Transcript of Public Hearing - Day 1

Date: May 18, 2026
Case: Meadowview Material Transfer Facility, In Re:

Planet Depos
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1

LAKE COUNTY

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In Re: Meadowview Material :

Transfer Facility : No. 05.18.2026

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PUBLIC HEARING

Before the HONORABLE JOHN MCCARTHY

Grayslake, Illinois

Monday, May 18, 2026

2:01 p.m.

No.: 634086

Pages: 1 - 214

Recorded By: Lawrence Wallace

Transcribed By: Molly Bugher

2

Hearing, held at the location of:

University Center of Lake County

1200 University Center Dr

Grayslake , Illinois 60030

Pursuant to agreement, before Lawrence Wallace, Notary Public in and for the State of Illinois.

3

A P P E A R A N C E S

ON BEHALF OF LAKE COUNTY:

RUTHANNE HALL

LAKE COUNTY - COUNTY ADMINISTRATOR'S OFFICE

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ON BEHALF OF WASTE MANAGEMENT:

DONALD J. MORAN

ON BEHALF OF LAKE COUNTY STAFF

ANNE M. ZWICK

ON BEHALF OF SWALCO

DIRK J. PRICE

ON BEHALF OF LAKE COUNTY BOARD

KAREN FOX, ESQ.

ALSO PRESENT:

John Watssick-County Board Attorney

Walter Willis-SWALCO

4

C O N T E N T S

EXAMINATION OF WITNESSES PAGE

ANDY NICKODEM

By Mr. Moran..... 30

By Ms. Zwick.....Error! Bookmark not defined.

By Mr. Price..... 74

By Mr. Watssick..... 83

CHRISTOPHER PETERS

By Mr. Moran..... 88

By Ms. Fox..... 128

By Ms. Zwick.....Error! Bookmark not defined.

By Mr. Price..... 139

LYNN MEANS

By Mr. Moran..... 143

JAMES CHRISTOPHER LANNERT

By Mr. Moran..... 166

By Mr. Price..... 182

PETER POLETTI

By Mr. Moran..... 185

CHERYL SMITH

By Mr. Moran..... 190

5

E X H I B I T S

(Retained by Counsel)

HEARING EXHIBIT PAGE
Exhibit 1 Site location application.....18
Exhibit 2 Affidavit.....20
Exhibit 3 Resume.....29
Exhibit 4 Resume.....35
Exhibit 5 Resume CV.....91
Exhibit 6 Firm info + Resume.....146
Exhibit 7 Resume.....170
Exhibit 8 Resume.....187
Exhibit 9 Resume.....193

6

P R O C E E D I N G S

HEARING OFFICER: In need of assistance with language or any other disability, we do have the capability of doing closed captions. Ruthanne would be more than happy to help you if that's the case. Yes?

UNIDENTIFIED SPEAKER: If you could do closed captions, that would be appreciated.

MS. HALL: Okay, absolutely.

HEARING OFFICER: Okay, yeah, that will work.

MS. HALL: Closed captioning will be on the screen here.

HEARING OFFICER: So Ruthanne, if I have to speak into this for the close captioning --

MS. HALL: No, you're going to speak into this one. Just be loud.

HEARING OFFICER: I'm always loud.

MS. HALL: All right. So we're going to test this. Can you go ahead -- can you see the closed captioning over there, sir?

UNIDENTIFIED SPEAKER: I'll move over there so I can see better.

MS. HALL: Perfect, okay. All right.

7

Are you good? All right.

HEARING OFFICER: All right. And we can have him speak into this?

MS. HALL: Absolutely.

HEARING OFFICER: All right. Good afternoon, ladies and gentlemen. My name is John McCarthy. And as you know, on February 13, 2026, Waste Management of Illinois filed an application for siting location approval for a pollution control facility consisting of a transfer station in Lake County Illinois.

The Lake County ordinance establishing procedures for pollution control facility siting in Lake County provides that the Lake County State's Attorney shall appoint a hearing officer for the public hearing on the application for site location approval. I have been appointed by the Lake County State's Attorney as the hearing officer for this public hearing.

The Lake County siting ordinance also provides that the hearing officer shall preside over the public hearing and shall make any decisions concerning the admission of evidence and the manner in which the hearing is conducted. The

8

hearing officer shall make all decisions and rulings in accordance with fundamental fairness. The hearing officer may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony or other evidence. No ruling of the hearing officer shall be appealable to the county board.

For the Illinois Environment Protection Act provides that no permanent -- for the development or construction of a pollution control facility may be granted by the Illinois Environmental Protection Agency unless the applicant submits proof to the agency that the location of the facility has been approved by the county board of the county in which the facility is to be located in accordance with section 39.2 of the Act. Section 39.2 of the Act provides that the county board is to approve or disapprove the request for local siting approval.

This section also provides that an applicant for local siting approval shall submit sufficient details describing the facility to demonstrate compliance and local siting approval is to be granted only if the proposed facility

9

1 meets the nine criteria set forth in the statute.
2 So the burden of proof is on the applicant in this
3 matter. The applicant must demonstrate compliance
4 with the nine criteria set forth in the statute
5 and local siting approval is to be granted only if
6 the proposed facility meets the criteria.
7 The nine criteria are as follows. One,
8 the facility is necessary to accommodate the waste
9 needs of the area it is intended to serve. Two,
10 the facility is so designed and located and
11 proposed to be operated that the public health,
12 safety, and welfare will be protected. Three, the
13 facility is located so as to minimize
14 incompatibility with the character of the
15 surrounding area and to minimize the effect on the
16 value of the surrounding properties. Four, the
17 facility is located outside of the boundary of the
18 100 year floodplain or the site is flood-proofed.
19 Five, the plan of operations for the facility is
20 designed to minimize the danger to the surrounding
21 area from fire, spills, or other operational
22 accidents. Six, the traffic patterns to or from
23 the facility are so designed as to minimize the
24 impact on existing traffic flows. Seven, if the

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1 facility will be treating, storing, or disposing
2 of hazardous waste, an emergency response plan
3 exists for the facility which includes
4 notification, containment, and evacuation
5 procedures to be used in case of an accidental
6 release. Eight, if the facility is to be located
7 in a county where the county board has adopted a
8 solid waste management plan, the facility is
9 consistent with that plan. And nine, that the
10 facility will be located within a regulated
11 recharge area, any applicable requirements
12 specified by the Illinois Pollution Control Board
13 for such areas have been met.
14 Now the county board may also consider,
15 in addition to the nine criteria as evidence the
16 previous operating experience and past record of
17 convictions or admissions of violations of the
18 applicant in the field of solid waste management
19 when considering the criteria two and five. The
20 act also provides that any person may file written
21 comments with the county board asserting the
22 appropriateness of the proposed site for its
23 intended purpose.
24 The county board shall consider any

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1 comment received or postmarked not later than 30
2 days after the date of the last public hearing.
3 And we will establish that that was the public
4 hearing. So whether that's tomorrow, Wednesday,
5 whenever it might be.
6 Written comments submitted to the county
7 board within 30 days of the final public hearing
8 shall be made a part of the record of proceedings
9 in this matter and it will be considered by the
10 county board in making its decision. The Act also
11 provides that at least one public hearing is to be
12 held by the county board no sooner than 90 days,
13 but no later than 120 days from receipt of the
14 request for site approval. The public hearing in
15 this case is being held before the county board of
16 Lake County.
17 The Lake County siting ordinance
18 provides that any person, group, or party who
19 desires to participate in the public hearing shall
20 file an appearance which shall include the address
21 of the party, and that appearances shall be filed
22 with the county clerk at least 10 days prior to
23 the public hearing. Any party filing an
24 appearance shall be provided an opportunity to

12

1 fully participate in the public hearing. Such
2 participation shall include the opportunity to
3 make statements, cross examine the applicant's
4 witnesses, present evidence, and make arguments at
5 the close of the hearing.
6 In addition to the filing of a written
7 entry of appearance, any party wishing to fully
8 participate in the public hearing shall submit a
9 list of any witnesses it intends to call, and the
10 nature of the anticipated testimony of each such
11 witness by no later than two days prior to the
12 hearing. A party should not be permitted to call
13 any witness except rebuttal witnesses who have not
14 been properly identified in accordance with this
15 requirement.
16 Now in this case, it appears that Donald
17 J. Moran, who was seated at the Waste Management
18 table, has filed an entry of appearance with the
19 county clerk at least 10 days prior to this public
20 hearing on behalf of Waste Management.
21 Mr. Moran also submitted a disclosure of
22 witnesses indicating the witnesses that he intends
23 to call. Mr. Moran also disclosed to the nature
24 of the anticipated testimony of each such witness.

13

1 And this disclosure by Mr. Moran was made more
2 than 10 days prior to the hearing.
3 Anne M. Zwick which is -- who is seated
4 to my left also filed an entry of appearance.
5 This entry of appearance on behalf of the Lake
6 County staff. This entry of appearance was filed
7 at least 10 days prior to this public hearing.
8 Ms. Zwick also submitted a disclosure of
9 witnesses indicating the witnesses she may call.
10 And this disclosure was made again, 10 days prior
11 to this hearing.
12 Dirk J. Price, who is also seated to my
13 left, Dirk filed an entry of appearance with the
14 County Clerk at least 10 days prior to the public
15 hearing on behalf of the Solid Waste Agency of
16 Lake County, SWALCO.
17 Mr. Price also submitted a disclosure of
18 witnesses indicating the witness that he may call.
19 And the disclosure by Mr. Price was also made 10
20 days prior to this hearing.
21 Now members of the general public may be
22 involved in this process in another way, and that
23 is by making public comment. If a person desires
24 to provide public comment, that person shall sign

14

1 a register which has been provided by the County
2 Clerk expressing a desire to address the hearing
3 officer at this public hearing. Comments from
4 members of the general public may be received
5 throughout the public hearing, but I will provide
6 time at the end of the hearing process for that
7 purpose.
8 However, if you are interested in making
9 a public comment and you are unable to be present
10 at the end of the public hearing, please approach
11 me during the break that we will take this
12 afternoon, and I will allow you to make your
13 comment at a time that is convenient for you.
14 We realize that not all of you can stay
15 for the entire hearing and it may make sense for,
16 if you want to make it public comment, to make it
17 during the public hearing. Please also keep in
18 mind again, that any person may file written
19 comment with the County Clerk within 30 days after
20 the date of the last public hearing.
21 Now in connection with this application,
22 the county board is acting in an adjudicatory
23 capacity as a decision-maker, and not in a
24 legislative capacity as a policymaker. So the

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1 county board is acting in a much different role
2 than they normally do. In effect, the county
3 board is sitting as a jury in this matter. They
4 are not as available to you on this subject as
5 they normally would be. They should not be
6 listening to your opinions unless the opinion is
7 presented to them in this hearing either in the
8 form of oral testimony, oral public comment, or
9 written public comment.
10 I urge -- and we have a pretty good
11 sized crowd. I urge members of the public to make
12 your opinions known to members of the county
13 board, please do so in the correct manner. If you
14 make your comment a part of the record in these
15 proceedings, the county board must consider your
16 opinion in making its decision.
17 In making this decision, the county
18 board shall consider the record of the public
19 hearing, and it's all being recorded by the court
20 reporter, reports, and written comments submitted
21 to it, the findings of fact and conclusions of law
22 filed by all parties and by the hearing officer,
23 and shall make a determination concerning the
24 request for local sighting approval not more than

16

1 180 days from the date the request was filed.
2 Now at this time I would like to
3 recognize members of the county board of Lake
4 County who may be present. Are there any county
5 board members present? One. Would you identify
6 yourself for the record?
7 MR. WATSSICK: John Watssick, District
8 6.
9 HEARING OFFICER: Any other county board
10 members?
11 MS. HALL: Can we have him repeat that?
12 HEARING OFFICER: All right.
13 (Crosstalk)
14 MR. WATSSICK: Jon Watssick from --
15 MS. HALL: It's fine.
16 MR. WATSSICK: John Watssick from
17 District 6. Sorry you didn't hear.
18 MS. HALL: It's okay. It's recording
19 there on the screen.
20 HEARING OFFICER: Next I would like
21 counsel for the respective parties to identify
22 themselves for the record. We will start with Mr.
23 Moran.
24 MR. MORAN: Donald Moran on behalf of

17

1 Waste Management of Illinois, Inc., the applicant.
2 (Crosstalk)
3 MR. MORAN: Donald Moran appearing on
4 behalf of Waste Management of Illinois, Inc., the
5 applicant.
6 MR. PRICE: Dirk Price for the Solid
7 Waste Agency of Lake County.
8 MS. ZWICK: Ann Zwick on behalf of Lake
9 County staff.
10 HEARING OFFICER: All right. Next I
11 would like the applicant to identify the
12 application for local siting approval, the date of
13 the filing of the application, the hearing
14 notices, and a recognition of the fees paid by the
15 applicant. Mr. Moran.
16 MR. MORAN: Thank you Mr. Hearing
17 Officer.
18 HEARING OFFICER: Do you need this Don,
19 again?
20 MR. MORAN: No, he's in front of him.
21 HEARING OFFICER: Oh, has he got one?
22 MR. MORAN: Will this one need closed
23 captioning?
24 UNIDENTIFIED SPEAKER: I don't think so.

18

1 MS. HALL: Can you hear it?
2 UNIDENTIFIED SPEAKER: Yeah, we can hear
3 it. Yeah.
4 MR. MORAN: Thank you, Mr. Hearing
5 Officer. Waste Management of Illinois, Inc.,
6 filed a two-volume site location application with
7 the Lake County Board on February 13, 2026. Those
8 two volumes are on file with the County Clerk. We
9 will identify these two volumes as Petitioner's
10 Exhibit 1, and offer them into evidence.
11 (Whereupon Petitioner's Exhibit 1 was
12 offered into evidence.)
13 MR. MORAN: With respect to the notices
14 of public hearing, this public hearing, which is
15 required by section 50.49C the Lake County siting
16 ordinance, notices of public hearing were
17 published and served on April 3 of 2026 and April
18 30, 2026, as prescribed by the Lake County siting
19 ordinance. The publication appeared in the
20 Waukegan News Sun. There were also certified mail
21 return receipt requested notices sent to all
22 municipalities and townships within a mile and a
23 half of the Meadowview facility, to the two state
24 legislators and whose district the facility is

19

1 located, and to the Illinois Environmental
2 Protection Agency.
3 The notice filed on April 3, was
4 complete at the time it was published. The second
5 notice included an additional paragraph addressing
6 the county's efforts to comply with the
7 Environmental Protection Act provision requiring
8 that access to this hearing may be made available
9 to the non-native English speakers and to the
10 disabled. That additional paragraph was in the
11 April 30th notice that was, as I said, published
12 in both the Waukegan News Sun and sent to the
13 townships and municipalities within a mile and a
14 half as well as the two state legislators and the
15 Illinois Environmental Protection Agency.
16 And I have as Petitioner's Exhibit 2, my
17 affidavit describing those steps taken to publish
18 and serve this notice with the appropriate
19 certificates of publication for both notices which
20 were published, as well as all the -- copies of
21 all the certified mail, return receipt requested
22 slips that were received. And at this time I
23 would ask to offer this Petitioner's Exhibit 2 as
24 an exhibit that we would then offer into evidence.

20

1 (Whereupon Petitioner's Exhibit 2 was
2 offered into evidence.)
3 MR. MORAN: And I have copies of this
4 for all counsel and anyone else who is interested.
5 HEARING OFFICER: Any objection to this
6 exhibit? SWALCO? Dirk, no objection?
7 MR. PRICE: No.
8 HEARING OFFICER: So we've got, the
9 application is 1, this is 2 with your affidavit.
10 MR. MORAN: I would also like to point
11 out that pursuant to section 50.43F of the Lake
12 County siting ordinance, delivery was made of
13 Petitioner's Exhibit 1 to the following
14 municipalities as required by the Lake County
15 siting ordinance, the village of Grayslake, the
16 village of Brown Lake Park, the village of
17 Mundelein, and the village of Libertyville. And
18 those applications were delivered on February 18
19 of 2026.
20 I also would just point out that the
21 prefiling notice that was required by section
22 39.2B of the Illinois Environmental Protection Act
23 were sent in accordance with the requirements of
24 that section. And the notices as well as the

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1 certified mail return receipts, copies of all of
2 those are contained in Petitioner's Exhibit 1, and
3 obviously were filed with the petition, with the
4 application that was filed. And those are all the
5 notice requirements that the applicant was
6 obligated to provide.
7 HEARING OFFICER: Is there anything to
8 recognize the amount of the filing fee paid by the
9 applicant?
10 MR. MORAN: Yes, the filing fee was
11 paid, the $150,000 filing fee, on September -- I'm
12 sorry -- on February 13, 2026, with the filing of
13 the two-volume application.
14 HEARING OFFICER: Are there any
15 stipulations from either SWALCO or the County
16 staff as to the hearing notices or any other
17 matters? Any objections to the notices?
18 MR. PRICE: No.
19 MS. ZWICK: No.
20 HEARING OFFICER: Are there any other
21 preliminary motions or matters that are to be
22 taken up before we get into the hearing itself?
23 MR. MORAN: The applicant has none.
24 HEARING OFFICER: Would the applicant

22

1 like to make an opening statement other than what
2 you've already said?
3 MR. MORAN: Yes, I would, Mr. Hearing
4 Officer.
5 HEARING OFFICER: You may proceed.
6 MR. MORAN: Thank you. May I go to the
7 podium?
8 HEARING OFFICER: Yes, of course.
9 MR. MORAN: Good afternoon, Mr. Hearing
10 Officer, counsel, members and participants in the
11 audience. As I indicated, my name is Donald
12 Moran, I am the applicant, I'm the applicant's
13 attorney in this site location application
14 hearing.
15 What we are presenting today is the
16 first step in the Illinois permitting process
17 which includes the filing of a site location
18 application as a prerequisite for what will, after
19 this proceeding in the event the county board
20 would deem fit to approve this application. It is
21 required in order for an application for the
22 development of this facility to be given, make it
23 to the IEPA and for the IEPA to approve that
24 development permit. In addition, once a

23

1 development permit is issued, if it is, then the
2 applicant would have to apply again to the IEPA
3 for an operating permit.
4 In addition to those permits, however,
5 there are additional permits that would follow as
6 part of the completion of the site of this
7 permitting process, and that would be a national
8 pollution discharge elimination system permit that
9 would also be issued by the IEPA after appropriate
10 review. And then the local permits that would be
11 required in terms of building permit, occupancy
12 permit, and a stormwater permit in compliance with
13 the Lake County stormwater ordinance, which we
14 will file after this proceeding. So this is not
15 the only review of this application that will
16 occur. It's only the first step in that process.
17 And as Mr. Hearing Officer pointed out,
18 this hearing and the means by which the
19 application is reviewed is set out in the state
20 law, the Illinois Environmental Protection Act,
21 that identifies nine criteria that need to be
22 satisfied before approval of this application
23 could be made. And those nine criteria are set
24 out in the Act. And as the hearing officer

24

1 pointed out, there are -- the nine are, is there a
2 need for the facility, is this necessary to meet
3 the waste needs of the service area. The service
4 area you will learn is Lake County and only Lake
5 County.
6 criterion 2 addresses the question of
7 whether the facility has been designed and is
8 located and proposed to be operated, that the
9 public health and safety is protected. The third
10 criteria relates to land use considerations, and
11 that is the determination as to whether the
12 location of the facility is such as to minimize
13 any incompatibility with the character of the
14 surrounding area, and alternatively, if it's
15 located so as to minimize any effect on the value
16 of surrounding property.
17 The fourth criterion addresses whether
18 the facility is within the 100 year floodplain.
19 The fifth criteria addresses what amounts to an
20 emergency response plan to be able to deal with
21 possible risks for the surrounding area from
22 fires, spills, operational accidents. The sixth
23 criteria relates to a review of whether the
24 traffic patterns that have been designed for

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1 vehicles going to and coming from the facility
2 would minimize any effect on existing traffic
3 flow. The seventh criteria addresses whether the
4 facility will be accepting hazardous waste, and
5 this facility will not be. So that criteria does
6 not apply.
7 The eighth criteria asks whether this
8 proposed facility is consistent with the Lake
9 County Solid Waste Management Plan Update for
10 2024. The ninth criteria asks whether the
11 facility is located within a regulated recharge
12 area. There is only one of those in the state of
13 Illinois and this facility is not located within
14 it.
15 We will present six witnesses to address
16 each of these criteria. Andy Nickodem will be our
17 first witness. Andy is a licensed engineer who
18 will address the design of proposed operation of
19 the facility. He will also address the location
20 of the facility and whether the location of this
21 facility meets the applicable location standards,
22 which he will discuss.
23 Andy will also address whether the
24 facility is within a floodplain. That's criterion

26

1 4. He will also address the question of are we
2 within a regular recharge area, criterion nine.
3 Andy is our first witness.
4 The second witness will be Chris Peters.
5 Chris Peters, also an engineer, works as a
6 district manager for Waste Management of Illinois.
7 He will address the operations aspect of criterion
8 2 as well as the criterion 5 plan of operations to
9 minimize danger to the surrounding area from
10 various types of operational accidents.
11 Our next witness will be Lynn Means, a
12 traffic engineer who will address the question of
13 whether the traffic patterns to and from the
14 facility minimize any impact on existing traffic
15 flows.
16 Following Lynn will be Chris Lannert, a
17 landscape architect and regional planner who will
18 address the first component of criterion 3, which
19 asks the question as to whether the location of
20 the facility is such as to minimize
21 incompatibility with the character of the
22 surrounding area. The second part of criterion 3
23 will be addressed by our next witness, Pete
24 Poletti, who will address the question of whether

27

1 this facility is located so as to minimize any
2 effect on the value of surrounding property.
3 And you'll notice that these criteria
4 talk about minimizing possible impacts. You'll
5 hear from each of these witnesses that in fact, in
6 the case of the character of the surrounding area,
7 that this proposal is compatible with the
8 character of the surrounding area. There is no
9 incompatibility to have to minimize. Similarly,
10 there is no effect on the value of surrounding
11 property. So there is nothing to minimize there
12 as well.
13 And then finally, our last witness will
14 be Cheryl Smith who will address the need for this
15 transfer station, and also address whether this
16 proposal is consistent with the 2024 Lake County
17 solid Waste Management plan update. Those are
18 the -- is the lineup of our witnesses. We will
19 present them in the order indicated on the board.
20 And we urge you not simply to listen to
21 their testimony, but any questions, concerns, or
22 issues you have, please do not hesitate to ask.
23 They are looking forward to responding to all of
24 yourquestions because what they have put

28

1 together, in my view, is a superior application
2 and with evidence and supporting facts that will
3 demonstrate full compliance with each of the
4 statutory criteria. And with that, I will, as I
5 said, invite you to listen carefully, ask
6 questions, and we will be able to, I think,
7 persuade everyone that this site is an ideal site
8 for the location of the solid waste transfer
9 station. Thank you.
10 HEARING OFFICER: Thank you, Mr. Moran.
11 Would the attorney for the county staff like to
12 make an opening statement?
13 MS. ZWICK: I would just like to
14 introduce us.
15 MR. SCHELLING: Steve Schelling with
16 Kirschman, Bruckner, and Bratton. I am an
17 engineering consulting on behalf of staff.
18 MS. ZWICK: Just so people realize that
19 the County did hire a technical consultant to
20 assist.
21 HEARING OFFICER: We will review the
22 application.
23 MS. ZWICK: Thank you.
24 HEARING OFFICER: Yeah. And would the

29

1 Solid Waste Agency of Lake County like to make an
2 opening statement?
3 MR. PRICE: Not at this time. And soon,
4 because of weather he is not here because of
5 travel problems, but Walter Willis from the
6 agency, the executive director, will be joining
7 us.
8 HEARING OFFICER: That may have been him
9 coming in the back door, but he went around. I
10 don't know.
11 MR. PRICE: He's still in Grand Rapids.
12 HEARING OFFICER: Oh, okay. So that's
13 not him. All right, Mr. Moran, you may call your
14 first witness.
15 MR. MORAN: Mr. Hearing Officer, before
16 we do that, what I would like to do is introduce
17 and distribute Petitioner's Exhibit 3, which is
18 the PowerPoint booklet that includes hard copies
19 of all of the slides we will be projecting during
20 the course of witness testimony.
21 (Whereupon Petitioner's Exhibit 3 was
22 offered into the record.)
23 MR. MORAN: Do you want a copy?
24 UNIDENTIFIED SPEAKER: Well, I can't see

30

1 it very well. Maybe if you've got an extra.
2 MR. MORAN: Yeah, that's fine.
3 UNIDENTIFIED SPEAKER: I'd have to sit
4 down there with you to see.
5 MR. MORAN: Well, you could do that.
6 And if I might label for the witness, Mr. Hearing
7 Officer.
8 HEARING OFFICER: Yes.
9 MR. MORAN: Our first witness will be
10 Mr. Andy Nickodem.
11 ANDY NICKODEM,
12 a witness, having been duly sworn/affirmed,
13 testified as follows:
14 HEARING OFFICER: You may proceed, Mr.
15 Moran.
16 MR. MORAN: Thank you, Mr. Hearing
17 Officer.
18 DIRECT EXAMINATION BY COUNSEL FOR
19 WASTE MANAGEMENT
20 BY MR. MORAN:
21 Q. Just state your name please, and spell
22 your last name for the court reporter.
23 **A. Yes, my name is Andy Nickodem. Last**
24 **name is spelled; N-I-C-K-O-D-E-M.**

31

1 Q. Mr. Nickodem, what's your short business
2 or occupation?
3 **A. I'm a civil engineer specializing in the**
4 **design of waste facilities like transfer stations,**
5 **landfills, material recovery facilities.**
6 Q. Are you a licensed engineer?
7 **A. Yes, I'm licensed in both Wisconsin and**
8 **Illinois.**
9 Q. Are you employed?
10 **A. Yes, by Civil and Environmental**
11 **Consultants.**
12 Q. What is the nature of the business of
13 Civil and Environmental Consultants?
14 **A. Well, one of the big things that they**
15 **do, obviously we design and construct waste**
16 **facilities. They are civil and environmental**
17 **consultants as a nationwide company, but we also**
18 **provide an engineering and environmental science**
19 **to a variety of other industries besides waste,**
20 **power industry, manufacturing, mining industry.**
21 **But it's really an engineering and environmental**
22 **science firm.**
23 Q. And have you been working as an engineer
24 in the solid waste industry your entire career?

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1 **A. I have for over 38 years, yes.**
2 Q. Now, you're going to address today for
3 us the four criteria that are listed on the slide,
4 criterion 2, 4, 7, and 9; is that correct?
5 **A. Yes.**
6 Q. Now before we get into that testimony,
7 let me just cover your qualifications a little bit
8 more. What is your education?
9 **A. I have a bachelor's of science degree in**
10 **civil engineering from the University of**
11 **Wisconsin, Madison.**
12 Q. And what's your professional experience
13 as it relates to pollution control facilities and
14 the siting of solid waste transfer stations?
15 **A. Well, I 've worked in 25 different**
16 **states on waste facilities. I've worked on over**
17 **120 facilities including transfer stations. And**
18 **in Illinois specifically, I've worked on 20**
19 **facilities, and 9 of those included transfer**
20 **stations.**
21 Q. Now with respect to a solid waste
22 transfer station, could you generally describe for
23 us what that is?
24 A. Sure. A transfer station is really a

33

1 building that -- smaller waste collection trucks.
2 These would be your residential collection trucks
3 that come to your home and pick up your waste, or
4 trucks that might go to a smaller business or a
5 business and pick up your waste. They come to the
6 facility. They dump their loads, deposit their
7 loads in the building and then that waste is
8 consolidated into larger transfer trailers, larger
9 capacity trucks which are then taken to the
10 ultimate disposal facility in a landfill.
11 Q. What principles or factors do you take
12 into account in designing a solid waste transfer
13 station?
14 **A. Well, the big thing is we look at the**
15 facility to be safe and efficient. Safety speaks
16 to the people that are in the facility, not only
17 the people that are working in the facility, but
18 truck drivers coming in. And in this case we'll
19 talk about that, but there is a recycling center
20 designed for this facility that residents will be
21 able to come in and deposit their recyclables. So
22 safety for all of the people working in the
23 facility, for people driving to and from the
24 facility. So that's number one.

34

1 And then we also look at safety for the
2 environment. We design the facility with
3 environmental controls and in it to provide safety
4 for anything that may be in the waste and contain
5 the in the building. So again, safety for the
6 environment. And I'm going to go through a lot
7 more detail about these items.
8 And then we've also designed sustainable
9 features and aesthetic features in the building
10 really to make it compatible with the surrounding
11 character of the area. And we've also -- I will
12 talk in detail about this, but a lot of different
13 sustainable features such as solar panels and bird
14 friendly glass and things like that that I will
15 discuss in more detail.
16 Q. Have you designed Meadowview?
17 **A. Yes.**
18 Q. And did you incorporate the factors and
19 principles you've just identified in your design
20 of Meadowview?
21 **A. Yes.**
22 MR. MORAN: Mr. Hearing Officer, if I
23 can approach the witness.
24 HEARING OFFICER: You may.

35

1 Q. Mr. Nickodem, let me show you what we've
2 marked as Petitioner's Exhibit 4.
3 (Whereupon Petitioner's Exhibit 4 was
4 offered into evidence.)
5 Q. And I will ask if you recognize the
6 exhibit.
7 **A. Yes, it's a copy of my resume.**
8 Q. Does it fairly and accurately reflect
9 your education and professional experience?
10 **A. Yes.**
11 Q. And by the way, this resume is in the
12 siting application as well. Now Mr. Nickodem, is
13 there a written report that sets out your design
14 of Meadowview and the other criterion that you are
15 going to address today?
16 **A. Yes, it's contained in the siting**
17 application, yes.
18 Q. What has previously been admitted as
19 Petitioner's Exhibit 1, correct?
20 **A. Yes.**
21 Q. Now Mr. Nickodem, can you tell us where
22 Meadowview is?
23 **A. Yeah.**
24 Q. Can you give us the location?

36

1 A. If you take a look at this first slide,
2 so this is an aerial view of the surrounding area
3 around the facility. So I will use a laser
4 pointer here. So this colored area, that's the
5 facility. It's about 10.9 acres and it is located
6 just east along Route 83. And that you note, it
7 will use the same entrance as the existing
8 entrance to the Countryside Landfill. So just
9 east of Route 83, just south of Countryside
10 Landfill.
11 There is a Comed powerline down to the
12 south. And then to the east we've got C&N
13 Railroad. So it's -- that's giving the location
14 of the facility.
15 Q. Mr. Nickodem, are there location
16 standards that apply to Meadowview?
17 **A. Yes, there are.**
18 Q. Can you describe those for us?
19 **A. Sure. They're up here. So they've got**
20 six criteria here that were required to me. And
21 these are required for an inclusion control
22 facility that we cite. So the first one is a one
23 thousand foot setback requirement. And that
24 thousand foot setback is a setback to both areas

37

1 zoned residential or occupied dwellings, and/or
2 occupied dwellings. And the facility is more than
3 1000 feet from either zoned residential or any
4 occupied dwellings. So it meets that requirement.
5 Next we have to look at wetlands, the
6 presence of wetlands. And so what we did for
7 that, is we actually did a wetland delineation.
8 And a wetland delineation, we go out to the site
9 and we take a look at the soils, we take a look at
10 the vegetation, hydrology of the area to determine
11 the presence of wetlands.
12 So in this case, as I mentioned, the
13 facility itself is designed for a 10.9 acre area.
14 And when we did a delineation and we went outside
15 that, we actually looked at 40 acres just to make
16 sure that we covered everything within the
17 vicinity of the facility. So in terms of
18 wetlands, you know, we did identify with the 40
19 acre area that there was a possibly 3.4 acres of
20 what was determined to be low-quality, isolated
21 wetlands within that, within the 40 acre area.
22 Most of those aren't in the facility boundary, but
23 we identified them in that area.
24 There are some within the facility

38

1 boundary. And as part of the development of the
2 site, as part of construction, we would be
3 actually impacting approximately 1.1 acres of
4 these low-quality isolated wetlands. But
5 certainly as part of the next steps, as Mr. Moran
6 talked about, we would get stormwater permits from
7 Lake County and then make sure that we take care
8 of all the permitting required for those wetlands.
9 So we identified that. So that's a criteria.
10 So the next one is 100 year floodplain.
11 And I have some further exhibits in my
12 presentation and it will show this. But the
13 facility is not within the 100 year floodplain.
14 We are also required to look at
15 archaeological and any historic sites that may be
16 present on the property. So to do this we
17 contacted the Illinois State Historic Preservation
18 Office and we asked them to look at the area, look
19 at the site, and to determine if there were any
20 sites, historic or archaeological sites. There
21 were none. And in fact, there's a letter in the
22 application from the Illinois State Historic
23 Preservation Office that shows that they reviewed
24 it and they said no, there are no sites, historic

39

1 or archaeological sites on the property. So we
2 meet that criteria.
3 A similarly threatened or endangered
4 species, we are required to look for the presence
5 of any threatened or endangered species on the
6 site. And to do that we use -- we contacted
7 Illinois DNR, through what's called their EcoCAS,
8 which is ecological compliance assessment system.
9 So that, through that system, we put in the site
10 location and it determines whether or not there is
11 any of these species on the site. There are not.
12 And that documentation is in the application.
13 And then the last one is airports. So
14 the FAA has a requirement that if a pollution
15 control facility is within 5000 feet of an
16 airport, that you need to notify FAA, and there's
17 a number of things you need to go through. So
18 there is an airport located west of the material
19 transfer facility. It's the Campbell airport. It
20 is an airport that's private and it takes piston
21 aircraft. That airport is 10,900 feet from the
22 facility. Those outside of that 5000 foot
23 distance. So we meet that criteria as well.
24 Q. So Mr. Nickodem, Meadowview meets or

40

1 satisfies each of these location standards?
2 A. Yes.
3 Q. Could you describe for us now the design
4 of the Meadowview material transport facility?
5 A. Yes. So this just -- this slide just
6 zooms up on that previous slide I had for the
7 location. It seems a little bit more into the
8 actual facility itself. Again, as I mentioned,
9 the perimeter here, it's 10.9 acres and east of
10 Route 83. You can see this entrance here. As I
11 mentioned, the entrance is the same entrance off
12 of Route 83 that the Countryside Landfill
13 currently uses. So we designed entrance roads and
14 interior roads. They will all be paved roads
15 within the facility.
16 As you come into the entrance there is a
17 scale and scale house area. So there's the two
18 scales to weigh trucks in and weigh truck out --
19 to weigh trucks out. They are called inbound and
20 outbound scales. And I will talk a lot more
21 detail about traffic, but there is also a scale
22 house. And in the scale house is where an
23 operator will sit and they will check in trucks.
24 They will actually -- people coming to

41

1 the recycling center will just have to check in
2 and say, I'm bringing a load of recyclables. And
3 so trucks will be weighed. And then they will
4 be -- either proceed to the material transfer
5 building or in the case of people bringing in
6 recyclables, they'll be directed to the recycling
7 center.
8 I'll talk a lot more about the recycling
9 center and traffic, but the recycling center is
10 located here. It will accept source separated
11 recyclables and a number of other things that I
12 will discuss further. Trucks would come into the
13 facility. The smaller trucks as I mentioned, they
14 will come down this road and go into the transfer
15 building, deposit their loads, and then they will
16 exit that same load and be weighed out on the way
17 out.
18 Now transfer trailers would come in and
19 they will go in a little bit different direction
20 into the building and then exit. So this is just
21 to introduce all these things. Got a lot more
22 detail coming up on it.
23 So I went blank. But there we go. We
24 also -- you see these basins. So those are

42

1 detention basins. Those are specifically for
2 stormwater. And I've got a long discussion about
3 stormwater and what we designed for that. But
4 what they do is they retain water. There is a
5 requirement in Lake County, watershed development
6 ordinance, that a facility like this, that it does
7 not discharge more than .15 CFS per acre.
8 And so these basins actually will
9 retain, hold back that water so that they will --
10 it will meet that criteria. All right. See if
11 that works.
12 So yeah, they will -- there is a
13 stormwater management system that we designed that
14 I will go through in detail for the site. All
15 the -- and I will talk about the several
16 different -- but all the waste handling operations
17 will occur within building. Nothing will occur on
18 the side of that building, any of the waste
19 handling operations.
20 The other thing to note on this slide is
21 from a security standpoint, the entire perimeter
22 will be fenced, and then there will also be a gate
23 that can be locked when the facility is not
24 operating. So in addition to that, there will be

43

1 some cameras at the scale house to record vehicles
2 coming in and out.
3 So if we take a look at the next slide,
4 this is a conceptual rendering overview of what
5 the facility will look like. Again, it's
6 conceptual. We haven't done all of the final
7 design yet, but this gives an idea of what we're
8 planning for the facility. So it is actually a
9 two level building. On the upper level here is
10 where waste trucks will come in, the smaller
11 collection trucks, and they will come in and enter
12 the building into the door here. They will
13 deposit their load and then they will come out.
14 And so you may think, well, this
15 building is kind of tall. It is. From the floor
16 of what we call the tipping floor where the trucks
17 will tip their loads onto the floor, it's called a
18 tipping floor because that's exactly what it is.
19 It's an area where trucks come in, they tip their
20 truck bodies up, and the loads are deposited on
21 there.
22 So that, it is tall because you need to
23 have room from the floor to the ceiling for these
24 trucks to tip their bodies up from a safety

44

1 standpoint. So that's why the upper level is
2 tall. It's actually 60 feet high.
3 And the lower level is where the
4 transfer trailers will come into the building.
5 There's two transfer trailer loading bays and they
6 will load and then they will exit the building.
7 So this, I will talk about in more detail, but
8 this starts to show some of the standard features.
9 Now, you've got translucent glass to allow ambient
10 lighting. You've got solar panels, skylights, a
11 white roof, and then some dark sky compliant
12 columns, features that here for light fixtures
13 outside.
14 The other thing I don't think I
15 mentioned in the beginning is this facility is --
16 will take in an average of 500 tons per day of
17 waste, but it can accept -- it is designed to
18 accept up to a maximum of 1000 tons per day.
19 So if we go to the next slide, now we
20 kind of -- this is an engineering plan. So now
21 we're going to talk a lot about engineering and
22 what we put into the facility. This is a plan
23 view of that same building. So I'll start down in
24 this corner. This is where trucks will enter.

45

1 There's two doors. One is entry, one is exit.
2 So trucks will enter in onto this
3 tipping floor. The tipping floor itself is more
4 than 25,000 square feet. The building, the
5 overall building, is about 31,000 square feet.
6 The tipping floor is 25,000. So trucks will come
7 in, they will back up, deposit their loads on the
8 tipping floor, and then an equipment operator on a
9 front-end loader will push that waste into the
10 transfer trailers, which are again, lower; it's
11 actually 19 feet lower than the tipping floor.
12 They will push the waste into the transfer
13 trailers.
14 And again, we can load two at once.
15 We've got two areas, two load transfer trailers.
16 We also have -- again, everything will occur from
17 a waste handling standpoint, everything will
18 happen inside the building. So it will be loaded
19 inside the building and then we have what you see
20 here, a tarping station. What that means is prior
21 to exiting the building, transfer trailers have an
22 area which they can put tarp over the top and then
23 exit. Again, everything inside the building.
24 The other thing with waste handling, it

46

1 may be a little hard to see, but along the
2 perimeter here, we have what are called push
3 walls. And push walls are just 18 inch thick
4 concrete walls that we designed so that when this
5 front-end loader is pushing waste to the center,
6 it's not a big deal. But when they're pushing
7 waste along the perimeter, it's easier to clean
8 out, the wall doesn't get damaged, and they are
9 able to clean the waste out of that.
10 So all of the waste will be taken off of
11 the -- and loaded into trailers off the tipping
12 floor at the end of the day and loaded into
13 trailers. So that's kind of the operations of
14 trucks coming into the building.
15 The other thing to note, we manage any
16 liquids that may be in waste. Now, the facility
17 is not accepting liquid waste per se. But as you
18 know, in your household waste, things like that,
19 there can be some liquids in the waste. So we
20 want to collect that and manage that. And you can
21 see here, this is a floor drain for leachate
22 collection. So leachate is just liquid that comes
23 into contact with waste. That's what we term it.
24 So any liquid, we have the tipping floor

47

1 sloped toward this floor drain on the side of the
2 building. So any liquids that may be present,
3 again, we don't expect a lot, but they would be
4 collected in this floor drain. It's then piped,
5 again, all within the building. There is also
6 some collection within these, the tarping area and
7 these transfer trailer loading bays.
8 And then it's piped out to what we call
9 a triple basin. A triple basin is just a series
10 of concrete structures that allow that the liquid
11 will flow into there and it will allow things like
12 silt and if there's any debris in it to be skimmed
13 off prior to it being discharged. And where
14 discharges to is to sanitary sewer systems. And
15 there is a sanitary sewer system along Route 83,
16 an existing sanitary. So it's all going in a
17 sanitary sewer.
18 The other thing to note about, from an
19 engineering standpoint, is, as I said, there's
20 going to be ambient lighting in order to try to
21 minimize power consumption in the building. So
22 there is those translucent panels along the
23 perimeter and there will be skylights on the roof
24 to provide ambient lighting. If additional

48

1 lighting is needed, we've designed LED, you know,
2 lighting in the building, again, to reduce power
3 consumption.
4 And then from a safety standpoint,
5 there's several things. But obviously a fire
6 control system is designed for the building. And
7 that consists of several things. One, there is a
8 sprinkling system that covers the ceiling or is in
9 the ceiling of the building. And that sprinkler
10 system can be activated in the event of a fire.
11 We're also going to employ what's called
12 a Fire Rover system in the building. Fire Rover
13 is a proprietary system, but basically that
14 employs like thermal cameras, flame detection
15 cameras that can give an early detection of any
16 hotspots, anything that might happen.
17 I will say fires are very rare in these
18 types of facilities, but we want to make sure that
19 we protect the people working there and protect
20 the building as well. So a sprinkler system and
21 then Fire Rover. The Fire Rover cameras would be
22 placed like up on the ceiling along the walls and
23 they would watch the waste handling. And they
24 will be 24/7, by the way. The Fire Rover system

49

1 will be on 24/7. And what it does is it will
2 notify the appropriate people from Waste
3 Management in the event it detected anything.
4 The next is odor control. Waste can
5 have some odor to it. So we want to make sure we
6 minimize that. So we designed an ozone system to
7 minimize the odor. So there's several types of
8 odor control systems. What ozone does, is it
9 actually attaches to the odor particles and
10 actually neutralizes them. There's some systems
11 that maybe put up a scent mask, but we're not
12 doing that. We're using an ozone system. So
13 there is an ozone generator and then there is a
14 series of fans along the side that will disperse
15 that. So that would be odor.
16 The other thing that designed, again, a
17 safety standpoint, we want to make sure that
18 there's fresh air coming into this building for
19 the truck drivers and workers in that building.
20 So there's a series of mechanical louvers and fans
21 that will bring in fresh air and allow that to
22 circulate in the building during operations.
23 And the last thing is dust and dust
24 control. So dust control, you know, waste can

50

1 have dust in it. And we want to minimize that,
2 both inside the building, we don't want it getting
3 outside the building. So we have designed a
4 misting system, which is also in the ceiling which
5 will provide like a fine water mist that comes
6 onto the waste. It can be -- take the dust and
7 minimize that via droplets, via water droplets.
8 So that's the design from an engineering
9 standpoint. I know there was a lot of discussion
10 on that. Again, one way in, one way out. So this
11 is in a cross-section of that same building,
12 engineering cross-section. But you can see this
13 would be level, the tipping floor. This is a
14 front end loader shown here that would -- a
15 typical front-end loader that would be used to
16 push the waste, pile of waste into the transfer
17 trailers. Again, this is much lower. This
18 depicts a transfer trailer and one of the loading
19 bays and it would push the waste right into the
20 top of the transfer trailer.
21 So we as here, actually you can see
22 these dark lines. That's actually a series of
23 brushes that as you drive through them, these
24 brushes, they open up and they fall on the sides

51

1 of the trailer. And what that does, is it allows
2 the waste to be deposited into the trailer versus
3 getting out on the sides of the trailer. So is
4 just really kind of a shoot to direct that into --
5 Here you can see the height in here.
6 This is 60 feet to allow trucks to dump. And then
7 it gets a little bit more detailed on the transfer
8 trailer loading bays. This is a plan view of that
9 again, two bays. We talked about that tarping
10 area.
11 And we've designed some employee
12 facilities, break room, meeting rooms, and other
13 storage areas along with the facility. Again,
14 everything occurs, from a waste management
15 standpoint, inside the building.
16 Q. Mr. Nickodem, just addressing the
17 transfer trailer bay cross-section view, isn't it
18 the case that from the tipping floor to the
19 ceiling is 40 feet and not 60 feet? Sixty feet
20 would be the height of the entire building?
21 A. Height of the entire building, yeah.
22 Q. So it's 40 feet, not 60?
23 A. Yeah, correct.
24 Q. Please proceed.

