

From: Scott Faber

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To: envcomments

Subject: Environmental Permitting and Inspections - Comments to proposed rule changes

To whom it may concern,

Lindahl Brothers, Inc. has been recycling construction material in the City of Chicago since before the 1980's, before the green movement became mainstream, before LEED's, before Green Globes, etc. We have reviewed the proposed rules and, in general, the changes to the rules, specifically regarding Type D material recyclers, are unduly burdensome and are tailored to reduce the overall amount of recycling in the City of Chicago. Please see our specific comments below.

1. Section 1. Scope and Purpose
 - a. The rules state that only large recyclers are covered, but the limit of 250 tons per day only takes approximately 12 truck loads of material out of the general waste stream.
2. Definition of Consequential Facility
 - a. Including all Type D material recyclers in the most restrictive group of recyclers does not make sense. Construction and demolition debris, typically only concrete, asphalt and soil, has the smallest impact on the surrounding area in comparison to other material type recyclers. Lumping them into the most restrictive category that includes facility that are not compliant with existing regulations is unduly burdensome.
3. Definition of Sensitive Area
 - a. Should exclude sites located in areas properly zone for recycling.
4. 3.9 Design Report.
 - a. Facilities that are looking to expand capacity without increasing footprint should not be included in the expanding facilities category. As long as the other criteria required in the rules are being met, the amount of material stored or processed should require the facility to have to redo the Design Report. It is different than a facility acquiring new property and changing the location or proximity of recycling.
5. 3.9.14 Traffic
 - a. For an existing facility, the performance of a traffic study cannot determine if the facility will significantly affect existing traffic. It is the existing traffic. Therefore, this is an unnecessary burden on these facilities.
6. 3.9.17
 - a. Current facilities exist for employees.
 - b. Restated what is already in existence and approved is an additional unnecessary burden on these facilities.
7. 3.9.18 Perimeter Barriers
 - a. In addition to manmade barriers onsite, existing barriers offsite or natural barriers should be included as allowable barriers. i.e. elevated roadways, waterways, railroad tracks, etc. If access to the public is controlled, there needs to be flexibility between land owners to allow access to each based on current agreements.
8. Noise Impact Assessment

- a. Type D Recyclers need to cater to the construction industry. A 7 a.m. limitation on the Noise Impact Assessment is overly burdensome. Allowing a 6 a.m. start time is preferred and allows facilities to space traffic out before morning rush hour.
9. 3.9.22 Air Quality Impact Assessment
 - a. All Type D recyclers already have to comply with the IEPA air permit (ROSS). Including different air quality monitoring is confusing overly burdensome. The IEPA, by issuing a ROSS permit, has already determined that a compliant operation should meet any requirements without the need to all the additional testing.
 - b. Also, 3.9.22 does not take into account any of the existing conditions around the facility that contribute to air quality concerns that operate at the same time.
 10. 4.2 Hours of Operation
 - a. For Type D recycling facilities located in a manufacturing district, work hours should be 5am to 9am. These facilities need to cater to the construction industry, typically an early start industry, and this allows construction traffic to avoid the morning rush hour, thereby eliminating additional traffic and air pollution.
 11. 4.4 Stockpile Height
 - a. For Type D recycling facilities, the 20 foot stockpile height is an additional unnecessary burden on these facilities. The stockpiled material at these facilities is not a contaminate and is located in every neighborhood and house. (concrete sidewalk and asphalt roads)
 - b. As long as the facilities are in manufacturing districts, the stockpiled material cannot be said to detract from the City's beauty or the expectation of the neighbors.
 - c. Type D recyclers need the flexibility to have product available when large project and infrastructure need the material, and they need to be able to take large quantities of material when they are available.
 - d. Be limiting stockpile height the City is limiting the amount of material that can be recycled in the City, thereby increasing material that will need to be disposed of at a further distance and cost. This will make City projects more expensive and increase traffic.
 12. 4.8.2 Fugitive Dust
 - a. As long as dust is control onsite, separately monitoring each operation is an additional unnecessary burden on these facilities.
 13. 4.8.3 Consequential Facility Air Monitoring Requirements
 - a. This entire section is an additional unnecessary burden on these facilities. Particulates are already monitored by visual inspection. The additional monitoring does not take into consideration outside influences that will affect the instrumentation readings.

We hope the abovementioned concerns are taken into consideration when implementing any rule changes. Lindahl Brothers Inc. is proud to have been recycling in the City for over 40 years and with the amount of recycling throughout the City. It would be a shame to implement rule the unnecessary burden the industry with additional cost and quantity restriction that cause the City to recycle less and increase air pollution through the additional traffic required to dispose of material outside of the City.

Thank you for your consideration,

Scott Faber
Lindahl Brothers, Inc.