7 going to go ahead and adjourn the hearing. The
8 time is about 9:38. Thank you all very much for
9 coming.

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13 (Which were all the proceedings
14 had in the above-entitled
15 cause.)

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