52

1 A. Yes, you're right. So if you take a
2 look at the next slide, this now is that same
3 view, the cross-section view we just looked at,
4 but it's an elevation showing what we're proposing
5 the building to look like. So this is cast in
6 place concrete. There is some exposed steel
7 columns.
8 As I mentioned, these translucent panels
9 here that allow ambient light in. On the roof
10 there will be some skylights. There will be solar
11 panels and that. The rest of the roof will be a
12 white roof which reflects solar radiation. So
13 these are kind of some sustainable features that
14 we've designed.
15 As I mentioned, the glass is going to be
16 bird friendly glass. So many of you know that if
17 you got picture window or even small windows, that
18 birds can fly into those windows and get injured
19 or killed because they don't -- birds don't
20 recognize that glasses a barrier. Even when they
21 see a reflection they think that's just an
22 extension of the forest they are flying through.
23 So what bird friendly from the glass is, it is
24 either etched or has coating applied that then

53

1 birds think of that as a barrier so they won't fly
2 into that.
3 The other thing to note here is this
4 light fixture outside, this is a Sternberg type
5 light fixture, which is kind of consistent with
6 other developments in the area. It is a dark sky
7 compliant -- these are going to be dark sky
8 compliant fixtures throughout the exterior
9 facility lighting, roadways and that. So what
10 dark sky compliant is, is it's minimizing light
11 pollution.
12 So the lights aren't pointed up.
13 They're pointed down onto the traffic areas.
14 They're using LED lighting and just enough
15 lighting, not excess lighting. So it's really to
16 minimize light pollution. So we've designed this
17 sustainable features into the facility. And then
18 again you can see -- this would be the tipping
19 floor level and then this is the transfer trailer
20 loading bay level on that lower level.
21 So the next few actually shows exactly
22 the opposite side of the building. This is where
23 trucks, collection trucks would come in. They go
24 up a ramp and then they go into this door on the

54

1 right. They go in and dump. There is actually
2 areas on the tipping floor for six trucks to dump
3 at one time. Most of the time it's not going to
4 be six. It might be one or two, but there is room
5 for six trucks to work in at one time.
6 And then when they're done, they would
7 exit the door here. Now these doors, obviously
8 during when the facility is closed, the doors
9 would be closed. But when the facility is
10 operating during the day, those doors will be open
11 and a lot of trucks in and out. Same thing here
12 with the transfer trailer loading bay. You know,
13 there's doors, but when the transfer trailers are
14 operating during the day that will be open.
15 Again, you can see the same features that I just
16 talked about on the last slide.
17 So the next slide, now I'm going to talk
18 a little bit about the traffic. And again, this
19 ties into safety for the facility. There are a
20 lot of trucks coming in and out. There's actually
21 a lot of -- what we have planned or designed, that
22 there is a lot of residences coming in to deposit
23 their recyclables at the recycling center.
24 So this is entitled queuing, vehicle

55

1 queuing. And all queuing is, is this how many
2 vehicles can you bring into the side and not back
3 them up on the surrounding roads. Do you have
4 sufficient road? We do. On this facility we have
5 sufficient road to queue vehicles from the
6 entrance off of Route 83 to the scales.
7 This is the scale here and this is
8 showing -- the blue lines, this would be showing
9 some incoming vehicles. So it's a two lane road
10 coming in that we have designed. And we can
11 actually queue approximately 25 vehicles from
12 Route 83. This would be like collection vehicles
13 from Route 83 to the scale. Again, all those
14 vehicles need to be weighed in.
15 Now the next slide shows really the
16 circulation of the collection vehicles,
17 specifically just collection vehicles. So they
18 come in Route 83, they go across the scale.
19 That's this green line here. Then they go around
20 the building up into that door. They back into
21 the building, deposit their load, and then they
22 exit the building and go across the scale to be
23 weighed. So that's specifically collection
24 vehicles.

56

1 Next we talk about the internal queuing
2 of collection vehicles. And this would be from
3 the scale to the building itself. And again, we
4 don't want to backup the internal loads here
5 because we've got people coming into the recycling
6 center, we've got transfer trailers coming in. So
7 from the scale to the building, we've got room to
8 queue an additional 14 vehicles. So overall we
9 could queue 39 vehicles in the site. And the site
10 is pretty efficient. It will be pretty efficient
11 in terms of cycling vehicles in and out. So
12 that's more than adequate queuing area for these
13 vehicles. Again, they come into the building and
14 then go back to the building there.
15 So next let's move on to transfer
16 trailers. Transfer trailers are the larger trucks
17 that everything is being deposited in. They will
18 come in the same entrance. Everything comes in
19 the one entrance. They do not have to be weighed
20 in. And the reason is, transfer trailers are
21 going to be empty coming in. So they want to be
22 weighed in.
23 They will come in. They can -- there is
24 some area to queue, but they would come into the

57

1 building, they'll go into one of the two loading
2 bays. They'll be tarped, and then they'll exit
3 the facility, be weighed out, and exit the
4 facility onto Route 83.
5 Now in terms of queuing of the transfer
6 trailers, you can see here we've got some area --
7 now there's not going to be as many transfer
8 trailers as collection trucks because they are
9 coming in in the larger trucks. But we do have an
10 area here to queue trucks getting into the
11 building. We've also designed an area here where
12 transfer trailers can stage, park. That's these
13 green -- these are all transfer trailers shown as
14 the screen figures here. So that's where transfer
15 trailers are parked prior to entering the
16 building. So again, we've got an assigned area
17 for transfer trailers to queue outside of the
18 other traffic.
19 And next, go to the next slide. Talk
20 about the recycling center. So the recycling
21 center is designed for residents to come in. And
22 it's good service for residents that they have an
23 area to take recyclables, but a facility dedicated
24 for within this design to allow residents to come

58

1 in and deposit their recyclables. And you can see
2 here the different recyclables that are proposed
3 to be accepted here.
4 So after people come across scale, there
5 is a one way in, one way out to this area. And
6 this is all paved area. And I'll note that in the
7 application we actually have signage planned for
8 the entire facility as safety signs like stop
9 signs, things like that, but also as directional
10 signs directing people to the recycling center,
11 transfer station, so that people know where to
12 drive once they get into the facility.
13 So residents would come in. They will
14 find the appropriate spot. So we've got source
15 separated recyclables, which of course like glass,
16 plastic, aluminum cans, that type of thing. There
17 will be bins for that. There will be bins for
18 food scraps if people would like to collect food
19 scraps and bring them in. And then as you can see
20 here, some containers for cardboard.
21 Now down here we have actually a
22 structure that is covered where there will be
23 separate bins, separate areas to collect
24 electronics, separate area for shoes, clothing,

59

1 textiles. So they will be separated. But that's
2 covered in that area. So those are the type of
3 recyclables that will be accepted.
4 And the other thing I'll note -- well, I
5 guess going to the next slide, because this shows
6 the traffic into the recycling center, in and out.
7 So residences will come in, same entrance. They
8 will go across scale to check in with the scale
9 operator and say we've got some recyclables to
10 drop off. They will be directed to the recycling
11 center, drop off in the appropriate bin and then
12 exit.
13 Now they don't have to weigh out or
14 anything. They don't even have to weigh in. They
15 just need to check in, but they don't need to go
16 across the scale on the way out.
17 In terms of traffic, in this area of the
18 recycling center, this isn't going to be an area
19 where there's going to be all these collection
20 trucks. They will not be in that area. It is
21 specifically dedicated for people bringing in
22 their recyclables. So there won't be that
23 conflict in here with trucks. The only time there
24 might be a truck and there is of some of these

60

1 boxes, cardboard bins or something, fill up and
2 they need to have a truck come in, pick them up,
3 and take them and take them to the processing
4 facility. So that's recycling.
5 So I think that goes through the
6 discussion of traffic. Now if I move on -- and
7 this was all internal traffic. Now if we go to
8 the next slide, I'm going to kind of switch gears
9 to stormwater management.
10 So as I mentioned, I want to just make
11 sure everyone understands this. Every -- all the
12 waste handling occurs within the building, all of
13 it. And any liquids that would potentially be in
14 waste would be collected in the building. So
15 stormwater just means water -- it's not water that
16 comes into contact with waste. It's rainwater,
17 snowmelt, things like that. It's not -- it's what
18 we call noncontact water because it's not in
19 contact with waste.
20 So we've designed a stormwater
21 management system to collect all of the stormwater
22 within the facility boundary. NSC there are some
23 areas that flow off-site a little bit onto the
24 facility boundary. We are collecting that as

61

1 well. Manage it within the facility boundary and,
2 as I mentioned, the Lake County watershed
3 development ordinance requires that when
4 stormwater is discharged from the facility, that
5 as no more than .15 CFS per acre, cubic feet per
6 second per acre of development.
7 So what we've done, we've done a pretty
8 extensive evaluation of the amount of stormwater
9 that is in this area that comes onto the site,
10 within the site. And we evaluated the quantity of
11 water. And then we developed the structures with
12 these, the basins, and other structures to handle
13 that water within the boundary.
14 So in terms of structures that we've
15 designed, stormwater will flow into a series of
16 what we call bioswales. So what bioswales are,
17 their channels were stormwater but flow through
18 and runoff, but what it does, bioswales promote
19 infiltration. So they're designed to have native
20 grasses and things like that. So stormwater will
21 be encouraged to infiltrate rather than just
22 runoff. So that's more of a sustainable future
23 than just allowing a runoff.
24 So we have these green areas here, or

62

1 bioswales. They collect from all these areas and
2 go into the bioswales. And those bioswales flow
3 and turn into ponds -- into the detention basins,
4 which are the blue areas. There may be some flow
5 that flows directly, run off into the detention
6 basin, but in general these bioswales will take
7 the flow into the detention basins.
8 So there's again, four detention basins.
9 And how this works, basin number 4 flows into
10 basin number 2, and then into basin number 1.
11 Basin number 3 flows into basin number 2, and then
12 basin number 1. And the reason we have multiple
13 detention basins is we need to have enough
14 capacity to manage the stormwater on-site to
15 contain it temporarily. So they are designed for
16 that.
17 In addition, each detention basin has an
18 outlet structure. And on that outlet structure we
19 designed what's called a snout. It's a funny
20 name, but it's a designed to go over the outlet
21 by -- it's kind of got a hood on it, a plastic
22 hood. And what that does is to skim off any silt
23 or any potential debris prior to it discharging
24 outside of the pond. So that's just another

63

1 feature that we designed.
2 So now when it gets to basin 1, this is
3 the ultimate outflow area off of the facility
4 boundary. And we have the same outflow structure.
5 But we've also designed, at that point, a, what we
6 call a gate belt, which is nothing more than a
7 valve that will close off that outlet pipe in the
8 event, we don't expect it, but in the event if
9 something got into these ponds that we didn't
10 want. And that could then be closed off and
11 whatever is in that pond would be remediated.
12 Don't expect it, but it is in there just in case.
13 Now this outlet flows to an existing
14 stormwater pond outside the facility. This was an
15 existing, permitted stormwater basin outside the
16 facility as an NPDS permit currently. And that in
17 turn flows in a culvert under Route 83. But
18 again, it's an existing permanent NPDS.
19 And in addition, I'll say what we have
20 in the application, we really want to get
21 everything in accordance with the Lake County
22 watershed development ordinance. But this is just
23 the first step in this. This is part of further
24 development. Certainly SMC permits, NPDS permits,

64

1 foot plans would be developed for the facility to
2 make sure we comply with not only Lake County, but
3 any other requirements for stormwater management.
4 So that's the discussion of design for
5 the facility.
6 Q. Mr. Nickodem, based on your education,
7 your experience, and your view of this location
8 and proposal design, do you have an opinion as to
9 whether Meadowview is located and designed so as
10 to protect the public health, safety, and welfare?
11 A. Yes, it is designed to protect the
12 public health, safety, and welfare.
13 Q. And what are the reasons for your
14 opinion?
15 A. Really everything I just discussed. At
16 the top they are safe, efficient designs, safety
17 for people working in the building, truck drivers,
18 people bringing recyclables, citizens bringing
19 recyclables into the facility. Safety for the
20 environment, collection and contacts, and
21 stormwater, the contact water inside the building
22 and stormwater outside the building.
23 And an efficient design. You know, we
24 want to make sure that traffic flows efficiently

65

1 **throughout the facility really to get traffic in**
2 **and out of there as quickly as possible, but**
3 **safely. So we designed the traffic flow patterns**
4 **to do that. I can't stress enough, everything,**
5 **all waste handling occurs inside the building.**
6 **Nothing occurs outside the building.**
7 **We designed indoor air quality**
8 **management to provide fresh air for the people**
9 **that are inside the building, as I mentioned.**
10 **Wastewater managed within the building, that's**
11 **where I talked about leachate. Any liquids that**
12 **may be in the waste, we manage in the building,**
13 **and eventually flow out to a sanitary sewer.**
14 **And then stormwater management. I just**
15 **got through with that, but we designed a pretty**
16 **extensive stormwater management system for the**
17 **facility. And then last, I think the sustainable**
18 **and aesthetic features that we put into the**
19 **building, including white roofs, skylights, solar**
20 **panels, bird friendly glass, the dark sky**
21 **compliant light fixtures along the roadways. So**
22 **we designed a lot of features like that in the**
23 **building.**
24 Q. Mr. Nickodem, let's move on to criterion

66

1 4. Is Meadowview located within the 100 year
2 floodplain?
3 **A. No, it is not located in a 100 year**
4 **floodplain.**
5 Q. And was the basis for your conclusion on
6 that?
7 **A. If you look at the next slide, what this**
8 **is, is a flood insurance rate map for this area.**
9 **So FEMA puts out flood insurance rate maps, which**
10 **basically FEMA maps the presence of 100 year**
11 **floodplains all over the country. And so these**
12 **are common maps. And this is the map for the**
13 **area.**
14 **So right here is the facility just south**
15 **of the Countryside Landfill. And you can see up**
16 **here there is this blue area and this blue area.**
17 **Those are FEMA designated floodplains, 100 year**
18 **floodplains. You can see that they are outside of**
19 **the facility boundary. So the facility is not**
20 **within a 100 year floodplain.**
21 Q. And is this map within the site location
22 application?
23 **A. It is, yes.**
24 Q. Let's move on to criterion 7. Will

67

1 Meadowview be accepting hazardous waste?
2 **A. No.**
3 Q. So criterion 7 doesn't really apply
4 here, correct?
5 **A. Correct.**
6 Q. Then moving to criterion 9. Is
7 Meadowview located in a regulated recharge area?
8 **A. No, it's not located in a regulated**
9 **recharge area.**
10 Q. And what's the basis for that?
11 **A. Well, there is only one regulated**
12 **recharge area designated in Illinois, and that's**
13 **for the Mount Valley Pleasant Water district near**
14 **Peoria and since Peoria isn't anywhere near here,**
15 **then is not located in a regulated recharge area.**
16 Q. And who or what designates regulated
17 recharge areas?
18 **A. The Illinois Pollution Control Board.**
19 Q. And so far the board is only designated
20 the one regulated recharge area you just
21 identified, correct?
22 **A. Yes, that's correct.**
23 Q. Thank you very much, Mr. Nickodem. I
24 have no further questions.

68

1 HEARING OFFICER: Thank you, Mr. Moran.
2 Ms. Zwick, you have any questions of this witness?
3 MS. ZWICK: Just a couple of questions.
4 CROSS-EXAMINATION BY COUNSEL FOR
5 LAKE COUNTY STAFF
6 BY MS. ZWICK:
7 Q. Mr. Nickodem, you testified that your
8 facility --
9 (Crosstalk)
10 MS. ZWICK: Can you not hear me?
11 MS. HALL: We can't. We should hear you
12 if you speak into that microphone.
13 MR. PRICE: Oh, there you go.
14 THE WITNESS: I will say anyone asking
15 questions of me, I do have hearing aids. So just
16 be sure you speak up or use the microphone, but
17 yeah.
18 MS. ZWICK: Okay.
19 BY MS. ZWICK:
20 Q. You had testified that the facility is
21 going to accept a maximum of 1000 tons per day,
22 correct?
23 **A. Yes --**
24 Q. It was sure --

69

1 **A. It was designed to accept that, yes.**
2 Q. So when you say 1000 tons, then it's a
3 ceiling per day? It's not an average, correct?
4 **A. The average is 500 tons per day.**
5 Q. So the max or the ceiling is 1000 tons
6 per day?
7 **A. Yes, that's the average.**
8 Q. That's correct. I just wanted to make
9 sure. I'm not sure if you're the right witness to
10 ask this, but the second application includes a
11 host agreement with the County. Are you familiar
12 with this agreement?
13 **A. I am, but I'm probably not the best**
14 **person. I wasn't involved in that, so probably**
15 **not the best person to ask that question.**
16 MS. ZWICK: I just have one paragraph in
17 the host agreement I wanted to ask one of the
18 witnesses about. Should I ask him about this?
19 It's about the 1000 tons per day.
20 MR. MORAN: Well, he wouldn't know. I
21 suspect maybe Mr. Peters will be next. You could
22 ask Mr. Peters about that.
23 Q. If the county staff recommended a
24 condition setting a maximum daily throughput of

70

1 1000 tons per day, would Waste Management agree to
2 that?
3 **A. So I couldn't speak to that. I'm not a**
4 **Waste Management employee. I'm just an engineer.**
5 **I would have to defer to Waste Management on that**
6 **to answer that question.**
7 Q. I will ask that of Mr. Peters.
8 **A. Yes.**
9 Q. You had testified about the tarping,
10 that the tarping was going to take place fully
11 within the building?
12 **A. Yes.**
13 Q. And I also don't know if this is Mr.
14 Peters or not, but is -- and the purpose of
15 tarping is to make sure that the litter is not
16 blowing out from the transfer trailers as they are
17 coming and going from the building?
18 **A. Yes, that's correct, yes.**
19 Q. Is there like a person there who was
20 making sure that the trailers are tarped fully
21 before they leave? That it's secure?
22 **A. Well actually, Mr. Peters will -- is**
23 **going to testify and he will be talking about**
24 **Waste Management's tarping policy. Actually**

71

1 **trucks coming into the facility are required to be**
2 **tarped. And then the trucks, the transport**
3 **trailers going out or required to be tarped for --**
4 **yeah, he is going to talk in more detail about**
5 **that.**
6 Q. I have one other question for you.
7 There was a -- and the application it's actually
8 drawing K2, but it was what was slide 22 I
9 believe. There is a collection vehicle internal
10 queuing. It's actually -- that's on page 11 of
11 the Exhibit 3.
12 MS. ZWICK: Is it possible to pull that
13 back up?
14 UNIDENTIFIED SPEAKER: Yeah, he can
15 bring that up.
16 MS. ZWICK: Here you go.
17 Q. So this is -- at least then the
18 application K2 -- which I think it's this one.
19 It's the stacking plan for the collection
20 vehicles. And it shows that the collection
21 vehicles than are going to be stacked around that
22 curve of the stormwater basin 3, correct? I don't
23 know if you have your --
24 **A. Yes, I know which one is 3, yes.**

72

1 (Crosstalk)
2 **A. That's right. It would be here, yeah.**
3 Q. Right. Right, we're looking at that.
4 **A. Yeah.**
5 Q. And then the transfer trailers, when
6 they exit the building they going around that, the
7 same curve?
8 **A. They are, yes.**
9 Q. From there?
10 **A. Yes.**
11 Q. We noticed that the stacking plan, it
12 really -- it doesn't show the outbound vehicles
13 really at the same time. So the question is, did
14 you model or determine whether there is enough
15 room for the transfer trailers to get by when the
16 collection vehicles were stacked around that
17 curve?
18 **A. Yes, we did model that. I mean, that's**
19 **why some of these outbound curves are a little bit**
20 **wider than some of the other curves. But we did**
21 **model both incoming vehicles and the outbound**
22 **vehicles. We don't have an animation that shows**
23 **all that, but we did model it and it did show that**
24 **the transfer trailers will be able to past these**

73

1 **collection vehicles and around that without any**
2 **issues.**
3 Q. Are those calculations in the
4 application anywhere?
5 **A. No, I don't think we showed the modeling**
6 **of those curves in the application. But we did do**
7 **that as part of our design, yeah. I mean, that's**
8 **a pretty critical thing to transfer stations, and**
9 **we've made sure that that would --**
10 (Crosstalk)
11 **A. That traffic would be able to flow**
12 **through that, those, yeah.**
13 Q. So if the county staff wanted to review
14 the calculations, is that something that Waste
15 Management would agree to provide?
16 **A. Certainly. Certainly we would.**
17 **Certainly.**
18 Q. Is that something that you would include
19 in your Illinois EPA permit application?
20 Something like that?
21 **A. Probably not the calculations showing**
22 **the curve, you know, the outbound curves. I mean,**
23 **we just state that it was designed to such that**
24 **trucks are getting around there. That wouldn't be**

74

1 **a real part of --**
2 MS. ZWICK: I don't have any further
3 questions. Thank you.
4 HEARING OFFICER: Mr. Price, questions
5 of this witness?
6 MR. PRICE: I do. Thank you, Mr.
7 Hearing Officer, just a few.
8 CROSS-EXAMINATION BY COUNSEL FOR,
9 SWALCO
10 BY MR. PRICE:
11 Q. I also want to focus on the outbound for
12 a second, Mr. Nickodem. So the drivers for the
13 tractors for the transfer trailers, are they
14 company drivers or contracted or both?
15 **A. They would -- you know, Mr. Peters would**
16 **be able to answer that more, but they would**
17 **probably be both. Yeah, that would be my --**
18 Q. And are you familiar with in designing
19 for the operation whether there is a performance
20 or service-level contract so that we can have
21 confidence you will have enough drivers to get the
22 trailers departing from the facility?
23 **A. Yeah, again, that would be a better**
24 **question for Mr. Peters in terms of that contract,**

75

1 **yes.**
2 Q. Now in appendix O, to the criterion 2,
3 it has for the thousand ton level, well for both
4 actually, you've got some transfer trailers
5 departing between 3:00 and 4:00 p.m. as outbound.
6 Am I understanding it's they are heading to DeKalb
7 or to Orchard Hills, true?
8 **A. They are coming out. There could be**
9 **other facilities, but yeah, that would probably be**
10 **right.**
11 Q. The application says that's where
12 they're going?
13 **A. Yeah, that would right.**
14 Q. And those gates close at 3:30. So where
15 are the transfer trailers going when they leave
16 between 3:00 and 4:00 heading for facilities that
17 are already closed?
18 **A. Well, if they are exiting the facilities**
19 **they would go to one of those to landfills. Are**
20 **you saying after it closes?**
21 Q. Right. One of the -- I mean, are the
22 hours at Orchard Hills and DeKalb, is there a
23 staging area for the trailers after hours?
24 **A. Yeah. I mean there's areas where these**

76

1 **can be staged or they can -- yes, there is areas**
2 **where they can be staged after hours.**
3 Q. Yeah. I just want to know where they're
4 going. You've got five of them leaving. I don't
5 know where they're going because the gate is
6 closed.
7 **A. Yeah, again, Mr. Peters may be able to**
8 **answer that more in terms of operation.**
9 Q. All right. Now in both our host
10 agreement with SWALCO and in the application, it
11 anticipates some overnight storage at the facility
12 in transfer trailers. There is indoor space for
13 three transfer trailers, right?
14 **A. Yes.**
15 Q. And on the west side there is six more
16 slides either for staging or storing overnight of
17 transfer trailers, true?
18 **A. It could be, but is not anticipated to**
19 **have six trailers along the -- That's more for**
20 **empty trailers than -- yeah.**
21 Q. But one stipulation with like -- on that
22 is -- can we get a stipulation from you that you
23 will lose up to three indoor spots before you're
24 storing trailers full outside?

77

1 **A. Yes.**
2 Q. Now the landfills, Davis Junction and --
3 I think Davis Junction, which is Orchard Hills,
4 and DeKalb, they're only about 30 miles apart as
5 the crow flies; would you agree?
6 **A. Yes.**
7 Q. And so from time to time there are
8 weather events like today where we've got high
9 winds or tornadic activity. And those two are
10 likely impacted. In the event that those two are
11 closed for part of the day or a day, what's the
12 alternative site? Are they going to go to Zion
13 and stay in Lake County?
14 **A. I do not have an answer to that.**
15 Q. Would that be Mr. Peters?
16 **A. I think Mr. Peters could probably answer**
17 **that, yes.**
18 Q. I would like you to agree to Zion so
19 they stay in Lake County, but --
20 **A. Stay in the county.**
21 Q. Yeah, we will figure that out. I just
22 need to know where to go, because those two are
23 pretty close. And on a windy day they've got to
24 go somewhere?

78

1 **A. Correct, yes.**
2 Q. Then among the members of SWALCO is the
3 village of Grayslake. And you're aware that
4 there's a master agreement, a master plan between
5 Waste Management and the village of Grayslake for
6 this facility, true?
7 **A. I am, yes.**
8 Q. And you've designed to the requirements
9 of that agreement?
10 **A. Yes.**
11 Q. And so they've raised a couple of
12 questions that I'm going to follow here. So in
13 the definition of municipal waste in the master
14 agreement, it does not include landscape goods.
15 And when I look at 4.3 of the application in
16 criterion and, you know, in the criterion 1 and
17 elsewhere, it says what you are accepting, which
18 includes municipal solid waste, garbage, general
19 household, and commercial waste, industrial,
20 lunchroom, or office waste, and construction or
21 demolition debris.
22 And it doesn't say landscape waste. But
23 then there's a list of the following materials not
24 accepted and landscape waste isn't there either.

79

1 So my question is, are you accepting landscape
2 waste?
3 **A. I don't know.**
4 Q. Thank you. And then just to confirm,
5 under 4.6, the recycling center is accepting food
6 scraps, true?
7 **A. Yes.**
8 Q. Now the master agreement and master plan
9 at some screening details for the detention ponds.
10 And one of the things it pointed out is that in
11 the master agreement and master plan did not
12 include the removal of trees north of basin 1 that
13 are now present in the application, and that also
14 the berm in the southwest corner is supposed
15 continue to the east at least according to the
16 master plan.
17 So having raised that concern and having
18 heard Mr. Moran say earlier, this is just the
19 first stop in the whole review, design process, my
20 question for you is, any deviations from the
21 master agreement or the master plan with Grayslake
22 concerning screening and berms, final detention
23 pond design, would you agree that they will be
24 subject to the review and reasonable approval by

80

1 the village of Grayslake prior to obtaining the
2 grading and building permits for building a
3 facility?
4 MR. MORAN: I don't think this witness
5 is in a position to answer that Dirk. You're kind
6 of asking him a legal question.
7 UNIDENTIFIED SPEAKER: And we've got
8 another witness that will --
9 MR. PRICE: Well, it's about design
10 though. It's about completing the final design.
11 Q. And you understand other people are
12 going to tell you to do different things in the
13 design process?
14 **A. Yes.**
15 Q. But at the end of the day there are
16 deviations like this business about the berm or
17 the missing trees. Are you going to stop back in
18 at Grayslake and get their reasonable approval to
19 the changes you've had to make from what was in
20 the master plan and the master agreement?
21 MR. MORAN: Objection. I don't think he
22 can answer that.
23 MR. PRICE: Well, who's designing this
24 if it's not him?

81

1 MR. MORAN: Well, you're talking about a
2 landscape plan. So it would be, if anyone, our
3 criterion 3 witness, Mr. Lannert.
4 MR. PRICE: Okay.
5 Q. Would the same be true about deviations
6 for things like toters, security fencing, and the
7 gate? That's not your design responsibility?
8 **A. Well, some of it's part of design, yes.**
9 **Yeah.**
10 Q. So the master agreement, master plan
11 didn't sign off on the security fencing and gate
12 details that are proposed and Grayslake would like
13 to. Are you going to stop back in before you get
14 building permits to have Grayslake review and
15 approve those?
16 **A. You know, certainly in the review that**
17 **would be welcome, yes, and we can talk about that.**
18 **We can talk fencing and things like that, yes.**
19 Q. Now they're concerned about some of the
20 sustainability issues. So one of them was in the
21 master agreement, the reuse of rainwater is
22 required. And on 3.12 you talk about naturalized
23 intention basins rather than dry, and the benefits
24 those half.I was say that's one reuse of

82

1 rainwater. Wouldn't you agree?
2 **A. Yes. Yeah.**
3 Q. Are there other reuses of rainwater that
4 are anticipated in the design, like collecting it
5 somewhere for some purpose?
6 **A. Well, the detention basins will collect**
7 **it on a temporary basis. But other than those**
8 **bioswale designs at this time, no.**
9 Q. But those are a benefit as opposed to a
10 dry basin, true?
11 **A. Absolutely, yes.**
12 Q. And then the master agreement requires
13 the recognition or incorporation of LEED
14 components. And in 3.14 there is a statement
15 about LEED components. And I just want to confirm
16 that this is paying homage to that part of the
17 master agreement where you say the facility will
18 incorporate sustainable design and construction
19 principles of the U.S. Green Building Council LEED
20 program. That's intended to satisfy that part of
21 the master agreement?
22 **A. Yes.**
23 MR. PRICE: All right. Well then that's
24 all I have for this witness.

83

1 HEARING OFFICER: Thank you. You know,
2 I neglected to ask County Board attorney, Ms. Fox,
3 if you have any questions of this witness.
4 MS. FOX: I believe our board member
5 does have some questions of this witness.
6 HEARING OFFICER: State your name again
7 for the record.
8 MR. WATSSICK: Chad Wattsick, Lake
9 County Board, District 6.
10 HEARING OFFICER: Okay.
11 CROSS-EXAMINATION BY COUNTY
12 DISTRICT 6 BOARD MEMBER
13 BY MR. WATSSICK:
14 Q. Thank you very much for your thoughtful
15 design and a detailed explanation of it. Did you
16 do a sound profile of the trucks coming into the
17 facility in terms of decibel levels so we have a
18 projection or an engineering estimate?
19 **A. No, we didn't do a sound evaluation, no.**
20 Q. Is that required as part of the
21 permitting?
22 **A. No, it is not.**
23 Q. And is this going to be a net zero
24 building?

84

1 **A. I'm sorry, what?**
2 Q. The main structure?
3 **A. Can you restate that again?**
4 Q. Is this going to be a net zero building,
5 the main structure, the actual facility?
6 **A. A net zero building, no. Are you**
7 **talking about the waste in and out or just --**
8 Q. No, it's a very defined version of
9 sustainable buildings where you are producing more
10 energy than you consume, or at least it levels out
11 after a while. I know you have solar panels and
12 you have some other features that are not
13 explicitly net zero.
14 **A. So I would probably say to that, no.**
15 **However, the facility is designed to minimize**
16 **energy use, that type of thing. You know, we**
17 **haven't gotten to the final building permit stage.**
18 **And so we could probably improve on some of that**
19 **in that stage. But that would be the answer, I**
20 **guess.**
21 Q. Now Mr. Price was referring to the LEED
22 system. Are you going to obtain say a LEED
23 platinum, gold? What level are you hoping to
24 achieve?

85

1 **A. I'm sorry, what? I have a really hard**
2 **time hearing.**
3 Q. Oh, sure. You know the LEED system --
4 **A. Yes.**
5 Q. -- has a rating like platinum is the
6 highest then gold. Are you trying to achieve a
7 certain level in that system? Or there's others
8 too.
9 **A. So this would not be a LEED certified**
10 **building, but we've incorporated a lot of features**
11 **that LEED certified buildings would have. But is**
12 **not intended that it will be a LEED certified**
13 **building.**
14 Q. And one last question. You mentioned
15 the FEMA flood maps. Did you know those have been
16 updated recently within the last few years and we
17 pay attention to those very carefully at the
18 county. How current are the maps that you are
19 using for this designation of whether they meet
20 the 100 year floodplain requirement?
21 **A. So yes, I'm aware that FEMA is**
22 **constantly updating maps on certain areas that are**
23 **flood prone. You know, we used, as part of the**
24 **application, we used the most current FEMA maps**

86

1 **that were available. Whether something was**
2 **updated since we submitted in February, I'm not**
3 **aware of that, but we used the most current maps.**
4 **We always go right and check on the FEMA website.**
5 **They've all -- they've got all the updates for the**
6 **maps listed and we always try to use the current**
7 **maps.**
8 Q. So please define for me the most
9 current. Was that within the last year? Last two
10 years? Three years?
11 **A. Well, I would have to check. I can't**
12 **recall the date on that map. I would have to**
13 **check that.**
14 Q. Okay, thank you.
15 HEARING OFFICER: Mr. Moran, any
16 redirect of this witness?
17 MR. MORAN: I have no redirect of the
18 witness.
19 HEARING OFFICER: You are excused.
20 MR. NICKODEM: Thank you.
21 HEARING OFFICER: I am willing to keep
22 going unless somebody tells me they have to take a
23 break. Maybe the court reporter. You fine?
24 You're good? All right.

87

1 MR. PETERS: I'm sorry. The next
2 witness has to take a brief break.
3 HEARING OFFICER: Okay. Well, we're
4 scheduled to go to about until about 4:30. So
5 it's about a quarter to 4:00. And then we will
6 take an hour and a half break and resume at 6:00.
7 So -- and we're on the record, right?
8 COURT REPORTER: Yes.
9 HEARING OFFICER: And if there is anyone
10 again, I want to reiterate, if you are unable to
11 be present for the entire public hearing, because
12 it looks like we'll be here tomorrow, approach me
13 during the break that we take and I'll allow you
14 to make that comment at a time that is convenient
15 for you.
16 MR. MORAN: Do you want to take a 10
17 minute break now?
18 HEARING OFFICER: It's up to you Don.
19 Do you? Let's make it a five minute break so we
20 can get through Mr. Peters.
21 MR. MORAN: Well, if we reconvene at
22 five to 4:00, we should be able to finish his
23 direct by 4:30.
24 HEARING OFFICER: Yeah, that's fine.

88

1 Let's take a 10 minute break.
2 MR. MORAN: That will give everybody --
3 (Off the record at 3:45 p.m., resuming
4 at 3:58 p.m.)
5 MR. MORAN: Thank you Mr. Hearing
6 Officer. We will call Mr. Chris Peters.
7 CHRISTOPHER PETERS,
8 a witness, having been duly sworn/affirmed,
9 testified as follows:
10 HEARING OFFICER: Proceed.
11 MR. MORAN: Thank you.
12 DIRECT EXAMINATION BY COUNSEL FOR
13 WASTE MANAGEMENT
14 BY MR. MORAN:
15 Q. Can you state your name please and spell
16 your last name for the court reporter?
17 **A. Christopher Peters. Last name is**
18 **spelled; P-E-T-E-R-S.**
19 Q. Mr. Peters, what's your business or
20 occupation?
21 **A. I am presently employed by Waste**
22 **Management as a district manager.**
23 Q. And as a district manager for Waste
24 Management, what are your duties and

89

1 responsibilities?
2 **A. I have oversight leadership management**
3 **responsibilities for multiple post-collection**
4 **facilities such as landfills and transfer**
5 **stations.**
6 Q. Now Mr. Peters, you're going to address
7 the operational aspect of criterion 2 and also
8 criterion 5?
9 **A. Yes.**
10 Q. Before we get into that testimony, let's
11 just cover your background. What is your
12 education?
13 **A. I have a bachelor of science in civil**
14 **engineering degree from Southern Illinois**
15 **University.**
16 Q. Do you hold any certifications?
17 **A. Presently I have a landfill operator**
18 **certification issued through the Illinois EPA.**
19 Q. And what is required to obtain that
20 certification?
21 **A. Basic requirements are that one maintain**
22 **and understand a working knowledge of the**
23 **applicable landfill design and operation**
24 **standards, and that you exhibit your knowledge of**

90

1 **such through testing every three years that you**
2 **complete and pass.**
3 Q. Could you describe for us now your
4 professional experience in the solid waste
5 industry?
6 **A. Sure. I have almost 40 years of**
7 **experience in the solid waste industry. I began**
8 **my career a number of years ago. The first 14**
9 **years of my career were with a company called**
10 **Browning-Ferris Industries, a larger waste**
11 **management company. And in my capacity with them**
12 **I managed landfills, transfer stations. I was**
13 **involved in permitting, and developing of those**
14 **facilities as well as siting those facilities,**
15 **similar to the process we're going through here**
16 **today.**
17 **For the next 11 years of my career I**
18 **spent that with a company called Veolia**
19 **Environmental Services, which is another solid**
20 **waste company in the United States. And with**
21 **that -- with them, rather I spent my time there**
22 **managing landfills, and transfer stations. And**
23 **then spent some years also as a regional manager**
24 **overseeing landfills, transfer stations and**

91

1 **collection operations through the greater Midwest.**
2 **Subsequent to that I spent 11 years at**
3 **environmental consulting firm called Cornerstone**
4 **Environmental Group. And in my 11 years there,**
5 **our primary clients were solid waste clients that**
6 **owned and operated landfills, transfer stations,**
7 **waste energy facilities, et cetera. And my**
8 **primary workload there was working with those**
9 **clients, permitting operations, support and the**
10 **like, during an 11 year stint. And since then I**
11 **have spent my last four years with Waste**
12 **Management.**
13 MR. MORAN: Mr. Hearing Officer, may I
14 approach the witness?
15 HEARING OFFICER: You may.
16 Q. Mr. Peters, let me show you what was
17 marked Petitioner's Exhibit 5.
18 (Whereupon Petitioner's Exhibit 5 was
19 offered into the record.)
20 Q. I'll ask if you recognize Exhibit 5.
21 **A. I do.**
22 Q. Can you tell us what it is?
23 **A. My resume.**
24 Q. Does it fairly and accurately reflect

92

1 your education and professional experience?
2 **A. It does.**
3 Q. Mr. Peters, is there a written report
4 that sets out your evaluation and conclusions
5 regarding the operational aspect of criterion two
6 and criterion five?
7 **A. Yes, there is.**
8 Q. And is that contained in the siting
9 application?
10 **A. Yes, it is.**
11 Q. Now could you describe for us, Mr.
12 Peters, the proposed operation of Meadowview?
13 **A. Sure. A lot of what you hear may be**
14 **similar to what you heard earlier from Mr.**
15 **Nickodem, but I'm going to go through it again and**
16 **focus more on the operational aspect of things.**
17 **What you see on the slide before you now is a**
18 **general overlay of the outlay of the facility,**
19 **proposed facility. As mentioned earlier, the**
20 **facility is located south, to be located south of**
21 **the existing Countryside Landfill and east of**
22 **Route 83.**
23 **The general layout of the facility**
24 **includes a site entrance on the east side of 83**

93

1 for entrance road and so forth, which is common to
2 the current entrance for the Countryside Landfill.
3 Within the facility you will see internal roadways
4 for circulation of vehicles and trucks throughout
5 the facility. As one enters the facility you will
6 see the scale and scale house right here for
7 weighing collection vehicles and transfer trailers
8 in or out of the facility.
9 You see a recycling center that is
10 proposed as a part of this operation for -- used
11 by residents of Lake County. You see the material
12 transfer building which Mr. Nickodem spoke to
13 extensively earlier. I will get into that a
14 little bit more later, but just wanted to point
15 out its location on the site map here.
16 And then you can also see some of the
17 features Mr. Nickodem spoke to earlier being the
18 detention ponds around the facility for management
19 of stormwater. And you can see some of the
20 landscaping improve -- proposed landscaping
21 improvements and visual buffering. Next slide,
22 please.
23 The proposed facility has established
24 operating hours. It is anticipated that the

94

1 facility will operate Monday through Friday, 6:30
2 a.m. until 3:30 p.m. for the receipt of waste
3 materials as well as recyclables. The facility
4 will have Saturday hours. Every Saturday it will
5 be from 8:00 a.m. until 12 noon. That is solely
6 for the receipt of recyclables from Lake County
7 residents. No waste is expected to be accepted on
8 Saturdays.
9 There are six national holidays
10 throughout the year that the facility will be
11 observing, as listed on the slide here. And when
12 one of those national holidays falls within a
13 given week, the transfer station is anticipating
14 receiving waste on the following Saturday.
15 Typically, on the Saturday following a holiday,
16 hours of operation will range from 6:30 a.m. until
17 12 noon, perhaps slightly beyond. And on the
18 Saturdays, recyclables will also be accepted at
19 the facility.
20 Material types to be accepted. I will
21 note that earlier Mr. Nickodem spoke to it. The
22 average waste materials expected to receive at the
23 facility is 500 tons per day.
24 Two primary types of materials will be

95

1 accepted, municipal solid waste, which can consist
2 of garbage, general household and commercial
3 waste, as indicated here. Industrial lunchroom or
4 office waste as well as construction and
5 demolition debris. Construction and demolition
6 debris is wood and similar type products that are
7 derived from the construction, renovation, or
8 deconstruction of various buildings.
9 In addition to waste type materials, the
10 facility will also accept a variety of
11 recyclables, source separated recyclables from
12 households and small businesses, as well as
13 electronics, food scraps, shoes, textiles and
14 clothing, and -- well, some of the others here are
15 the source separated, which are the newspapers,
16 plastic, cans, glass, cardboard.
17 Q. Mr. Peters, if a waste is not indicated
18 as being accepted waste on this list, is it
19 excluded? Is it unacceptable waste?
20 A. That is correct. Anything not listed on
21 the slide here, right here, will not be accepted
22 at the facility. To help preclude the acceptance
23 of unacceptable items at the transfer facility the
24 site will implement a number of material screening

96

1 processes. First and foremost, there will be
2 customer education. And what that means is we
3 will work in advance of the facility operating to
4 educate or inform potential customers of what
5 materials are acceptable. Basically, we will
6 maintain a webpage specific to the facility on the
7 WM Solutions platform that will provide useful
8 customer information such as operating hours,
9 materials accepted, materials not accepted,
10 holidays observed, and other various and facility
11 information.
12 Other forms of customer education
13 include postings and signs located at the facility
14 entrance and throughout the facility that indicate
15 what types of materials or acceptable there.
16 Additionally, the scale operator, who was the
17 first point of contact as someone enters the
18 facility will be speaking with each customer that
19 comes into the facility questioning what materials
20 they have within their vehicle or truck, making
21 them aware of what materials are and are not
22 acceptable, as well as performing a visual
23 screening through cameras that will be situated at
24 the scale house to look down within or upon each

97

1 loaded coming into the facility.
2 Aside from customer education, we have
3 other forms of material screening, the scale
4 operators, which I just basically spoke to a
5 moment ago, and through those processes of
6 communicating and observing the loads coming in.
7 Also the heavy equipment operator or
8 loader operator on the tipping floor, the
9 individual will have the opportunity to look at
10 each and every load that comes in there as it is
11 discharged onto the floor. And like the scale
12 operator, the equipment operators or loader
13 operator on the floor will have been trained in
14 advance with regard to acceptable or unacceptable
15 materials at the facility and will be able to
16 readily identify any that were not acceptable.
17 In addition, there will also be random
18 load inspections performed at the facility at a
19 minimum frequency of one per week. Random load
20 inspections are an opportunity for us at the
21 facility to look at a randomly selected load as it
22 enters the facility at the gatehouse, direct that
23 person to a specific location at the tipping
24 floor, have them discharge the load, and thereby

98

1 we can look at the load, closely inspected, pushed
2 apart to make sure there are no unacceptable items
3 within that load.
4 Random load inspections are a form of us
5 ensuring that the loads being delivered do not
6 contain unacceptable waste. At times it becomes a
7 form of education of the customers. In the event
8 they were to bring something within their load
9 that was unacceptable we would require -- notify
10 them of such if we found it in the load. We would
11 require that they remove it or assist them to
12 remove it from the site. Random load inspections,
13 as I said, will be conducted weekly. They will be
14 documented and the records of those inspections
15 will become part of the operating record of the
16 facility. Next slide, please.
17 I know Mr. Nickodem went through some of
18 this earlier today, but I just wanted to run
19 through it briefly again, perhaps in a bit more
20 detail as it relates to day-to-day operations. I
21 will say now for this, for collection vehicles and
22 for all vehicles entering the facility, they will
23 all enter off the east side of Route 83 at the
24 existing interest to the Countryside Landfill.

99

1 You can see the entry road right here.
2 And on this particular slide, the green arrows to
3 pick the pathway of the collection vehicle come
4 into and through the facility here. The facility
5 will enter off of 83, proceed to the scale and
6 scale house where they will stop, be weighed in to
7 obtain a loaded or gross weight of the vehicle,
8 they will confer with the scale operator will ask
9 them what type of material or materials they are
10 bringing in today, with the organisms that load,
11 and then they will be then directed to proceed to
12 the transfer building. As the green arrows
13 depict, they will ride around here and enter in
14 one of two overhead doors, what would be the east
15 side or southwest corner -- the southeast corner
16 of the transfer building.
17 Upon entering into the building, they
18 will be contacted by the loader or heavy equipment
19 operator on the floor of the transfer facility who
20 will then direct them as to where to stage their
21 truck and offload their load. As Mr. Nickodem
22 spoke to earlier, the transfer building is large
23 in size and able to safely accommodate six trucks
24 at the same time typically on the waste floor.

100

1 Once the load has been offloaded from
2 the collection vehicle, the driver will close up
3 their box, secured properly, and then proceed out
4 the side. The process, or the route rather, on
5 the site is as depicted by the red arrows here.
6 They will proceed out around this direction here,
7 stop at the scale house once again to weigh in and
8 get an empty or tare as we call it, complete the
9 processing of the ticket, and then ultimately
10 proceed off-site exiting along Route 83.
11 In terms of transfer trailers, similar
12 thing, coming off of Route 83, they will proceed
13 on the entrance road here down to the scale, at
14 least initially until stored tare weights are
15 established, transferred trailers on their initial
16 trip in will run across the scale to establish a
17 weight, and empty weight of that vehicle. On
18 subsequent trips for that same vehicle, entering
19 the facility will not need to pass across the
20 scale because we will have already stored the tare
21 weight for that vehicle on the scales, scaling
22 system.
23 Transfer trailers then proceed directly
24 to the transfer building where they will enter on

101

1 the west side at the northwest corner of the
2 building and enter into the loading bay. As Mr.
3 Nickodem described earlier, there are two loading
4 pits or chutes for the vehicles in the transfer
5 building. They will load within one of those two,
6 be loaded by the operator pushing waste off the
7 floor into a chute loading down into the trailer.
8 I will mention that within the loading
9 pits there are what we refer to as pit scales that
10 monitor the overall gross weight of the vehicle as
11 it's being loaded with waste. And that allows us,
12 the operator on the floor rather, to gauge the
13 overall weight of the load to make sure that it
14 does not exceed legal roadway ordinance. Up to
15 80,000 pounds maximum is basically the target way.
16 And that helps them gauge how much waste material
17 to put into a trailer or not.
18 Once a trailer is loaded, the operator
19 will signal to the truck driver that they are
20 complete by sounding of a horn. Or at times they
21 communicate on the citizens' band or two-way
22 radio. And then at that time the driver of the
23 transfer trailer will proceed forward in the
24 building from the loading bay up to the northeast

102

1 corner of the building where there is a tarping
2 station located within the building.
3 The tarping station is another bay for
4 the truck to stage in that has large catwalks on
5 either side on the entire length of the truck.
6 And those catwalks are utilized by the driver of
7 the truck to safely roll out or deploy the tarp of
8 his transfer trailer across the entire trailer and
9 also secure the tarp to the trailer with straps
10 and so forth.
11 So all of this is completed, the tarping
12 and securement of the load prior to the transfer
13 trailer exiting the building. Once that has been
14 completed, they, as depicted by the red arrows
15 here, proceed back to the scale where they will be
16 able to pull up on the scale and secure a gross
17 weight prior to exiting the facility. Next slide,
18 please.
19 Recycling center vehicles, there will be
20 a number -- we do expect a number of Lake County
21 residents to utilize the recycling center
22 facility. They will enter as all to off of the
23 east side of 83. Recycling customers will come
24 into the facility, go up to the scale house. They

103

1 will be required to stop up on the scale, check in
2 with the scale clerk.
3 We want to make sure we obtain a record
4 on the weight and volume of the amount of
5 recyclables they are bringing in. Also we want
6 the scale clerk to interact with them to discuss
7 what types of materials they are bringing in, make
8 sure they are not bringing in any unacceptable
9 items. And once that process is complete, the
10 scale clerk will then direct them to the recycling
11 area, which is in this general location right
12 here.
13 As Mr. Nickodem spoke earlier, there
14 will be ample signage of traffic and directional
15 signage to help direct these folks to the
16 recycling area. And within the recycling area
17 itself, there will be a number of containers
18 staged around the perimeter of the area that are
19 well labeled as to what materials go into each of
20 the containers. And the containers are used to
21 allow them to, recycling customers, that is, to
22 place their various recyclable types into the
23 respective containers.
24 Once they've completed the unloading

104

1 process, they will be able to proceed out of the
2 site following the path of the red arrows as
3 depicted here. Recycling customers will need not
4 stop at the scale on the way out or even interact
5 with the scale operator. So they will utilize the
6 bypass line that runs around the side of the
7 outbound scale. They can certainly stop there if
8 they would like and ask questions or converse with
9 the scale operator, but not necessary.
10 What you see here is a plan view of the
11 material transfer station tipping floor that Mr.
12 Nickodem had spoken to earlier. A couple of
13 things I wanted to just run through here with you
14 is there are two doors located at the southeast
15 corner of the building here, two overhead doors
16 that is, for the entry and exit of the collection
17 vehicles. But the northernmost of those two doors
18 is dedicated for entry of vehicles prior to going
19 in and tipping on the waste floor.
20 The southern door is for the exit of the
21 vehicles to try to minimize traffic complex coming
22 in and out of the building. Those doors will have
23 signage indicating such so it's clear as to what
24 doorsthey should be using and not using.

105

1 As I mentioned earlier, when a
2 collection vehicle, after scaling in, proceeds
3 around and enters the transfer building, they will
4 contact the loader operator, the heavy equipment
5 operator on the floor, who will then direct them
6 where to go and offload their truck, park their
7 truck to offload it. Again, the process is within
8 the building that as a truck or trucks are
9 offloaded and complete the closing, cleanup, and
10 securement of their boxes or trucks, they then
11 proceed out the door.
12 The loader operator then proceeds to
13 take the waste material that's been deposited on
14 the floor and push it into one of the two loading
15 pits. This is one loading pit here. This is a
16 second right here. They are large chutes that are
17 basically positioned beneath the floor elevation
18 of the transfer building that the loader operator
19 can basically just pushes the trash in front --
20 just push it into these large chutes and it will
21 fall into the trailers themselves.
22 And again, there's pit scales in there
23 that monitor the weights of the loads. The
24 operator is in communication with the drivers

106

1 notifying them when the loads are complete and
2 they can pull forward for tarping.
3 A couple of other things I wanted to
4 point out here is, you know, in the event there
5 were more inbound waste into the transfer facility
6 in a given period of time and a lesser number of
7 transferred drivers available to be loaded in
8 there, in other words, kind of a misplacement or
9 gap in time due to logistics of trucks moving back
10 and forth from the transfer facility to the
11 landfill, we do have the ability from the transfer
12 station to store or stack waste.
13 Not anticipated that it will be needed,
14 necessary very often, but along either push wall,
15 the eastern push wall in this general area right
16 here or the western push wall over here, we have
17 the ability to store waste on the floor
18 temporarily until transfer traders return to the
19 site and we can resume loading again.
20 One other thing I did want to point as
21 well, Mr. Nickodem spoke to this earlier. The
22 transfer building itself, that's one thing I want
23 to clarify guess, is the height of the building
24 from the tip floor itself up to the top of the

107

1 building is 40 feet. The height from the base of
2 the loading pits up to the top of the building is
3 approximately 60 feet. It just may have been a
4 little unclear a little bit earlier, so I wanted
5 to clarify that for everyone here today. Next
6 slide, please.
7 As part of the proposed operation of the
8 facility, there are a number of environmental
9 controls that will be implemented to help avoid
10 nuisances and other issues relative to the
11 operation of the facility. One is litter control.
12 The facility will employ several litter control
13 measures to reduce or eliminate in some cases, any
14 on-site and off-site litter.
15 The first is vehicle tarping. All
16 vehicles entering the facility, whether it may be
17 a pickup truck, a roll-off box, a small dump
18 truck, they will be required to be tarped. Why do
19 we do that? Because vehicles traveling down the
20 roadways that have garbage or trash or materials
21 in them that are not tarped, they tend to have
22 litter blowing out of them along the roadways and
23 around the area. So we require that any vehicle
24 entering our facility be tarped upon entry. If

108

1 they are not, they will be turned away. We will
2 not accept them. Also, any vehicle exiting the
3 facility will be required to be tarped.
4 I spoke a little bit earlier about the
5 transfer trailers and the tarping of those
6 vehicles within the building before they exit the
7 facility, and that occurs every day and will be
8 required. In terms of containment of litter, all
9 the waste handling operations are conducted within
10 an enclosed building, thus minimizing potential
11 litter to blow around site or off-site for that
12 matter.
13 And then, in addition, the facility will
14 provide both on-site and off-site litter
15 collection. We will have facility employees that
16 patrol the facility grounds daily for potential
17 litter that may have escaped the truck or blown
18 out of a building due to a wind gust or something
19 such as that.
20 Additionally, the facility have
21 perimeter fencing. I think Mr. Nickodem spoke
22 earlier to the security fencing around the entire
23 perimeter of the proposed facility. That fencing
24 also provides a secondary defense in terms of

109

1 containing any litter that may be blown out of the
2 building and around the site.
3 In terms of off-site litter collection
4 there are a number of measures that will be
5 undertaken. Our facility personnel will patrol
6 not only the Waste Management or the proposed
7 transfer facility property also any and all
8 properties controlled by Waste Management Route
9 83. They will do that on a daily basis. They
10 will also be patrolling the roadways and right of
11 ways along 83 within 1500 feet in either
12 direction, north or south of the transfer facility
13 itself.
14 And then, as an additional measure local
15 residents, other businesses that may be located
16 proximate to the proposed facility, our personnel
17 will also go as much as 500 feet onto an adjacent
18 property, given advance permission by the
19 landowner, the property owner, to collect any
20 litter that may have accumulated in their yards,
21 their operating areas. Next slide please.
22 Another environmental control at the
23 facility will be odor control. First in, first
24 out. What that means, that concept we practice in

110

1 transfer stations meaning that the initial loads
2 of waste, the first loads of waste that come into
3 a facility we always tend to make every effort to
4 put those loads into the transfer trailers first.
5 The concept being is the quicker you get the
6 material loaded in a trailer and off-site the less
7 likelihood of it creating over space sitting in
8 the facility on the floor.
9 Secondly, tipping floor cleaning. The
10 tipping floor will be cleared of waste throughout
11 the operating day each day. It's just as a
12 general practice we do that. The only time we may
13 not do it, as we described earlier, there is that
14 little offset in the transportation and we end up
15 stacking a little bit of waste on the floor until
16 the transfer trailers return.
17 In addition, at the end of each
18 operating day tipping floor will be cleared
19 completely of any and all waste. It will be
20 cleaned additionally, the tipping floor cleaner --
21 cleaning rather, will include washing of the
22 tipping floor and/or push walls on occasion to
23 remove any material that may tend to cause odors
24 within the facility.

111

1 And then, as Mr. Nickodem spoke earlier
2 the facility will employ an odor neutralization
3 system of an ozone system that will neutralize any
4 odors associated with the operation within there.
5 I will mention that you know, the odor -- the
6 ozone system utilizes five dispersal fans that are
7 located within the building at various locations
8 to try to make sure that that ozone system is able
9 to contact with any and all waste that is within
10 the building.
11 Another element of environmental
12 controls at the facility is noise control. You
13 know, as it was stated earlier all of the waste
14 handling operations will be handled within an
15 enclosed building. That in and of itself will
16 mitigate the potential for offsite noise as you
17 heard from others in the adjacent areas.
18 The thing, the noise from the trucks,
19 equipment, and so forth. Equipment maintenance is
20 another element too to noise control, we will
21 maintain the equipment at the facility to ensure
22 that they all have properly functioning mufflers
23 so there's no loud noise from any equipment. And
24 we monitor the backup alarms on our equipment as

112

1 well as the trucks frequenting the facility. If
2 there are any very loud backup alarms that we are
3 able to we will turn down them so they're still
4 audible and serve their purpose of notifying
5 people a vehicle is backing up but not be so loud
6 as to create offsite noise.
7 Oh, and additionally there are proposed
8 hours of operation for the facility. The facility
9 is going to be operated from 6:30 a.m. until 3:30
10 p.m. for waste acceptance. From 6:00 a.m. until
11 6:00 p.m. for those periods outside of waste
12 acceptance for preparations and close up for the
13 day. So the facility will not be operating at
14 night hours when there's less area noise from the
15 roadways and the like and other people in the
16 general area might hear noise from this facility.
17 Vector control. Some people might ask
18 what is vector control. Well basically, it
19 addresses the potential for infestation at the
20 facility by rodents or other vectors, raccoons,
21 opossums, perhaps coyotes. Basically, we don't
22 want those coming around the facility whereby they
23 become a nuisance to facility personnel, our
24 customers or perhaps extract some form of sickness

113

1 or disease from foraging in the waste.
2 The elements by which we control the
3 vectors at the facility is the building design.
4 The building is completely enclosed to basically
5 prevent vectors from entering the facility, and it
6 also has closing doors which will be end of every
7 operating day to preclude vectors, coyotes, et
8 cetera, raccoons from entering the building.
9 Also, the ozone system in the building.
10 Eliminating odors in the building may remove an
11 attractant to vectors to want to come and see
12 what's going on there. Again, the first in, first
13 out concept I spoke to earlier. You know, the
14 quicker we move the first load of waste up into
15 the trailer of the facility the less likelihood
16 there is for odors emitting from that waste. And
17 then, facility cleanup. I spoke before about
18 removing waste from the floor daily and washing
19 the floors and walls.
20 And then lastly, there's monthly
21 inspections. The facility will employ a third-
22 party pest control service to come in each month
23 and perform routine inspections of the entire
24 facility; inside and outside the transfer facility

114

1 itself, and the recycling center in, and around
2 the scale house and scales, and basically they are
3 just looking for any potential signs that there
4 may be some rodents frequenting facility there.
5 And if so, they will take appropriate abatement
6 measures going forward.
7 Dust control. One element of
8 controlling the dust at the facility will be paved
9 surfaces. All of the services at the facility,
10 exterior and interior, will be paved with either
11 asphalt or concrete. And just by that nature of
12 being hardened surfaces you greatly diminish the
13 potential for dust the facility.
14 Additionally, routine sweeping. If
15 there were a little bit of dust beginning to
16 become generated along the roadways will have the
17 ability to sweep that, and we will do that as
18 necessary on a daily, weekly basis, whatever that
19 may be. The routine sweeping will also not only
20 throughout the roadways within the facility but
21 within the building itself, the transfer facility
22 as I mentioned earlier.
23 And then additional dust control
24 measures within the transfer building includes a

115

1 misting system. Mr. Nickodem spoke to this a
2 little bit earlier, and it's just a fine mist that
3 emanates from tubes in the ceiling of the building
4 that -- little water droplets that drop down and
5 help to attach themselves to the dust that may be
6 in the air.
7 Q. Based on your education, your experience
8 and review of this proposed -- this application do
9 you have an opinion as to whether Meadowview is
10 proposed to be operated to protect the public
11 health, safety, and welfare?
12 A. I do.
13 Q. And what is your opinion?
14 A. That it is.
15 Q. What are the reasons for your opinion?
16 A. Well, it's going to be -- has been
17 designed and will be operated to provide safe and
18 efficient traffic flow for all the customers of
19 the facility in and out and around the facility.
20 Additionally, materials screening processes that
21 will be employed will be protective terms of that
22 it will preclude the acceptance of any
23 unacceptable or unsafe waste or materials into the
24 facility.

116

1 The waste handling processes are
2 completely within an enclosed building at the site
3 which basically is a dust preventative and
4 contains any dust from the off-loading of waste
5 within the building, and it helps to control
6 noise, odors, and just -- that's it I would say.
7 The environmental control measures I
8 mentioned earlier such as litter, odor, noise,
9 vector and dust control certainly make sure that
10 it is not a nuisance to the surrounding area. And
11 then, Waste Management employees. Only
12 experienced and properly trained personnel who
13 will be the key individuals making sure the
14 facility is operated safely and without permitting
15 nuisance and providing nuisance, excuse me.
16 MR. MORAN: Mr. Hearing Officer, it is
17 now after 4:30. He has one more section to
18 address, Criteria V. Would you like him to do
19 that now or wait until tomorrow?
20 HEARING OFFICER: How long will that
21 take?
22 MR. MORAN: I don't imagine more than
23 five or six minutes.
24 HEARING OFFICER: Yeah, I have no

117

1 objection if no one else does. Go ahead.
2 Q. Mr. Peters, now let's move to criterion
3 5. Based, again, on your education, experience,
4 and of the proposed plan, do you have an opinion
5 as to whether the plan of operations for
6 Meadowview has been designed so as to minimize the
7 danger to the surrounding area, fires, spills, and
8 operational accidents?
9 **A. I do.**
10 Q. And what is your opinion?
11 **A. That it has been.**
12 Q. What are the reasons for that opinion?
13 **A. The plan of operations will include, you**
14 **know, adequate fire -- I shouldn't say adequate,**
15 **but substantial fire control, prevention, and**
16 **response procedures. The site will also include**
17 **spill prevention and response procedures in the**
18 **form of a spill prevention and control program**
19 **designed specifically for the facility.**
20 **Emergency response. The staff and**
21 **facility will be well prepared for emergency**
22 **response through the emergency action plan that**
23 **will be developed for the facility. And then, in**
24 **terms of health and safety, all employees will be**

118

1 **very involved in a very robust health and safety**
2 **training and -- health and safety training program**
3 **that Waste Management puts forth to all its**
4 **employees.**
5 Q. And could you further describe each of
6 these specific elements?
7 **A. Sure. In terms of fire control,**
8 **prevention, and response, first I'll talk a little**
9 **bit about control measures. There will be upfront**
10 **communication and coordination with the Grays Lake**
11 **fire protection district. And what I mean by that**
12 **is, in advance of the facility becoming**
13 **operational we will communicate and coordinate**
14 **with fire protection district to get their input**
15 **on the construction of the facilities, the safety**
16 **and control systems relative to fire prevention in**
17 **the facility itself as well as emergency response**
18 **matters.**
19 **We engage them upfront and throughout**
20 **the operation of the site relative to how each**
21 **party, both the facility, and the response agency**
22 **and fire protection district, will be better**
23 **prepared to respond to any emergencies that may**
24 **arise. By design, the building will have a**

119

1 **sprinkler system in it that Mr. Nickodem spoke to**
2 **earlier that has the ability to suppress and snuff**
3 **out a fire within the transfer facility, or**
4 **transfer building rather, if one were to occur,**
5 **which is not anticipated.**
6 **And then also, the facility will employ**
7 **a Fire Rover early detection system which Andy**
8 **spoke to also earlier, that helps to detect any**
9 **increases in heat within the building or within**
10 **waste loads in the building to detect a potential**
11 **for fire. And that system has the ability to**
12 **notify on-site personnel as well as response**
13 **agencies such as the fire protection district.**
14 **And another approach we like to utilize**
15 **is what I term sink and pile. And what that is,**
16 **is we typically locate a large pile of sand either**
17 **inside the transfer facility in a corner of the**
18 **tip floor or just outside the building so it's**
19 **close and accessible in the event we were to**
20 **receive a load come into the building that might**
21 **be what we call a hot load.**
22 **Maybe something occurred in the load**
23 **while it was being transported and started**
24 **smoldering and perhaps catches on fire. Sand is a**

120

1 **quick way to put it out. You take that -- the**
2 **loader operator grabs it with their bucket piles**
3 **the sand on top of it. It smothers it out because**
4 **it delays all the oxygen to the load. It's very**
5 **effective. So those are control measures.**
6 **In terms of prevention, one primary**
7 **measure is personnel training. All of our**
8 **personnel go through various fire prevention**
9 **training and they're very familiar with our fire**
10 **prevention and control program. They also receive**
11 **training in fire extinguisher use at the facility**
12 **and they are engaged in the emergency action plan**
13 **as we develop it and it's wrote with the local**
14 **response agencies.**
15 **One thing I neglected to mention is no**
16 **smoking. There will be no smoking at all on the**
17 **facility anywhere. That will be posted in signs.**
18 **So that means within the transfer building itself**
19 **or on the grounds at the recycling center no**
20 **smoking will be allowed. And the purpose of that**
21 **is if you eliminate the potential for errant**
22 **cigarette butt to be thrown or dropped and catch**
23 **something on fire, you greatly minimize the**
24 **potential for fire in the facility.**

121

1 And then, as I mentioned once or twice
2 earlier, the facility will have a fire prevention
3 and protection program which is a site-specific
4 program that we put together in advance of
5 operation of the facility that identifies all the
6 key stakeholders relative to planning and
7 preparing for fire in the event there were one at
8 the facility. Stakeholders including fire
9 protection district, all of our employees,
10 supervisory personnel. Next slide, please.
11 Spill prevention and response.
12 Basically, first and foremost, the facility will
13 not accept any liquid waste. So by not accepting
14 liquid waste it does reduce the potential that you
15 might have a spill or release within the facility.
16 Secondly, I may have mentioned this earlier, the
17 facility will have a site-specific spill control
18 plan that basically identifies the areas for
19 potential spill around the site, what measures the
20 employees at the facility will take to be prepared
21 for in the event of a spill. But more
22 importantly, practices and procedures they will
23 employ to prevent a spill at the facility.
24 In addition, the facility will have an

122

1 SWPPP. What that means, that is a storm water
2 pollution prevention plan. That is required for
3 any facility that -- in the state of Illinois that
4 has a NPDES, or national pollution discharge
5 elimination system permit, which this facility
6 has -- will have, excuse me. And that SWPPP, what
7 it does, it's a plan that lays out best management
8 practices to prevent the potential for spills and
9 releases at the facility as well as what reactions
10 will be undertaken in the event there were such a
11 spill.
12 Emergency spill kits. The facility will
13 have a number of emergency spill kits which will
14 include absorbent booms, socks, mats, et cetera,
15 located around the facility. It will be coupled
16 within the transfer facility building itself at
17 the recycling center at the scales and the scale
18 house. And also at the above ground fuel storage
19 tank will be located near the transfer facility.
20 Something Mr. Nickodem had spoken to
21 earlier, basin 1, which is the final basin for
22 surface water management basins, will have a
23 discharge pipe gate valve that in the unlikely
24 event that there were a spill or release on the

123

1 site that got to one or more of the basins, we
2 have the ability to close this gate valve and
3 contain any potentially impacted water on the site
4 to properly treat it and remove it.
5 And then, lastly, but not least, is
6 personnel training. You know the best way to
7 prevent spills and be better prepared to respond
8 is to make sure all your people are aware of all
9 your required procedures and protocols and they
10 understand them clearly and know how they're going
11 to need to react if a spill or release were to
12 occur. Next slide, please.
13 Emergency response. The facility will
14 have a site specific emergency action plan that
15 will be developed in advance of the initial
16 operation of the facility. And what that plan
17 does is it identifies potential emergencies that
18 may occur at the facility during operation. That
19 could be a spill as I mentioned a moment ago. A
20 potential fire. It could be a medical emergency,
21 or it could be a weather related emergency at the
22 facility.
23 The plan will include all these
24 potential types of emergency scenarios identify

124

1 what actions are to be taken to protect personnel
2 and customers at the site in the event one were to
3 occur. What notifications are to be provided to
4 both internal and external parties at the facility
5 and basically it's just a plan that lays out in
6 advance for everyone at the facility if this were
7 to happen, if we get a tornado here's what you do.
8 You go here. Here's who you notify. You get
9 there right away, et cetera.
10 If there were -- if we were to evacuate
11 the facility where's our rally point at? We set a
12 point where everyone rallies together so we can
13 get a head count and make sure everyone is
14 accounted for and safe. So it is what it is.
15 It's an emergency action plan.
16 It involves significant employee
17 training as I was alluding to a moment ago.
18 They're all very familiar with it and understand
19 how to react in the event of the various
20 emergencies. And then again, internal and
21 external communications. You know, who to notify,
22 who to contact internally in the event of any type
23 of emergency and what response agencies to contact
24 and in what order in the event of any of the

125

1 **emergencies. Next slide, please.**
2 **The plan will include a number of health**
3 **and safety elements. First and foremost, employee**
4 **training. Each employee at the facility will be**
5 **put through Waste Management safety awareness**
6 **training program. What that is, that's a very, as**
7 **I termed earlier robust program that provides**
8 **weekly training for employees on various health**
9 **and safety topics. That could include emergency**
10 **response, fire prevention, fire extinguisher use,**
11 **hazard communication under the hazard**
12 **communication standard, lock out, tag out. All**
13 **these various OSHA required programs as well as**
14 **Waste Management's own internal programs. A**
15 **number of these topics could also include various**
16 **personnel ergonomic and protective trainings that**
17 **we go through.**
18 **Personal protective equipment. Required**
19 **use of personal protective equipment will -- well,**
20 **will be onsite, will be required on site, excuse**
21 **me. That includes not only our employees but all**
22 **the customers that come over to the transfer**
23 **building itself. What is personal protective**
24 **equipment, or PPE? It's various types of safety**

126

1 **equipment you can outfit yourself to make your**
2 **trip or travel, you know, your time at the**
3 **facility safer. Typical PPE use at the facility,**
4 **or that would be required at the facility will be**
5 **high visibility clothing, hard hat, protective**
6 **eyewear, hearing protection and work boots.**
7 **There will be established and posted**
8 **site safety procedures for staff and for**
9 **customers. You know, requiring certain types of**
10 **PPE use as well as perhaps notifying customers of**
11 **safe processes, procedures, while at our facility.**
12 **And that could include, you know, maintaining**
13 **proper spacing and timing within the transfer**
14 **station floor and so forth.**
15 **Fire prevention procedures. You know,**
16 **as I mentioned earlier, we would have the fire**
17 **protection program that we developed for the**
18 **facility and I outlined all those procedures that**
19 **all of our employees will be trained in. Then,**
20 **there are the spill control practices. As I've**
21 **mentioned before we've got the spill prevention**
22 **and control plan as well as a the SWPPP. And**
23 **then, emergency response procedures as outlined in**
24 **the emergency action plan for the facility.**

127

1 MR. MORAN: Thank you, Mr. Peters. I
2 have no further questions.
3 HEARING OFFICER: It's about 4:45, we
4 were scheduled to end at about 4:30. I'm sure we
5 will have some cross-examination. What's your
6 pleasure? We could break now and come back about
7 6:15. Don is nodding yes.
8 MR. MORAN: I'm for coming back at 6:00.
9 Let's get it done.
10 HEARING OFFICER: Well, people probably
11 have to go out and -- let's say 6:15 if that's
12 okay.
13 MR. MORAN: All right.
14 HEARING OFFICER: All right.
15 (Off the record at 4:44 p.m., resuming
16 at 6:14 p.m.)
17 HEARING OFFICER: Okay. We've got a new
18 attendee, Walter Willis. And where is Mr. Peters?
19 There he is. Why don't you come back at up.
20 MR. WILLIS: Good evening, everyone,
21 Walter Willis, the solid waste agency of Lake
22 County.
23 HEARING OFFICER: So I think we had
24 concluded the direct examination of this witness

128

1 it. We are now moving on to any cross-
2 examination. I think I will start with Ms. Fox.
3 CROSS-EXAMINATION BY COUNSEL FOR
4 LAKE COUNTY BOARD
5 BY MS. FOX:
6 Q. Hi Mr. Peters.
7 **A. Hi.**
8 Q. Just one quick question. When you had
9 talked about recycling for the community and you
10 indicated that people are going to have to stop on
11 the scale and talk to person at the scale station.
12 What -- how many cars can you all have -- do you
13 believe you're going to need to have space
14 possibly sitting there for a period of time as
15 people are entering and is at that accounted for
16 as far as traffic flow goes?
17 **A. Yes, it is. And the transaction time**
18 **period on the scale, that conversation that sad,**
19 **shouldn't take any more than 15 to 20, 25 seconds**
20 **at most. And it's my understanding that there is**
21 **ample queuing beyond the scale for as many as 25**
22 **vehicles.**
23 MS. FOX: That's all I have.
24 HEARING OFFICER: Okay. Thank you.

129

1 Ms. -- yeah, or Mr. Price, either one.
2 CROSS-EXAMINATION BY COUNSEL FOR
3 LAKE COUNTY STAFF
4 BY MS. ZWICK:
5 Q. Getting back to the pounds per day
6 question that we posed to Mr. Nickodem. He said
7 that that was going to leave it to that -- for you
8 to answer?
9 **A. I don't recall the question.**
10 Q. Okay. All the questions -- well, I will
11 repeat the question.
12 The question is, the testimony was that
13 1000 tons per day is a maximum. It's a ceiling.
14 Is that correct?
15 **A. That's the design capacity.**
16 Q. That's the design capacity. But will
17 Waste Management agree if there is a condition
18 setting the maximum daily throughput at 10,000
19 tons per day would Waste Management agree to that?
20 **A. Ten thousand tons per day?**
21 Q. One thousand tons per day.
22 **A. I believe they will.**
23 Q. They will. All right. Thank you. And
24 another question on this, and this is where I came

130

1 up with that the host agreement question. Are you
2 familiar with the host agreement that's -- do you
3 know that there's a host agreement in the siting
4 application?
5 **A. That would be with Lake County?**
6 Q. Yes, with Lake County. You're familiar
7 with it?
8 **A. Somewhat.**
9 Q. If there is --
10 MS. ZWICK: Should I show him the host
11 agreement? Would that be helpful? I just wanted
12 to read from one section.
13 MR. MORAN: If you're just going to read
14 from one section you can read it to him but I
15 guess the only thing I would say is if the
16 provision you're going to read has some relevance
17 to either establishing or refuting clients with
18 the criteria I don't think it's an appropriate
19 question to ask this witness it because clearly
20 this is it for the purpose of negotiating,
21 construing, or enforcing a contract which is what
22 the host agreement is.
23 So I would just say that if that's what
24 you're looking to do in terms of some evidence

131

1 that relates to the criteria, great, wonderful.
2 But if it's just to talk about a provision in a
3 contract about it as or how it's to be read, then
4 I don't think that's appropriate for this
5 proceeding.
6 MS. ZWICK: Well, I think it comes back
7 to the 1000 tons per day and kind of solidifies
8 the point of 1000 tons per day.
9 MR. MORAN: Well, perhaps if we can
10 short-circuit that, I can say definitively that
11 Waste does not intend to ever, at any point,
12 except more than 1000 tons per day at this
13 transfer station. And I think as we've kind of
14 indicated already, looking at probably 500 tons
15 per day as an average. But even getting up to 750
16 is not something that's going to happen, and they
17 will not go over 1000 tons a day.
18 MS. ZWICK: And that's just one
19 provision I'd like to read.
20 HEARING OFFICER: Go ahead.
21 MS. ZWICK: It section 6(b) on page 8.
22 It says:
23 "Should the company wish to receive more
24 than 1000 tons per day of waste, subject

132

1 to the host fee, the company and the
2 county shall, in good faith, prior to
3 receipt of such amount negotiate a fee
4 acceptable to the parties."
5 BY MS. ZWICK:
6 Q. Is it fair to say that Waste Management
7 will comply with the host agreement?
8 **A. Yes.**
9 Q. That's the question.
10 **A. Gotcha.**
11 Q. So moving on, you talk about the hours
12 of operation, 6:30 a.m. to 3:30 p.m. Monday
13 through Friday. If there is a holiday during the
14 previous week it will be Saturdays from, I
15 believe, 6:30 to 2:00, correct?
16 **A. I think I said noon.**
17 Q. Or to --
18 **A. Perhaps longer. I realize there's**
19 **limitations, no later than 2:00 --**
20 Q. No later than 2:00?
21 **A. -- under those circumstances.**
22 Q. And I think the application also
23 discussed some circumstance due to some emergency
24 situations where it might need to accept waste

133

1 beyond those hours?
2 **A. I believe that, yeah.**
3 Q. And I believe it was, like a natural
4 disaster, extreme weather events, an act of God,
5 and possibly like a landfill closure; does that
6 sound familiar?
7 **A. Somewhat, yes.**
8 Q. So there would be some circumstances
9 where the facility might have to go a little
10 longer?
11 **A. There may be from time to time.**
12 Q. And the concern is whether the -- the
13 application states that in the event of one of
14 these situations, a disaster, and extreme weather
15 condition, that the facility is going to seek
16 agreement by the Lake County Administrator to
17 extend the hours; is that correct that they will
18 seek -- provide some notice ahead of time?
19 **A. That would be standard practice to do**
20 **so.**
21 Q. So they would be contacting the Lake
22 County Administrator?
23 **A. I don't know what the language in the**
24 **proposed agreement says but --**

134

1 Q. Well, would Waste Management agree to
2 contact the Lake County Administrator if that is
3 what the County would like done?
4 **A. I would say yes.**
5 Q. And the health department? You would
6 contact -- could you contact the health
7 department?
8 **A. That's standard practice as well. We**
9 **notify the relative parties, the key stakeholders**
10 **in each case, and explain our reason for being**
11 **open extended hours and the duration anticipated.**
12 Q. Yeah, that was my next question is you
13 would follow up after the fact with the Lake
14 County Administrator, the health department, and
15 let them know the reason and the duration of the
16 event?
17 **A. Yes.**
18 Q. So if the County staff wanted to
19 recommend a condition requiring the facility to
20 provide notice to the Lake County Administrator
21 and the health department by email and phone on
22 that date to extend the operating hours would
23 Waste Management agree to that?
24 **A. Yes.**

135

1 Q. And would Waste Management also agree to
2 provide a follow-up email within 48 hours with
3 their reasons for the event and the duration?
4 **A. You mean terminating the duration event?**
5 Q. No, just explaining the reasons for the
6 extended hours. And provide notice --
7 **A. I guess that could be done.**
8 Q. -- within 48 hours? That would be
9 great. Something else that you had talked about
10 was the tarping and litter control, you talked
11 about the need to have transfer trailers tarped
12 and that you wouldn't accept any trailers that
13 came in that were not tarped. What about trailers
14 that have, you know, a rip or a tear, or a hole
15 that's large enough for garbage to blow out? Are
16 those transfer trailers turned away?
17 **A. Trailers, inbound trailers you mean?**
18 Q. Yeah.
19 **A. Well, we're going to talk about those.**
20 **Basically, it's something we police on a day to**
21 **day basis. If we see someone coming in with a**
22 **load that has a deteriorated un-effective tarp on**
23 **their trailer or truck, whatever it may be, we**
24 **notify them that this needs to be corrected. The**

136

1 **next time you come in the expected to correct it.**
2 Q. And so if they -- so if they arrive and
3 they're in the tarping stage is there somebody
4 that's looking at the tarps to make sure there
5 isn't any rips or tears?
6 **A. On the outbound side.**
7 Q. On the outbound side?
8 **A. Yeah, because the tarp has to be**
9 **deployed over the top of the trailer to be able to**
10 **see if it's intact or not. And basically, site**
11 **personnel will be monitoring that as they're**
12 **leaving each day.**
13 Q. And if it's not completely intact will
14 it be repaired before it leaves the building?
15 **A. We will implore them to repair it.**
16 **Yeah. We're not going to repair it for them. We**
17 **tell them not to return. We have a good working**
18 **relationship with our third-party transporters.**
19 **We communicate with them daily about issues such**
20 **as this. And if we find an issue we'll contact**
21 **them and let them know trailer number so and so**
22 **needs to be addressed.**
23 Q. Okay, sounds good. So a follow-up. If
24 the county staff recommended a condition that

137

1 would require Waste Management to visually inspect
2 these tarps for tears or rips with a potential for
3 allowing litter to blow out from the transfer
4 trailers during travel and then make any necessary
5 repairs in the building prior to exiting, would
6 Waste Management agree to that?
7 A. I don't know that we would. I mean,
8 that seems a little different than what we just
9 discussed.
10 Q. So what would you agree to? You're
11 agreeing to that you'll --
12 A. That we will police those tarps upon
13 leaving the facility and communicate with the
14 third-party vendor to ensure that appropriate
15 repairs are made to tarps when identified.
16 Q. Okay, sounds good. So more on your
17 litter control plan. The -- you had testified
18 that they're going to be patrolling within 1500
19 feet of the property line.
20 A. Of the facility.
21 Q. Of the facility, excuse me. The
22 application actually says something a little
23 different. It's in section 4.14, page 2-25. I
24 can just read it. It just says:

138

1 "The facility will, at a minimum,
2 patrol and remove litter from property
3 within 500 feet of public streets and
4 corresponding rights-of-way within 1000
5 feet of the facility."
6 A. The 500 feet would be the distance from
7 the roadway right-of-way back into a respective
8 property or portion.
9 Q. Then, this one says that within 1000
10 feet of the facility. And also, I believe, if you
11 would allow me to look at the host agreement, that
12 it says 1500 feet. So I guess the question is
13 what is the patrol distance that Waste Management
14 is committing to?
15 A. As I stated earlier, 1500 feet in either
16 direction from the facility, north and south.
17 Q. Okay.
18 A. And then, 500 feet off those
19 respective -- that length, that 3000 feet off the
20 respective right-of-way, given we have obtained,
21 in advance, permission of the property owner to go
22 onto their property and collect any litter that
23 may be there.
24 MS. ZWICK: And that is all I had.

139

1 Thank you.
2 HEARING OFFICER: Mr. Price?
3 MR. PRICE: Thank you.
4 CROSS-EXAMINATION BY COUNSEL FOR
5 SWALCO
6 BY MR. PRICE:
7 Q. Hello, Mr. Peters. Back to transfer
8 trailers as I too was directed to ask you these
9 questions. But on the torn tarp, you would let a
10 third-party trucking firm that's operating a
11 transfer trailer leave the facility with a torn
12 tarp?
13 A. That's not what I said.
14 Q. Well, that's -- well, let me ask you.
15 Would you let them leave?
16 A. I would ask them to correct it before
17 they leave.
18 Q. What if the driver says this is my last
19 one, I'm leaving.
20 A. Then, I would call his direct supervisor
21 or dispatcher and request that they correct it
22 before they leave the site.
23 Q. I'm glad that you're the senior district
24 manager that includes Orchard Hills. My question

140

1 about the late laden trucks, those between 3:00
2 and 4:00. Is there a staging site after the gate
3 closes at Orchard Hills for the trailers to be
4 delivered to?
5 A. Yes, there is.
6 Q. Is that 24/7 or is that --
7 A. It's the -- I don't know that it's
8 operated 24/7, but it can receive loaded trailers
9 until late at night.
10 Q. Is that the same for DeKalb?
11 A. They do not have a staging facility at
12 DeKalb.
13 Q. Then the question I had was weather
14 related. It's a windy day, and given the
15 proximity of DeKalb and Davis Junction, Orchard
16 Hills, is there a third landfill you would send to
17 if those two are closed due to high winds?
18 A. I can't say at this moment, that there
19 is one that has been identified but there may be.
20 Q. Would Waste Management want stipulate to
21 keep it in Lake County and send it to Zion, that
22 you also looked at at one time.
23 A. Yeah. I think that would have to be
24 discussed further between Waste Management and

141

1 **Lake County.**
2 Q. Well, we only have storage for about 200
3 tons onsite, right? You've got the three indoor
4 transport trailers and up to six outside, that's
5 about 200 tons or so?
6 **A. Yeah.**
7 Q. So the peak hours 1:00 to 2:00, so at
8 the very end of the day these things need to go
9 somewhere and if they're closed due to wind you
10 need to find a solution.
11 **A. What typically occurs if we have a major**
12 **wind event whereby landfills are closed early or**
13 **perhaps don't open at all during that day we don't**
14 **necessarily continue to operate the transfer**
15 **stations the entire day. We have, in fact, closed**
16 **transfer stations for an entire day if not much**
17 **earlier in the day to preclude the dilemma that I**
18 **believe you're referring to.**
19 Q. So I get that, especially if it's the
20 company's pack or tracks that are making
21 collections in the events, to use the words that
22 you used, that are coming. But do you have an
23 anticipated volume percentage for non-company
24 owned vehicles that are bring the 500 ton level or

142

1 1000 ton level?
2 **A. No, when I say closed, I mean to**
3 **everyone. We have, with some regularity, during**
4 **wind events closed transfer stations to all our**
5 **customers knowing that we don't have the outlet**
6 **for trash disposal.**
7 Q. Were you involved in the decision to use
8 toters for the food waste -- the food scrap
9 recycling decision?
10 **A. I was not, no.**
11 Q. What was that?
12 **A. I was not involved in that decision, if**
13 **in fact one has been made.**
14 Q. Do you have any experience using toter
15 for food scrap recycling?
16 **A. I can't say I do.**
17 Q. Are you aware of the master agreement,
18 the master plan between Waste Management and
19 Grayslake?
20 **A. I am aware of it.**
21 Q. Were you involved at all in the design
22 of the security fencing and the gate?
23 **A. I was not.**
24 MR. PRICE: That's all I have for Mr.

143

1 Peters.
2 HEARING OFFICER: Any redirect, Mr.
3 Moran?
4 MR. MORAN: I have no redirect.
5 HEARING OFFICER: Thank you, Mr. Peters.
6 MR. PETERS: Thank you.
7 HEARING OFFICER: You may call --
8 MR. MORAN: Sorry?
9 HEARING OFFICER: You may call your next
10 witness.
11 MR. MORAN: Oh yes. Ms. Lynn Means will
12 be our next witness.
13 LYNN MEANS,
14 a witness, having been duly sworn/affirmed,
15 testified as follows:
16 HEARING OFFICER: Thank you.
17 You may proceed.
18 MR. MORAN: Thank you.
19 DIRECT EXAMINATION BY COUNSEL FOR
20 WASTE MANAGEMENT
21 BY MR. MORAN:
22 Q. Ms. Means, could you tell us your name
23 and spell your last name for the court reporter,
24 please?

144

1 **A. Yes. My name is Lynn Means, the last**
2 **name is spelled M-E-A-N-S.**
3 Q. Ms. Means, what is your business or
4 occupation?
5 **A. I am a senior transportation engineer.**
6 Q. Are you a licensed engineer?
7 **A. Yes, I'm licensed in the states of**
8 **Illinois, Indiana, New Hampshire, as well as**
9 **Tennessee.**
10 Q. And for how long have you been a
11 licensed engineer?
12 **A. Since 2004.**
13 Q. Are you currently employed?
14 **A. Yes, by BLA.**
15 Q. What is it BLA?
16 **A. BLA is a civil engineering consulting**
17 **firm that specializes in transportation**
18 **engineering, municipal engineering, construction**
19 **management, structural engineering, as well as**
20 **traffic impact studies.**
21 Q. And Ms. Means, you're here today speak
22 about criterion 6 which is whether the traffic
23 patterns to and from Meadowview have been designed
24 so as to minimize any impact on existing traffic

145

1 flow; is that correct?
2 **A. That's correct.**
3 Q. And what conclusion have you drawn from
4 your study?
5 **A. That the traffic patterns to and from**
6 **the facility have been designed to minimize the**
7 **impact on existing traffic flows.**
8 Q. And before we get into details of your
9 evaluation, let's cover your background and
10 qualifications. What is your education?
11 **A. I have a bachelor in science from**
12 **Bradley University in civil engineering.**
13 Q. Can you describe for us your
14 professional experience relating to the evaluation
15 of traffic impact conducting traffic impact
16 studies?
17 **A. Yes. For over 25 years I have prepared**
18 **traffic impact studies and analysis for both**
19 **private as well as public entities. On the**
20 **private side, as well as the public side, for uses**
21 **such as industrial, commercial, residential,**
22 **institutional, mixed uses in the urban/suburban**
23 **environments as well as for pollution control**
24 **facilities.**

146

1 Q. Do you hold any certifications or
2 designations?
3 **A. Yes, I'm also certified as a PTOE, a**
4 **professional transportation operations engineer,**
5 **as well as an RSP1, which is a road safety**
6 **professional level 1.**
7 MR. MORAN: Mr. Hearing Officer, may I
8 approach the witness?
9 HEARING OFFICER: You may.
10 MR. MORAN: Ms. Means, let me show you
11 what we have marked as Petitioner's Exhibit 6 for
12 identification.
13 (Whereupon Petitioner's Exhibit 6 was
14 offered into evidence.)
15 Q. Will you look at that for us, please,
16 and tell us if you know what it is?
17 **A. It's a copy of our firm information for**
18 **BLA as well as my resume.**
19 Q. The first pages the firm information and
20 the second page is your resume?
21 **A. It's my resume, correct.**
22 Q. Does your resume fairly and accurately
23 reflect your education and experience?
24 **A. Yes, it does.**

147

1 Q. Now, Ms. Means, is there a written
2 report that contains your evaluation and
3 conclusions regarding criterion 6?
4 **A. Yes, there is.**
5 Q. And is that written report contained in
6 the site location application?
7 **A. Yes, it is.**
8 Q. Now, could you tell us what you did in
9 carrying out the work that you did to evaluate the
10 traffic impact on facility generated traffic here?
11 **A. Yes. We looked at existing traffic**
12 **characteristics which included field observations**
13 **within the 1 mile study area of the facility.**
14 **That included information such as road away**
15 **geometries, speed limits, it also included traffic**
16 **control information, if it's signalized versus on**
17 **signalized intersections. As well as for**
18 **signalized intersections we obtained the traffic**
19 **signal timings of the existing signals operations.**
20 **We also performed weekday and Saturday**
21 **traffic counts during both peak times as well as**
22 **on a daily basis. We performed capacity analysis**
23 **to evaluate the existing operations**
24 **characteristics of both the study area roadways**

148

1 **and intersections.**
2 **Then, from that information, we**
3 **developed facility traffic characteristics. That**
4 **included identifying the vehicle types that would**
5 **serve the facility. As identified in previous**
6 **testimony, that would include vehicles such as**
7 **transfer trailers, collection and vehicles as a**
8 **well as a recycling center traffic. We then**
9 **identified the traffic generation on an hourly**
10 **basis both during weekday average which is that**
11 **500 tons per day as a well as during a peak**
12 **timeframe which would be under a 1000 ton per day**
13 **scenario, as well as during Saturday timeframes.**
14 **We then identified the directional**
15 **distribution with which traffic would arrive and**
16 **depart the facility for each of the respective**
17 **vehicle types. We then developed an evaluation to**
18 **determine the facilities impact on traffic flows.**
19 **That included, again, capacity analysis to**
20 **evaluate the facilities demand and on those --**
21 **both intersections and roadways within the study**
22 **area.**
23 **A gap study which identified breaks or**
24 **gaps within the traffic stream. So that**

149

1 essentially evaluates what the duration and the
2 frequency of gaps, like time in between vehicles
3 along the adjacent roadway for vehicles to both
4 enter and exit the facility access. As well as a
5 sight distance evaluation at the facility access
6 determined that there is safe sight lines for both
7 vehicles traveling along Illinois Route 83 as well
8 as for the facility traffic to access the site.
9 Q. The first item on your slide, the
10 existing traffic characteristics, could you
11 describe those for us?
12 A. Yes, of course. As shown on this map,
13 the facility as previously described is located
14 south of the Countryside Landfill. It's located
15 on the east side of Illinois Route 83, and it will
16 use the existing access that's opposite Rowena
17 Road and both the facility access as well as
18 Rowena Road at this intersection are under stop
19 sign control. And Illinois Route 83 is free flow.
20 Illinois Route 83 is a simple arterial
21 roadway. It is under the jurisdiction of the
22 Illinois Department of Transportation. It has a
23 posted speed limit of 50 mph to the facility and
24 south, and then it is reduced to 45 mph to the

150

1 north and its further reduced to 40 mph once you
2 get north of the Atkinson and Illinois Route 137
3 intersection.
4 It has a traffic signal up at that 137
5 and Atkinson Road intersection, as well as a
6 traffic signal that's at the Peterson Road
7 intersection. To the south, we have Peterson Road
8 which is an arterial roadway that functions as a
9 minor arterial to the west of Illinois Route 83
10 and a principal arterial roadway to the east.
11 Peterson Road is also designated as a
12 strategic regional arterial route to the east of
13 Illinois Route 83 and that designation provides
14 more stringent criteria regarding access as well
15 as traffic signal control. It has a 45 mile-per-
16 hour speed limit along its length, and again, the
17 traffic signal is located at Illinois Route 83 as
18 well as there is one at Cornerstone Parkway to the
19 west and as well as at Midlothian Road to the
20 east.
21 Next, I'd like to talk about Illinois
22 Route 137, which extends south from that Illinois
23 Route 83 and Atkinson Road intersection. It is a
24 principal arterial -- I'm sorry, minor arterial

151

1 roadway that's under the jurisdiction of the
2 Illinois Department of Transportation. And it has
3 a traffic signal that's at the Midlothian Road and
4 Casey Road intersection.
5 We next have Midlothian Road which then
6 becomes Casey Road to the north of Illinois Route
7 137. It has a traffic signal at Peterson Road as
8 well as at its intersection with Casey and
9 Illinois Route 137. And it has a 45 mph posted
10 speed limit. And this roadway is under the
11 jurisdiction of the Lake County Division of
12 Transportation.
13 We also have local roadways within the
14 study area including Cornerstone Parkway which
15 serves the Cornerstone industrial data center
16 there. And it has a posted speed limit of 25 mph
17 and we have Rowena road which is also a local
18 roadway and Atkinson Road that's under local
19 jurisdiction. Atkinson Road also functions as a
20 major collector roadway to the north.
21 Q. Ms. Means, did you perform traffic
22 accounts on the surrounding roadways?
23 A. We did. We collected both intersection
24 movement counts and during weekday and Saturday

152

1 time frames from those intersection turning
2 movement counts we identified the critical weekday
3 morning and weekday evening peak periods, time
4 frames when traffic is at its heaviest along the
5 study area roadways. We also identified the
6 weekday midday and the Saturday midday time
7 frames, times in which the facility is anticipated
8 to have higher traffic generation.
9 Just of note that during the weekday
10 midday time frame traffic in general along the
11 study area roadways is typically about 35 to 40
12 percent less than the weekday morning and evening
13 commuter peak periods, as well as during these
14 Saturday midday time frame, traffic is also lower
15 about 15 to 20 percent less than the commuter peak
16 periods. We also identified daily traffic counts
17 along the study area roadways including Illinois
18 Route 83 and Peterson Road.
19 Q. Did you also perform a capacity
20 analysis?
21 A. Yes, we performed the capacity analysis
22 to measure the operating efficiency of both
23 roadways and intersections efficiency. And the
24 measure for roadways is considered based on

153

1 density and capacity of roadways, whereas
2 intersections is evaluated based on the lake. And
3 for that, we look at evaluating and defining a
4 level of service that based on a level of A to F.
5 A typically represents little to no
6 delay. Levels of service B represent desirable
7 levels of delay. Levels of service C are average
8 levels of delay. Levels of service D are still
9 deemed acceptable levels of delay, and levels of
10 service E and F are where you are starting to
11 experience longer delays.
12 Although, it's important to note that
13 those levels of service E and F are not uncommon
14 and often acceptable for left turns at major
15 intersections, turning out of the minor roadways
16 that are signalized just due to the signal timings
17 along those corridors. As well as times from left
18 turning vehicles on a minor street approaches at
19 major roadways.
20 And based on that capacity analysis
21 which looked at the roadway levels of service. So
22 within the study area the roadways on Illinois
23 Route 83 north of the facility under existing
24 conditions are operating at an acceptable level of

154

1 service C. And the levels of service to Illinois
2 Route 83, south of the facility are also at an
3 acceptable level of service C. And just to the
4 east on Peterson Road it's also at an acceptable
5 level of service C.
6 We then also evaluated the intersection
7 levels of service the 1 mile study area radius.
8 And during that we evaluated both the weekday
9 morning, the weekday evening, the weekday midday
10 as well as a Saturday midday peak operations.
11 This illustration shows the lowest level of
12 service that was identified at intersections
13 overall and at the unsignalized intersection,
14 those approaches, which typically occurred during
15 the weekday morning and the weekday evening
16 commuter peak periods.
17 And based on our analysis the overall
18 signalized intersections are currently operating
19 at acceptable levels of service D or better, and
20 the minor street unsignalized stop sign controlled
21 approaches are operating at acceptable levels of
22 service D or better.
23 Q. Moving on to the next item in your
24 methodology, could you describe for us in the

155

1 facility traffic characteristics?
2 A. Yes. As described, we identified
3 vehicle types. So the facility will serve
4 collection trucks, transfer trailers and recycling
5 center traffic as well as the employees and
6 vendors. We identified for the trucks contained
7 in the application the size and weight of those
8 types of vehicles. We then, based on historical
9 traffic that was collected at Countryside, other
10 traffic studies and information provided by Waste
11 Management, we developed facility traffic
12 generation on an hourly basis during the weekday
13 average peak, which is that 500 tons per day.
14 Eight weekday peak period, which would be 1000
15 tons per day, as well as a Saturday time frame.
16 From that, we identified directional
17 distribution which is again how each vehicle type
18 will arrive and depart the facility and that was
19 identified based on the service area, existing
20 traffic counts, as well as previous studies and as
21 well, we also evaluated the existing operation and
22 characteristics of the roadway system.
23 Q. And what did you determine with respect
24 to the weekday average of 500 tons per day?

156

1 A. On a weekday average basis of 500 tons
2 per day the facility would generate 570. I have
3 to look at my notes for a second. I□m sorry.
4 With it being a little bit far away I want to make
5 sure that that number is correct. Yes, 570
6 vehicles over the course of a day 285 vehicles
7 coming in and 285 vehicles coming out.
8 Q. So that number, Ms. Means, excuse me, is
9 570 trips?
10 A. Yes.
11 Q. Vehicles in, vehicles out?
12 A. Yes, it's combined entering and exiting
13 vehicles. So for example, looking at the transfer
14 trailer column here, the total daily trips would
15 be 42, which would be 21 transfer trailers coming
16 in and 21 coming out on a daily basis. And from
17 this distribution, as I previously mentioned,
18 weekday mornings street peaks, occur between 7:00
19 and 9:00 a.m. on the adjacent street, as well as
20 4:00 to 6:00 during the evening on the adjacent
21 street peak. And the facility traffic is highest
22 during the midday timeframe, during 2:00 to 3:00
23 p.m. for a 500 tons per day scenario, which
24 doesn't coincide with the weekday morning and

157

1 weekday evening street peaks.
2 We also perform the same evaluation
3 under a 1000 ton per day peak scenario and
4 similarly, identified the weekday morning street
5 peak, the weekday evening. The site facility
6 traffic generation occurs between 1:00 to 2:00
7 p.m., which again doesn't coincide with the
8 morning and evening street peak periods.
9 The combined, again, these are trips,
10 combined entering and exiting with a total of 802.
11 So that would be 401 vehicles entering, 401
12 vehicles exiting on a daily basis. And so again,
13 just for quick reference, looking at the transfer
14 trailers that would be a total of 84. So 42
15 distributed coming in and 42 exiting during the
16 weekday peak timeframe.
17 We also evaluated and developed traffic
18 generation on the hourly basis for the Saturday
19 timeframe. And so on the Saturday timeframe as
20 previously noted there will be no waste acceptance
21 and no collection trucks or transfer trailer
22 trucks entering or exiting the facility. And it
23 will generate on the total trips 300. So that
24 would represent 150 vehicles entering and 150

158

1 vehicles exiting.
2 The weekday street peak is typically
3 between the 12:00 and 2:00 timeframe on the
4 adjacent streets with our facility coming in just
5 between 11:00 a.m. and 12:0 p.m., which again
6 doesn't coincide. And again, Saturday midday is
7 typically lower than then weekday morning and the
8 weekday evening commuting street peak hours.
9 Q. Did you also determine the directional
10 distribution of the Meadowview generated traffic?
11 A. Yes. We identified the directional
12 distribution, again, based on the service area,
13 operational characteristics of the adjacent
14 street, existing Countryside traffic counts and we
15 distributed that based on those various vehicle
16 types to the adjacent roadway network based on,
17 again, the various vehicle types.
18 And we had found that there were no
19 alternative traffic routes that would minimize the
20 impact on the adjacent street traffic.
21 Q. And did you determine the roadway levels
22 of service with and without the facility?
23 A. Yes. So we evaluated the roadway levels
24 of service for a 2028 timeframe condition. You

159

1 first develop 2028 traffic volume projections for
2 the weekday morning, weekday midday, weekday
3 evening, Saturday midday timeframe. Based on 2028
4 condition as well as on a daily basis which would
5 include post-landfill closure traffic. So in 2028
6 the landfill is anticipated to be closed. So it
7 would include a traffic based on what the
8 Countryside would generated on -- upon closure.
9 We then, also assumed general growth
10 within the study area. So we coordinated with the
11 Chicago Metropolitan Agency for Planning to
12 develop 2050 traffic volume projections along all
13 studied area roadways, and used that to develop a
14 growth rate to be applied to our existing traffic
15 volumes, as well as considered Lake County
16 specific guidelines for traffic studies which
17 require a 3 percent non-compounded growth rate on
18 their study area roadways which again, is Peterson
19 Road and Midlothian, Casey Road.
20 And so from that we determined that
21 under 2028 conditions without the facility traffic
22 that the study area roadways would continue to
23 operate at acceptable levels of C similar to
24 existing conditions. We then, added in traffic

160

1 based on average conditions for the facility under
2 500 tons per day, and we found that under the 2028
3 with the 500 tons per day average condition said
4 that these intersections would continue to operate
5 at acceptable levels of service.
6 And we then, further looked at it under
7 2028 conditions with peak conditions under the
8 1000 tons per day and found, again, the study area
9 roadways to continue to operate at acceptable
10 levels of service C.
11 We then again, evaluated intersection
12 levels of service within the 1 mile study area
13 radius and for the 2028 conditions without the
14 facility traffic which is, again, close to
15 Countryside Landfill as well as general growth
16 within the study area signalized intersections
17 will continue to operate at acceptable overall
18 levels of service D or better and the minor
19 streets stop sign controlled approaches will
20 operate, again, at acceptable levels of service C
21 or better.
22 And again, these levels of service
23 presented on there represent the lowest level of
24 service experienced at any of these locations,

161

1 which typically coincides with the weekday morning
2 and the weekday evening peak periods of adjacent
3 street traffic. Under 2028 with the average of
4 facility traffic conditions, that's with the
5 traffic associated with that 500 tons per day,
6 again, the overall intersection levels of service
7 at the signalized intersections will operate
8 continuously at levels of service D or better and
9 the minor street approaches will continue to
10 operate acceptable levels of service D or better.
11 And under the 2028 peak facility
12 conditions, which is the 1000 ton per day facility
13 traffic scenario again, the overall intersection
14 levels of service are at acceptable levels of
15 service D or better and the under signalized minor
16 street approaches are at levels of service D or
17 better.
18 Q. Ms. Means, did you perform a gap study?
19 A. We did. We performed a gap study at the
20 facility access at Illinois Route 83.
21 Q. Well, before you go into that, could you
22 tell us what a gap study is?
23 A. Yes. The gap study is to measure the
24 frequency and the duration of gaps. So basically

162

1 if a vehicle is traveling along the roadway we
2 measure the time in between those vehicles to
3 determine how many and what duration of gaps
4 breaks in the traffic stream are available.
5 And we do that so that way we can find
6 out is there sufficient breaks in that traffic
7 stream which would permit facility traffic to
8 safely enter and exit the facility. So we measure
9 breaks in both the northbound traffic stream which
10 would prevent a southbound left turn vehicle to
11 enter the site.
12 We performed vehicle gaps that are
13 measuring the gaps that combined both northbound
14 and southbound traffic streams which would permit
15 a vehicle that's traveling from the facility
16 westbound turning southbound onto Illinois Route
17 83, as well as again, measuring the northbound
18 traffic stream gaps to allow a westbound right
19 turning vehicle to exit the facility.
20 And each of those gaps takes into
21 consideration the intersection in geometry so for
22 example a westbound vehicle exiting they would
23 need to cross over through the through lane, the
24 left turn lane, to get into the southbound travel

163

1 lanes. So it considers the geometry as well as
2 the vehicle type that's forming that maneuver. So
3 for a truck it would require a longer duration in
4 the gap to successfully perform that maneuver.
5 And based on the results, this can be
6 shown on the next slide. We measured the
7 available capsid during each of the time frames
8 that can be shown in this period, and then we
9 quantified the vehicles that are performing those
10 maneuvers both under average and peak conditions
11 and found there to be more than gaps to permit
12 safe entry and exit to and from the facility.
13 Q. Did you also perform a site distance
14 evaluation from the Meadowview site entry?
15 A. Yes we did. And that considered both
16 stopping sight distance as a well as intersections
17 sight distance. So for stopping sight distance,
18 again, it considers the geometry, it considers of
19 the speed limit, and it's for vehicles traveling
20 in this example, on Illinois Route 83 to have
21 sufficient sight lines to be able to adequately
22 stop for an object within the roadway.
23 The intersection sight distance would
24 refer to vehicles exiting the site have a clear

164

1 sight triangles which would permit them to turn
2 left and right out of the site. And based on our
3 analysis facility access has sufficient stopping
4 sight distance as well as intersection sight
5 distance to provide safe access and exit from the
6 facility.
7 Q. Ms. Means, based upon your education,
8 experience, and review of this traffic impact
9 analysis, do you have an opinion as to whether the
10 traffic patterns to and from Meadowview have been
11 designed to minimize impact on existing traffic
12 flows?
13 A. Yes, I do.
14 Q. And what is your opinion?
15 A. That the traffic patterns have been
16 designed to minimize the impact on existing
17 traffic flows.
18 Q. What are the reasons for your opinion?
19 A. As identified during my testimony the
20 facility peak hours do not coincide with the
21 adjacent street peak hours. As testified, traffic
22 during the weekday morning and evening peak
23 periods is higher than both the weekday midday as
24 well as Saturday at midday time frames. The

165

1 **facility traffic doesn't significantly impact the**
2 **existing levels of service at both roadways and**
3 **intersections within the study area. We have also**
4 **found there to be adequate gaps at the facility**
5 **access at Illinois Route 83 or safe entry and**
6 **exit, as well as the existing roadway geometry**
7 **provides adequate site distance for approaching**
8 **and departing vehicles from the facility.**
9 MR. MORAN: Thank you very much Ms.
10 Means. I have no further questions.
11 HEARING OFFICER: Thank you, Mr. Moran.
12 Ms. Fox, do you have questions for this witness?
13 MS. FOX: I have no questions.
14 HEARING OFFICER: Okay. You want to go
15 ahead?
16 MR. PRICE: None for me.
17 MS. ZWICK: No questions.
18 HEARING OFFICER: No questions. Neither
19 of you have any questions? Okay. Thank you, Ms.
20 Means.
21 MS. MEANS: Thank you.
22 HEARING OFFICER: Mr. Moran, you may
23 call your next witness.
24 MR. MORAN: Thank you, Mr. Hearing

166

1 Officer, will call Mr. Chris Lannart.
2 Mr. Hearing Officer, you swear the
3 witness?
4 HEARING OFFICER: I keep forgetting
5 that, Mr. Moran. Thank you.
6 JAMES CHRISTOPHER LANNERT
7 a witness, having been duly sworn/affirmed,
8 testified as follows:
9 HEARING OFFICER: Thank you.
10 DIRECT EXAMINATION BY COUNSEL FOR
11 WASTE MANAGEMENT
12 BY MR. MORAN:
13 Q. Would you state your name please, and
14 spell your last name for the court reporter?
15 **A. Yes. My name is James Christopher**
16 **Lannert, L-A-N-N-E-R-T.**
17 Q. Mr. Lannert, what is your occupation?
18 **A. I'm a landscape architect and urban**
19 **planner.**
20 Q. For how long have you been a landscape
21 architect and an urban planner?
22 **A. Since I graduated from Michigan State**
23 **University.**
24 Q. Are you employed?

167

1 **A. Yes, I am.**
2 Q. By whom?
3 **A. I have my own company, The Lance Group**
4 **which office is in Geneva, Illinois. As well as**
5 **St. Charles, Michigan.**
6 Q. Could you tell us a little bit about the
7 business of The Lance Group?
8 **A. Yes, The Lance Group is a**
9 **multidisciplinary firm. It offers professional**
10 **services in the area of planning, landscape**
11 **architecture and community consulting. Under the**
12 **planning service we do subdivision plans, mixed**
13 **used developments and things of that sort. Under**
14 **the landscape architectural part of our service we**
15 **do typical planting plans, treescape plans, park**
16 **entry plans and then in the community consulting**
17 **area we do zoning ordinance master plans and**
18 **evaluation studies.**
19 Q. Now, you're here today to talk about the
20 first part of criterion 3 which is whether
21 Meadowview is located so as to minimize any
22 incompatibility with the character of the
23 surrounding area; is that correct?
24 **A. That is correct.**

168

1 Q. And what have you concluded regarding
2 that criteria?
3 **A. I've been able to conclude that the**
4 **subject type is compatible character of the**
5 **surrounding area.**
6 Q. Before we get into the details of your
7 evaluation on that point, let me just cover your
8 qualifications a little further. You mentioned
9 you graduated from Michigan State University?
10 **A. That's correct.**
11 Q. With a major in?
12 **A. A major in landscape architecture and**
13 **regional urban planning.**
14 Q. Could you describe for us your
15 professional experience with respect the sighting
16 of a pollution control facilities and specifically
17 waste transfer stations?
18 **A. Yes, I can. Over my career, I've had**
19 **the opportunity to consult on over 60 solid waste**
20 **proposal facilities. Forty of those were**
21 **landfills or enclosed expansions and 20 of them**
22 **were transportation sites.**
23 Q. Do you hold any professional
24 certifications or designations?

169

1 A. Well, yes, I am a member of the American
2 Society of Landscape Architects. I am a past
3 president and board member of the Landscape
4 Architecture Foundation which is our society
5 located in Washington, D.C. I sat on the Illinois
6 Department of Professional Regulations as a board
7 member and chair for about 10 years. And I also
8 am the past president and board member of the
9 Illinois Chapter of Landscape Architects.
10 Q. Have you or The Lannert Group won any
11 awards?
12 A. Yes. We've been fortunate to win a
13 number of awards. Most of them were industry
14 associated, both at the national, state, and local
15 level. But probably the three that I'm proud of
16 are the three that I'll list. One is from the
17 Chamber of Commerce in Valparaiso, Indiana.
18 Unusual for a planning organization to get an
19 award from a chamber of commerce. WE did a
20 infield sight in downtown Valparaiso which
21 attracted the infield people we anticipated and
22 they created such an increase in commerce that we
23 got an award from the Chamber of Commerce.
24 And the other award which is from an

170

1 outside source is the American Institute of
2 Architects for their 150 year anniversary,
3 selected 150 priority places throughout Illinois
4 and we were recognized for our work at the Commons
5 in New Lenox, Illinois.
6 And my last award was just recently
7 given to us from the Kane County Planners
8 Association. A legacy award for planning. It was
9 the first time that a private practitioner ended
10 up getting that award. Normally, they award
11 themselves for master plans for wetland mitigation
12 or farmland preservation or things of that sort.
13 In the public realm they awarded us that award
14 because we implemented the plans that they
15 envisioned.
16 MR. MORAN: Mr. Hearing Officer, may I
17 approach the witness?
18 HEARING OFFICER: You may.
19 Q. Mr. Lannert, I'm going to show you what
20 we've marked as Petitioner's Exhibit 7. Can you
21 take a look at it and tell us if you recognize it?
22 (Whereupon Petitioner's Exhibit 7 was
23 introduced into evidence.)
24 A. This is a copy of my resume. It lists

171

1 in detail more on what I spoke of this evening.
2 Q. Does Petitioner's Exhibit 7 fairly and
3 accurately reflect your education and professional
4 experience?
5 A. Yes, it does.
6 Q. And this resume is included in the site
7 location application; is that correct?
8 A. It was.
9 Q. Mr. Lannert is there a written report
10 that sets out your evaluation and conclusion with
11 respect to criterion 3?
12 A. Yes.
13 Q. Is that contained in the site location
14 application?
15 A. It was included.
16 Q. Could you tell us now and describe for
17 us what you did in carrying out the study you did
18 here?
19 A. Yes, I will. As shown up on the first
20 slide, the work that we performed, we performed in
21 terms of evaluating the compatibility within the
22 subject site is the first thing we do is obtain an
23 aerial photograph. That gives us a basis for our
24 observations in terms of land uses. We visit the

172

1 site and the surrounding area because you can't
2 always determine character by overviewing, you
3 have to be able to in envision it through a ground
4 survey.
5 The next thing we do is, we review local
6 land use zoning documents. That gives us the
7 insight in terms of historical thought process of
8 what the adjacent communities have been doing.
9 Likewise, in terms of a review of the county and
10 city comprehensive plan gives us a glimpse of what
11 their plans are for the future.
12 We then study development trends in the
13 area. And then, lastly, we prepare a landscape
14 plan if it's necessary.
15 Q. Now, Mr. Lannert, did you have the
16 opportunity to identify or characterize the land
17 uses surrounding the Meadowview site?
18 A. Yes, I did.
19 Q. Can you describe that for us, please?
20 A. Yes, I can describe that using this
21 exhibit. This is the aerial photo and this is
22 what we use as a basis for our site. North is in
23 the upward direction. The subject site is this
24 little yellow panhandle has been described as of

173

1 Route 83 from all of the other consultants.
2 And what I would like to characterize in
3 terms of what you would anticipate as of the most
4 affected area would it be residential. And so on
5 this plan we have identified in the yellow color
6 the residential areas within the subject area.
7 And that subject area is Allegheny Road along the
8 west, 120 or Belvedere along the north. Route 45
9 along the east and Winchester Road, 283 and then
10 across the farm lands on the south.
11 The next color that probably jumps out
12 at you this analysis is the purple color. Which
13 is the office, warehouse and distribution. And I
14 have characterized the Countryside Landfill within
15 that same category because of the trucks coming
16 and going is more similar to the manufacturing and
17 distribution uses than anything else.
18 And then the predominant color is the
19 open space vegetation color which is the light
20 green. It filters through the whole site and
21 support use. And then, the only other item shown
22 is the commercial areas which are in red, mostly
23 clustered on major roads and intersections as you
24 would anticipate. And then also, the health clubs

174

1 and public service things including the county
2 fairgrounds which is southeast of our site.
3 Q. Do these land uses allow you to identify
4 and describe the character of the surrounding
5 area?
6 A. Yes. And it's a very easy tool using
7 the computer programs you can identify the areas
8 and then we can measure the areas and then we can
9 quantify them. As the chart on the left shows in
10 tabulation form is that the open space and
11 vegetation is 58 percent. The
12 office/warehouse/distribution is 18 percent, the
13 yellow areas, which are residential, are only 11
14 percent. Transportation corridors, health and
15 public services and commercial are lesser
16 responses.
17 On the right-hand side, we have depicted
18 those percentages in terms of a pie chart. And
19 you can clearly see that when you add the 58
20 percent open space and the office/research, that's
21 about 75 percent, or three quarters of the uses
22 within the area. The other pieces of the pie or
23 more fractionalized and smaller pieces. And
24 depending on what pie it is and how big a slice

175

1 you want you can any one of them.
2 Q. Mr. Lannert, did you consider the views
3 of the Meadowview site from various advantage
4 points around the facility and in the surrounding
5 area?
6 A. Yes, we did.
7 Q. Could you describe for us what you did
8 in that regard?
9 A. Well, as I started in terms of our
10 evaluation process after we take the overview
11 looking at the aerial photo and measuring those
12 views, that gives us an area quantification of
13 what the character of the area is. When you
14 actually drive the site you can get a familiarity
15 with what is happening and so we take the field of
16 maps and the photographs that we take around the
17 site to identify that, the character.
18 These next exhibits are composed of two
19 parts. One is the view location and the other one
20 is the photograph in enlargement of those areas.
21 We have seven, eight photographs along Route 83
22 from north to south. I took special attention to
23 that because that is the corridor where most
24 people will be closest to this facility,

176

1 Meadowview, as anyplace else.
2 View 1 is up in this corner. It's
3 looking directly down the access point and down
4 Route 43. The identificating (sic) feature in
5 this site is this stand of existing trees. That's
6 right down the corner. It's there now and will be
7 there in the future and that starts to protect the
8 corridors along the major roadways which will be
9 shown in subsequent photographs.
10 The next photograph we took is
11 photograph 3. It's looking back north towards the
12 entranceway. This is the entrance road. These
13 are the trees I spoke of before. You can see the
14 character of the vegetation along Route 83 and
15 that occurs on both sides and ends up framing the
16 views along all the major roadways.
17 The next photograph, a little bit
18 different from what I just spoke of shows one of
19 the very few gaps along 83. So you can actually
20 look under or across the existing vegetation. At
21 this location number 4, we're looking across this
22 wetland, this previously permitted stormwater
23 pond directly into the site and you can see that
24 this use and that vegetation separates the site

177

from the traffic and from views inside the area.
And the last photograph in this set is number 7. It is looking across the site in this direction and back up the roadway. You can see on the horizon the tops of the Countryside Landfill. You can see the vegetation on the other side of Route 83 and you can see the vegetation and the power lines that form the corridor along that street. And in this corner you can start to see a remnants stockpiled which is on site at this time.
The next group of photographs are taken from the south side around to the east side. The reason that we took these photographs is to get a distant view of what's happening. This is from Peterson Road looking north on 83. This is the intersection. Again, what I want to highlight is the mature vegetation that surrounds this site from almost every angle as shown in these photographs.
The next photograph is from the next intersection which is Midlothian Road. It's looking northwesterly in this direction. You can see the character of the industrial buildings that are being built in the past and built in the

178

future. You can see the McCain County -- excuse me, Lake County fairgrounds. And most importantly, in terms of this photograph you can start to identify that -- I want to call specific attention to the streetscape plantings that are affecting the corridors that I'm talking about. We have deciduous material. We have evergreen material and shrubbery. And all of these are landscape plans along adjacent roadways of these buildings which are being built which continue to frame each of the roadway corridors and direct your line of sight onto the roadway as opposed to across the countryside.
The next photograph is taken from Mallory Road looking directly east or directly west across the site. And again, you can see the distance, the vegetation and the undulating topography obscure views of the full site from many directions.
The last photograph is taken from the commuter parking lot looking at down, again, towards the proposed facility. You can see the Countryside Landfill in this direction, and you can see the wooded area that I'm talking about.

179

And then, again, existing trees and shrubbery material around the parking lot, again, as part of those buffers and the separation that I'm talking about in each of these photographs.
Q. Mr. Lannert, did you prepare a landscape plan for this proposed facility?
A. Yes, I did.
Q. Can you describe for us what you did in that regard?
A. Yes, I can. This is the landscape plan that was prepared for the subject site which we've all seen before is outlined in this dashed black-and-white line. The facility is only being, I would say decorated, along the entry corridor door with these trees.
And these are only landscape features to blend the existing construction with the ground. They are not required as it relates to my opinion as to the compatibility of this site with the area. But outside in an additional enhancement to the onsite landscaping is that the existing trees that exist on site and along all of those corridors. This designation of tree stamps, which exist in large masses -- this is photograph number

180

1, this is the photograph from the south. These are existing trees. All of these existing trees and all this existing vegetation continues to amplify and make this site compatible with the other character of the area.
The photograph number 4 came across the site in this location. This is the protected wetlands. This is the existing stormwater pond. In addition to that the stockpile and berm I mentioned in photograph 7, is this berm. These will be anywhere from 15 to 20 feet tall. They will have additional plantings on top of them and similarly there will be a berm with excess topsoil from the construction along the outside perimeter of the facility site.
Q. Mr. Lannert, based on you education, your experience, and your review of the site location do you have an opinion as to whether Meadowview is located so at to minimize any incompatibility with the character of the surrounding area?
A. Yes, I do.
Q. And what is your opinion?
A. My opinion is that the site is

181

1 **compatible with the character of the surrounding**
2 **area.**
3 Q. And what are the reasons for your
4 opinion?
5 **A. The reasons for my opinion, as I've**
6 **stated before, is that the open space, office,**
7 **distribution center, is 75 percent. You saw that**
8 **in the pie chart. It was pretty obvious and that**
9 **as is similar to criteria 2, there are no**
10 **residentially zoned or dwelling units within 1000**
11 **feet of the site. And lastly, the facility is**
12 **screened by the Countryside Landfill on the north**
13 **distance and railroad lines on the east. The**
14 **existing vegetation, berms, and plantings along**
15 Illinois Route 83 and the (indiscernible) and
16 vegetation to the south.
17 MR. MORAN: Thank you very much, Mr.
18 Lannert, no further questions.
19 HEARING OFFICER: Thank you Mr. Moran.
20 Ms. Fox do you have any questions?
21 MS. FOX: I have no questions. Thank
22 you.
23 HEARING OFFICER: Ms. Zwick?
24 MS. ZWICK: I have no questions.

182

1 MR. PRICE: I do.
2 CROSS-EXAMINATION BY COUNSEL FOR
3 SWALCO
4 BY MR. PRICE:
5 Q. Good evening, Mr. Lannert, how are you.
6 **A. I'm great. How about you, sir?**
7 Q. Good. Just a few questions. First,
8 somewhat humorously but where's the meadow in
9 Meadowview? Which direction?
10 **A. Well, there's not one that exists today.**
11 **As you saw on the large area which is labeled**
12 **native grass restoration, that could be restored**
13 **as a meadow if that was someone's choice.**
14 Q. Now, did you prepare the master plan
15 that is attached to the master agreement with
16 Gray's Lake?
17 **A. I prepared portions of it.**
18 Q. And so your landscape plan, you
19 understood needed to be consistent with what was
20 in the master plan of Grayslake?
21 **A. Oh, that's not my -- that's my intention**
22 **of today's testimony. Today's testimony is with**
23 **regard to minimizing any incompatibility and so**
24 **I'm just looking at the subject site. The other**

183

1 **enhancements that I talked about that were shown**
2 **on the landscape plan are really enhancements that**
3 **are really not part of my testimony today.**
4 Q. So who's the final designer then of the
5 landscape plan and the berms and the screening
6 that's being presented in the application?
7 **A. It will probably be my firm.**
8 Q. So you understand that --
9 MR. PRICE: Well, strike that.
10 Q. So as Mr. Moran explained, this is just
11 the first step. You're going to get through
12 several iterations of people who are going to tell
13 you what to do, right?
14 **A. I'll participate in an --**
15 (Crosstalk)
16 Q. Yes. And so at the end of the day if
17 there are deviations from what was agreed to in
18 the master plan with Grayslake you understand
19 you've got to stop in and get those reconciled
20 with them?
21 **A. I'm not worried that there will be**
22 **many -- the only deviations which would be**
23 **different would be those that be agreed upon.**
24 Q. The -- they would be agreed upon.

184

1 MR. PRICE: That's all I have.
2 HEARING OFFICER: Mr. Moran, any
3 redirect?
4 MR. MORAN: No redirect.
5 HEARING OFFICER: Thank you, Mr.
6 Lannert.
7 MR. LANNERT: Thank you.
8 MR. MORAN: Mr. Hearing Officer, could
9 we just have a break for 10 minutes before our
10 next witness?
11 HEARING OFFICER: Sure.
12 MR. MORAN: Thank you.
13 (Off the record at 7:21 p.m., resuming
14 at 7:35 p.m.)
15 HEARING OFFICER: You may call your next
16 witness.
17 MR. MORAN: Thank you. Our next witness
18 will be Mr. Pete Poletti.
19 PETER POLETTI,
20 a witness, having been duly sworn/affirmed,
21 testified as follows:
22 HEARING OFFICER: Thank you.
23 You may proceed.
24 MR. MORAN: Thank you.

185

1 DIRECT EXAMINATION BY COUNSEL FOR
2 WASTE MANAGEMENT
3 BY MR. MORAN:
4 Q. Would you state your name please, spell
5 your last name for the court reporter?
6 **A. It's Peter J. Poletti. P-O-L-E-T-T-I.**
7 Q. And Mr. Poletti, what is your business
8 or profession?
9 **A. I am a real estate appraiser generally**
10 **commercial, industrial appraiser and I'm also the**
11 **elected tax assessor of Collinsville, Illinois.**
12 **Or the Township of Collinsville, Illinois.**
13 Q. And for how long have you been a real
14 estate appraiser and real estate consultant?
15 **A. I've been an assessor since, I hate to**
16 **say this, 1977. And I've been an real estate**
17 **appraiser since 1986.**
18 Q. Are you employed?
19 **A. Yes.**
20 Q. By whom?
21 **A. By Poletti & Associates, Inc. of which I**
22 **am and the president. And by Collinsville**
23 **Township.**
24 Q. What is the nature of the business of

186

1 Poletti & Associates?
2 **A. We primarily have to industrial type of**
3 **appraisals, cement plants, these type of studies**
4 **impact, what I would call impact studies. And**
5 **railroad plot, tracks and stuff like -- among**
6 **other.**
7 Q. Now, you're here today to talk about the
8 second part of criterion 3. Mr. Lannert talked
9 about the first part of criterion 3, and the part
10 that you're going to address is whether Meadowview
11 is located so as to minimize any effect on
12 surrounding property value; is that correct?
13 **A. That is correct.**
14 Q. And what have you concluded regarding
15 that criterion?
16 **A. I concluded that it is located so as to**
17 **minimize any impact on surrounding property. And**
18 **actually, I would say -- I agree with Mr. Lannert**
19 **in that I went through my own analysis and that**
20 **there is really -- it's compatible, actually, with**
21 **it. And by definition if it's compatible it, in**
22 **fact, doesn't affect property values.**
23 Q. And before we get into any of the
24 details of the conclusion you've reached let's

187

1 just cover some of your background. What is your
2 education?
3 **A. I have a bachelor's degree in forestry**
4 **from the University of Illinois. I have a**
5 **master's degree in geography from the Southern**
6 **Illinois University at Evansville and I have a**
7 **doctor of philosophy degree in American Studies**
8 **from St. Louis University in St. Louis, Missouri.**
9 Q. Do you hold any professional
10 registrations or licenses?
11 **A. I am licensed as a real estate appraiser**
12 **in the state of Illinois and I'm also an MAI or**
13 **appraiser of the Appraisal Institute.**
14 MR. MORAN: Mr. Hearing Officer, may I
15 approach the witness?
16 HEARING OFFICER: You may.
17 Q. Mr. Poletti, let me show you what we've
18 marked as Petitioner's Exhibit 8 for
19 identification. Take a look at it if you would,
20 please. And tell us if you recognize it.
21 (Whereupon Petitioner's Exhibit 8 was
22 offered into evidence.)
23 Q. Do you recognize it?
24 **A. Yes.**

188

1 Q. What is it?
2 **A. It's my resume.**
3 Q. Does it fairly and accurately reflect
4 your education and professional experience?
5 **A. I believe so.**
6 Q. Now, Mr. Poletti, is there a written
7 report that you prepared to evaluate second
8 component of criterion 3?
9 **A. Yes.**
10 Q. And is at that report contained in the
11 site location application which is previously been
12 admitted here as Petitioner's Exhibit 1?
13 **A. Yes.**
14 Q. And you were here to listen to Mr.
15 Lannert's testimony regarding the character of
16 this site with respect to the character of the
17 surrounding area?
18 **A. Yes.**
19 Q. And you were here to hear Mr. Lannert
20 say that the proposed Meadowview site is, in fact,
21 compatible with the character of the surrounding
22 area, correct?
23 **A. Correct.**
24 Q. And do you agree with that assessment?

189

1 **A. Yes.**
2 Q. And if, indeed, the Meadowview site is
3 compatible with the character of this area, does
4 that mean anything in terms of whether that
5 compatible use would have any negative effect on
6 the value of the surrounding property?
7 **A. It would mean that it would have no**
8 **negative effect on values of the surrounding**
9 **property because by definition if something is**
10 **compatible it can't reduce the value of something**
11 **else.**
12 Q. And as you indicated in your report your
13 evaluation as well included that there would be no
14 negative impact as a result of the Meadowview's
15 facility's location on the value of surrounding
16 property; is that correct?
17 **A. Correct.**
18 Q. And you've indicated, I belie that that
19 is your opinion on criterion 3 (b), correct?
20 **A. Yes.**
21 Q. And could you give us all the reasons
22 why you have reached that conclusion?
23 **A. Well, if Meadowview is compatible with**
24 **the character of the surrounding area, there's**

190

1 **open space, warehouse distribution uses for**
2 **approximately 75 percent of the 1 mile study area**
3 **and there's no evidence indicating a negative**
4 **impact on surrounding property value -- on the**
5 **surrounding property value at all.**
6 MR. MORAN: Thank you, Mr. Poletti. I
7 have no further questions for Mr. Poletti.
8 HEARING OFFICER: Thank you. Ms. Fox?
9 MS. FOX: I have no questions.
10 HEARING OFFICER: Ms. Zwick?
11 MS. ZWICK: No questions.
12 HEARING OFFICER: Mr. Price?
13 MR. PRICE: No.
14 HEARING OFFICER: Thank you very much,
15 Mr. Poletti. You may call your next witness.
16 MR. MORAN: The next witness will be Ms.
17 Cheryl Smith.
18 SHERYL SMITH,
19 a witness, having been duly sworn/affirmed,
20 testified as follows:
21 HEARING OFFICER: You may proceed.
22 DIRECT EXAMINATION BY COUNSEL FOR
23 WASTE MANAGEMENT
24 BY MR. MORAN:

191

1 Q. Could you tell us your name and spell
2 your last name for the court recorder?
3 **A. Yes, Sheryl Smith, S-M-II-T-H.**
4 Q. And Ms. Smith what is your business or
5 occupation?
6 **A. I'm an environmental consultant.**
7 Q. How long have you been an environmental
8 consultant?
9 **A. Forty-three years.**
10 Q. Are you employed?
11 **A. Yes.**
12 Q. By whom?
13 **A. TRC.**
14 Q. What is TRC?
15 **A. TRC is a global engineering**
16 **environmental services and digital solutions**
17 **company the markets that we focus on**
18 **transportation, rail, power, utilities, local,**
19 **state, and federal businesses. And for our**
20 **commercial clients we provide life cycle services**
21 **for both solid Waste Management companies as well**
22 **as coal ash management.**
23 Q. Can you describe for us now your
24 experience in the solid waste industry?

192

1 **A. Yes, I started my career in the solid**
2 **waste industry. I worked for a company called**
3 **John Sexton Contractors Company for nine years. I**
4 **was involved in doing acquisitions, hauling**
5 **company, landfills, transfer stations.**
6 **I also worked for Browning-Ferris**
7 **Industries for about a year. I had my own**
8 **consulting business for 13 years and in that**
9 **business I worked for many of solid waste clients**
10 **as well as some counties that had their own**
11 **landfills. I performed -- I have performed need**
12 **assessments for over 24 landfill projects, and**
13 **made assessments for 11 transfer stations.**
14 **And I also worked for Boulder**
15 **Associates, URS which became AECOM and now I'm at**
16 **TRC.**
17 Q. Now, you will be addressing criterion 1
18 relating to the need, criterion 8 regarding solid
19 Waste Management plan consistency; is that
20 correct?
21 **A. Yes.**
22 Q. And what conclusion have you drawn with
23 respect to criterion 1?
24 **A. My conclusion is that the Meadowview**

193

1 **material transfer facility is necessary to**
2 **accommodate the waste needs of the area it is**
3 **intended to serve.**
4 Q. Before getting into that opinion and
5 also your opinion in criterion 8, let's cover your
6 qualifications. What is your education?
7 **A. I have a bachelor of science in civil**
8 **engineering from the University of Illinois. And**
9 **a masters of engineering in civil from Cornell.**
10 Q. Are you a member of any professional
11 societies or organizations?
12 **A. Yes. Presently I am a member of the**
13 **Women's Energy Network, the Ohio chapter and the**
14 **Women's Renewable Industries and sustainable**
15 **energy's groups. But in the past I've been**
16 **members of both the National Waste and Recycling**
17 **Association in both Ohio and Illinois.**
18 MR. MASON: Mr. hearing officer, may I
19 approach the witness?
20 HEARING OFFICER: You may.
21 MR. MASON: Thank you.
22 Q. Ms. Smith, I'm showing you what's been
23 marked as Petitioner's Exhibit 9. Please take a
24 look at it and tell us what it is.

194

1 (Whereupon Petitioner's Exhibit 9 was
2 offered into evidence.)
3 **A. This is a summary of my experience, my**
4 **resume.**
5 Q. Does it fairly and accurately reflect
6 your education and professional background?
7 **A. There is no education information on**
8 **this.**
9 Q. So your education is not identified in
10 your resume? Or on this Exhibit 9?
11 **A. It is not on this document.**
12 Q. Does it fairly and accurately reflect
13 your experience of TRC?
14 **A. Yes.**
15 Q. And your resume, in fact, is included in
16 the site location application?
17 **A. Yes, it is.**
18 Q. Now, Ms. Smith, is there a written
19 report that sets out your evaluation of both
20 criterion 1 and criterion 8?
21 **A. Yes.**
22 Q. And are those reports in the site
23 location application previously admitted in the
24 proceeding?

195

1 **A. Yes.**
2 Q. Let's start with the need criterion.
3 Can you tell us what you did in analyzing the need
4 for Meadowview?
5 **A. Yes. One of the first things that I do**
6 **when I prepare a needs report is to determine what**
7 **the service area is for the facility. And for**
8 **Meadowview Material Transfer Facility the service**
9 **area is Lake County.**
10 **The next thing that I do is estimate how**
11 **much waste might be generated and require disposal**
12 **in the service area over a particular planning**
13 **period. So in this study we looked at a 20 year**
14 **planning period. I reviewed the 2024 Lake County**
15 **solid Waste Management plan update to pull**
16 **information as to what the per capita waste**
17 **generation rates were for residential and**
18 **commercial waste, which is the type of ways that**
19 **Meadowview intends to receive. I then looked at**
20 **the per capita disposal rates identified in the**
21 **solid waste plan update and applied those to**
22 **population information which that I obtained from**
23 **the C-map which is the Chicago Metropolitan area**
24 **for planning.**

196

1 **So from the time period of 2028 to 2047**
2 **I estimated that Lake County would generate**
3 **approximately 934,000 tons of waste in 2028, which**
4 **would increase to about 1,017,000 tons by 2047.**
5 **And that using a per capita disposal rate of**
6 **residential waste at 1.53 pounds per capita per**
7 **day and a commercial disposal rate per capita of 3**
8 **pounds per capita per day that the net amount of**
9 **waste per year in 2047 is estimated to be 629,000**
10 **tons, and that by 2047 approximately 684,000 tons**
11 **require disposal. And that's assuming that the**
12 **per capita disposal rates do not vary over that**
13 **time.**
14 **And presently, Countryside Landfill is**
15 **has received between 250 and 300,000 tons per**
16 **year. And Countryside Landfill is projected to**
17 **close in 2028.**
18 **The next thing I did was to identify**
19 **solid waste facilities both in Lake County as well**
20 **as in some of the surrounding counties. And**
21 **currently in Lake County there are two landfills**
22 **that are operating. The GFL Zion Landfill as well**
23 **as Countryside Landfill. And the pink star**
24 **represents the location of Meadowview. The Zion**

197

1 landfill receives waste from both Lake County,
2 Kenosha County, Eastern McHenry County, so it's
3 not totally committed to receive waste from Lake
4 County. And, in fact, according to their host
5 agreement with SWALCO the facility has said it
6 would provide up to 300,000 tons per year of
7 capacity.
8 Countryside, as I mentioned, will close
9 in 2028 and the triangular facility there number 9
10 is the Brown Lake Park transfer station. And that
11 transfer facility identified a daily design
12 capacity of 750 tons per day with a daily maximum
13 of 900 tons per day and that facility, based on
14 information that I reviewed is currently at its
15 750 tons per day limit and has, on some occasions,
16 exceeded their 900 ton per day max so there is not
17 processing capacity available at that facility.
18 Now, the other transfer stations that I
19 looked at in eastern McHenry and northern Cook
20 County have some limitations. For example, the
21 Glenview transfer station which is -- I'm trying
22 to read this, number 1 here is only -- is owned by
23 the solid waste agency of North Cook County and it
24 is only available to its member communities. And

198

1 there are only three communities, Barrington,
2 Wheeling, and Buffalo Grove in Lake County that
3 actually belong to that solid waste planning
4 agency. So the majority of Lake County
5 communities are not available to use their site.
6 There other sites, such as Evanston and
7 Northbrook that have serviced local community and
8 have not been taking waste from outside of Lake
9 County. Next slide.
10 And in addition, these facilities are
11 all located between 17 and 38 miles away from the
12 Meadowview Material Transfer facility. And I used
13 that location as the starting point for measuring
14 distance as the facility is immediately adjacent
15 to Countryside Landfill and is intended to be a
16 replacement facility for Countryside Landfill. So
17 there will be significant cost to -- four haulers
18 that are currently using countryside Landfill to
19 have to transport that material anywhere from 18
20 miles, perhaps, if they were going to take it to
21 Zion, or up to 38 miles if they were going to take
22 it to the (indiscernible) facility.
23 I then looked at the American
24 Transportation Research Institute which is an

199

1 organization that publishes information on the
2 cost of trucking. And the most current
3 information date published in July 2025 reported
4 that in 2024 the cost to operate a vehicle was
5 approximately $2.26 per mile.
6 So on the next slide I'm showing the
7 distances from each of the transfer stations as
8 well as, you know, from Zion Landfill to the
9 proposed Meadowview location. Based on the round-
10 trip distances to reach these other facilities the
11 cost could range between 76 and $272 per load to
12 use these alternate vehicles.
13 On the next slide, I'm identifying some
14 of the economic benefits of the transfer facility.
15 It's a requirement in Lake County siting ordinance
16 to identify what some of these benefits are. So
17 first, there must be payments to Lake County, to
18 SWALCO and to the village of Grayslake that have
19 all been negotiated prior to the filing of the
20 siting application.
21 There was also a requirement to the Lake
22 County plan as part of the host agreement with
23 SWALCO that a lifecycle assessment be conducted.
24 Which basically would look at different scenarios

200

1 a no build scenario where the transfer station
2 would not be built and a scenario where the
3 transfer station operated for 20 years and then
4 operated for 30 years.
5 And you needed to demonstrate that three
6 out of four criteria would result in reduced
7 benefits. Either reduce -- reduction in nitrous
8 oxide, reduction in sulfur oxide, reduction in
9 carbon dioxide as well as the reduction in
10 energy -- fuel consumption. So related to not
11 having to transport waste further distances by
12 developing the transfer station at Meadowview
13 there would be cost benefits to the community in
14 reduced fuel consumption as well as debt energy
15 reduction.
16 And there would be traffic efficiencies,
17 fewer vehicles -- collection vehicles would be on
18 the roads traveling to more distant landfills or
19 transfer stations. And the final economic benefit
20 be the direct and indirect benefits of actually
21 building the transfer station, jobs created during
22 construction as well as during the operations,
23 maintenance, activities at the site. And there
24 would be in direct benefits related to the workers

201

1 coming and going to the facility that might by
2 fuel, supplies, groceries or run other errands on
3 their way to work or leaving from work.
4 Q. Ms. Smith, based upon your education,
5 your experience and your review of the proposed
6 application, do you have an opinion as to whether
7 Meadowview is necessary to accommodate the waste
8 needs of the service area which is Lake County?
9 **A. Yes, I do.**
10 Q. And what is your opinion?
11 **A. My opinion is that the Meadowview**
12 **facility is necessary to accommodate the waste**
13 **needs of the area it is intending to serve.**
14 Q. And what are the reasons for your
15 opinion?
16 **A. The reasons are that it is proposed to**
17 **be a replacement facility for Countryside**
18 **Landfill. There's not processing capacity**
19 **available at Brown Lake Park Transfer Station**
20 **which is also in Lake County. Processing capacity**
21 **at transfer stations outside of Lake County may**
22 **not be available either due to restrictions on**
23 **types of waste received or member communities that**
24 **can use the facility, as well as the increase**

202

1 **transportation cost that would be incurred per**
2 **load to travel to these more distant facilities.**
3 Q. Now, let's move to criterion 8. Did you
4 consider whether Meadowview is consistent with the
5 2024 Lake County solid Waste Management plan
6 update?
7 **A. Yes.**
8 Q. And what did you determine?
9 **A. I determined that the Meadowview**
10 **facility is consistent with the 2024 Lake County**
11 **solid Waste Management plan update.**
12 Q. And it can you tell us what you
13 considered in reaching that opinion?
14 **A. Yes. I reviewed the 2024 Waste**
15 **Management plan update and the plan update has**
16 **three key chapters. One of them is dealing with**
17 **waste generation and management. The second one**
18 **is looking at recommendations for facilities that**
19 **handle that waste for the time period 2024 to**
20 **2029. And the third is identifying the**
21 **requirements for the pollution control facilities**
22 **that might be developed to handle the waste over**
23 **that same time period.**
24 **So some of the key things, key**

203

1 **information that was provided in the plant was an**
2 **update in the waste generation rates for the time**
3 **period 2019 to 2023. There was information on the**
4 **recycling efforts and what the per capital**
5 **recycling -- pardon me, the per capita disposal**
6 **requirements were in the county for commercial and**
7 **residential waste generation as I discussed during**
8 **the need report.**
9 **The plan identified that there were**
10 **three active trans- -- pardon me three active**
11 **solid waste facilities in the counties,**
12 **Countryside Landfill, GFL Zion and the Brown Lake**
13 **Park transfer station and those have all been**
14 **privately owned and operated facilities. It**
15 **identified that future acceptable solid waste**
16 **facilities that could be developed in the county**
17 **would include landfills, transfer stations,**
18 **alternative technology such as anerobic digestion**
19 **or technologies that either would purify plastics**
20 **or have the ability to break plastics down into**
21 **their original components. And for each of those**
22 **types of facilities there were specific**
23 **requirements that would have to be met in order to**
24 **be consistent with the plan update.**

204

1 **And one of those requirements is the**
2 **negotiation of host agreements. And the plan also**
3 **identified that Countryside Landfill would close**
4 **in 2028 and that Waste Management had intended to**
5 **develop a transfer station in the county.**
6 **So now, I'd like to talk about what some**
7 **of the transfer station requirements are that are**
8 **in the plan. So the first requirement, the T92**
9 **requirement basically indicates that if a transfer**
10 **station is to be developed that it should be sized**
11 **and operated to be able to safely and efficiently**
12 **manage the amount of waste that it is intended to**
13 **receive.**
14 **And as we heard earlier, from both Mr.**
15 **Peters and Mr. Nickodem that those elements have**
16 **been designed into the -- have been built into the**
17 **design and operation of the transfer station.**
18 **T2 requirement also requires screening**
19 **and buffering plans and we heard from Mr. Lannert**
20 **about the berms and the plantings around the**
21 **facility and the use of existing screening that**
22 **was in place during his discussion under criterion**
23 **3.**
24 **Another element is to provide safe**

205

1 traffic flow. And that was discussed by Mr.
2 Nickodem and Mr. Peters under criterion 2 as well
3 as by Ms. Means in her traffic assessment in
4 criterion 6. And the importance of managing
5 stormwater. Mr. Nickodem talked about that and
6 developing the stormwater infrastructure at the
7 sight.
8 Under criterion T.3 any waste
9 recyclables, or landscape waste handled at the
10 transfer station had to be handled in an enclosed
11 portion of the transfer station. And as we heard
12 tonight that's one of the key elements of the
13 transfer station and how it would help minimize
14 other potential issues whether with litter, or
15 dust other elements.
16 And in addition, the requirement
17 encourages developers to use green or sustainable
18 practices as identified by the U.S. Green Building
19 Council. And Mr. Nickodem talked about some of
20 those things such as solar panels on the roof, a
21 white roof, some translucent windows, the LED
22 lights on the interior of the building to be more
23 energy efficient as well as some of the dark sky
24 lighting on the outside of the facility to

206

1 minimize light pollution. So those elements that
2 have previously been described and testified to by
3 Mr. Nickodem. Next slide, please.
4 There also is a requirement to, if any
5 recycling or food scraps or landscape waste were
6 accepted at the transfer station that those would
7 be transferred within 24 hours, but those
8 materials are not anticipated to be accepted at
9 the transfer station. There has been an air
10 system designed as part of the transfer station
11 itself that was talked about earlier.
12 The hours of operation have been limited
13 to be in sync with what the plan had requested,
14 less than 17 hours per day, 8 hours operation on
15 Saturdays and closed on Sundays.
16 And there is also a description that
17 high performance doors might have to be used at
18 the transfer station in the event that either the
19 facility was within the jurisdiction of the FAA or
20 if the citing authority had a stipulation to that
21 effect.
22 The last element of the host agreement
23 deals with having host agreement -- pardon me.
24 The last element of the solid Waste Management

207

1 plan update deals with having the host community
2 in place with the body responsible for hearing the
3 siting application, which in this case is Lake
4 County as well as with SWALCO that those
5 agreements have to be in place prior to the filing
6 of the siting application. And those, both SWALCO
7 and Lake County's agreements were executed in
8 January of 2025, which was prior to the February
9 13, 2026 date when the application was filed.
10 And some of the key elements that those
11 agreements are to guarantee access for capacity
12 for Lake County Waste. The payment of host fees,
13 discussion of environmental benefits as defined in
14 those agreements which related to incorporating
15 green and sustainable practices into the design
16 and operation of the facility as well as
17 considering the future use of electric powered
18 vehicles at the transfer station in the event that
19 the applicant felt that those were technically
20 feasible or economically feasible.
21 And then, as we -- as I discussed
22 earlier the lifecycle assessment had to be
23 prepared that demonstrated the reduction in three
24 of these four elements. And that lifecycle

208

1 assessment was prepared and it was presented to
2 the County Board and other interested parties
3 prior to the host agreements even being executed.
4 Q. Ms. Smith, has the site location
5 application for the Meadowview Material Transfer
6 Facility met these requirements T through T-5?
7 A. Yes.
8 Q. Based upon your education, experience,
9 and review of the 2024 Lake County Solid Waste
10 Management plan update does Meadowview, is the
11 proposal for Meadowview consistent with that 2024
12 update?
13 A. Yes, it is.
14 Q. And can you tell me the reasons for your
15 conclusions?
16 A. The reasons are that the plan update
17 does allow the development of transfer stations to
18 help manage Lake County's waste. Waste Management
19 has entered into host agreements with SWALCO and
20 Lake County prior to the filing of the siting
21 application and that these agreements provide for
22 host fee payments, for the environmental benefits
23 that were identified as well as the lifecycle
24 assessment was prepared and presented prior to

209

1 **those agreements being executed.**
2 MR. MASON: Thank you, Ms. Smith. No
3 further questions.
4 HEARING OFFICER: Thank you, Mr. Moran.
5 Ms. Fox, any questions?
6 MS. FOX: I had more of a comment. Mr.
7 Moran, I don't believe the -- at least the
8 application section I'm looking at contains any
9 more information than your Exhibit 9, or I'm
10 sorry, Exhibit -- yes, Exhibit 9 for Ms. Smith.
11 So if we could for tomorrow have a full resume
12 with educational background submitted?
13 MR. MORAN: Certainly.
14 MS. FOX: I would appreciate that for
15 the record. That's all li had.
16 MR. MORAN: Yes, by all means.
17 HEARING OFFICER: Ms. Zwick, any
18 questions of this witness?
19 MS. ZWICK: No questions.
20 HEARING OFFICER: Mr. Price?
21 MR. PRICE: No.
22 HEARING OFFICER: Okay. That's the
23 extent of your witnesses?
24 MR. MORAN: Can I redirect?

210

1 HEARING OFFICER: Based on what she
2 said, I suppose.
3 MR. MORAN: I have no redirect.
4 HEARING OFFICER: All right. So I've
5 never known Mr. Moran to end early, but it looks
6 like he is early. We do have the matter of public
7 comment and closing statements that you may want
8 to make. The only county board member was here
9 had to leave, I think about 7:00 or 7:30 so he's
10 gone.
11 Mr. Price informs me that he will not be
12 able to be here in the morning. Is that correct?
13 MR. PRICE: That's true, but if it's
14 just public comment, that's fine.
15 HEARING OFFICER: Well, I'm wondering if
16 you have any closing statement you would want to
17 make. I don't know that any others would object
18 if you do.
19 MR. PRICE: I don't but I believe you're
20 going to ask us to submit our proposed findings
21 and --
22 HEARING OFFICER: I am.
23 MR. PRICE: And any conditions.
24 HEARING OFFICER: I am, yes.

211

1 MR. PRICE: Then I don't need to do a
2 closing statement.
3 HEARING OFFICER: Okay. So I have -- we
4 will -- what we will do is convene in the morning
5 for public comment. It appears that the
6 registration over there, the names have been
7 crossed off. I don't know whether they decided
8 not to make a public comment, but we obviously
9 have provide a time for public comment. So we
10 will convene in the morning at 9:30 here for
11 public comment and any closing statement that you
12 may choose to make.
13 It looks to me like the 30 day period
14 will expire on June 18 which is a Thursday. It
15 also happens to be my birthday.
16 MR. MORAN: Wonderful.
17 HEARING OFFICER: Wonderful, yeah. And
18 as Mr. Price has pointed out, I will ask you to
19 submit as a part of the public comment your
20 proposed findings of fact period, your proposed
21 findings of fact, conclusions of law, any
22 recommendations you would it make, and any
23 conditions that you would like the County to
24 consider.

212

1 So unless there is anything else to come
2 before this hearing tonight we will adjourn for
3 this evening and reconvene tomorrow morning at
4 9:30. Thank you.
5 (Off the record at 8:11 p.m.)
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213

CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC

I, Lawrence Wallace, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings were fully sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

Lawrence Wallace

LAWRENCE WALLACE, NOTARY PUBLIC,
FOR THE STATE OF ILLINOIS

214

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I, Molly Bugher, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding; that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; and that I am neither counsel for, related to, nor employed by any of the parties to the case and have no interest, financial or otherwise, in its outcome.

Molly Bugher

Molly Bugher, CDLT-161
May 22, 2026

A

abatement
114:5
ability
106:11, 106:17, 114:17, 119:2, 119:11, 123:2, 203:20, 213:11, 214:7
able
24:20, 28:6, 33:21, 46:9, 72:24, 73:11, 74:16, 76:7, 87:22, 97:15, 99:23, 102:16, 104:1, 111:8, 112:3, 136:9, 163:21, 168:3, 172:3, 204:11, 210:12
about
27:4, 33:19, 34:7, 34:12, 36:5, 38:6, 40:21, 41:8, 42:2, 42:15, 44:7, 44:21, 45:5, 47:18, 51:9, 54:16, 54:18, 56:1, 57:20, 65:11, 69:18, 69:19, 69:22, 70:9, 70:23, 71:4, 77:4, 80:9, 80:10, 80:16, 81:1, 81:5, 81:17, 81:19, 81:22, 82:15, 84:7, 87:4, 87:5, 108:4, 113:17, 118:9, 127:3, 127:4, 127:6, 128:9, 131:2, 131:3, 132:11, 135:9, 135:11, 135:13, 135:19, 136:19, 140:1, 141:2, 141:5, 144:22, 150:21, 152:11, 152:15, 167:6, 167:19, 169:7, 174:21, 178:6, 178:24, 179:4, 182:6, 183:1, 186:7, 186:9, 192:7, 196:4, 204:6, 204:20, 205:5, 205:19, 206:11, 210:9
above
122:18
absolutely
6:9, 7:4, 82:11
absorbent
122:14
accept
41:10, 44:17, 44:18, 68:21, 69:1, 95:10, 108:2, 121:13, 132:24, 135:12
acceptable
96:5, 96:15, 96:22, 97:14, 97:16, 132:4, 153:9, 153:14, 153:24, 154:3, 154:4, 154:19, 154:21, 159:23, 160:5, 160:9, 160:17, 160:20, 161:10, 161:14, 203:15
acceptance
95:22, 112:10, 112:12, 115:22, 157:20
accepted
58:3, 59:3, 78:24, 94:7, 94:18, 94:20, 95:1, 95:18, 95:21, 96:9, 206:6, 206:8
accepting
25:4, 46:17, 67:1, 78:17, 79:1, 79:5, 121:13
access
19:8, 149:4, 149:5, 149:8, 149:16, 149:17, 150:14, 161:20, 164:3, 164:5, 165:5, 176:3, 207:11
accessible
119:19
accidental
10:5
accidents
9:22, 24:22, 26:10, 117:8
accommodate
9:8, 99:23, 193:2, 201:7, 201:12
accordance
8:2, 8:16, 12:14, 20:23, 63:21
according
79:15, 197:4
account
33:12
accounted
124:14, 128:15
accounts
151:22
accumulated
109:20
accurate
213:10, 214:5
accurately
35:8, 91:24, 146:22, 171:3, 188:3, 194:5, 194:12
achieve
84:24, 85:6
acquisitions
192:4
acre
37:13, 37:19, 37:21, 42:7, 61:5, 61:6
acres
36:5, 37:15, 37:19, 38:3, 40:9
across
55:18, 55:22, 58:4, 59:8, 59:16, 100:16, 100:19, 102:8, 173:10, 176:20, 176:21, 177:3, 178:13, 178:16, 180:6
act
8:9, 8:17, 10:20, 11:10, 19:7, 20:22, 23:20, 23:24, 133:4
acting
14:22, 15:1
action
117:22, 120:12, 123:14, 124:15, 126:24
actions
124:1
activated
48:10
active
203:10
activities
200:23
activity
77:9
actual
40:8, 84:5
actually
37:7, 37:15, 38:3, 40:24, 42:8, 43:8, 44:2, 45:11,

49:9, 49:10, 50:21, 50:22, 53:21, 54:1, 54:20, 55:11, 58:7, 58:21, 70:22, 70:24, 71:7, 71:10, 75:4, 137:22, 175:14, 176:19, 186:18, 186:20, 198:3, 200:20
add
174:19
added
159:24
addition
10:15, 12:6, 22:24, 23:4, 42:24, 62:17, 63:19, 95:9, 97:17, 108:13, 110:17, 121:24, 180:9, 198:10, 205:16
additional
19:5, 19:10, 23:5, 47:24, 56:8, 109:14, 114:23, 179:20, 180:12
additionally
96:16, 108:20, 110:20, 112:7, 114:14, 115:20
address
11:20, 14:2, 25:15, 25:18, 25:19, 25:23, 26:1, 26:7, 26:12, 26:18, 26:24, 27:14, 27:15, 32:2, 35:15, 89:6, 116:18, 186:10
addressed
26:23, 136:22
addresses
24:6, 24:17, 24:19, 25:3, 112:19
addressing
19:5, 51:16, 192:17
adequate
56:12, 117:14, 165:4, 165:7
adequately
163:21
adjacent
109:17, 111:17, 149:3, 156:19, 156:20, 158:4, 158:13, 158:16, 158:20, 161:2, 164:21, 172:8, 178:9, 198:14
adjourn
212:2
adjudicatory
14:22
administrator
133:16, 133:22, 134:2, 134:14, 134:20
administrator's
3:4
admission
7:23
admissions
10:17
admitted
35:18, 188:12, 194:23
adopted
10:7
advance
96:3, 97:14, 109:18, 118:12, 121:4, 123:15, 124:6, 138:21
advantage
175:3
aecom
192:15
aerial
36:2, 171:23, 172:21, 175:11
aesthetic
34:9, 65:18
affect
186:22
affected
173:4
affecting
178:6
affidavit
5:5, 19:17, 20:9
affirmed
30:12, 88:8, 143:14, 166:7, 184:20, 190:19
after
11:2, 14:19, 22:18, 23:9, 23:14, 58:4, 75:20, 75:23, 76:2, 84:11, 105:2, 116:17, 134:13, 140:2, 175:10
afternoon
7:6, 14:12, 22:9
again
13:10, 14:18, 17:19, 23:2, 34:5, 40:8, 43:5, 45:10, 45:14, 45:16, 45:23, 47:3, 47:5, 48:2, 49:16, 50:10, 50:17, 51:9, 51:13, 53:18, 54:15, 54:18, 55:13, 56:3, 56:13, 57:16, 62:8, 63:18, 74:23, 76:7, 83:6, 84:3, 87:10, 92:15, 98:19, 100:7, 105:7, 105:22, 106:19, 113:12, 117:3, 124:20, 148:19, 150:16, 155:17, 157:7, 157:9, 157:12, 158:5, 158:6, 158:12, 158:17, 159:18, 160:8, 160:11, 160:14, 160:20, 160:22, 161:6, 161:13, 162:17, 163:18, 177:16, 178:16, 178:21, 179:1, 179:2
agencies
119:13, 120:14, 124:23
agency
8:12, 8:13, 13:15, 17:7, 19:2, 19:15, 29:1, 29:6, 118:21, 127:21, 159:11, 197:23, 198:4
ago
90:8, 97:5, 123:19, 124:17
agree
70:1, 73:15, 77:5, 77:18, 79:23, 82:1, 129:17, 129:19, 134:1, 134:23, 135:1, 137:6, 137:10, 186:18, 188:24
agreed
183:17, 183:23, 183:24
agreeing
137:11
agreement
2:7, 69:11, 69:12, 69:17, 76:10, 78:4, 78:9, 78:14,

79:8, 79:11, 79:21, 80:20, 81:10, 81:21, 82:12, 82:17, 82:21, 130:1, 130:2, 130:3, 130:11, 130:22, 132:7, 133:16, 133:24, 138:11, 142:17, 182:15, 197:5, 199:22, 206:22, 206:23
agreements
204:2, 207:5, 207:7, 207:11, 207:14, 208:3, 208:19, 208:21, 209:1
ahead
6:20, 117:1, 131:20, 133:18, 165:15
aids
68:15
air
49:18, 49:21, 65:7, 65:8, 115:6, 206:9
aircraft
39:21
airport
39:16, 39:18, 39:19, 39:20, 39:21
airports
39:13
alarms
111:24, 112:2
allegheny
173:7
allow
14:12, 44:9, 47:10, 47:11, 49:21, 51:6, 52:9, 57:24, 87:13, 103:21, 138:11, 162:18, 174:3, 208:17
allowed
120:20
allowing
61:23, 137:3
allows
51:1, 101:11
alluding
124:17
almost
90:6, 177:18
along
36:6, 46:1, 46:7, 47:15, 47:22, 48:22, 49:14, 51:13, 65:21, 76:19, 100:10, 106:14, 107:22, 109:11, 114:16, 149:3, 149:7, 150:16, 152:4, 152:10, 152:17, 153:17, 159:12, 162:1, 173:7, 173:8, 173:9, 175:21, 176:8, 176:14, 176:16, 176:19, 177:8, 178:9, 179:14, 179:22, 180:14, 181:14
already
22:2, 75:17, 100:20, 131:14
alternate
199:12
alternative
77:12, 158:19, 203:18
alternatively
24:14
although
153:12
aluminum
58:16
always
6:18, 86:4, 86:6, 110:3, 172:2
ambient
44:9, 47:20, 47:24, 52:9
american
169:1, 170:1, 187:7, 198:23
among
78:2, 186:5
amount
21:8, 61:8, 103:4, 132:3, 196:8, 204:12
amounts
24:19
ample
103:14, 128:21
amplify
180:4
analysis
145:18, 147:22, 148:19, 152:20, 152:21, 153:20, 154:17, 164:3, 164:9, 173:12, 186:19
analyzing
195:3
and-white
179:13
andy
4:3, 25:16, 25:17, 25:23, 26:3, 30:10, 30:11, 30:23, 119:7
anerobic
203:18
angle
177:18
animation
72:22
ann
17:8
anne
3:13, 13:3
anniversary
170:2
another
13:22, 62:24, 80:8, 90:19, 102:3, 109:22, 111:11, 111:20, 119:14, 129:24, 204:24
answer
70:6, 74:16, 76:8, 77:14, 77:16, 80:5, 80:22, 84:19, 129:8
anticipate
173:3, 173:24
anticipated
12:10, 12:24, 76:18, 82:4, 93:24, 106:13, 119:5, 134:11, 141:23, 152:7, 159:6, 169:21, 206:8
anticipates
76:11
anticipating
94:13
anyone
20:4, 68:14, 81:2, 87:9
anyplace
176:1
anything
21:7, 34:4, 48:16, 49:3, 59:14, 95:20, 173:17, 189:4, 212:1
anywhere
67:14, 73:4, 120:17, 180:11, 198:19
apart
77:4, 98:2
appealable
8:6
appearance
11:20, 11:24, 12:7, 12:18, 13:4, 13:5,

13:6, 13:13
appearances
11:21
appeared
18:19
appearing
17:3
appears
12:16, 211:5
appendix
75:2
applicable
10:11, 25:21, 89:23
applicant
8:13, 8:21, 9:2, 9:3, 10:18, 17:1, 17:5, 17:11, 17:15, 21:5, 21:9, 21:23, 21:24, 22:12, 23:2, 207:19
applicant's
12:3, 22:12
application
5:4, 7:8, 7:16, 14:21, 17:12, 17:13, 18:6, 20:9, 21:4, 21:13, 22:13, 22:18, 22:20, 22:21, 23:15, 23:19, 23:22, 28:1, 28:22, 35:12, 35:17, 38:22, 39:12, 58:7, 63:20, 66:22, 69:10, 71:7, 71:18, 73:4, 73:6, 73:19, 75:11, 76:10, 78:15, 79:13, 85:24, 92:9, 115:8, 130:4, 132:22, 133:13, 137:22, 147:6, 155:7, 171:7, 171:14, 183:6, 188:11, 194:16, 194:23, 199:20, 201:6, 207:3, 207:6, 207:9, 208:5, 208:21, 209:8
applications
20:18
applied
52:24, 159:14, 195:21
apply
23:2, 25:6, 36:16, 67:3
appoint
7:15
appointed
7:17
appraisal
187:13
appraisals
186:3
appraiser
185:9, 185:10, 185:14, 185:17, 187:11, 187:13
appreciate
209:14
appreciated
6:8
approach
14:10, 34:23, 87:12, 91:14, 119:14, 146:8, 170:17, 187:15, 193:19
approaches
153:18, 154:14, 154:21, 160:19, 161:9, 161:16
approaching
165:7
appropriate
19:18, 23:9, 49:2, 58:14, 59:11, 114:5, 130:18, 131:4, 137:14
appropriateness
10:22
approval
7:9, 7:17, 8:19, 8:21, 8:23, 9:5, 11:14, 15:24, 17:12, 23:22, 79:24, 80:18
approve
8:18, 22:20, 22:23, 81:15
approved
8:14
approximately
38:3, 55:11, 107:3, 190:2, 196:3, 196:10, 199:5
april
18:17, 19:3, 19:11
archaeological
38:15, 38:20, 39:1
architect
26:17, 166:18, 166:21
architects
169:2, 169:9, 170:2
architectural
167:14
architecture
167:11, 168:12, 169:4
areas
10:13, 36:24, 45:15, 51:13, 53:13, 54:2, 58:23, 60:23, 61:24, 62:1, 62:4, 67:17, 75:24, 76:1, 85:22, 109:21, 111:17, 121:18, 173:6, 173:22, 174:7, 174:8, 174:13, 175:20
aren't
37:22, 53:12
arguments
12:4
arise
118:24
around
29:9, 36:3, 55:19, 71:21, 72:6, 72:16, 73:1, 73:24, 93:18, 99:13, 100:6, 103:18, 104:6, 105:3, 107:23, 108:11, 108:22, 109:2, 112:22, 114:1, 115:19, 121:19, 122:15, 175:4, 175:16, 177:12, 179:2, 204:20
arrive
136:2, 148:15, 155:18
arrows
99:2, 99:12, 100:5, 102:14, 104:2
arterial
149:20, 150:8, 150:9, 150:10, 150:12, 150:24
ash
191:22
aside
97:2
asked
38:18
asking
68:14, 80:6
asks
25:7, 25:10, 26:19
aspect
26:7, 89:7, 92:5, 92:16

asphalt
114:11
asserting
10:21
assessment
39:8, 188:24, 199:23, 205:3, 207:22, 208:1, 208:24
assessments
192:12, 192:13
assessor
185:11, 185:15
assigned
57:16
assist
28:20, 98:11
assistance
6:2
associated
111:4, 161:5, 169:14
associates
185:21, 186:1, 192:15
association
170:8, 193:17
assumed
159:9
assuming
196:11
atkinson
150:2, 150:5, 150:23, 151:18, 151:19
attach
115:5
attached
182:15
attaches
49:9
attendee
127:18
attention
85:17, 175:22, 178:5
attorney
3:22, 7:15, 7:18, 22:13, 28:11, 83:2
attractant
113:11
attracted
169:21
audible
112:4
audience
22:11
audio
213:9, 214:4
authority
206:20
available
15:4, 19:8, 86:1, 106:7, 162:4, 163:7, 197:17, 197:24, 198:5, 201:19, 201:22
average
44:16, 69:3, 69:4, 69:7, 94:22, 131:15, 148:10, 153:7, 155:13, 155:24, 156:1, 160:1, 160:3, 161:3, 163:10
avoid
107:9
award
169:19, 169:23, 169:24, 170:6, 170:8, 170:10, 170:13
awarded
170:13
awards
169:11, 169:13
aware
78:3, 85:21, 86:3, 96:21, 123:8, 142:17, 142:20
awareness
125:5
away
108:1, 124:9, 135:16, 147:14, 156:4, 198:11

B

b
189:19
bachelor
89:13, 145:11, 193:7
bachelor's
32:9, 187:3
back
29:9, 42:9, 45:7, 55:2, 55:20, 56:14, 71:13, 80:17, 81:13, 102:15, 106:9, 127:6, 127:8, 127:19, 129:5, 131:6, 138:7, 139:7, 176:11, 177:4
background
89:11, 145:9, 187:1, 194:6, 209:12
backing
112:5
backup
56:4, 111:24, 112:2
band
101:21
barrier
52:20, 53:1
barrington
198:1
base
107:1
based
64:6, 115:7, 117:3, 152:24, 153:2, 153:4, 153:20, 154:17, 155:8, 155:19, 158:12, 158:15, 158:16, 159:3, 159:7, 160:1, 163:5, 164:2, 164:7, 180:16, 197:13, 199:9, 201:4, 208:8, 210:1
basic
89:21
basically
48:13, 66:10, 96:5, 97:4, 101:15, 105:17, 105:19, 112:18, 112:21, 113:4, 114:2, 116:3, 121:12, 121:18, 124:5, 135:20, 136:10, 161:24, 199:24, 204:9
basin
47:9, 62:6, 62:9, 62:10, 62:11, 62:12, 62:17, 63:2, 63:15, 71:22, 79:12, 82:10, 122:21
basins
41:24, 42:1, 42:8, 61:12, 62:3, 62:7, 62:8, 62:13, 81:23, 82:6, 122:22, 123:1
basis
66:5, 67:10, 82:7, 109:9, 114:18, 135:21, 147:22, 148:10, 155:12, 156:1, 156:16, 157:12, 157:18, 159:4, 171:23, 172:22
bay
51:17, 53:20, 54:12, 101:2, 101:24, 102:3

bays
44:5, 47:7, 50:19, 51:8, 51:9, 57:2
became
192:15
because
27:24, 29:4, 43:18, 43:22, 52:19, 56:5, 57:8, 59:5, 60:18, 76:5, 77:22, 87:11, 100:20, 107:19, 120:3, 130:19, 136:8, 170:14, 172:1, 173:15, 175:23, 189:9
become
98:15, 112:23, 114:16
becomes
98:6, 151:6
becoming
118:12
been
7:17, 8:14, 10:13, 12:14, 14:1, 24:7, 24:24, 29:8, 30:12, 31:23, 35:18, 85:15, 88:8, 97:13, 100:1, 102:13, 105:13, 107:3, 115:16, 117:6, 117:11, 140:19, 142:13, 143:14, 144:10, 144:23, 145:6, 164:10, 164:15, 166:7, 166:20, 168:3, 169:12, 172:8, 172:24, 184:20, 185:13, 185:15, 185:16, 188:11, 190:19, 191:7, 193:15, 193:22, 198:8, 199:19, 203:13, 204:16, 206:2, 206:9, 206:12, 211:6
before
1:7, 2:7, 11:15, 21:22, 23:22, 29:15, 32:6, 70:21, 76:23, 81:13, 89:10, 92:17, 108:6, 113:17, 126:21, 136:14, 139:16, 139:22, 145:8, 161:21, 168:6, 176:13, 179:12, 181:6, 184:9, 186:23, 193:4, 212:2, 213:3
began
90:7
beginning
44:15, 114:15
behalf
3:2, 3:9, 3:12, 3:15, 3:18, 12:20, 13:5, 13:15, 16:24, 17:4, 17:8, 28:17
being
11:15, 15:19, 47:13, 56:17, 93:17, 95:18, 98:5, 101:11, 110:5, 114:12, 119:23, 134:10, 156:4, 177:24, 178:10, 179:13, 183:6, 208:3, 209:1
belie
189:18
believe
71:9, 83:4, 128:13, 129:22, 132:15, 133:2, 133:3, 138:10, 141:18, 188:5, 209:7, 210:19
belong
198:3
belt
63:6
belvedere
173:8
beneath
105:17
benefit
82:9, 200:19
benefits
81:23, 199:14, 199:16, 200:7, 200:13, 200:20, 200:24, 207:13, 208:22
berm
79:14, 80:16, 180:9, 180:10, 180:13
berms
79:22, 181:14, 183:5, 204:20
besides
31:19
best
69:13, 69:15, 122:7, 123:6, 213:10, 214:6
better
6:23, 74:23, 118:22, 123:7, 154:19, 154:22, 160:18, 160:21, 161:8, 161:10, 161:15, 161:17
between
75:5, 75:16, 78:4, 140:1, 140:24, 142:18, 149:2, 156:18, 157:6, 158:3, 158:5, 162:2, 196:15, 198:11, 199:11
beyond
94:17, 128:21, 133:1
big
31:14, 33:14, 46:6, 174:24
bin
59:11
bins
58:17, 58:23, 60:1
bioswale
82:8
bioswales
61:16, 61:18, 62:1, 62:2, 62:6
bird
34:13, 52:16, 52:23, 65:20
birds
52:18, 52:19, 53:1
birthday
211:15
bit
32:7, 40:7, 41:19, 51:7, 54:18, 60:23, 72:19, 93:14, 98:19, 107:4, 108:4, 110:15, 114:15, 115:2, 118:9, 156:4, 167:6, 176:17
bla
144:14, 144:15, 144:16, 146:18
black
179:12
blank
41:23
blend
179:17
blow
108:11, 135:15, 137:3
blowing
70:16, 107:22

blown
108:17, 109:1
blue
55:8, 62:4, 66:16
board
3:18, 3:22, 8:7, 8:15, 8:18, 10:7, 10:12, 10:14, 10:21, 10:24, 11:7, 11:10, 11:12, 11:15, 14:22, 15:1, 15:3, 15:13, 15:15, 15:18, 16:3, 16:5, 16:9, 18:7, 22:19, 27:19, 67:18, 67:19, 83:2, 83:4, 83:9, 83:12, 128:4, 169:3, 169:6, 169:8, 208:2, 210:8
bodies
43:20, 43:24
body
207:2
booklet
29:18
bookmark
4:5, 4:11
booms
122:14
boots
126:6
both
19:12, 19:19, 31:7, 36:24, 50:2, 72:21, 74:14, 74:17, 75:3, 76:9, 108:14, 118:21, 124:4, 145:18, 147:21, 147:24, 148:10, 148:21, 149:3, 149:6, 149:17, 151:23, 152:22, 154:8, 162:9, 162:13, 163:10, 163:15, 164:23, 165:2, 169:14, 176:15, 191:21, 193:16, 193:17, 194:19, 196:19, 197:1, 204:14, 207:6
boulder
192:14
boundary
9:17, 37:22, 38:1, 60:22, 60:24, 61:1, 61:13, 63:4, 66:19
box
100:3, 107:17
boxes
60:1, 105:10
bradley
145:12
bratton
28:16
break
14:11, 51:12, 86:23, 87:2, 87:6, 87:13, 87:17, 87:19, 88:1, 127:6, 184:9, 203:20
breaks
148:23, 162:4, 162:6, 162:9
brief
87:2
briefly
98:19
bring
49:21, 55:2, 58:19, 71:15, 98:8, 141:24
bringing
41:2, 41:5, 59:21, 64:18, 99:10, 103:5, 103:7, 103:8
brown
20:16, 197:10, 201:19, 203:12
browning-ferris
90:10, 192:6
bruckner
28:16
brushes
50:23, 50:24
bucket
120:2
buffalo
198:2
buffering
93:21, 204:19
buffers
179:3
bugher
1:24, 214:2, 214:13
build
200:1
buildings
84:9, 85:11, 95:8, 177:23, 178:10
built
177:24, 178:10, 200:2, 204:16
burden
9:2
business
31:1, 31:12, 33:4, 33:5, 80:16, 88:19, 144:3, 167:7, 185:7, 185:24, 191:4, 192:8, 192:9
businesses
95:12, 109:15, 191:19
butt
120:22
bypass
104:6

C

c&n
36:12
c-map
195:23
calculations
73:3, 73:14, 73:21
call
12:9, 12:12, 12:23, 13:9, 13:18, 29:13, 43:16, 47:8, 60:18, 61:16, 63:6, 88:6, 100:8, 119:21, 139:20, 143:7, 143:9, 165:23, 166:1, 178:4, 184:15, 186:4, 190:15
called
39:7, 40:19, 43:17, 46:2, 48:11, 62:19, 90:9, 90:18, 91:3, 192:2
came
129:24, 135:13, 180:6
cameras
43:1, 48:14, 48:15, 48:21, 96:23
campbell
39:19
can't
29:24, 65:4, 68:11, 86:11, 140:18, 142:16, 172:1, 189:10
cans
58:16, 95:16
capability
6:4
capacity
14:23, 14:24, 33:9, 62:14, 90:11, 129:15, 129:16, 147:22, 148:19, 152:19,

152:21, 153:1, 153:20, 197:7, 197:12, 197:17, 201:18, 201:20, 207:11
capita
195:16, 195:20, 196:5, 196:6, 196:7, 196:8, 196:12, 203:5
capital
203:4
capsid
163:7
captioning
6:12, 6:15, 6:21, 17:23
captions
6:4, 6:8
carbon
200:9
cardboard
58:20, 60:1, 95:16
care
38:7
career
31:24, 90:8, 90:9, 90:17, 168:18, 192:1
carefully
28:5, 85:17
carrying
147:9, 171:17
cars
128:12
case
6:6, 10:5, 11:15, 12:16, 27:6, 33:18, 37:12, 41:5, 51:18, 63:12, 134:10, 207:3, 213:13, 214:9
cases
107:13
casey
151:4, 151:6, 151:8, 159:19
cast
52:5
catch
120:22
catches
119:24
category
173:15
catwalks
102:4, 102:6
cause
110:23
cdlt
214:13
ceiling
43:23, 48:8, 48:9, 48:22, 50:4, 51:19, 69:3, 69:5, 115:3, 129:13
cement
186:3
center
2:3, 2:4, 33:19, 41:1, 41:7, 41:9, 46:5, 54:23, 56:6, 57:20, 57:21, 58:10, 59:6, 59:11, 59:18, 79:5, 93:9, 102:19, 102:21, 114:1, 120:19, 122:17, 148:8, 151:15, 155:5, 181:7
certain
85:7, 85:22, 126:9
certainly
38:5, 63:24, 73:16, 73:17, 81:16, 104:7, 116:9, 209:13
certificate
213:1, 214:1
certificates
19:19
certification
89:18, 89:20
certifications
89:16, 146:1, 168:24
certified
18:20, 19:21, 21:1, 85:9, 85:11, 85:12, 146:3
certify
213:4, 214:2
cetera
91:7, 113:8, 122:14, 124:9
cfs
42:7, 61:5
chad
83:8
chair
169:7
chamber
169:17, 169:19, 169:23
changes
80:19
channels
61:17
chapter
169:9, 193:13
chapters
202:16
character
9:14, 24:13, 26:21, 27:6, 27:8, 34:11, 167:22, 168:4, 172:2, 174:4, 175:13, 175:17, 176:14, 177:23, 180:5, 180:20, 181:1, 188:15, 188:16, 188:21, 189:3, 189:24
characteristics
147:12, 147:24, 148:3, 149:10, 155:1, 155:22, 158:13
characterize
172:16, 173:2
characterized
173:14
charles
167:5
chart
174:9, 174:18, 181:8
check
40:23, 41:1, 59:8, 59:15, 86:4, 86:11, 86:13, 103:1
cheryl
4:20, 27:14, 190:17
chicago
159:11, 195:23
choice
182:13
choose
211:12
chris
26:4, 26:5, 26:16, 88:6, 166:1
christopher
4:8, 4:15, 88:7, 88:17, 166:6, 166:15
chute
101:7
chutes
101:4, 105:16, 105:20
cigarette
120:22
circulate
49:22
circulation
55:16, 93:4
circumstance
132:23
circumstances
132:21, 133:8
cite
36:22

citing
206:20
citizens
64:18, 101:21
city
172:10
civil
31:3, 31:10, 31:13, 31:16, 32:10, 89:13, 144:16, 145:12, 193:7, 193:9
clarify
106:23, 107:5
clean
46:7, 46:9
cleaned
110:20
cleaner
110:20
cleaning
110:9, 110:21
cleanup
105:9, 113:17
clear
104:23, 163:24
cleared
110:10, 110:18
clearly
123:10, 130:19, 174:19
clerk
11:22, 12:19, 13:14, 14:2, 14:19, 18:8, 103:2, 103:6, 103:10
clients
91:5, 91:9, 130:17, 191:20, 192:9
close
6:15, 12:5, 63:7, 75:14, 77:23, 100:2, 112:12, 119:19, 123:2, 160:14, 196:17, 197:8, 204:3
closed
6:4, 6:8, 6:12, 6:21, 17:22, 54:8, 54:9, 63:10, 75:17, 76:6, 77:11, 140:17, 141:9, 141:12, 141:15, 142:2, 142:4, 159:6, 206:15
closely
98:1
closes
75:20, 140:3
closest
175:24
closing
105:9, 113:6, 210:7, 210:16, 211:2, 211:11
closure
133:5, 159:5, 159:8
clothing
58:24, 95:14, 126:5
clubs
173:24
clustered
173:23
coal
191:22
coating
52:24
coincide
156:24, 157:7, 158:6, 164:20
coincides
161:1
collect
46:20, 58:18, 58:23, 60:21, 62:1, 82:6, 109:19, 138:22
collected
47:4, 60:14, 151:23, 155:9
collecting
60:24, 82:4
collection
33:1, 33:2, 43:11, 46:22, 47:6, 53:23, 55:12, 55:16, 55:17, 55:23, 56:2, 57:8, 59:19, 64:20, 71:9, 71:19, 71:20, 72:16, 73:1, 91:1, 93:7, 98:21, 99:3, 100:2, 104:16, 105:2, 108:15, 109:3, 148:7, 155:4, 157:21, 200:17
collections
141:21
collector
151:20
collinsville
185:11, 185:12, 185:22
color
173:5, 173:11, 173:12, 173:18, 173:19
colored
36:4
column
156:14
columns
44:12, 52:7
combined
156:12, 157:9, 157:10, 162:13
come
33:3, 33:5, 33:21, 40:16, 41:12, 41:14, 41:18, 43:10, 43:11, 43:13, 43:19, 44:4, 45:6, 53:23, 55:18, 56:13, 56:18, 56:23, 56:24, 57:21, 57:24, 58:4, 58:13, 59:7, 60:2, 99:3, 102:23, 110:2, 113:11, 113:22, 119:20, 125:22, 127:6, 127:19, 136:1, 212:1
comed
36:11
comes
46:22, 50:5, 56:18, 60:16, 61:9, 96:19, 97:10, 131:6
coming
25:1, 29:9, 33:18, 40:24, 41:22, 43:2, 46:14, 49:18, 54:20, 54:22, 55:10, 56:5, 56:6, 56:21, 57:9, 70:17, 71:1, 75:8, 83:16, 97:1, 97:6, 100:12, 104:21, 112:22, 127:8, 135:21, 141:22, 156:7, 156:15, 156:16, 157:15, 158:4, 173:15, 201:1
comment
11:1, 13:23, 13:24, 14:9, 14:13, 14:16, 14:19, 15:8, 15:9, 15:14, 87:14, 209:6, 210:7, 210:14, 211:5, 211:8, 211:9, 211:11, 211:19
comments
10:21, 11:6,

14:3, 15:20
commerce
169:17, 169:19, 169:22, 169:23
commercial
78:19, 95:2, 145:21, 173:22, 174:15, 185:10, 191:20, 195:18, 196:7, 203:6
committed
197:3
committing
138:14
common
66:12, 93:1
commons
170:4
communicate
101:21, 118:13, 136:19, 137:13
communicating
97:6
communication
105:24, 118:10, 125:11, 125:12
communications
124:21
communities
172:8, 197:24, 198:1, 198:5, 201:23
community
128:9, 167:11, 167:16, 198:7, 200:13, 207:1
commuter
152:13, 152:15, 154:16, 178:21
commuting
158:8
companies
191:21
company
31:17, 74:14, 90:9, 90:11, 90:18, 90:20, 131:23, 132:1, 167:3, 191:17, 192:2, 192:3, 192:5
company's
141:20
compatibility
171:21, 179:19
compatible
27:7, 34:10, 168:4, 180:4, 181:1, 186:20, 186:21, 188:21, 189:3, 189:5, 189:10, 189:23
complete
19:4, 90:2, 100:8, 101:20, 103:9, 105:9, 106:1
completed
102:11, 102:14, 103:24
completely
110:19, 113:4, 116:2, 136:13
completing
80:10
completion
23:6
complex
104:21
compliance
8:23, 9:3, 23:12, 28:3, 39:8
compliant
44:11, 53:7, 53:8, 53:10, 65:21
comply
19:6, 64:2, 132:7
component
26:18, 188:8
components
82:14, 82:15, 203:21
composed
175:18
comprehensive
172:10
computer
174:7
concept
109:24, 110:5, 113:13
conceptual
43:4, 43:6
concern
79:17, 133:12
concerned
81:19
concerning
7:23, 15:23, 79:22
concerns
27:21
conclude
168:3
concluded
127:24, 168:1, 186:14, 186:16
conclusion
66:5, 145:3, 171:10, 186:24, 189:22, 192:22, 192:24
conclusions
15:21, 92:4, 147:3, 208:15, 211:21
concrete
46:4, 47:10, 52:6, 114:11
condition
69:24, 129:17, 133:15, 134:19, 136:24, 158:24, 159:4, 160:3
conditions
153:24, 159:21, 159:24, 160:1, 160:7, 160:13, 161:4, 161:12, 163:10, 210:23, 211:23
conducted
7:24, 98:13, 108:9, 199:23
conducting
145:15
confer
99:8
confidence
74:21
confirm
79:4, 82:15
conflict
59:23
connection
14:21
consider
10:14, 10:24, 15:15, 15:18, 175:2, 202:4, 211:24
consideration
162:21
considerations
24:10
considered
11:9, 152:24, 159:15, 163:15, 202:13
considering
10:19, 207:17
considers
163:1, 163:18
consist
95:1
consistency
192:19
consistent
10:9, 25:8, 27:16, 53:5, 182:19, 202:4, 202:10, 203:24, 208:11
consisting
7:10
consists
48:7
consolidated
33:8
constantly
85:22

construct
31:15
construction
8:10, 38:2, 78:20, 82:18, 95:4, 95:5, 95:7, 118:15, 144:18, 179:17, 180:14, 200:22
construing
130:21
consult
168:19
consultant
28:19, 185:14, 191:6, 191:8
consultants
31:11, 31:13, 31:17, 173:1
consulting
28:17, 91:3, 144:16, 167:11, 167:16, 192:8
consume
84:10
consumption
47:21, 48:3, 200:10, 200:14
contact
46:23, 60:16, 60:19, 64:21, 96:17, 105:4, 111:9, 124:22, 124:23, 134:2, 134:6, 136:20
contacted
38:17, 39:6, 99:18
contacting
133:21
contacts
64:20
contain
34:4, 62:15, 98:6, 123:3
contained
21:2, 35:16, 92:8, 147:5, 155:6, 171:13, 188:10
containers
58:20, 103:17, 103:20, 103:23
containing
109:1
containment
10:4, 108:8
contains
116:4, 147:2, 209:8
continue
79:15, 141:14, 159:22, 160:4, 160:9, 160:17, 161:9, 178:10
continues
180:3
continuously
161:8
contract
74:20, 74:24, 130:21, 131:3
contracted
74:14
contractors
192:3
control
7:10, 7:13, 8:10, 10:12, 32:13, 36:21, 39:15, 48:6, 49:4, 49:8, 49:24, 67:18, 107:11, 107:12, 109:22, 109:23, 111:12, 111:20, 112:17, 112:18, 113:2, 113:22, 114:7, 114:23, 116:5, 116:7, 116:9, 117:15, 117:18, 118:7, 118:9, 118:16, 120:5, 120:10, 121:17, 126:20, 126:22, 135:10, 137:17, 145:23, 147:16, 149:19, 150:15, 168:16, 202:21
controlled
109:8, 154:20, 160:19
controlling
114:8
controls
34:3, 107:9, 111:12
convene
211:4, 211:10
convenient
14:13, 87:14
conversation
128:18
converse
104:8
convictions
10:17
cook
197:19, 197:23
coordinate
118:13
coordinated
159:10
coordination
118:10
copies
19:20, 20:3, 21:1, 29:18
copy
29:23, 35:7, 146:17, 170:24
cornell
193:9
corner
44:24, 79:14, 99:15, 101:1, 102:1, 104:15, 119:17, 176:2, 176:6, 177:9
cornerstone
91:3, 150:18, 151:14, 151:15
correct
15:13, 32:4, 35:19, 51:23, 67:4, 67:5, 67:21, 67:22, 68:22, 69:3, 69:8, 70:18, 71:22, 78:1, 95:20, 129:14, 132:15, 133:17, 136:1, 139:16, 139:21, 145:1, 145:2, 146:21, 156:5, 167:23, 167:24, 168:10, 171:7, 186:12, 186:13, 188:22, 188:23, 189:16, 189:17, 189:19, 192:20, 210:12
corrected
135:24
corresponding
138:4
corridor
175:23, 177:8, 179:14
corridors
153:17, 174:14, 176:8, 178:6, 178:11, 179:23
cost
198:17, 199:2, 199:4, 199:11, 200:13, 202:1
could
6:7, 23:23, 30:5, 32:22, 40:3, 56:9, 63:10, 69:21, 75:8, 76:18, 77:16, 84:18, 90:3, 92:11, 118:5, 123:19, 123:20, 123:21, 125:9, 125:15, 126:12, 127:6, 134:6, 135:7, 143:22, 147:8, 149:10, 154:24,

161:21, 167:6, 168:14, 171:16, 175:7, 182:12, 184:8, 189:21, 191:1, 199:11, 203:16, 209:11
couldn't
70:3
council
82:19, 205:19
counsel
5:2, 16:21, 20:4, 22:10, 30:18, 68:4, 74:8, 88:12, 128:3, 129:2, 139:4, 143:19, 166:10, 182:2, 185:1, 190:22, 213:12, 214:7
count
124:13
counties
192:10, 196:20, 203:11
country
66:11
countryside
36:8, 36:9, 40:12, 66:15, 92:21, 93:2, 98:24, 149:14, 155:9, 158:14, 159:8, 160:15, 173:14, 177:5, 178:13, 178:23, 181:12, 196:14, 196:16, 196:23, 197:8, 198:15, 198:16, 198:18, 201:17, 203:12, 204:3
counts
147:21, 151:24, 152:2, 152:16, 155:20, 158:14
county's
19:6, 207:7, 208:18
couple
68:3, 78:11, 104:12, 106:3
coupled
122:15
course
22:8, 29:20, 58:15, 149:12, 156:6
court
15:19, 30:22, 86:23, 87:8, 88:16, 143:23, 166:14, 185:5, 191:2, 213:1
cover
32:7, 89:11, 145:9, 168:7, 187:1, 193:5
covered
37:16, 58:22, 59:2
covers
48:8
coyotes
112:21, 113:7
create
112:6
created
169:22, 200:21
creating
110:7
criteria
9:1, 9:4, 9:6, 9:7, 10:15, 10:19, 23:21, 23:23, 24:10, 24:19, 24:23, 25:3, 25:5, 25:7, 25:10, 25:16, 27:3, 28:4, 32:3, 36:20, 38:9, 39:2, 39:23, 42:10, 116:18, 130:18, 131:1, 150:14, 168:2, 181:9, 200:6
criterion
24:6, 24:17, 25:24, 26:2, 26:7, 26:8, 26:18, 26:22, 32:4, 35:14, 65:24, 66:24, 67:3, 67:6, 75:2, 78:16, 81:3, 89:7, 89:8, 92:5, 92:6, 117:2, 144:22, 147:3, 167:20, 171:11, 186:8, 186:9, 186:15, 188:8, 189:19, 192:17, 192:18, 192:23, 193:5, 194:20, 195:2, 202:3, 204:22, 205:2, 205:4, 205:8
critical
73:8, 152:2
cross
12:3, 128:1, 162:23
cross-examination
68:4, 74:8, 83:11, 127:5, 128:3, 129:2, 139:4, 182:2
cross-section
50:11, 50:12, 51:17, 52:3
crossed
211:7
crosstalk
16:13, 17:2, 68:9, 72:1, 73:10, 183:15
crow
77:5
crowd
15:11
cubic
61:5
culvert
63:17
current
85:18, 85:24, 86:3, 86:6, 86:9, 93:2, 199:2
currently
40:13, 63:16, 144:13, 154:18, 196:21, 197:14, 198:18
curve
71:22, 72:7, 72:17, 73:22
curves
72:19, 72:20, 73:6, 73:22
customer
96:2, 96:8, 96:12, 96:18, 97:2
customers
96:4, 98:7, 102:23, 103:21, 104:3, 112:24, 115:18, 124:2, 125:22, 126:9, 126:10, 142:5
cv
5:8
cycle
191:20
cycling
56:11

D

daily
69:24, 108:16, 109:9, 113:18, 114:18, 129:18, 136:19, 147:22, 152:16, 156:14, 156:16, 157:12, 159:4, 197:11, 197:12
damaged
46:8

danger
9:20, 26:9, 117:7
dark
44:11, 50:22, 53:6, 53:7, 53:10, 65:20, 205:23
dashed
179:12
data
151:15
date
11:2, 14:20, 16:1, 17:12, 86:12, 134:22, 199:3, 207:9
davis
77:2, 77:3, 140:15
day
44:16, 44:18, 46:12, 54:10, 54:14, 68:21, 69:3, 69:4, 69:6, 69:19, 70:1, 77:11, 77:23, 80:15, 94:23, 108:7, 110:11, 110:18, 112:13, 113:7, 129:5, 129:13, 129:19, 129:20, 129:21, 131:7, 131:8, 131:12, 131:15, 131:17, 131:24, 135:20, 135:21, 136:12, 140:14, 141:8, 141:13, 141:15, 141:16, 141:17, 148:11, 148:12, 155:13, 155:15, 155:24, 156:2, 156:6, 156:23, 157:3, 160:2, 160:3, 160:8, 161:5, 161:12, 183:16, 196:7, 196:8, 197:12, 197:13, 197:15, 197:16, 206:14, 211:13
day-to-day
98:20
days
11:2, 11:7, 11:12, 11:13, 11:22, 12:11, 12:19, 13:2, 13:7, 13:10, 13:14, 13:20, 14:19, 16:1
deal
24:20, 46:6
dealing
202:16
deals
206:23, 207:1
debris
47:12, 62:23, 78:21, 95:5, 95:6
debt
200:14
decibel
83:17
decided
211:7
deciduous
178:7
decision
11:10, 15:16, 15:17, 142:7, 142:9, 142:12
decision-maker
14:23
decisions
7:23, 8:1
deconstruction
95:8
decorated
179:14
dedicated
57:23, 59:21, 104:18
deem
22:20
deemed
153:9
defense
108:24
defer
70:5
define
86:8
defined
4:5, 4:11, 84:8, 207:13
defining
153:3
definition
78:13, 186:21, 189:9
definitively
131:10
degree
32:9, 89:14, 187:3, 187:5, 187:7
dekalb
75:6, 75:22, 77:4, 140:10, 140:12, 140:15
delay
153:6, 153:7, 153:8, 153:9
delays
120:4, 153:11
delineation
37:7, 37:8, 37:14
delivered
20:18, 98:5, 140:4
delivery
20:12
demand
148:20
demolition
78:21, 95:5
demonstrate
8:23, 9:3, 28:3, 200:5
demonstrated
207:23
density
153:1
depart
148:16, 155:18
departing
74:22, 75:5, 165:8
department
134:5, 134:7, 134:14, 134:21, 149:22, 151:2, 169:6
depending
174:24
depict
99:13
depicted
100:5, 102:14, 104:3, 174:17
depicts
50:18
deploy
102:7
deployed
136:9
deposit
33:6, 33:21, 41:15, 43:13, 45:7, 54:22, 55:21, 58:1
deposited
43:20, 51:2, 56:17, 105:13
derived
95:7
describe
32:22, 36:18, 40:3, 90:3, 92:11, 118:5, 145:13, 149:11, 154:24, 168:14, 171:16, 172:19, 172:20, 174:4, 175:7, 179:8, 191:23
described
101:3, 110:13,

149:13, 155:2, 172:24, 206:2
describing
8:22, 19:17
description
206:16
design
25:18, 31:4, 31:15, 34:2, 34:19, 35:13, 40:3, 43:7, 50:8, 57:24, 64:4, 64:8, 64:23, 73:7, 79:19, 79:23, 80:9, 80:10, 80:13, 81:7, 81:8, 82:4, 82:18, 83:15, 89:23, 113:3, 118:24, 129:15, 129:16, 142:21, 197:11, 204:17, 207:15
designated
66:17, 67:12, 67:19, 150:11
designates
67:16
designation
85:19, 150:13, 179:23
designations
146:2, 168:24
designed
9:10, 9:20, 9:23, 24:7, 24:24, 33:20, 34:8, 34:16, 37:13, 40:13, 42:3, 42:13, 44:17, 46:4, 48:1, 48:6, 49:6, 49:16, 50:3, 51:11, 52:14, 53:16, 54:21, 55:10, 57:11, 57:21, 60:20, 61:15, 61:19, 62:15, 62:19, 62:20, 63:1, 63:5, 64:9, 64:11, 65:3, 65:7, 65:15, 65:22, 69:1, 73:23, 78:8, 84:15, 115:17, 117:6, 117:19, 144:23, 145:6, 164:11, 164:16, 204:16, 206:10
designer
183:4
designing
33:12, 74:18, 80:23
designs
64:16, 82:8
desirable
153:6
desire
14:2
desires
11:19, 13:23
detail
34:7, 34:12, 34:15, 40:21, 41:22, 42:14, 44:7, 71:4, 98:20, 171:1
detailed
51:7, 83:15
details
8:22, 79:9, 81:12, 145:8, 168:6, 186:24
detect
119:8, 119:10
detected
49:3
detection
48:14, 48:15, 119:7
detention
42:1, 62:3, 62:5, 62:7, 62:8, 62:13, 62:17, 79:9, 79:22, 82:6, 93:18
deteriorated
135:22
determination
15:23, 24:11
determine
37:10, 38:19, 72:14, 148:18, 155:23, 158:9, 158:21, 162:3, 172:2, 195:6, 202:8
determined
37:20, 149:6, 159:20, 202:9
determines
39:10
develop
120:13, 159:1, 159:12, 159:13, 204:5
developed
61:11, 64:1, 117:23, 123:15, 126:17, 148:3, 148:17, 155:11, 157:17, 202:22, 203:16, 204:10
developers
205:17
developing
90:13, 200:12, 205:6
development
8:10, 22:22, 22:24, 23:1, 38:1, 42:5, 61:3, 61:6, 63:22, 63:24, 172:12, 208:17
developments
53:6, 167:13
deviations
79:20, 80:16, 81:5, 183:17, 183:22
different
15:1, 32:15, 34:12, 41:19, 42:16, 58:2, 80:12, 137:8, 137:23, 176:18, 183:23, 199:24
digestion
203:18
digital
191:16, 213:8, 214:3
dilemma
141:17
diminish
114:12
dioxide
200:9
direct
30:18, 51:4, 87:23, 88:12, 97:22, 99:20, 103:10, 103:15, 105:5, 127:24, 139:20, 143:19, 166:10, 178:11, 185:1, 190:22, 200:20, 200:24
directed
41:6, 59:10, 99:11, 139:8
directing
58:10
direction
41:19, 100:6, 109:12, 138:16, 172:23, 177:4, 177:22, 178:23, 182:9
directional
58:9, 103:14, 148:14, 155:16, 158:9, 158:11
directions
178:19
directly
62:5, 100:23,

176:3, 176:23, 178:15
director
29:6
dirk
3:16, 13:12, 13:13, 17:6, 20:6, 80:5
disability
6:3
disabled
19:10
disapprove
8:18
disaster
133:4, 133:14
discharge
23:8, 42:7, 97:24, 122:4, 122:23
discharged
47:13, 61:4, 97:11
discharges
47:14
discharging
62:23
disclosed
12:23
disclosure
12:21, 13:1, 13:8, 13:10, 13:17, 13:19
discuss
25:22, 34:15, 41:12, 103:6
discussed
64:15, 132:23, 137:9, 140:24, 203:7, 205:1, 207:21
discussion
42:2, 50:9, 60:6, 64:4, 204:22, 207:13
disease
113:1
dispatcher
139:21
dispersal
111:6
disperse
49:14
disposal
33:10, 142:6, 195:11, 195:20, 196:5, 196:7, 196:11, 196:12, 203:5
disposing
10:1
distance
39:23, 138:6, 138:13, 149:5, 163:13, 163:16, 163:17, 163:23, 164:4, 164:5, 165:7, 178:17, 181:13, 198:14
distances
199:7, 199:10, 200:11
distant
177:14, 200:18, 202:2
distribute
29:17
distributed
157:15, 158:15
distribution
148:15, 155:17, 156:17, 158:10, 158:12, 173:13, 173:17, 174:12, 181:7, 190:1
district
16:7, 16:17, 18:24, 26:6, 67:13, 83:9, 83:12, 88:22, 88:23, 118:11, 118:14, 118:22, 119:13, 121:9, 139:23
division
151:11
dnr
39:7
doctor
187:7
document
194:11
documentation
39:12
documented
98:14
documents
172:6
doing
6:4, 49:12, 172:8, 192:4
don
17:18, 87:18, 127:7
donald
3:10, 12:16, 16:24, 17:3, 22:11
done
43:6, 54:6, 61:7, 127:9, 134:3, 135:7
door
29:9, 43:12, 53:24, 54:7, 55:20, 104:20, 105:11, 179:14
doors
45:1, 54:7, 54:8, 54:10, 54:13, 99:14, 104:14, 104:15, 104:17, 104:22, 113:6, 206:17
doorsthey
104:24
down
30:4, 36:11, 41:14, 44:23, 53:13, 58:21, 96:24, 100:13, 101:7, 107:19, 112:3, 115:4, 176:3, 176:6, 178:21, 203:20
downtown
169:20
dr
2:4
drain
46:21, 47:1, 47:4
drawing
71:8
drawn
145:3, 192:22
drive
50:23, 58:12, 175:14
driver
100:2, 101:19, 101:22, 102:6, 139:18
drivers
33:18, 49:19, 64:17, 74:12, 74:14, 74:21, 105:24, 106:7
driving
33:23
drop
59:10, 59:11, 115:4
droplets
50:7, 115:4
dropped
120:22
dry
81:23, 82:10
due
106:9, 108:18, 132:23, 140:17, 141:9, 153:16, 201:22
duly
30:12, 88:8, 143:14, 166:7, 184:20, 190:19
dump
33:6, 51:6, 54:1, 54:2, 107:17
duration
134:11, 134:15, 135:3, 135:4,

149:1, 161:24, 162:3, 163:3
during
14:11, 14:17, 29:19, 49:22, 54:8, 54:10, 54:14, 87:13, 91:10, 123:18, 132:13, 137:4, 141:13, 142:3, 147:21, 148:10, 148:11, 148:13, 151:24, 152:9, 152:13, 154:8, 154:14, 155:12, 156:20, 156:22, 157:15, 163:7, 164:19, 164:22, 200:21, 200:22, 203:7, 204:22
dust
49:23, 49:24, 50:1, 50:6, 114:7, 114:8, 114:13, 114:15, 114:23, 115:5, 116:3, 116:4, 116:9, 205:15
duties
88:24
dwelling
181:10
dwellings
37:1, 37:2, 37:4

E

each
12:10, 12:24, 25:16, 27:5, 28:3, 40:1, 62:17, 96:18, 96:24, 97:10, 103:19, 110:11, 110:17, 113:22, 118:5, 118:20, 125:4, 134:10, 136:12, 148:16, 155:17, 162:20, 163:7, 178:11, 179:4, 199:7, 203:21
earlier
79:18, 92:14, 92:19, 93:13, 93:17, 94:21, 98:18, 99:22, 101:3, 103:13, 104:12, 105:1, 106:21, 107:4, 108:4, 108:22, 110:13, 111:1, 111:13, 113:13, 114:22, 115:2, 116:8, 119:2, 119:8, 121:2, 121:16, 122:21, 125:7, 126:16, 138:15, 141:17, 204:14, 206:11, 207:22
early
48:15, 119:7, 141:12, 210:5, 210:6
easier
46:7
east
36:6, 36:9, 36:12, 40:9, 79:15, 92:21, 92:24, 98:23, 99:14, 102:23, 149:15, 150:10, 150:12, 150:20, 154:4, 173:9, 177:12, 178:15, 181:13
eastern
106:15, 197:2, 197:19
easy
174:6
ecocas
39:7
ecological
39:8
economic
199:14, 200:19
economically
207:20
educate
96:4
education
32:8, 35:9, 64:6, 89:12, 92:1, 96:2, 96:12, 97:2, 98:7, 115:7, 117:3, 145:10, 146:23, 164:7, 171:3, 180:16, 187:2, 188:4, 193:6, 194:6, 194:7, 194:9, 201:4, 208:8
educational
209:12
effect
9:15, 15:2, 24:15, 25:2, 27:2, 27:10, 186:11, 189:5, 189:8, 206:21
effective
120:5
efficiencies
200:16
efficiency
152:22, 152:23
efficient
33:15, 56:10, 64:16, 64:23, 115:18, 205:23
efficiently
64:24, 204:11
effort
110:3
efforts
19:6, 203:4
eight
10:6, 155:14, 175:21
eighth
25:7
either
15:7, 21:15, 37:3, 41:4, 52:24, 76:16, 78:24, 102:5, 106:14, 109:11, 114:10, 119:16, 129:1, 130:17, 138:15, 200:7, 201:22, 203:19, 206:18
elected
185:11
electric
207:17
electronics
58:24, 95:13
element
111:11, 111:20, 114:7, 204:24, 206:22, 206:24
elements
113:2, 118:6, 125:3, 204:15, 205:12, 205:15, 206:1, 207:10, 207:24
elevation
52:4, 105:17
eliminate
107:13, 120:21
eliminating
113:10
elimination
23:8, 122:5
else
20:4, 117:1, 135:9, 173:17, 176:1, 189:11, 212:1
elsewhere
78:17
email
134:21, 135:2
emanates
115:3
emergencies
118:23, 123:17,

124:20, 125:1
emergency
10:2, 24:20, 117:20, 117:21, 117:22, 118:17, 120:12, 122:12, 122:13, 123:13, 123:14, 123:20, 123:21, 123:24, 124:15, 124:23, 125:9, 126:23, 126:24, 132:23
emitting
113:16
employ
48:11, 107:12, 111:2, 113:21, 119:6, 121:23
employed
31:9, 88:21, 115:21, 144:13, 166:24, 185:18, 191:10, 213:12, 214:8
employee
51:11, 70:4, 124:16, 125:3, 125:4
employees
108:15, 116:11, 117:24, 118:4, 121:9, 121:20, 125:8, 125:21, 126:19, 155:5
employs
48:14
empty
56:21, 76:20, 100:8, 100:17
enclosed
108:10, 111:15, 113:4, 116:2, 168:21, 205:10
encouraged
61:21
encourages
205:17
end
14:6, 14:10, 46:12, 50:14, 80:15, 110:14, 110:17, 113:6, 127:4, 141:8, 183:16, 210:5
endangered
39:3, 39:5
ended
170:9
ends
176:15
energy
84:10, 84:16, 91:7, 193:13, 200:10, 200:14, 205:23
energy's
193:15
enforcing
130:21
engage
118:19
engaged
120:12
engineer
25:17, 26:5, 26:12, 31:3, 31:6, 31:23, 70:4, 144:5, 144:6, 144:11, 146:4
engineering
28:17, 31:18, 31:21, 32:10, 44:20, 44:21, 47:19, 50:8, 50:12, 83:18, 89:14, 144:16, 144:18, 144:19, 145:12, 191:15, 193:8, 193:9
english
19:9
enhancement
179:20
enhancements
183:1, 183:2
enlargement
175:20
enough
53:14, 62:13, 65:4, 72:14, 74:21, 135:15
ensure
111:21, 137:14
ensuring
98:5
enter
43:11, 44:24, 45:2, 98:23, 99:5, 99:13, 100:24, 101:2, 102:22, 149:4, 162:8, 162:11
entered
208:19
entering
57:15, 98:22, 99:17, 100:18, 107:16, 107:24, 113:5, 113:8, 128:15, 156:12, 157:10, 157:11, 157:22, 157:24
enters
93:5, 96:17, 97:22, 105:3
entire
14:15, 31:24, 42:21, 51:20, 51:21, 58:8, 87:11, 102:5, 102:8, 108:22, 113:23, 141:15, 141:16
entities
145:19
entitled
54:24
entrance
36:7, 36:8, 40:10, 40:11, 40:13, 40:16, 55:6, 56:18, 56:19, 59:7, 92:24, 93:1, 93:2, 96:14, 100:13, 176:12
entranceway
176:12
entry
12:7, 12:18, 13:4, 13:5, 13:6, 13:13, 45:1, 99:1, 104:16, 104:18, 107:24, 163:12, 163:14, 165:5, 167:16, 179:14
environment
8:8, 34:2, 34:6, 64:20
environmental
8:12, 19:1, 19:7, 19:15, 20:22, 23:20, 31:10, 31:13, 31:16, 31:18, 31:21, 34:3, 90:19, 91:3, 91:4, 107:8, 109:22, 111:11, 116:7, 191:6, 191:7, 191:16, 207:13, 208:22
environments
145:23
envision
172:3
envisioned
170:15
epa
73:19, 89:18
equipment
45:8, 97:7, 97:12, 99:18, 105:4, 111:19, 111:21, 111:23, 111:24, 125:18, 125:19, 125:24, 126:1
ergonomic
125:16
errands
201:2

errant
120:21
error
4:5, 4:11
escaped
108:17
especially
141:19
esq
3:19
essentially
149:1
establish
11:3, 100:16
established
93:23, 100:15, 126:7
establishing
7:12, 130:17
estate
185:9, 185:14, 185:16, 187:11
estimate
83:18, 195:10
estimated
196:2, 196:9
et
91:7, 113:7, 122:14, 124:9
etched
52:24
evacuate
124:10
evacuation
10:4
evaluate
147:9, 147:23, 148:20, 188:7
evaluated
61:10, 153:2, 154:6, 154:8, 155:21, 157:17, 158:23, 160:11
evaluates
149:1
evaluating
153:3, 171:21
evaluation
61:8, 83:19, 92:4, 145:9, 145:14, 147:2, 148:17, 149:5, 157:2, 163:14, 167:18, 168:7, 171:10, 175:10, 189:13, 194:19
evanston
198:6
evansville
187:6
even
52:17, 52:20, 59:14, 104:4, 131:15, 208:3
evening
127:20, 152:3, 152:12, 154:9, 154:15, 156:20, 157:1, 157:5, 157:8, 158:8, 159:3, 161:2, 164:22, 171:1, 182:5, 212:3
event
22:19, 48:10, 49:3, 63:8, 77:10, 98:7, 106:4, 119:19, 121:7, 121:21, 122:10, 122:24, 124:2, 124:19, 124:22, 124:24, 133:13, 134:16, 135:3, 135:4, 141:12, 206:18, 207:18
events
77:8, 133:4, 141:21, 142:4
eventually
65:13
ever
131:11
evergreen
178:7
every
60:11, 90:1, 94:4, 97:10, 108:7, 110:3, 113:6, 177:18
everybody
88:2
everyone
28:7, 60:11, 107:5, 124:6, 124:12, 124:13, 127:20, 142:3
everything
37:16, 45:16, 45:17, 45:23, 51:14, 56:17, 56:18, 63:21, 64:15, 65:4
evidence
7:23, 8:5, 10:15, 12:4, 18:10, 18:12, 19:24, 20:2, 28:2, 35:4, 130:24, 146:14, 170:23, 187:22, 190:3, 194:2
exactly
43:18, 53:21
examination
4:2, 30:18, 88:12, 127:24, 128:2, 143:19, 166:10, 185:1, 190:22
examine
12:3
example
156:13, 162:22, 163:20, 197:20
exceed
101:14
exceeded
197:16
except
12:13, 131:12
excess
53:15, 180:13
exclude
8:3
excluded
95:19
excuse
116:15, 122:6, 125:20, 137:21, 156:8, 178:1
excused
86:19
executed
207:7, 208:3, 209:1
executive
29:6
exhibit
5:3, 5:4, 5:5, 5:6, 5:7, 5:8, 5:9, 5:10, 5:11, 5:12, 18:10, 18:11, 19:16, 19:23, 19:24, 20:1, 20:6, 20:13, 21:2, 29:17, 29:21, 35:2, 35:3, 35:6, 35:19, 71:11, 89:24, 91:17, 91:18, 91:20, 146:11, 146:13, 170:20, 170:22, 171:2, 172:21, 187:18, 187:21, 188:12, 193:23, 194:1, 194:10, 209:9, 209:10
exhibits
38:11, 175:18
exist
179:22, 179:24
existing
9:24, 25:2, 26:14, 36:7, 47:16, 63:13, 63:15, 63:18, 92:21, 98:24, 144:24, 145:7, 147:11, 147:19, 147:23, 149:10,

149:16, 153:23, 155:19, 155:21, 158:14, 159:14, 159:24, 164:11, 164:16, 165:2, 165:6, 176:5, 176:20, 179:1, 179:17, 179:21, 180:2, 180:3, 180:8, 181:14, 204:21
exists
10:3, 182:10
exit
41:16, 41:20, 44:6, 45:1, 45:23, 54:7, 55:22, 57:2, 57:3, 59:12, 72:6, 104:16, 104:20, 108:6, 149:4, 162:8, 162:19, 163:12, 164:5, 165:6
exiting
45:21, 75:18, 100:10, 102:13, 102:17, 108:2, 137:5, 156:12, 157:10, 157:12, 157:15, 157:22, 158:1, 162:22, 163:24
expansions
168:21
expect
47:3, 63:8, 63:12, 102:20
expected
94:7, 94:22, 136:1
experience
10:16, 32:12, 35:9, 64:7, 90:4, 90:7, 92:1, 115:7, 117:3, 142:14, 145:14, 146:23, 153:11, 164:8, 168:15, 171:4, 180:17, 188:4, 191:24, 194:3, 194:13, 201:5, 208:8
experienced
116:12, 160:24
expire
211:14
explain
134:10
explained
183:10
explaining
135:5
explanation
83:15
explicitly
84:13
exposed
52:6
expressing
14:2
extend
133:17, 134:22
extended
134:11, 135:6
extends
150:22
extension
52:22
extensive
61:8, 65:16
extensively
93:13
extent
209:23
exterior
53:8, 114:10
external
124:4, 124:21
extinguisher
120:11, 125:10
extra
30:1
extract
112:24
extreme
133:4, 133:14
eyewear
126:6

F

faa
39:14, 39:16, 206:19
facilities
31:4, 31:5, 31:16, 32:13, 32:16, 32:17, 32:19, 48:18, 51:12, 75:9, 75:16, 75:18, 89:4, 90:14, 91:7, 118:15, 145:24, 148:18, 148:20, 168:16, 168:20, 196:19, 198:10, 199:10, 202:2, 202:18, 202:21, 203:11, 203:14, 203:16, 203:22
facility's
189:15
fact
15:21, 27:5, 38:21, 134:13, 141:15, 142:13, 186:22, 188:20, 194:15, 197:4, 211:20, 211:21
factors
33:11, 34:18
facts
28:2
fair
132:6
fairgrounds
174:2, 178:2
fairly
35:8, 91:24, 146:22, 171:2, 188:3, 194:5, 194:12
fairness
8:2
faith
132:2
fall
50:24, 105:21
falls
94:12
familiar
69:11, 74:18, 120:9, 124:18, 130:2, 130:6, 133:6
familiarity
175:14
fans
49:14, 49:20, 111:6
far
67:19, 128:16, 156:4
farm
173:10
farmland
170:12
feasible
207:20
feature
63:1, 176:4
features
34:9, 34:13, 44:8, 44:12, 52:13, 53:17, 54:15, 65:18, 65:22, 84:12, 85:10, 93:17, 179:16
february
7:7, 18:7, 20:18, 21:12, 86:2, 207:8
federal
191:19
fee
21:8, 21:10, 21:11, 132:1, 132:3, 208:22
fees
17:14, 207:12

feet
37:3, 39:15, 39:21, 44:2, 45:4, 45:5, 45:11, 51:6, 51:19, 51:22, 61:5, 107:1, 107:3, 109:11, 109:17, 137:19, 138:3, 138:5, 138:6, 138:10, 138:12, 138:15, 138:18, 138:19, 180:11, 181:11
felt
207:19
fema
66:9, 66:10, 66:17, 85:15, 85:21, 85:24, 86:4
fenced
42:22
fencing
81:6, 81:11, 81:18, 108:21, 108:22, 108:23, 142:22
few
53:21, 74:7, 85:16, 176:19, 182:7
fewer
200:17
field
10:18, 147:12, 175:15
fifth
24:19
figure
77:21
figures
57:14
file
10:20, 11:20, 14:18, 18:8, 23:14
filed
7:8, 11:21, 12:18, 13:4, 13:6, 13:13, 15:22, 16:1, 18:6, 19:3, 21:3, 21:4, 207:9
filing
11:23, 12:6, 17:13, 21:8, 21:10, 21:11, 21:12, 22:17, 199:19, 207:5, 208:20
fill
60:1
filters
173:20
final
11:7, 43:6, 79:22, 80:10, 84:17, 122:21, 183:4, 200:19
finally
27:13
financial
213:14, 214:10
find
58:14, 136:20, 141:10, 162:5
findings
15:21, 210:20, 211:20, 211:21
fine
16:15, 30:2, 50:5, 86:23, 87:24, 115:2, 210:14
finish
87:22
fire
9:21, 48:5, 48:10, 48:12, 48:21, 48:24, 117:14, 117:15, 118:7, 118:11, 118:14, 118:16, 118:22, 119:3, 119:7, 119:11, 119:13, 119:24, 120:8, 120:9, 120:11, 120:23, 120:24, 121:2, 121:7, 121:8, 123:20, 125:10, 126:15, 126:16
fires
24:22, 48:17, 117:7
firm
5:9, 31:22, 91:3, 139:10, 144:17, 146:17, 146:19, 167:9, 183:7
first
22:16, 23:16, 25:17, 26:3, 26:18, 29:14, 30:9, 36:1, 36:22, 63:23, 79:19, 90:8, 96:1, 96:17, 107:15, 109:23, 110:2, 110:4, 113:12, 113:14, 118:8, 121:12, 125:3, 146:19, 149:9, 159:1, 167:20, 170:9, 171:19, 171:22, 182:7, 183:11, 186:9, 195:5, 199:17, 204:8
fit
22:20
five
9:19, 10:19, 76:4, 87:19, 87:22, 92:6, 111:6, 116:23
fixture
53:4, 53:5
fixtures
44:12, 53:8, 65:21
flame
48:14
flies
77:5
flood
66:8, 66:9, 85:15, 85:23
flood-proofed
9:18
floodplain
9:18, 24:18, 25:24, 38:10, 38:13, 66:2, 66:4, 66:20, 85:20
floodplains
66:11, 66:17, 66:18
floor
3:5, 3:6, 43:15, 43:16, 43:17, 43:18, 43:23, 45:3, 45:6, 45:8, 45:11, 46:12, 46:21, 46:24, 47:1, 47:4, 50:13, 51:18, 53:19, 54:2, 97:8, 97:11, 97:13, 97:24, 99:19, 99:24, 101:7, 101:12, 104:11, 104:19, 105:5, 105:14, 105:17, 106:17, 106:24, 110:8, 110:9, 110:10, 110:15, 110:18, 110:20, 110:22, 113:18, 119:18, 126:14
floors
113:19
flow
25:3, 47:11, 60:23, 61:15, 61:17, 62:2, 62:4, 62:7, 65:3, 65:13,

73:11, 115:18, 128:16, 145:1, 149:19, 205:1
flows
9:24, 26:15, 62:5, 62:9, 62:11, 63:13, 63:17, 64:24, 145:7, 148:18, 164:12, 164:17
fly
52:18, 53:1
flying
52:22
focus
74:11, 92:16, 191:17
folks
103:15
follow
23:5, 78:12, 134:13
follow-up
135:2, 136:23
following
20:13, 26:16, 78:23, 94:14, 94:15, 104:2
follows
9:7, 30:13, 88:9, 143:15, 166:8, 184:21, 190:20
food
58:18, 79:5, 95:13, 142:8, 142:15, 206:5
foot
36:23, 36:24, 39:22, 64:1
foraging
113:1
foregoing
213:3, 213:5, 214:4
foremost
96:1, 121:12, 125:3
forest
52:22
forestry
187:3
forgetting
166:4
form
15:8, 98:4, 98:7, 112:24, 117:18, 174:10, 177:8
forming
163:2
forms
96:12, 97:3
forth
9:1, 9:4, 93:1, 102:10, 106:10, 111:19, 118:3, 126:14
fortunate
169:12
forty
168:20
forty-three
191:9
forward
27:23, 101:23, 106:2, 114:6
found
98:10, 158:18, 160:2, 160:8, 163:11, 165:4
foundation
169:4
four
9:16, 32:3, 62:8, 91:11, 198:17, 200:6, 207:24
fourth
24:17
fox
3:19, 4:10, 83:2, 83:4, 128:2, 128:5, 128:23, 165:12, 165:13, 181:20, 181:21, 190:8, 190:9, 209:5, 209:6, 209:14
fractionalized
174:23
frame
152:10, 152:14, 155:15, 178:11
frames
152:1, 152:4, 152:7, 163:7, 164:24
framing
176:15
free
149:19
frequency
97:19, 149:2, 161:24
frequenting
112:1, 114:4
fresh
49:18, 49:21, 65:8
friday
94:1, 132:13
friendly
34:14, 52:16, 52:23, 65:20
front
17:20, 50:14, 105:19
front-end
45:9, 46:5, 50:15
fuel
122:18, 200:10, 200:14, 201:2
full
28:3, 76:24, 178:18, 209:11
fully
12:1, 12:7, 70:10, 70:20, 213:5
functioning
111:22
functions
150:8, 151:19
fundamental
8:2
funny
62:19
further
38:11, 41:12, 63:23, 67:24, 74:2, 118:5, 127:2, 140:24, 150:1, 160:6, 165:10, 168:8, 181:18, 190:7, 200:11, 209:3
future
61:22, 172:11, 176:7, 178:1, 203:15, 207:17

G

gap
106:9, 148:23, 161:18, 161:19, 161:22, 161:23, 163:4
gaps
148:24, 149:2, 161:24, 162:3, 162:12, 162:13, 162:18, 162:20, 163:11, 165:4, 176:19
garbage
78:18, 95:2, 107:20, 135:15
gate
42:22, 63:6, 76:5, 81:7, 81:11, 122:23, 123:2, 140:2, 142:22
gatehouse
97:22
gates
75:14
gauge
101:12, 101:16
gears
60:8

general
13:21, 14:4, 62:6, 78:18, 92:18, 92:23, 95:2, 103:11, 106:15, 110:12, 112:16, 152:10, 159:9, 160:15
generally
32:22, 185:9
generate
156:2, 157:23, 196:2
generated
114:16, 147:10, 158:10, 159:8, 195:11
generation
148:9, 152:8, 155:12, 157:6, 157:18, 195:17, 202:17, 203:2, 203:7
generator
49:13
geneva
167:4
gentlemen
7:6
geography
187:5
geometries
147:15
geometry
162:21, 163:1, 163:18, 165:6
getting
50:2, 51:3, 57:10, 73:24, 129:5, 131:15, 170:10, 193:4
gfl
196:22, 203:12
give
35:24, 48:15, 88:2, 189:21
given
22:22, 94:13, 106:6, 109:18, 138:20, 140:14, 170:7
gives
43:7, 171:23, 172:6, 172:10, 175:12
giving
36:13
glad
139:23
glass
34:14, 44:9, 52:15, 52:16, 52:23, 58:15, 65:20, 95:16
glasses
52:20
glenview
197:21
glimpse
172:10
global
191:15
go
6:20, 22:6, 33:4, 34:6, 37:8, 39:17, 41:14, 41:19, 41:23, 42:14, 44:19, 53:23, 53:24, 54:1, 55:18, 55:19, 55:22, 56:14, 57:1, 57:19, 59:8, 59:15, 60:7, 62:2, 62:20, 68:13, 71:16, 75:19, 77:12, 77:22, 77:24, 86:4, 87:4, 92:15, 102:24, 103:19, 105:6, 109:17, 117:1, 120:8, 124:8, 125:17, 127:11, 131:17, 131:20, 133:9, 138:21, 141:8, 161:21, 165:14
god
133:4
goes
60:5, 128:16
going
6:16, 6:19, 25:1, 32:2, 34:6, 35:15, 44:21, 47:16, 47:20, 48:11, 52:15, 53:7, 54:3, 54:17, 56:21, 57:7, 59:5, 59:18, 59:19, 60:8, 68:21, 70:10, 70:17, 70:23, 71:3, 71:4, 71:21, 72:6, 75:12, 75:15, 76:4, 76:5, 77:12, 78:12, 80:12, 80:17, 81:13, 83:23, 84:4, 84:22, 86:22, 89:6, 90:15, 92:15, 104:18, 112:9, 113:12, 114:6, 115:16, 123:10, 128:10, 128:13, 129:7, 130:13, 130:16, 131:16, 133:15, 135:19, 136:16, 137:18, 170:19, 173:16, 183:11, 183:12, 186:10, 198:20, 198:21, 201:1, 210:20
gold
84:23, 85:6
gone
210:10
good
7:1, 7:5, 15:10, 22:9, 57:22, 86:24, 127:20, 132:2, 136:17, 136:23, 137:16, 182:5, 182:7
goods
78:14
gotcha
132:10
gotten
84:17
grabs
120:2
grading
80:2
graduated
166:22, 168:9
grand
29:11
granted
8:11, 8:24, 9:5
grass
182:12
grasses
61:20
gray's
182:16
grays
118:10
grayslake
1:8, 2:5, 20:15, 78:3, 78:5, 79:21, 80:1, 80:18, 81:12, 81:14, 142:19, 182:20, 183:18, 199:18
great
131:1, 135:9, 182:6
greater
91:1
greatly
114:12, 120:23
green
55:19, 57:13, 61:24, 82:19,

99:2, 99:12, 173:20, 205:17, 205:18, 207:15
groceries 201:2
gross 99:7, 101:10, 102:16
ground 122:18, 172:3, 179:17
grounds 108:16, 120:19
group 11:18, 91:4, 167:3, 167:7, 167:8, 169:10, 177:11
groups 193:15
grove 198:2
growth 159:9, 159:14, 159:17, 160:15
guarantee 207:11
guess 59:5, 84:20, 106:23, 130:15, 135:7, 138:12
guidelines 159:16
gust 108:18

H

half 18:23, 19:14, 81:24, 87:6
hall 3:3, 6:9, 6:12, 6:16, 6:19, 6:24, 7:4, 16:11, 16:15, 16:18, 18:1, 68:11
hampshire 144:8
handle 61:12, 202:19, 202:22
handled 111:14, 205:9, 205:10
handling 42:16, 42:19, 45:17, 45:24, 48:23, 60:12, 65:5, 108:9, 111:14, 116:1
happen 45:18, 48:16, 124:7, 131:16
happening 175:15, 177:14
happens 211:15
happy 6:5
hard 29:18, 46:1, 85:1, 126:5
hardened 114:12
hat 126:5
hate 185:15
haulers 198:17
hauling 192:4
hazard 125:11
hazardous 10:2, 25:4, 67:1
head 124:13
heading 75:6, 75:16
health 9:11, 24:9, 64:10, 64:12, 115:11, 117:24, 118:1, 118:2, 125:2, 125:8, 134:5, 134:6, 134:14, 134:21, 173:24, 174:14
hear 16:17, 18:1, 18:2, 27:5, 68:10, 68:11, 92:13, 112:16, 188:19
heard 79:18, 92:14, 111:17, 204:14, 204:19, 205:11
heat 119:9
heaviest 152:4
heavy 97:7, 99:18, 105:4
height 51:5, 51:20, 51:21, 106:23, 107:1
held 2:1, 11:12, 11:15
hello 139:7
help 6:5, 95:22, 103:15, 107:9, 115:5, 205:13, 208:18
helpful 130:11
helps 101:16, 116:5, 119:8
here 6:13, 29:4, 36:4, 36:19, 36:20, 40:9, 40:10, 41:10, 43:9, 43:12, 44:12, 45:20, 46:2, 46:21, 50:14, 50:21, 51:5, 52:9, 53:3, 54:7, 54:11, 55:7, 55:19, 56:4, 57:6, 57:10, 57:11, 57:14, 58:2, 58:3, 58:20, 58:21, 59:23, 61:24, 66:14, 66:16, 67:4, 67:14, 71:16, 72:2, 78:12, 87:12, 90:15, 93:6, 93:15, 94:11, 95:3, 95:14, 95:21, 99:1, 99:4, 99:13, 100:5, 100:6, 100:13, 102:15, 103:12, 104:3, 104:10, 104:13, 104:15, 105:15, 105:16, 106:4, 106:16, 107:5, 124:8, 144:21, 147:10, 156:14, 167:19, 171:18, 186:7, 188:12, 188:14, 188:19, 197:22, 210:8, 210:12, 211:10
here's 124:7, 124:8
hereby 213:4, 214:2
hesitate 27:22
hi 128:6, 128:7
high 44:2, 77:8, 126:5, 140:17, 206:17
higher 152:8, 164:23
highest 85:6, 156:21

highlight
177:16
hills
75:7, 75:22, 77:3, 139:24, 140:3, 140:16
hire
28:19
historic
38:15, 38:17, 38:20, 38:22, 38:24
historical
155:8, 172:7
hold
42:9, 89:16, 146:1, 168:23, 187:9
hole
135:14
holiday
94:15, 132:13
holidays
94:9, 94:12, 96:10
homage
82:16
home
33:3
honorable
1:7
hood
62:21, 62:22
hoping
84:23
horizon
177:5
horn
101:20
host
69:11, 69:17, 76:9, 130:1, 130:2, 130:3, 130:10, 130:22, 132:1, 132:7, 138:11, 197:4, 199:22, 204:2, 206:22, 206:23, 207:1, 207:12, 208:3, 208:19, 208:22
hot
119:21
hotspots
48:16
hour
87:6, 150:16
hourly
148:9, 155:12, 157:18
hours
75:22, 75:23, 76:2, 93:24, 94:4, 94:16, 96:8, 112:8, 112:14, 132:11, 133:1, 133:17, 134:11, 134:22, 135:2, 135:6, 135:8, 141:7, 158:8, 164:20, 164:21, 206:7, 206:12, 206:14
house
40:17, 40:22, 43:1, 93:6, 96:24, 99:6, 100:7, 102:24, 114:2, 122:18
household
46:18, 78:19, 95:2
households
95:12
however
14:8, 23:4, 84:15
humorously
182:8
hydrology
37:10

I

idea
43:7
ideal
28:7
identificating
176:4
identification
146:12, 187:19
identified
12:14, 34:19, 37:23, 38:9, 67:21, 137:15, 140:19, 148:5, 148:9, 148:14, 148:23, 152:2, 152:5, 152:16, 154:12, 155:2, 155:6, 155:16, 155:19, 157:4, 158:11, 164:19, 173:5, 194:9, 195:20, 197:11, 203:9, 203:15, 204:3, 205:18, 208:23
identifies
23:21, 121:5, 121:18, 123:17
identify
16:5, 16:21, 17:11, 18:9, 37:18, 97:16, 123:24, 172:16, 174:3, 174:7, 175:17, 178:4, 196:18, 199:16
identifying
148:4, 199:13, 202:20
iepa
22:23, 23:2, 23:9
il
3:6
illinois
1:8, 2:5, 2:9, 7:8, 7:11, 8:8, 8:11, 10:12, 17:1, 17:4, 18:5, 19:1, 19:15, 20:22, 22:16, 23:20, 25:13, 26:6, 31:8, 32:18, 38:17, 38:22, 39:7, 67:12, 67:18, 73:19, 89:14, 89:18, 122:3, 144:8, 149:7, 149:15, 149:19, 149:20, 149:22, 150:2, 150:9, 150:13, 150:17, 150:21, 150:22, 151:2, 151:6, 151:9, 152:17, 153:22, 154:1, 161:20, 162:16, 163:20, 165:5, 167:4, 169:5, 169:9, 170:3, 170:5, 181:15, 185:11, 185:12, 187:4, 187:6, 187:12, 193:8, 193:17, 213:19
illustration
154:11
imagine
116:22
immaterial
8:4
immediately
198:14
impact
9:24, 26:14, 144:20, 144:24, 145:7, 145:15, 145:18, 147:10, 148:18, 158:20, 164:8, 164:11, 164:16, 165:1, 186:4, 186:17, 189:14, 190:4
impacted
77:10, 123:3
impacting
38:3
impacts
27:4

implement
95:24
implemented
107:9, 170:14
implore
136:15
importance
205:4
important
153:12
importantly
121:22, 178:3
improve
84:18, 93:20
improvements
93:21
inbound
40:19, 106:5, 135:17
inc
17:1, 17:4, 18:5, 185:21
inch
46:3
include
11:20, 12:2, 73:18, 78:14, 79:12, 96:13, 110:21, 117:13, 117:16, 122:14, 123:23, 125:2, 125:9, 125:15, 126:12, 148:6, 159:5, 159:7, 203:17
included
19:5, 32:19, 147:12, 147:14, 147:15, 148:4, 148:19, 171:6, 171:15, 189:13, 194:15
includes
10:3, 22:17, 29:18, 69:10, 78:18, 92:24, 114:24, 125:21, 139:24
including
32:17, 65:19, 121:8, 151:14, 152:17, 174:1
inclusion
36:21
incoming
55:9, 72:21
incompatibility
9:14, 24:13, 26:21, 27:9, 167:22, 180:20, 182:23
incompetent
8:4
incorporate
34:18, 82:18
incorporated
85:10
incorporating
207:14
incorporation
82:13
increase
169:22, 196:4, 201:24
increases
119:9
incurred
202:1
indeed
189:2
indiana
144:8, 169:17
indicate
96:14
indicated
22:11, 27:19, 95:3, 95:17, 128:10, 131:14, 189:12, 189:18
indicates
204:9
indicating
12:22, 13:9, 13:18, 104:23, 190:3
indirect
200:20
individual
97:9
individuals
116:13
indoor
65:7, 76:12, 76:23, 141:3
industrial
78:19, 95:3, 145:21, 151:15, 177:23, 185:10, 186:2
industries
31:19, 90:10, 192:7, 193:14
industry
31:20, 31:24, 90:5, 90:7, 169:13, 191:24, 192:2
infestation
112:19
infield
169:20, 169:21
infiltrate
61:21
infiltration
61:19
info
5:9
inform
96:4
information
96:8, 96:11, 146:17, 146:19, 147:14, 147:16, 148:2, 155:10, 194:7, 195:16, 195:22, 197:14, 199:1, 199:3, 203:1, 203:3, 209:9
informs
210:11
infrastructure
205:6
initial
100:15, 110:1, 123:15
initially
100:14
injured
52:18
input
118:14
inside
45:18, 45:19, 45:23, 50:2, 51:15, 64:21, 65:5, 65:9, 113:24, 119:17, 177:1
insight
172:7
inspect
137:1
inspected
98:1
inspections
97:18, 97:20, 98:4, 98:12, 98:14, 113:21, 113:23
institute
170:1, 187:13, 198:24
institutional
145:22
insurance
66:8, 66:9
intact
136:10, 136:13
intend
131:11
intended
9:9, 10:23, 82:20, 85:12, 193:3, 198:15, 204:4, 204:12
intending
201:13
intends
12:9, 12:22, 195:19
intention
81:23, 182:21

interact
103:6, 104:4
interest
98:24, 213:14, 214:9
interested
14:8, 20:4, 208:2
interior
40:14, 114:10, 205:22
internal
56:1, 56:4, 60:7, 71:9, 93:3, 124:4, 124:20, 125:14
internally
124:22
intersection
149:18, 150:3, 150:5, 150:7, 150:23, 151:4, 151:8, 151:23, 152:1, 154:6, 154:13, 160:11, 161:6, 161:13, 162:21, 163:23, 164:4, 177:16, 177:21
intersections
147:17, 147:18, 148:1, 148:21, 152:23, 153:2, 153:15, 154:12, 154:18, 160:4, 160:16, 161:7, 163:16, 165:3, 173:23
introduce
28:14, 29:16, 41:21
introduced
170:23
invite
28:5
involved
13:22, 69:14, 90:13, 118:1, 142:7, 142:12, 142:21, 192:4
involves
124:16
irrelevant
8:3
isolated
37:20, 38:4
issue
136:20
issued
23:1, 23:9, 89:18
issues
27:22, 73:2, 81:20, 107:10, 136:19, 205:14
item
149:9, 154:23, 173:21
items
34:7, 95:23, 98:2, 103:9
iterations
183:12
itself
21:22, 37:13, 40:8, 45:3, 56:3, 103:17, 106:22, 106:24, 109:13, 111:15, 114:1, 114:21, 118:17, 120:18, 122:16, 125:23, 206:11
i⁄m
156:3

J

james
4:15, 166:6, 166:15
january
207:8
jobs
200:21
john
1:7, 3:22, 7:6, 16:7, 16:16, 192:3
joining
29:6
jon
16:14
july
199:3
jumps
173:11
junction
77:2, 77:3, 140:15
june
211:14
jurisdiction
149:21, 151:1, 151:11, 151:19, 206:19
jury
15:3

K

k2
71:8, 71:18
kane
170:7
karen
3:19
keep
14:17, 86:21, 140:21, 166:4
kenosha
197:2
key
116:13, 121:6, 134:9, 202:16, 202:24, 205:12, 207:10
killed
52:19
kind
43:15, 44:20, 46:13, 51:4, 52:13, 53:5, 60:8, 62:21, 80:5, 106:8, 131:7, 131:13
kirschman
28:16
kits
122:12, 122:13
know
7:7, 29:10, 37:18, 46:18, 48:1, 49:24, 50:9, 52:16, 54:12, 58:11, 64:23, 69:20, 70:13, 71:23, 71:24, 73:22, 74:15, 76:3, 76:5, 77:22, 78:16, 79:3, 81:16, 83:1, 84:11, 84:16, 85:3, 85:15, 85:23, 98:17, 106:4, 111:5, 111:13, 113:13, 117:14, 123:6, 123:10, 124:21, 126:2, 126:9, 126:12, 126:15, 130:3, 133:23, 134:15, 135:14, 136:21, 137:7, 140:7, 146:16, 199:8, 210:17, 211:7
knowing
142:5
knowledge
89:22, 89:24, 213:11, 214:6
known
15:12, 210:5

L

l-a-n-n-e-r-t
166:16
label
30:6
labeled
103:19, 182:11
laden
140:1

ladies
7:6
lake
1:1, 2:3, 3:2, 3:4, 3:12, 3:18, 7:11, 7:12, 7:14, 7:18, 7:20, 11:16, 11:17, 13:5, 13:16, 16:3, 17:7, 17:8, 18:7, 18:15, 18:18, 20:11, 20:14, 20:16, 23:13, 24:4, 25:8, 27:16, 29:1, 38:7, 42:5, 61:2, 63:21, 64:2, 68:5, 77:13, 77:19, 83:8, 93:11, 94:6, 102:20, 118:10, 127:21, 128:4, 129:3, 130:5, 130:6, 133:16, 133:21, 134:2, 134:13, 134:20, 140:21, 141:1, 151:11, 153:2, 159:15, 178:2, 182:16, 195:9, 195:14, 196:2, 196:19, 196:21, 197:1, 197:3, 197:10, 198:2, 198:4, 198:8, 199:15, 199:17, 199:21, 201:8, 201:19, 201:20, 201:21, 202:5, 202:10, 203:12, 207:3, 207:7, 207:12, 208:9, 208:18, 208:20
lance
167:3, 167:7, 167:8
land
24:10, 171:24, 172:6, 172:16, 174:3
landfill
33:10, 36:8, 36:10, 40:12, 66:15, 89:17, 89:23, 92:21, 93:2, 98:24, 106:11, 133:5, 140:16, 149:14, 159:6, 160:15, 173:14, 177:5, 178:23, 181:12, 192:12, 196:14, 196:16, 196:22, 196:23, 197:1, 198:15, 198:16, 198:18, 199:8, 201:18, 203:12, 204:3
landfills
31:5, 75:19, 77:2, 89:4, 90:12, 90:22, 90:24, 91:6, 141:12, 168:21, 192:5, 192:11, 196:21, 200:18, 203:17
landowner
109:19
lands
173:10
landscape
26:17, 78:14, 78:22, 78:24, 79:1, 81:2, 166:18, 166:20, 167:10, 167:14, 168:12, 169:2, 169:3, 169:9, 172:13, 178:9, 179:5, 179:10, 179:16, 182:18, 183:2, 183:5, 205:9, 206:5
landscaping
93:20, 179:21
lane
55:9, 162:23, 162:24
lanes
163:1
language
6:3, 133:23
lannart
166:1
lannert
4:15, 26:16, 81:3, 166:6, 166:16, 166:17, 169:10, 170:19, 171:9, 172:15, 175:2, 179:5, 180:16, 181:18, 182:5, 184:6, 184:7, 186:8, 186:18, 188:19, 204:19
lannert's
188:15
large
99:22, 102:4, 105:16, 105:20, 119:16, 135:15, 179:24, 182:11
larger
33:8, 56:16, 57:9, 90:10
laser
36:3
last
11:2, 14:20, 27:13, 30:22, 30:23, 39:13, 49:23, 54:16, 65:17, 85:14, 85:16, 86:9, 88:16, 88:17, 91:11, 139:18, 143:23, 144:1, 166:14, 170:6, 177:2, 178:20, 185:5, 191:2, 206:22, 206:24
lastly
113:20, 123:5, 172:13, 181:11
late
140:1, 140:9
later
11:1, 11:13, 12:11, 93:14, 132:19, 132:20
law
15:21, 23:20, 211:21
lawrence
1:23, 2:7, 213:2, 213:18
layout
92:23
lays
122:7, 124:5
leachate
46:21, 46:22, 65:11
leadership
89:2
learn
24:4
least
11:11, 11:22, 12:19, 13:7, 13:14, 71:17, 79:15, 84:10, 100:14, 123:5, 209:7
leave
70:21, 75:15, 129:7, 139:11, 139:15, 139:17, 139:22, 210:9
leaves
136:14
leaving
76:4, 136:12, 137:13, 139:19, 201:3
led
48:1, 53:14, 205:21

leed
82:13, 82:15, 82:19, 84:21, 84:22, 85:3, 85:9, 85:11, 85:12
left
13:4, 13:13, 153:14, 153:17, 162:10, 162:24, 164:2, 174:9
legacy
170:8
legal
80:6, 101:14
legislative
14:24
legislators
18:24, 19:14
length
102:5, 138:19, 150:16
lenox
170:5
less
110:6, 112:14, 113:15, 152:12, 152:15, 206:14
lesser
106:6, 174:15
let's
56:15, 65:24, 66:24, 87:19, 88:1, 89:10, 117:2, 127:9, 127:11, 145:9, 186:24, 193:5, 195:2, 202:3
letter
38:21
level
43:9, 44:1, 44:3, 50:13, 53:19, 53:20, 75:3, 84:23, 85:7, 141:24, 142:1, 146:6, 153:4, 153:24, 154:3, 154:5, 154:11, 160:23, 169:15
levels
83:17, 84:10, 153:6, 153:7, 153:8, 153:9, 153:13, 153:21, 154:1, 154:7, 154:19, 154:21, 158:21, 158:23, 159:23, 160:5, 160:10, 160:12, 160:18, 160:20, 160:22, 161:6, 161:8, 161:10, 161:14, 161:16, 165:2
li
209:15
libertyville
20:17
licensed
25:17, 31:6, 31:7, 144:6, 144:7, 144:11, 187:11
licenses
187:10
life
191:20
lifecycle
199:23, 207:22, 207:24, 208:23
light
44:12, 52:9, 53:4, 53:5, 53:10, 53:16, 65:21, 173:19, 206:1
lighting
44:10, 47:20, 47:24, 48:1, 48:2, 53:9, 53:14, 53:15, 205:24
lights
53:12, 205:22
likelihood
110:7, 113:15
likely
77:10
likewise
172:9
limit
149:23, 150:16, 151:10, 151:16, 163:19, 197:15
limitations
132:19, 197:20
limited
206:12
limits
147:15
line
55:19, 104:6, 137:19, 178:12, 179:13
lines
50:22, 55:8, 149:6, 163:21, 177:8, 181:13
lineup
27:18
liquid
46:17, 46:22, 46:24, 47:10, 121:13, 121:14
liquids
46:16, 46:19, 47:2, 60:13, 65:11
list
12:9, 78:23, 95:18, 169:16
listed
32:3, 86:6, 94:11, 95:20
listen
27:20, 28:5, 188:14
listening
15:6
lists
170:24
litter
70:15, 107:11, 107:12, 107:14, 107:22, 108:8, 108:11, 108:14, 108:17, 109:1, 109:3, 109:20, 116:8, 135:10, 137:3, 137:17, 138:2, 138:22, 205:14
little
32:7, 40:7, 41:19, 46:1, 51:7, 54:18, 60:23, 72:19, 93:14, 107:4, 108:4, 110:14, 110:15, 114:15, 115:2, 115:4, 118:8, 133:9, 137:8, 137:22, 153:5, 156:4, 167:6, 168:8, 172:24, 176:17
load
41:2, 41:16, 43:13, 44:6, 45:14, 45:15, 55:21, 97:10, 97:18, 97:19, 97:21, 97:24, 98:1, 98:3, 98:4, 98:8, 98:10, 98:12, 99:10, 99:21, 100:1, 101:5, 101:13, 102:12, 113:14, 119:20, 119:21, 119:22, 120:4, 135:22, 199:11, 202:2
loaded
45:18, 46:11, 46:12, 97:1, 99:7, 101:6, 101:11, 101:18, 106:7, 110:6, 140:8
loader
45:9, 46:5,

50:14, 50:15, 97:8, 97:12, 99:18, 105:4, 105:12, 105:18, 120:2
loading
44:5, 47:7, 50:18, 51:8, 53:20, 54:12, 57:1, 101:2, 101:3, 101:7, 101:8, 101:24, 105:14, 105:15, 106:19, 107:2
loads
33:6, 33:7, 41:15, 43:17, 43:20, 45:7, 56:4, 97:6, 98:5, 105:23, 106:1, 110:1, 110:2, 110:4, 119:10
local
8:19, 8:21, 8:23, 9:5, 15:24, 17:12, 23:10, 109:14, 120:13, 151:13, 151:17, 151:18, 169:14, 172:5, 191:18, 198:7
locate
119:16
located
8:16, 9:10, 9:13, 9:17, 10:6, 10:10, 19:1, 24:8, 24:15, 25:11, 25:13, 27:1, 36:5, 39:18, 41:10, 64:9, 66:1, 66:3, 67:7, 67:8, 67:15, 92:20, 96:13, 102:2, 104:14, 109:15, 111:7, 122:15, 122:19, 149:13, 149:14, 150:17, 167:21, 169:5, 180:19, 186:11, 186:16, 198:11
location
2:1, 5:4, 7:9, 7:17, 8:14, 18:6, 22:13, 22:17, 24:12, 25:19, 25:20, 25:21, 26:19, 28:8, 35:24, 36:13, 36:15, 39:10, 40:1, 40:7, 64:7, 66:21, 93:15, 97:23, 103:11, 147:6, 171:7, 171:13, 175:19, 176:21, 180:7, 180:18, 188:11, 189:15, 194:16, 194:23, 196:24, 198:13, 199:9, 208:4
locations
111:7, 160:24
lock
125:12
locked
42:23
logistics
106:9
long
42:2, 116:20, 144:10, 166:20, 185:13, 191:7
longer
132:18, 133:10, 153:11, 163:3
look
33:14, 34:1, 36:1, 37:5, 37:9, 38:14, 38:18, 39:4, 43:3, 43:5, 52:2, 52:5, 66:7, 78:15, 96:24, 97:9, 97:21, 98:1, 138:11, 146:15, 153:3, 156:3, 170:21, 176:20, 187:19, 193:24, 199:24
looked
37:15, 52:3, 140:22, 147:11, 153:21, 160:6, 195:13, 195:19, 197:19, 198:23
looking
27:23, 72:3, 114:3, 130:24, 131:14, 136:4, 156:13, 157:13, 175:11, 176:3, 176:11, 176:21, 177:3, 177:15, 177:22, 178:15, 178:21, 182:24, 202:18, 209:8
looks
87:12, 210:5, 211:13
lose
76:23
lot
34:6, 34:12, 40:20, 41:8, 41:21, 44:21, 47:3, 50:9, 54:11, 54:20, 54:21, 54:22, 65:22, 85:10, 92:13, 178:21, 179:2
loud
6:17, 6:18, 111:23, 112:2, 112:5
louis
187:8
louvers
49:20
low-quality
37:20, 38:4
lower
44:3, 45:10, 45:11, 50:17, 53:20, 152:14, 158:7
lowest
154:11, 160:23
lunchroom
78:20, 95:3
lynn
4:13, 26:11, 26:16, 143:11, 143:13, 144:1

M

m-e-a-n-s
144:2
made
11:8, 13:1, 13:10, 13:19, 19:8, 20:12, 23:23, 73:9, 137:15, 142:13, 192:13
madison
32:11
mai
187:12
mail
18:20, 19:21, 21:1
main
84:2, 84:5
maintain
89:21, 96:6, 111:21
maintaining
126:12
maintenance
111:19, 200:23
major
141:11, 151:20, 153:14, 153:19, 168:11, 168:12, 173:23, 176:8, 176:16

majority
198:4
make
7:22, 8:1, 12:3, 12:4, 14:12, 14:15, 14:16, 15:11, 15:14, 15:23, 22:1, 22:22, 28:12, 29:1, 34:10, 37:15, 38:7, 48:18, 49:5, 49:17, 60:10, 64:2, 64:24, 69:8, 70:15, 80:19, 87:14, 87:19, 98:2, 101:13, 103:3, 103:7, 110:3, 111:8, 116:9, 123:8, 124:13, 126:1, 136:4, 137:4, 156:4, 180:4, 210:8, 210:17, 211:8, 211:12, 211:22
making
11:10, 13:23, 14:8, 15:16, 15:17, 70:20, 96:20, 116:13, 141:20
mallory
178:15
manage
46:15, 46:20, 61:1, 62:14, 65:12, 204:12, 208:18
managed
65:10, 90:12
management
3:9, 7:8, 10:8, 10:18, 12:17, 12:20, 17:1, 17:4, 18:5, 25:9, 26:6, 27:17, 30:19, 42:13, 49:3, 51:14, 60:9, 60:21, 64:3, 65:8, 65:14, 65:16, 70:1, 70:4, 70:5, 73:15, 78:5, 88:13, 88:22, 88:24, 89:2, 90:11, 91:12, 93:18, 109:6, 109:8, 116:11, 118:3, 122:7, 122:22, 125:5, 129:17, 129:19, 132:6, 134:1, 134:23, 135:1, 137:1, 137:6, 138:13, 140:20, 140:24, 142:18, 143:20, 144:19, 155:11, 166:11, 185:2, 190:23, 191:21, 191:22, 192:19, 195:15, 202:5, 202:11, 202:15, 202:17, 204:4, 206:24, 208:10, 208:18
management's
70:24, 125:14
manager
26:6, 88:22, 88:23, 90:23, 139:24
managing
90:22, 205:4
maneuver
163:2, 163:4
maneuvers
163:10
manner
7:24, 15:13
manufacturing
31:20, 173:16
many
52:16, 55:1, 57:7, 128:12, 128:21, 162:3, 178:19, 183:22, 192:9
map
66:8, 66:12, 66:21, 86:12, 93:15, 149:12
maps
66:9, 66:10, 66:12, 85:15, 85:18, 85:22, 85:24, 86:3, 86:6, 86:7, 175:16
marked
35:2, 91:17, 146:11, 170:20, 187:18, 193:23
markets
191:17
mask
49:11
mason
193:18, 193:21, 209:2
masses
179:24
master
78:4, 78:13, 79:8, 79:11, 79:16, 79:21, 80:20, 81:10, 81:21, 82:12, 82:17, 82:21, 142:17, 142:18, 167:17, 170:11, 182:14, 182:15, 182:20, 183:18
master's
187:5
masters
193:9
material
1:3, 31:5, 39:18, 40:4, 41:4, 93:11, 94:20, 95:24, 97:3, 99:9, 101:16, 104:11, 105:13, 110:6, 110:23, 178:7, 178:8, 179:2, 193:1, 195:8, 198:12, 198:19, 208:5
materials
78:23, 94:3, 94:22, 94:24, 95:9, 96:5, 96:9, 96:15, 96:19, 96:21, 97:15, 99:9, 103:7, 103:19, 107:20, 115:20, 115:23, 206:8
mats
122:14
matter
9:3, 11:9, 15:3, 108:12, 210:6
matters
21:17, 21:21, 118:18
mature
177:17
max
69:5, 197:16
maximum
44:18, 68:21, 69:24, 101:15, 129:13, 129:18, 197:12
maybe
30:1, 49:11, 69:21, 86:23, 119:22
mccain
178:1
mccarthy
1:7, 7:7
mchenry
197:2, 197:19
meadow
182:8, 182:13

meadowview
1:3, 18:23, 34:16, 34:20, 35:14, 35:22, 36:16, 39:24, 40:4, 64:9, 66:1, 67:1, 67:7, 92:12, 115:9, 117:6, 144:23, 158:10, 163:14, 164:10, 167:21, 172:17, 175:3, 176:1, 180:19, 182:9, 186:10, 188:20, 189:2, 189:23, 192:24, 195:4, 195:8, 195:19, 196:24, 198:12, 199:9, 200:12, 201:7, 201:11, 202:4, 202:9, 208:5, 208:10, 208:11
meadowview's
189:14
mean
72:18, 73:7, 73:22, 75:21, 75:24, 118:11, 135:4, 135:17, 137:7, 142:2, 189:4, 189:7
meaning
110:1
means
4:13, 23:18, 26:11, 45:20, 60:15, 96:2, 109:24, 120:18, 122:1, 143:11, 143:13, 143:22, 144:1, 144:3, 144:21, 146:10, 147:1, 151:21, 156:8, 161:18, 164:7, 165:10, 165:20, 165:21, 205:3, 209:16
measure
109:14, 120:7, 152:22, 152:24, 161:23, 162:2, 162:8, 174:8
measured
163:6
measures
107:13, 109:4, 114:6, 114:24, 116:7, 118:9, 120:5, 121:19
measuring
162:13, 162:17, 175:11, 198:13
mechanical
49:20
medical
123:20
meet
24:2, 39:2, 39:23, 42:10, 85:19
meeting
51:12
meets
9:1, 9:6, 25:21, 37:4, 39:24
member
83:4, 83:12, 169:1, 169:3, 169:7, 169:8, 193:10, 193:12, 197:24, 201:23, 210:8
members
13:21, 14:4, 15:11, 15:12, 16:3, 16:5, 16:10, 22:10, 78:2, 193:16
mention
101:8, 111:5, 120:15
mentioned
37:12, 40:8, 40:11, 41:13, 44:15, 52:8, 52:15, 60:10, 61:2, 65:9, 85:14, 92:19, 105:1, 114:22, 116:8, 121:1, 121:16, 123:19, 126:16, 126:21, 156:17, 168:8, 180:10, 197:8
met
10:13, 203:23, 208:6
methodology
154:24
metropolitan
159:11, 195:23
michigan
166:22, 167:5, 168:9
microphone
68:12, 68:16
midday
152:6, 152:10, 152:14, 154:9, 154:10, 156:22, 158:6, 159:2, 159:3, 164:23, 164:24
midlothian
150:19, 151:3, 151:5, 159:19, 177:21
midwest
91:1
might
11:5, 30:6, 33:4, 48:16, 54:4, 59:24, 112:16, 112:17, 119:20, 121:15, 132:24, 133:9, 195:11, 201:1, 202:22, 206:17
mile
18:22, 19:13, 147:13, 154:7, 160:12, 190:2, 199:5
mile-per
150:15
miles
77:4, 198:11, 198:20, 198:21
mind
14:18
minimize
9:13, 9:15, 9:20, 9:23, 24:12, 24:15, 25:2, 26:9, 26:14, 26:20, 27:1, 27:9, 27:11, 47:21, 49:6, 49:7, 50:1, 50:7, 53:16, 84:15, 104:21, 117:6, 120:23, 144:24, 145:6, 158:19, 164:11, 164:16, 167:21, 180:19, 186:11, 186:17, 205:13, 206:1
minimizing
27:4, 53:10, 108:10, 182:23
minimum
97:19, 138:1
mining
31:20
minor
150:9, 150:24, 153:15, 153:18, 154:20, 160:18, 161:9, 161:15
minute
87:17, 87:19, 88:1
minutes
116:23, 184:9
misplacement
106:8
missing
80:17

missouri
187:8
mist
50:5, 115:2
misting
50:4, 115:1
mitigate
111:16
mitigation
170:11
mixed
145:22, 167:12
model
72:14, 72:18, 72:21, 72:23
modeling
73:5
molly
1:24, 214:2, 214:13
moment
97:5, 123:19, 124:17, 140:18
monday
1:9, 94:1, 132:12
monitor
101:10, 105:23, 111:24
monitoring
136:11
month
113:22
monthly
113:20
moran
3:10, 4:4, 4:9, 4:14, 4:16, 4:19, 4:21, 12:17, 12:21, 12:23, 13:1, 16:23, 16:24, 17:3, 17:15, 17:16, 17:20, 17:22, 18:4, 18:13, 20:3, 20:10, 21:10, 21:23, 22:3, 22:6, 22:9, 22:12, 28:10, 29:13, 29:15, 29:23, 30:2, 30:5, 30:9, 30:15, 30:16, 30:20, 34:22, 38:5, 68:1, 69:20, 79:18, 80:4, 80:21, 81:1, 86:15, 86:17, 87:16, 87:21, 88:2, 88:5, 88:11, 88:14, 91:13, 116:16, 116:22, 127:1, 127:8, 127:13, 130:13, 131:9, 143:3, 143:4, 143:8, 143:11, 143:18, 143:21, 146:7, 146:10, 165:9, 165:11, 165:22, 165:24, 166:5, 166:12, 170:16, 181:17, 181:19, 183:10, 184:2, 184:4, 184:8, 184:12, 184:17, 184:24, 185:3, 187:14, 190:6, 190:16, 190:24, 209:4, 209:7, 209:13, 209:16, 209:24, 210:3, 210:5, 211:16
more
6:5, 13:1, 15:24, 32:8, 34:7, 34:15, 37:2, 40:7, 40:20, 41:8, 41:21, 42:7, 44:7, 45:3, 51:7, 56:12, 61:5, 61:22, 63:6, 71:4, 74:16, 76:8, 76:15, 76:19, 84:9, 92:16, 93:14, 98:19, 106:5, 116:17, 116:22, 121:21, 123:1, 128:19, 131:12, 131:23, 137:16, 150:14, 163:11, 171:1, 173:16, 174:23, 200:18, 202:2, 205:22, 209:6, 209:9
morning
152:3, 152:12, 154:9, 154:15, 156:24, 157:4, 157:8, 158:7, 159:2, 161:1, 164:22, 210:12, 211:4, 211:10, 212:3
mornings
156:18
most
37:22, 54:3, 85:24, 86:3, 86:8, 128:20, 169:13, 173:3, 175:23, 178:2, 199:2
mostly
173:22
motions
21:21
mount
67:13
move
6:22, 56:15, 60:6, 65:24, 66:24, 113:14, 117:2, 202:3
movement
151:24, 152:2
moving
67:6, 106:9, 128:1, 132:11, 154:23
mph
149:23, 149:24, 150:1, 151:9, 151:16
much
15:1, 50:17, 67:23, 83:14, 101:16, 109:17, 141:16, 165:9, 181:17, 190:14, 195:11
mufflers
111:22
multidisciplinary
167:9
multiple
62:12, 89:3
mundelein
20:17
municipal
78:13, 78:18, 95:1, 144:18
municipalities
18:22, 19:13, 20:14
must
9:3, 15:15, 199:17

N

n-i-c-k-o-d-e-m
30:24
name
7:6, 22:11, 30:21, 30:22, 30:23, 30:24, 62:20, 83:6, 88:15, 88:16, 88:17, 143:22, 143:23, 144:1, 144:2, 166:13, 166:14, 166:15, 185:4, 185:5, 191:1, 191:2
names
211:6
national
23:7, 94:9,

94:12, 122:4, 169:14, 193:16
nationwide 31:17
native 61:19, 182:12
natural 133:3
naturalized 81:22
nature 12:10, 12:23, 31:12, 114:11, 185:24
near 67:13, 67:14, 122:19
necessarily 141:14
necessary 9:8, 24:2, 104:9, 106:14, 114:18, 137:4, 172:14, 193:1, 201:7, 201:12
need 6:2, 17:18, 17:22, 23:21, 24:2, 27:14, 39:16, 39:17, 43:22, 55:14, 59:15, 60:2, 62:13, 77:22, 100:19, 104:3, 123:11, 128:13, 132:24, 135:11, 141:8, 141:10, 162:23, 192:11, 192:18, 195:2, 195:3, 203:8, 211:1
needed 48:1, 106:13, 182:19, 200:5
needs 9:9, 24:3, 135:24, 136:22, 193:2, 195:6, 201:8, 201:13
negative 189:5, 189:8, 189:14, 190:3
neglected 83:2, 120:15
negotiate 132:3
negotiated 199:19
negotiating 130:20
negotiation 204:2
neither 165:18, 213:12, 214:7
net 83:23, 84:4, 84:6, 84:13, 196:8
network 158:16, 193:13
neutralization 111:2
neutralize 111:3
neutralizes 49:10
never 210:5
new 127:17, 144:8, 170:5
news 18:20, 19:12
newspapers 95:15
next 16:20, 17:10, 26:11, 26:23, 37:5, 38:5, 38:10, 43:3, 44:19, 49:4, 52:2, 53:21, 54:17, 55:15, 56:1, 56:15, 57:19, 59:5, 60:8, 66:7, 69:21, 87:1, 90:17, 93:21, 98:16, 102:17, 107:5, 109:21, 121:10, 123:12, 125:1, 134:12, 136:1, 143:9, 143:12, 150:21, 151:5, 154:23, 163:6, 165:23, 172:5, 173:11, 175:18, 176:10, 176:17, 177:11, 177:20, 178:14, 184:10, 184:15, 184:17, 190:15, 190:16, 195:10, 196:18, 198:9, 199:6, 199:13, 206:3
nickodem 4:3, 25:16, 30:10, 30:11, 30:23, 31:1, 35:1, 35:12, 35:21, 36:15, 39:24, 51:16, 64:6, 65:24, 67:23, 68:7, 74:12, 86:20, 92:15, 93:12, 93:17, 94:21, 98:17, 99:21, 101:3, 103:13, 104:12, 106:21, 108:21, 111:1, 115:1, 119:1, 122:20, 129:6, 204:15, 205:2, 205:5, 205:19, 206:3
night 112:14, 140:9
nine 9:1, 9:4, 9:7, 10:9, 10:15, 23:21, 23:23, 24:1, 26:2, 192:3
ninth 25:10
nitrous 200:7
nodding 127:7
noise 111:12, 111:16, 111:18, 111:20, 111:23, 112:6, 112:14, 112:16, 116:6, 116:8
non-company 141:23
non-compounded 159:17
non-native 19:9
noncontact 60:18
none 21:23, 38:21, 165:16
noon 94:5, 94:17, 132:16
normally 15:2, 15:5, 170:10
north 79:12, 109:12, 138:16, 150:1, 150:2, 151:6, 151:20, 153:23, 172:22, 173:8, 175:22, 176:11, 177:15, 181:12, 197:23
northbound 162:9, 162:13, 162:17
northbrook 198:7
northeast 101:24
northern 197:19

northernmost
104:17
northwest
101:1
northwesterly
177:22
notary
2:8, 213:1, 213:18
note
36:6, 42:20, 46:15, 47:18, 53:3, 58:6, 59:4, 94:21, 152:9, 153:12
noted
157:20
notes
156:3
nothing
27:11, 42:17, 63:6, 65:6
notice
19:3, 19:5, 19:11, 19:18, 20:21, 21:5, 27:3, 133:18, 134:20, 135:6
noticed
72:11
notices
17:14, 18:13, 18:16, 18:21, 19:19, 20:24, 21:16, 21:17
notification
10:4
notifications
124:3
notify
39:16, 49:2, 98:9, 119:12, 124:8, 124:21, 134:9, 135:24
notifying
106:1, 112:4, 126:10
npdes
122:4
npds
63:16, 63:18, 63:24
nsc
60:22
nuisance
112:23, 116:10, 116:15
nuisances
107:10
number
33:24, 39:17, 41:11, 62:9, 62:10, 62:11, 62:12, 90:8, 95:24, 102:20, 103:17, 106:6, 107:8, 109:4, 122:13, 125:2, 125:15, 136:21, 156:5, 156:8, 169:13, 176:21, 177:3, 179:24, 180:6, 197:9, 197:22

O

object
163:22, 210:17
objection
20:5, 20:6, 80:21, 117:1
objections
21:17
obligated
21:6
obscure
178:18
observations
147:12, 171:24
observed
96:10
observing
94:11, 97:6
obtain
84:22, 89:19, 99:7, 103:3, 171:22
obtained
138:20, 147:18, 195:22
obtaining
80:1
obvious
181:8
obviously
21:3, 31:15, 48:5, 54:7, 211:8
occasion
110:22
occasions
197:15
occupancy
23:11
occupation
31:2, 88:20, 144:4, 166:17, 191:5
occupied
37:1, 37:2, 37:4
occur
23:16, 42:17, 45:16, 119:4, 123:12, 123:18, 124:3, 156:18
occurred
119:22, 154:14
occurs
51:14, 60:12, 65:5, 65:6, 108:7, 141:11, 157:6, 176:15
odor
49:4, 49:5, 49:7, 49:8, 49:9, 49:15, 109:23, 111:2, 111:5, 116:8
odors
110:23, 111:4, 113:10, 113:16, 116:6
off-loading
116:4
off-site
60:23, 100:10, 107:14, 108:11, 108:14, 109:3, 110:6
offer
18:10, 19:23, 19:24
offered
18:12, 20:2, 29:22, 35:4, 91:19, 146:14, 187:22, 194:2
offers
167:9
office
3:4, 38:18, 38:23, 78:20, 95:4, 167:4, 173:13, 174:12, 174:20, 181:6
offload
99:21, 105:6, 105:7
offloaded
100:1, 105:9
offset
110:14
offsite
111:16, 112:6
often
106:14, 153:14
oh
17:21, 29:12, 68:13, 85:3, 112:7, 143:11, 182:21
ohio
193:13, 193:17
okay
6:9, 6:10, 6:24, 16:18, 29:12, 68:18, 81:4, 83:10, 86:14, 87:3, 127:12, 127:17, 128:24, 129:10, 136:23, 137:16,

138:17, 165:14, 165:19, 209:22, 211:3
on-site
62:14, 107:14, 108:14, 119:12
once
22:24, 45:14, 58:12, 100:1, 100:7, 101:18, 102:13, 103:9, 103:24, 121:1, 150:1
one
6:17, 9:7, 11:11, 16:5, 17:21, 17:22, 25:12, 31:14, 33:24, 36:22, 38:10, 39:13, 45:1, 48:7, 50:10, 50:18, 54:3, 54:4, 54:5, 56:19, 57:1, 58:5, 67:11, 67:20, 69:16, 69:17, 71:6, 71:18, 71:24, 75:19, 75:21, 76:21, 79:10, 81:20, 81:24, 85:14, 89:21, 93:5, 94:12, 97:19, 99:14, 101:5, 105:14, 105:15, 106:20, 106:22, 107:11, 114:7, 116:17, 117:1, 119:4, 120:6, 120:15, 121:7, 123:1, 124:2, 128:8, 129:1, 129:21, 130:12, 130:14, 131:18, 133:13, 138:9, 139:19, 140:19, 140:22, 142:13, 150:18, 169:16, 175:1, 175:19, 176:18, 182:10, 195:5, 202:16, 202:17, 204:1, 205:12
only
8:24, 9:5, 23:15, 23:16, 24:4, 25:12, 33:16, 59:23, 64:2, 67:11, 67:19, 77:4, 109:6, 110:12, 114:19, 116:11, 125:21, 130:15, 141:2, 173:21, 174:13, 179:13, 179:16, 183:22, 197:22, 197:24, 198:1, 210:8
onsite
125:20, 141:3, 179:21
open
50:24, 54:10, 54:14, 134:11, 141:13, 173:19, 174:10, 174:20, 181:6, 190:1
opening
22:1, 28:12, 29:2
operate
94:1, 141:14, 159:23, 160:4, 160:9, 160:17, 160:20, 161:7, 161:10, 199:4
operated
9:11, 24:8, 91:6, 112:9, 115:10, 115:17, 116:14, 140:8, 200:3, 200:4, 203:14, 204:11
operating
10:16, 23:3, 42:24, 54:10, 54:14, 93:24, 96:3, 96:8, 98:15, 109:21, 110:11, 110:18, 112:13, 113:7, 134:22, 139:10, 152:22, 153:24, 154:18, 154:21, 196:22
operation
25:18, 74:19, 76:8, 89:23, 92:12, 93:10, 94:16, 107:7, 107:11, 111:4, 112:8, 118:20, 121:5, 123:16, 123:18, 132:12, 155:21, 204:17, 206:12, 206:14, 207:16
operational
9:21, 24:22, 26:10, 89:7, 92:5, 92:16, 117:8, 118:13, 158:13
operations
9:19, 26:7, 26:8, 42:16, 42:19, 46:13, 49:22, 91:1, 91:9, 98:20, 108:9, 111:14, 117:5, 117:13, 146:4, 147:19, 147:23, 154:10, 200:22
operator
40:23, 45:8, 59:9, 89:17, 96:16, 97:7, 97:8, 97:12, 97:13, 99:8, 99:19, 101:6, 101:12, 101:18, 104:5, 104:9, 105:4, 105:5, 105:12, 105:18, 105:24, 120:2
operators
97:4, 97:12
opinion
15:6, 15:16, 64:8, 64:14, 115:9, 115:13, 115:15, 117:4, 117:10, 117:12, 164:9, 164:14, 164:18, 179:18, 180:18, 180:23, 180:24, 181:4, 181:5, 189:19, 193:4, 193:5, 201:6, 201:10, 201:11, 201:15, 202:13
opinions
15:6, 15:12
opossums
112:21
opportunity
11:24, 12:2, 97:9, 97:20, 168:19, 172:16
opposed
82:9, 178:12
opposite
53:22, 149:16
oral
15:8
orchard
75:7, 75:22, 77:3, 139:24, 140:3, 140:15
order
22:21, 27:19, 47:20, 124:24, 203:23
ordinance
7:12, 7:20, 11:17, 18:16, 18:19, 20:12, 20:15, 23:13, 42:6, 61:3,

63:22, 101:14, 167:17, 199:15
organisms 99:10
organization 169:18, 199:1
organizations 193:11
original 203:21
osha 125:13
other 6:3, 8:5, 9:21, 16:9, 21:16, 21:20, 22:1, 31:19, 35:14, 41:11, 42:20, 44:14, 45:24, 46:15, 47:18, 49:16, 51:12, 53:3, 53:6, 57:18, 59:4, 61:12, 64:3, 71:6, 72:20, 75:9, 80:11, 82:3, 82:7, 84:12, 96:10, 96:12, 97:3, 106:3, 106:8, 106:20, 107:10, 109:15, 112:15, 112:20, 155:9, 169:24, 173:1, 173:21, 174:22, 175:19, 177:6, 180:5, 182:24, 186:6, 197:18, 198:6, 199:10, 201:2, 205:14, 205:15, 208:2
others 85:7, 95:14, 111:17, 210:17
otherwise 213:14, 214:10
out 20:11, 20:20, 23:17, 23:19, 23:24, 24:1, 35:13, 37:8, 40:18, 40:19, 41:16, 41:17, 43:2, 43:13, 46:8, 46:9, 47:8, 50:10, 51:3, 54:11, 54:20, 56:11, 57:3, 58:5, 59:6, 59:13, 59:16, 65:2, 65:13, 66:9, 70:16, 71:3, 75:8, 77:21, 79:10, 84:7, 84:10, 92:4, 93:8, 93:15, 100:3, 100:6, 102:7, 104:1, 104:4, 104:22, 105:11, 106:4, 107:22, 108:18, 109:1, 109:24, 113:13, 115:19, 119:3, 120:1, 120:3, 122:7, 124:5, 125:12, 127:11, 135:15, 137:3, 147:9, 153:15, 156:7, 156:11, 156:16, 162:6, 164:2, 171:10, 171:17, 173:11, 194:19, 200:6, 211:18
outbound 40:20, 72:12, 72:19, 72:21, 73:22, 74:11, 75:5, 104:7, 136:6, 136:7
outcome 213:15, 214:10
outfit 126:1
outflow 63:3, 63:4
outlay 92:18
outlet 62:18, 62:20, 63:7, 63:13, 142:5
outlined 126:18, 126:23, 179:12
outside 9:17, 37:14, 39:22, 44:13, 50:3, 53:4, 57:17, 62:24, 63:14, 63:15, 64:22, 65:6, 66:18, 76:24, 112:11, 113:24, 119:18, 141:4, 170:1, 179:20, 180:14, 198:8, 201:21, 205:24
over 6:21, 6:22, 7:22, 32:1, 32:16, 45:22, 62:20, 66:11, 106:16, 110:7, 125:22, 131:17, 136:9, 145:17, 156:6, 162:23, 168:18, 168:19, 192:12, 195:12, 196:12, 202:22, 211:6
overall 45:5, 56:8, 101:10, 101:13, 154:13, 154:17, 160:17, 161:6, 161:13
overhead 99:14, 104:15
overlay 92:18
overnight 76:11, 76:16
overseeing 90:24
oversight 89:2
overview 43:4, 175:10
overviewing 172:2
own 125:14, 167:3, 186:19, 192:7, 192:10
owned 91:6, 141:24, 197:22, 203:14
owner 109:19, 138:21
oxide 200:8
oxygen 120:4
ozone 49:6, 49:8, 49:12, 49:13, 111:3, 111:6, 111:8, 113:9

P

p-e-t-e-r-s 88:18
p-o-l-e-t-t-i 185:6
pack 141:20
page 4:2, 5:3, 71:10, 131:21, 137:23, 146:20
pages 1:22, 146:19
paid 17:14, 21:8, 21:11
panels 34:13, 44:10, 47:22, 52:8, 52:11, 65:20, 84:11, 205:20
panhandle 172:24

paragraph
19:5, 19:10, 69:16
pardon
203:5, 203:10, 206:23
park
20:16, 57:12, 105:6, 167:15, 197:10, 201:19, 203:13
parked
57:15
parking
178:21, 179:2
parkway
150:18, 151:14
part
11:8, 15:14, 23:6, 26:22, 38:1, 38:2, 38:5, 63:23, 73:7, 74:1, 77:11, 81:8, 82:16, 82:20, 83:20, 85:23, 93:10, 98:15, 107:7, 167:14, 167:20, 179:2, 183:3, 186:8, 186:9, 199:22, 206:10, 211:19
participants
22:10
participate
11:19, 12:1, 12:8, 183:14
participation
12:2
particles
49:9
particular
99:2, 195:12
parties
15:22, 16:21, 124:4, 132:4, 134:9, 208:2, 213:13, 214:9
parts
175:19
party
11:18, 11:21, 11:23, 12:7, 12:12, 113:22, 118:21
pass
90:2, 100:19
past
10:16, 72:24, 169:2, 169:8, 177:24, 193:15
path
104:2
pathway
99:3
patrol
108:16, 109:5, 138:2, 138:13
patrolling
109:10, 137:18
patterns
9:22, 24:24, 26:13, 65:3, 144:23, 145:5, 164:10, 164:15
paved
40:14, 58:6, 114:8, 114:10
pay
85:17
paying
82:16
payment
207:12
payments
199:17, 208:22
peak
141:7, 147:21, 148:11, 152:3, 152:13, 152:15, 154:10, 154:16, 155:13, 155:14, 156:21, 157:3, 157:5, 157:8, 157:16, 158:2, 158:8, 160:7, 161:2, 161:11, 163:10, 164:20, 164:21, 164:22
peaks
156:18, 157:1
people
28:18, 33:16, 33:17, 33:22, 33:23, 40:24, 41:5, 48:19, 49:2, 56:5, 58:4, 58:10, 58:11, 58:18, 59:21, 64:17, 64:18, 65:8, 80:11, 112:5, 112:15, 112:17, 123:8, 127:10, 128:10, 128:15, 169:21, 175:24, 183:12
peoria
67:14
percent
152:12, 152:15, 159:17, 174:11, 174:12, 174:14, 174:20, 174:21, 181:7, 190:2
percentage
141:23
percentages
174:18
perfect
6:24
perform
113:23, 151:21, 152:19, 157:2, 161:18, 163:4, 163:13
performance
74:19, 206:17
performed
97:18, 147:20, 147:22, 152:21, 161:19, 162:12, 171:20, 192:11
performing
96:22, 163:9
perhaps
94:17, 98:19, 112:21, 112:24, 119:24, 126:10, 131:9, 132:18, 141:13, 198:20
perimeter
40:9, 42:21, 46:2, 46:7, 47:23, 103:18, 108:21, 108:23, 180:14
period
106:6, 128:14, 128:18, 155:14, 163:8, 195:13, 195:14, 196:1, 202:19, 202:23, 203:3, 211:13, 211:20
periods
112:11, 152:3, 152:13, 152:16, 154:16, 157:8, 161:2, 164:23
permanent
8:9, 63:18
permission
109:18, 138:21
permit
22:24, 23:1, 23:3, 23:8, 23:11, 23:12, 63:16, 73:19, 84:17, 122:5, 162:7, 162:14, 163:11, 164:1
permits
23:4, 23:5, 23:10, 38:6, 63:24, 80:2, 81:14
permitted
12:12, 63:15, 176:22
permitting
22:16, 23:7, 38:8, 83:21,

90:13, 91:9, 116:14
person
10:20, 11:18, 13:23, 13:24, 14:18, 69:14, 69:15, 70:19, 97:23, 128:11
personal
125:18, 125:19, 125:23
personnel
109:5, 109:16, 112:23, 116:12, 119:12, 120:7, 120:8, 121:10, 123:6, 124:1, 125:16, 136:11
persuade
28:7
pest
113:22
pete
26:23, 184:18
peter
4:18, 184:19, 185:6
peters
4:8, 26:4, 26:5, 69:21, 69:22, 70:7, 70:14, 70:22, 74:15, 74:24, 76:7, 77:15, 77:16, 87:1, 87:20, 88:6, 88:7, 88:17, 88:19, 89:6, 91:16, 92:3, 92:12, 95:17, 117:2, 127:1, 127:18, 128:6, 139:7, 143:1, 143:5, 143:6, 204:15, 205:2
peterson
150:6, 150:7, 150:11, 151:7, 152:18, 154:4, 159:18, 177:15
petition
21:3
petitioner's
18:9, 18:11, 19:16, 19:23, 20:1, 20:13, 21:2, 29:17, 29:21, 35:2, 35:3, 35:19, 91:17, 91:18, 146:11, 146:13, 170:20, 170:22, 171:2, 187:18, 187:21, 188:12, 193:23, 194:1
philosophy
187:7
phone
134:21
photo
172:21, 175:11
photograph
171:23, 175:20, 176:10, 176:11, 176:17, 177:2, 177:20, 178:3, 178:14, 178:20, 179:24, 180:1, 180:6, 180:10
photographs
175:16, 175:21, 176:9, 177:11, 177:13, 177:19, 179:4
pick
33:3, 33:5, 60:2, 99:3
pickup
107:17
picture
52:17
pie
174:18, 174:22, 174:24, 181:8
pieces
174:22, 174:23
pile
50:16, 119:15, 119:16
piles
120:2
pink
196:23
pipe
63:7, 122:23
piped
47:4, 47:8
piston
39:20
pit
101:9, 105:15, 105:22
pits
101:4, 101:9, 105:15, 107:2
place
52:6, 70:10, 103:22, 204:22, 207:2, 207:5
placed
48:22
places
170:3
plan
9:19, 10:2, 10:8, 10:9, 24:20, 25:9, 26:8, 27:17, 44:20, 44:22, 51:8, 71:19, 72:11, 78:4, 79:8, 79:11, 79:16, 79:21, 80:20, 81:2, 81:10, 104:10, 117:4, 117:5, 117:13, 117:22, 120:12, 121:18, 122:2, 122:7, 123:14, 123:16, 123:23, 124:5, 124:15, 125:2, 126:22, 126:24, 137:17, 142:18, 172:10, 172:14, 173:5, 179:6, 179:10, 182:14, 182:18, 182:20, 183:2, 183:5, 183:18, 192:19, 195:15, 195:21, 199:22, 202:5, 202:11, 202:15, 203:9, 203:24, 204:2, 204:8, 206:13, 207:1, 208:10, 208:16
planned
54:21, 58:7
planner
26:17, 166:19, 166:21
planners
170:7
planning
43:8, 121:6, 159:11, 167:10, 167:12, 168:13, 169:18, 170:8, 195:12, 195:14, 195:24, 198:3
plans
64:1, 167:12, 167:15, 167:16, 167:17, 170:11, 170:14, 172:11, 178:9, 204:19
plant
203:1
planting
167:15
plantings
178:5, 180:12, 181:14, 204:20
plants
186:3
plastic
58:16, 62:21, 95:16
plastics
203:19, 203:20
platform
96:7

platinum
84:23, 85:5
pleasant
67:13
please
14:10, 14:17, 15:13, 27:22, 30:21, 51:24, 86:8, 88:15, 93:22, 98:16, 102:18, 107:6, 109:21, 121:10, 123:12, 125:1, 143:24, 146:15, 166:13, 172:19, 185:4, 187:20, 193:23, 206:3
pleasure
127:6
plot
186:5
podium
22:7
point
20:10, 20:20, 63:5, 93:14, 96:17, 106:4, 106:20, 124:11, 124:12, 131:8, 131:11, 168:7, 176:3, 198:13
pointed
23:17, 24:1, 53:12, 53:13, 79:10, 211:18
pointer
36:4
points
175:4
poletti
4:18, 26:24, 184:18, 184:19, 185:6, 185:7, 185:21, 186:1, 187:17, 188:6, 190:6, 190:7, 190:15
police
135:20, 137:12
policy
70:24
policymaker
14:24
pollution
7:9, 7:13, 8:10, 10:12, 23:8, 32:13, 39:14, 53:11, 53:16, 67:18, 122:2, 122:4, 145:23, 168:16, 202:21, 206:1
pond
62:24, 63:11, 63:14, 79:23, 176:23, 180:8
ponds
62:3, 63:9, 79:9, 93:18
population
195:22
portion
138:8, 205:11
portions
182:17
posed
129:6
position
80:5
positioned
105:17
possible
24:21, 27:4, 65:2, 71:12
possibly
37:19, 128:14, 133:5
post-collection
89:3
post-landfill
159:5
posted
120:17, 126:7, 149:23, 151:9, 151:16
postings
96:13
postmarked
11:1
potential
62:23, 96:4, 108:10, 108:16, 111:16, 112:19, 114:3, 114:13, 119:10, 120:21, 120:24, 121:14, 121:19, 122:8, 123:17, 123:20, 123:24, 137:2, 205:14
potentially
60:13, 123:3
pounds
101:15, 129:5, 196:6, 196:8
power
31:20, 47:21, 48:2, 177:8, 191:18
powered
207:17
powerline
36:11
powerpoint
29:18
ppe
125:24, 126:3, 126:10
practice
109:24, 110:12, 133:19, 134:8
practices
121:22, 122:8, 126:20, 205:18, 207:15
practitioner
170:9
preclude
95:22, 113:7, 115:22, 141:17
predominant
173:18
prefiling
20:21
preliminary
21:21
preparations
112:12
prepare
172:13, 179:5, 182:14, 195:6
prepared
117:21, 118:23, 121:20, 123:7, 145:17, 179:11, 182:17, 188:7, 207:23, 208:1, 208:24, 214:3
preparing
121:7
prerequisite
22:18
prescribed
18:18
presence
37:6, 37:11, 39:4, 66:10
present
3:21, 12:4, 14:9, 16:4, 16:5, 25:15, 27:19, 38:16, 47:2, 79:13, 87:11
presentation
38:12
presented
15:7, 160:23, 183:6, 208:1, 208:24
presenting
22:15
presently
88:21, 89:17, 193:12, 196:14
preservation
38:17, 38:23, 170:12
preside
7:21
president
169:3, 169:8, 185:22
pretty
15:10, 56:10,

61:7, 65:15, 73:8, 77:23, 181:8
prevent 113:5, 121:23, 122:8, 123:7, 162:10
preventative 116:3
prevention 117:15, 117:17, 117:18, 118:8, 118:16, 120:6, 120:8, 120:10, 121:2, 121:11, 122:2, 125:10, 126:15, 126:21
previous 10:16, 40:6, 132:14, 148:5, 155:20
previously 35:18, 149:13, 156:17, 157:20, 176:22, 188:11, 194:23, 206:2
price 3:16, 4:6, 4:12, 4:17, 13:12, 13:17, 13:19, 17:6, 20:7, 21:18, 29:3, 29:11, 68:13, 74:4, 74:6, 74:10, 80:9, 80:23, 81:4, 82:23, 84:21, 129:1, 139:2, 139:3, 139:6, 142:24, 165:16, 182:1, 182:4, 183:9, 184:1, 190:12, 190:13, 209:20, 209:21, 210:11, 210:13, 210:19, 210:23, 211:1, 211:18
primarily 186:2
primary 91:5, 91:8, 94:24, 120:6
principal 150:10, 150:24
principles 33:11, 34:19, 82:19
prior 11:22, 12:11, 12:19, 13:2, 13:7, 13:10, 13:14, 13:20, 45:20, 47:13, 57:15, 62:23, 80:1, 102:12, 102:17, 104:18, 132:2, 137:5, 199:19, 207:5, 207:8, 208:3, 208:20, 208:24
priority 170:3
private 39:20, 145:19, 145:20, 170:9
privately 203:14
probably 69:13, 69:14, 73:21, 74:17, 75:9, 77:16, 84:14, 84:18, 127:10, 131:14, 169:15, 173:11, 183:7
problems 29:5
procedures 7:13, 10:5, 117:16, 117:17, 121:22, 123:9, 126:8, 126:11, 126:15, 126:18, 126:23
proceed 22:5, 30:14, 41:4, 51:24, 88:10, 99:5, 99:11, 100:3, 100:6, 100:10, 100:12, 100:23, 101:23, 102:15, 104:1, 105:11, 143:17, 184:23, 190:21
proceeding 22:19, 23:14, 131:5, 194:24, 214:4
proceedings 11:8, 15:15, 213:3, 213:5, 213:6, 213:9, 214:6
proceeds 105:2, 105:12
process 13:22, 14:6, 22:16, 23:7, 23:16, 79:19, 80:13, 90:15, 100:4, 103:9, 104:1, 105:7, 172:7, 175:10
processes 96:1, 97:5, 115:20, 116:1, 126:11
processing 60:3, 100:9, 197:17, 201:18, 201:20
producing 84:9
products 95:6
profession 185:8
professional 32:12, 35:9, 90:4, 92:1, 145:14, 146:4, 146:6, 167:9, 168:15, 168:23, 169:6, 171:3, 187:9, 188:4, 193:10, 194:6
profile 83:16
program 82:20, 117:18, 118:2, 120:10, 121:3, 121:4, 125:6, 125:7, 126:17
programs 125:13, 125:14, 174:7
projected 196:16
projecting 29:19
projection 83:18
projections 159:1, 159:12
projects 192:12
promote 61:18
prone 85:23
proof 8:13, 9:2
proper 126:13
properly 12:14, 100:3, 111:22, 116:12, 123:4
properties 9:16, 109:8
property 24:16, 27:2, 27:11, 38:16, 39:1, 109:7, 109:18, 109:19, 137:19, 138:2, 138:8, 138:21, 138:22, 186:12, 186:17, 186:22, 189:6, 189:9,

189:16, 190:4, 190:5
proposal 27:7, 27:16, 64:8, 168:20, 208:11
proposed 8:24, 9:6, 9:11, 10:22, 24:8, 25:8, 25:18, 58:2, 81:12, 92:12, 92:19, 93:10, 93:20, 93:23, 107:7, 108:23, 109:6, 109:16, 112:7, 115:8, 115:10, 117:4, 133:24, 178:22, 179:6, 188:20, 199:9, 201:5, 201:16, 210:20, 211:20
proposing 52:4
proprietary 48:13
protect 48:19, 64:10, 64:11, 115:10, 124:1, 176:7
protected 9:12, 24:9, 180:7
protection 8:8, 8:12, 19:2, 19:7, 19:15, 20:22, 23:20, 118:11, 118:14, 118:22, 119:13, 121:3, 121:9, 126:6, 126:17
protective 115:21, 125:16, 125:18, 125:19, 125:23, 126:5
protocols 123:9
proud 169:15
provide 13:24, 14:5, 21:6, 31:18, 34:3, 47:24, 50:5, 65:8, 73:15, 96:7, 108:14, 115:17, 133:18, 134:20, 135:2, 135:6, 164:5, 191:20, 197:6, 204:24, 208:21, 211:9
provided 11:24, 14:1, 124:3, 155:10, 203:1
provides 7:14, 7:21, 8:9, 8:17, 8:20, 10:20, 11:11, 11:18, 108:24, 125:7, 150:13, 165:7
providing 116:15
provision 19:7, 130:16, 131:2, 131:19
proximate 109:16
proximity 140:15
ptoe 146:3
public 1:6, 2:8, 7:16, 7:19, 7:22, 9:11, 11:2, 11:3, 11:7, 11:11, 11:14, 11:19, 11:23, 12:1, 12:8, 12:19, 13:7, 13:14, 13:21, 13:23, 13:24, 14:3, 14:4, 14:5, 14:9, 14:10, 14:16, 14:17, 14:20, 15:8, 15:9, 15:11, 15:18, 18:14, 18:16, 24:9, 64:10, 64:12, 87:11, 115:10, 138:3, 145:19, 145:20, 170:13, 174:1, 174:15, 210:6, 210:14, 211:5, 211:8, 211:9, 211:11, 211:19, 213:1, 213:18
publication 18:19, 19:19
publish 19:17
published 18:17, 19:4, 19:11, 19:20, 199:3
publishes 199:1
pull 71:12, 102:16, 106:2, 195:15
purify 203:19
purple 173:12
purpose 10:23, 14:7, 70:14, 82:5, 112:4, 120:20, 130:20
pursuant 2:7, 20:11
push 45:9, 45:12, 46:2, 46:3, 50:16, 50:19, 105:14, 105:20, 106:14, 106:15, 106:16, 110:22
pushed 98:1
pushes 105:19
pushing 46:5, 46:6, 101:6
put 27:24, 39:9, 44:22, 45:22, 49:11, 65:18, 101:17, 110:4, 120:1, 121:4, 125:5
puts 66:9, 118:3

Q

qualifications 32:7, 145:10, 168:8, 193:6
qualified 213:8
quality 65:7
quantification 175:12
quantified 163:9
quantify 174:9
quantity 61:10
quarter 87:5
quarters 174:21
question 24:6, 26:1, 26:12, 26:19, 26:24, 69:15, 70:6, 71:6, 72:13, 74:24, 79:1, 79:20, 80:6, 85:14, 128:8, 129:6, 129:9, 129:11, 129:12, 129:24, 130:1, 130:19, 132:9, 134:12,

138:12, 139:24, 140:13
questioning 96:19
questions 27:21, 28:6, 67:24, 68:2, 68:3, 68:15, 74:3, 74:4, 78:12, 83:3, 83:5, 104:8, 127:2, 129:10, 139:9, 165:10, 165:12, 165:13, 165:17, 165:18, 165:19, 181:18, 181:20, 181:21, 181:24, 182:7, 190:7, 190:9, 190:11, 209:3, 209:5, 209:18, 209:19
queue 55:5, 55:11, 56:8, 56:9, 56:24, 57:10, 57:17
queuing 54:24, 55:1, 56:1, 56:12, 57:5, 71:10, 128:21
quick 120:1, 128:8, 157:13
quicker 110:5, 113:14
quickly 65:2

R

raccoons 112:20, 113:8
radiation 52:12
radio 101:22
radius 154:7, 160:13
rail 191:18
railroad 36:13, 181:13, 186:5
rainwater 60:16, 81:21, 82:1, 82:3
raised 78:11, 79:17
rallies 124:12
rally 124:11
ramp 53:24
random 97:17, 97:19, 98:4, 98:12
randomly 97:21
range 94:16, 199:11
rapids 29:11
rare 48:17
rate 66:8, 66:9, 159:14, 159:17, 196:5, 196:7
rates 195:17, 195:20, 196:12, 203:2
rather 61:21, 81:23, 90:21, 100:4, 101:12, 110:21, 119:4
rating 85:5
reach 199:10
reached 186:24, 189:22
reaching 202:13
react 123:11, 124:19
reactions 122:9
read 130:12, 130:13, 130:14, 130:16, 131:3, 131:19, 137:24, 197:22
readily 97:16
real 74:1, 185:9, 185:13, 185:14, 185:16, 187:11
realize 14:14, 28:18, 132:18
really 31:21, 32:24, 34:10, 51:4, 53:15, 55:15, 63:20, 64:15, 65:1, 67:3, 72:12, 72:13, 85:1, 183:2, 183:3, 186:20
realm 170:13
reason 56:20, 62:12, 134:10, 134:15, 177:13
reasonable 79:24, 80:18
reasons 64:13, 115:15, 117:12, 135:3, 135:5, 164:18, 181:3, 181:5, 189:21, 201:14, 201:16, 208:14, 208:16
rebuttal 12:13
recall 86:12, 129:9
receipt 11:13, 18:21, 19:21, 94:2, 94:6, 132:3
receipts 21:1
receive 94:22, 119:20, 120:10, 131:23, 140:8, 195:19, 197:3, 204:13
received 11:1, 14:4, 19:22, 196:15, 201:23
receives 197:1
receiving 94:14
recently 85:16, 170:6
recharge 10:11, 25:11, 26:2, 67:7, 67:9, 67:12, 67:15, 67:17, 67:20
recognition 17:14, 82:13
recognize 16:3, 21:8, 35:5, 52:20, 91:20, 170:21, 187:20, 187:23
recognized 170:4
recommend 134:19
recommendations 202:18, 211:22
recommended 69:23, 136:24
reconciled 183:19
reconvene 87:21, 212:3
record 10:16, 11:8, 15:14, 15:18, 16:6, 16:22, 29:22, 43:1,

83:7, 87:7, 88:3, 91:19, 98:15, 103:3, 127:15, 184:13, 209:15, 212:5, 213:10, 214:5
recorded 1:23, 15:19, 213:6
recorder 191:2
recording 16:18, 213:9, 214:4
records 98:14
recovery 31:5
recyclable 103:22
recyclables 33:21, 41:2, 41:6, 41:11, 54:23, 57:23, 58:1, 58:2, 58:15, 59:3, 59:9, 59:22, 64:18, 64:19, 94:3, 94:6, 94:18, 95:11, 103:5, 205:9
recycling 33:19, 41:1, 41:6, 41:8, 41:9, 54:23, 56:5, 57:20, 58:10, 59:6, 59:10, 59:18, 60:4, 79:5, 93:9, 102:19, 102:21, 102:23, 103:10, 103:16, 103:21, 104:3, 114:1, 120:19, 122:17, 128:9, 142:9, 142:15, 148:8, 155:4, 193:16, 203:4, 203:5, 206:5
red 100:5, 102:14, 104:2, 173:22
redirect 86:16, 86:17, 143:2, 143:4, 184:3, 184:4, 209:24, 210:3
reduce 48:2, 107:13, 121:14, 189:10, 200:7
reduced 149:24, 150:1, 200:6, 200:14, 213:7
reduction 200:7, 200:8, 200:9, 200:15, 207:23
refer 101:9, 163:24
reference 157:13
referring 84:21, 141:18
reflect 35:8, 91:24, 146:23, 171:3, 188:3, 194:5, 194:12
reflection 52:21
reflects 52:12
refuting 130:17
regard 97:14, 175:8, 179:9, 182:23
regarding 92:5, 147:3, 150:14, 168:1, 186:14, 188:15, 192:18
regional 26:17, 90:23, 150:12, 168:13
register 14:1
registration 211:6
registrations 187:10
regular 26:2
regularity 142:3
regulated 10:10, 25:11, 67:7, 67:8, 67:11, 67:15, 67:16, 67:20
regulations 169:6
reiterate 87:10
related 123:21, 140:14, 200:10, 200:24, 207:14, 213:12, 214:8
relates 24:10, 24:23, 32:13, 98:20, 131:1, 179:18
relating 145:14, 192:18
relationship 136:18
relative 107:10, 118:16, 118:20, 121:6, 134:9
release 10:6, 121:15, 122:24, 123:11
releases 122:9
relevance 130:16
remediated 63:11
remnants 177:10
removal 79:12
remove 98:11, 98:12, 110:23, 113:10, 123:4, 138:2
removing 113:18
rendering 43:4
renewable 193:14
renovation 95:7
repair 136:15, 136:16
repaired 136:14
repairs 137:5, 137:15
repeat 16:11, 129:11
repetitious 8:4
replacement 198:16, 201:17
report 35:13, 92:3, 147:2, 147:5, 171:9, 188:7, 188:10, 189:12, 194:19, 195:6, 203:8
reported 199:3
reporter 15:20, 30:22, 86:23, 87:8, 88:16, 143:23, 166:14, 185:5, 213:1
reports 15:20, 194:22
represent 153:6, 157:24, 160:23
represents 153:5, 196:24

request
8:19, 11:14, 15:24, 16:1, 139:21
requested
18:21, 19:21, 206:13
require
98:9, 98:11, 107:23, 137:1, 159:17, 163:3, 195:11, 196:11
required
18:15, 20:14, 20:21, 22:21, 23:11, 36:20, 36:21, 38:8, 38:14, 39:4, 71:1, 71:3, 81:22, 83:20, 89:19, 103:1, 107:18, 108:3, 108:8, 122:2, 123:9, 125:13, 125:18, 125:20, 126:4, 179:18
requirement
12:15, 36:23, 37:4, 39:14, 42:5, 85:20, 199:15, 199:21, 204:8, 204:9, 204:18, 205:16, 206:4
requirements
10:11, 20:23, 21:5, 64:3, 78:8, 89:21, 202:21, 203:6, 203:23, 204:1, 204:7, 208:6
requires
61:3, 82:12, 204:18
requiring
19:7, 126:9, 134:19
research
174:20, 198:24
residences
54:22, 59:7
residential
33:2, 37:1, 37:3, 145:21, 173:4, 173:6, 174:13, 195:17, 196:6, 203:7
residentially
181:10
residents
33:20, 57:21, 57:22, 57:24, 58:13, 93:11, 94:7, 102:21, 109:15
respect
18:13, 32:21, 155:23, 168:15, 171:11, 188:16, 192:23
respective
16:21, 103:23, 138:7, 138:19, 138:20, 148:16
respond
118:23, 123:7
responding
27:23
response
10:2, 24:20, 117:16, 117:17, 117:20, 117:22, 118:8, 118:17, 118:21, 119:12, 120:14, 121:11, 123:13, 124:23, 125:10, 126:23
responses
174:16
responsibilities
89:1, 89:3
responsibility
81:7
responsible
207:2
rest
52:11
restate
84:3
restoration
182:12
restored
182:12
restrictions
201:22
result
189:14, 200:6
results
163:5
resume
5:6, 5:7, 5:8, 5:9, 5:10, 5:11, 5:12, 35:7, 35:11, 87:6, 91:23, 106:19, 146:18, 146:20, 146:21, 146:22, 170:24, 171:6, 188:2, 194:4, 194:10, 194:15, 209:11
resuming
88:3, 127:15, 184:13
retain
42:4, 42:9
retained
5:2
return
18:21, 19:21, 21:1, 106:18, 110:16, 136:17
reuse
81:21, 81:24
reuses
82:3
review
23:10, 23:15, 24:23, 28:21, 73:13, 79:19, 79:24, 81:14, 81:16, 115:8, 164:8, 172:5, 172:9, 180:17, 201:5, 208:9
reviewed
23:19, 38:23, 195:14, 197:14, 202:14
ride
99:13
right
6:19, 6:24, 7:1, 7:2, 7:5, 16:12, 17:10, 29:13, 42:10, 50:19, 52:1, 54:1, 66:14, 69:9, 72:2, 72:3, 75:10, 75:13, 75:21, 76:9, 76:13, 82:23, 86:4, 86:24, 87:7, 93:6, 95:21, 99:1, 103:11, 105:16, 106:15, 109:10, 124:9, 127:13, 127:14, 129:23, 141:3, 162:18, 164:2, 176:6, 183:13, 210:4
right-hand
174:17
right-of-way
138:7, 138:20
rights-of-way
138:4
rip
135:14
rips
136:5, 137:2
risks
24:21
road
41:14, 55:4, 55:5, 55:9, 93:1, 99:1, 100:13, 146:5, 147:14, 149:17, 149:18, 150:5, 150:6, 150:7,

150:11, 150:19, 150:23, 151:3, 151:4, 151:5, 151:6, 151:7, 151:17, 151:18, 151:19, 152:18, 154:4, 159:19, 173:7, 173:9, 176:12, 177:15, 177:21, 178:15
roads
40:13, 40:14, 55:3, 173:23, 200:18
roadway
101:14, 138:7, 149:3, 149:21, 150:8, 150:10, 151:1, 151:10, 151:18, 151:20, 153:21, 155:22, 158:16, 158:21, 158:23, 162:1, 163:22, 165:6, 177:4, 178:11, 178:12
roadways
53:9, 65:21, 93:3, 107:20, 107:22, 109:10, 112:15, 114:16, 114:20, 147:24, 148:21, 151:13, 151:22, 152:5, 152:11, 152:17, 152:23, 152:24, 153:1, 153:15, 153:19, 153:22, 159:13, 159:18, 159:22, 160:9, 165:2, 176:8, 176:16, 178:9
robust
118:1, 125:7
rodents
112:20, 114:4
role
15:1
roll
102:7
roll-off
107:17
roof
44:11, 47:23, 52:9, 52:11, 52:12, 205:20, 205:21
roofs
65:19
room
43:23, 51:12, 54:4, 56:7, 72:15
rooms
51:12
round
199:9
route
36:6, 36:9, 40:10, 40:12, 47:15, 55:6, 55:12, 55:13, 55:18, 57:4, 63:17, 92:22, 98:23, 100:4, 100:10, 100:12, 109:8, 149:7, 149:15, 149:19, 149:20, 150:2, 150:9, 150:12, 150:13, 150:17, 150:22, 150:23, 151:6, 151:9, 152:18, 153:23, 154:2, 161:20, 162:16, 163:20, 165:5, 173:1, 173:8, 175:21, 176:4, 176:14, 177:7, 181:15
routes
158:19
routine
113:23, 114:14, 114:19
rover
48:12, 48:21, 48:24, 119:7
rowena
149:16, 149:18, 151:17
rsp1
146:5
ruling
8:5
rulings
8:2
run
62:5, 98:18, 100:16, 104:13, 201:2
runoff
61:18, 61:22, 61:23
runs
104:6
ruthanne
3:3, 6:4, 6:14

S

s-m-ii-t-h
191:3
sad
128:18
safe
33:15, 64:16, 115:17, 124:14, 126:11, 149:6, 163:12, 164:5, 165:5, 204:24
safely
65:3, 99:23, 102:7, 116:14, 162:8, 204:11
safer
126:3
safety
9:12, 24:9, 33:15, 33:22, 34:1, 34:3, 34:5, 43:24, 48:4, 49:17, 54:19, 58:8, 64:10, 64:12, 64:16, 64:19, 115:11, 117:24, 118:1, 118:2, 118:15, 125:3, 125:5, 125:9, 125:24, 126:8, 146:5
said
19:11, 22:2, 28:5, 38:24, 47:19, 98:13, 129:6, 132:16, 139:13, 160:3, 197:5, 210:2, 213:8, 213:9, 214:5
same
36:7, 40:11, 41:16, 44:23, 50:11, 52:2, 54:11, 54:15, 56:18, 59:7, 63:4, 72:7, 72:13, 81:5, 99:24, 100:18, 140:10, 157:2, 173:15, 202:23
sand
119:16, 119:24, 120:3
sanitary
47:14, 47:15, 47:16, 47:17, 65:13
sat
169:5
satisfied
23:22
satisfies
40:1
satisfy
82:20
saturday
94:4, 94:14, 94:15, 147:20, 148:13, 151:24, 152:6, 152:14, 154:10, 155:15, 157:18, 157:19,

158:6, 159:3, 164:24
saturdays 94:8, 94:18, 132:14, 206:15
saw 181:7, 182:11
say 41:2, 48:17, 59:9, 63:19, 68:14, 69:2, 78:22, 79:18, 81:24, 82:17, 84:14, 84:22, 98:21, 116:6, 117:14, 127:11, 130:15, 130:23, 131:10, 132:6, 134:4, 140:18, 142:2, 142:16, 179:14, 185:16, 186:18, 188:20
saying 75:20
says 75:11, 78:17, 131:22, 133:24, 137:22, 137:24, 138:9, 138:12, 139:18
scale 40:17, 40:21, 40:22, 43:1, 55:7, 55:13, 55:18, 55:22, 56:3, 56:7, 58:4, 59:8, 59:16, 93:6, 96:16, 96:24, 97:3, 97:11, 99:5, 99:6, 99:8, 100:7, 100:13, 100:16, 100:20, 102:15, 102:16, 102:24, 103:1, 103:2, 103:6, 103:10, 104:4, 104:5, 104:7, 104:9, 114:2, 122:17, 128:11, 128:18, 128:21
scales 40:18, 40:20, 55:6, 100:21, 101:9, 105:22, 114:2, 122:17
scaling 100:21, 105:2
scenario 148:13, 156:23, 157:3, 161:13, 200:1, 200:2
scenarios 123:24, 199:24
scent 49:11
scheduled 87:4, 127:4
schelling 28:15
science 31:18, 31:22, 32:9, 89:13, 145:11, 193:7
scrap 142:8, 142:15
scraps 58:18, 58:19, 79:6, 95:13, 206:5
screen 6:13, 16:19, 57:14
screened 181:12
screening 79:9, 79:22, 95:24, 96:23, 97:3, 115:20, 183:5, 204:18, 204:21
se 46:17
seated 12:17, 13:3, 13:12
second 19:4, 26:4, 26:22, 61:6, 69:10, 74:12, 105:16, 146:20, 156:3, 186:8, 188:7, 202:17
secondary 108:24
secondly 110:9, 121:16
seconds 128:19
section 8:16, 8:17, 8:20, 18:15, 20:11, 20:21, 20:24, 116:17, 130:12, 130:14, 131:21, 137:23, 209:8
secure 70:21, 102:9, 102:16
secured 100:3
securement 102:12, 105:10
security 42:21, 81:6, 81:11, 108:22, 142:22
see 6:20, 6:23, 29:24, 30:4, 40:10, 41:24, 42:10, 45:19, 46:1, 46:21, 50:12, 50:21, 51:5, 52:21, 53:18, 54:15, 57:6, 58:1, 58:19, 66:15, 66:18, 92:17, 93:3, 93:6, 93:9, 93:11, 93:16, 93:19, 99:1, 104:10, 113:11, 135:21, 136:10, 174:19, 176:13, 176:23, 177:4, 177:6, 177:7, 177:9, 177:23, 178:1, 178:16, 178:22, 178:24
seek 133:15, 133:18
seems 40:7, 137:8
seen 179:12
selected 97:21, 170:3
send 140:16, 140:21
senior 139:23, 144:5
sense 14:15
sent 18:21, 19:12, 20:23
separate 58:23, 58:24
separated 41:10, 58:15, 59:1, 95:11, 95:15
separates 176:24
separation 179:3
september 21:11
series 47:9, 49:14, 49:20, 50:22, 61:15
serve 9:9, 19:18, 112:4, 148:5, 155:3, 193:3, 201:13
served 18:17

serves
151:15
service
24:3, 57:22, 113:22, 153:4, 153:6, 153:7, 153:8, 153:10, 153:13, 153:21, 154:1, 154:3, 154:5, 154:7, 154:12, 154:19, 154:22, 155:19, 158:12, 158:22, 158:24, 160:5, 160:10, 160:12, 160:18, 160:20, 160:22, 160:24, 161:6, 161:8, 161:10, 161:14, 161:15, 161:16, 165:2, 167:12, 167:14, 174:1, 195:7, 195:8, 195:12, 201:8
service-level
74:20
serviced
198:7
services
90:19, 114:9, 167:10, 174:15, 191:16, 191:20
set
9:1, 9:4, 23:19, 23:23, 124:11, 177:2
setback
36:23, 36:24
sets
35:13, 92:4, 171:10, 194:19
setting
69:24, 129:18
seven
9:24, 175:21
seventh
25:3
several
42:15, 48:5, 48:7, 49:7, 107:12, 183:12
sewer
47:14, 47:15, 47:17, 65:13
sexton
192:3
shall
7:15, 7:21, 7:22, 8:1, 8:6, 8:21, 10:24, 11:8, 11:19, 11:20, 11:21, 11:24, 12:2, 12:8, 13:24, 15:18, 15:23, 132:2
sheryl
190:18, 191:3
shoes
58:24, 95:13
shoot
51:4
short
31:1
short-circuit
131:10
should
12:12, 15:5, 68:11, 69:18, 87:22, 104:24, 130:10, 131:23, 204:10
shouldn't
117:14, 128:19
show
35:1, 38:12, 44:8, 72:12, 72:23, 91:16, 130:10, 146:10, 170:19, 187:17
showed
73:5
showing
52:4, 55:8, 73:21, 193:22, 199:6
shown
50:14, 57:13, 149:12, 163:6, 163:8, 171:19, 173:21, 176:9, 177:18, 183:1
shows
38:23, 53:21, 55:15, 59:5, 71:20, 72:22, 154:11, 174:9, 176:18
shrubbery
178:8, 179:1
sic
176:4
sickness
112:24
side
42:18, 47:1, 49:14, 53:22, 55:2, 76:15, 92:24, 98:23, 99:15, 100:4, 101:1, 102:5, 102:23, 104:6, 136:6, 136:7, 145:20, 149:15, 174:17, 177:6, 177:12
sides
50:24, 51:3, 176:15
sight
149:5, 149:6, 163:16, 163:17, 163:21, 163:23, 164:1, 164:4, 169:20, 178:12, 205:7
sighting
15:24, 168:15
sign
13:24, 81:11, 149:19, 154:20, 160:19
signage
58:7, 103:14, 103:15, 104:23
signal
101:19, 147:19, 150:4, 150:6, 150:15, 150:17, 151:3, 151:7, 153:16
signalized
147:16, 147:17, 147:18, 153:16, 154:18, 160:16, 161:7, 161:15
signals
147:19
signature-kyoss
213:16
signature-q7she
214:11
significant
124:16, 198:17
significantly
165:1
signs
58:8, 58:9, 58:10, 96:13, 114:3, 120:17
silt
47:12, 62:22
similar
90:15, 92:14, 95:6, 100:11, 159:23, 173:16, 181:9
similarly
27:9, 39:3, 157:4, 180:13
simple
149:20
simply
27:20
since
67:14, 86:2, 91:10, 144:12, 166:22, 185:15, 185:17
sink
119:15
sir
6:21, 182:6
sit
30:3, 40:23

site
5:4, 7:16, 9:18, 10:22, 11:14, 18:6, 22:13, 22:17, 23:6, 28:7, 37:8, 38:2, 38:19, 39:6, 39:9, 39:11, 42:14, 56:9, 61:9, 61:10, 66:21, 77:12, 92:24, 93:15, 95:24, 98:12, 100:5, 104:2, 106:19, 108:11, 109:2, 116:2, 117:16, 118:20, 121:19, 123:1, 123:3, 123:14, 124:2, 125:20, 126:8, 136:10, 139:22, 140:2, 147:6, 149:8, 157:5, 162:11, 163:13, 163:14, 163:24, 164:2, 165:7, 171:6, 171:13, 171:22, 172:1, 172:17, 172:22, 172:23, 173:20, 174:2, 175:3, 175:14, 175:17, 176:5, 176:23, 176:24, 177:3, 177:10, 177:17, 178:16, 178:18, 179:11, 179:19, 179:22, 180:4, 180:7, 180:15, 180:17, 180:24, 181:11, 182:24, 188:11, 188:16, 188:20, 189:2, 194:16, 194:22, 198:5, 200:23, 208:4
site-specific
121:3, 121:17
sites
38:15, 38:20, 38:24, 39:1, 168:22, 198:6
siting
7:9, 7:13, 7:20, 8:19, 8:21, 8:23, 9:5, 11:17, 17:12, 18:15, 18:18, 20:12, 20:15, 32:14, 35:12, 35:16, 90:14, 92:8, 130:3, 199:15, 199:20, 207:3, 207:6, 208:20
sitting
15:3, 110:7, 128:14
situated
96:23
situations
132:24, 133:14
six
9:22, 25:15, 36:20, 54:2, 54:4, 54:5, 76:15, 76:19, 94:9, 99:23, 116:23, 141:4
sixth
24:22
sixty
51:19
size
99:23, 155:7
sized
15:11, 204:10
skills
213:11, 214:7
skim
62:22
skimmed
47:12
sky
44:11, 53:6, 53:7, 53:10, 65:20, 205:23
skylights
44:10, 47:23, 52:10, 65:19
slice
174:24
slide
32:3, 36:1, 40:5, 40:6, 42:20, 43:3, 44:19, 52:2, 54:16, 54:17, 55:15, 57:19, 59:5, 60:8, 66:7, 71:8, 92:17, 93:21, 94:11, 95:21, 98:16, 99:2, 102:17, 107:6, 109:21, 121:10, 123:12, 125:1, 149:9, 163:6, 171:20, 198:9, 199:6, 199:13, 206:3
slides
29:19, 76:16
slightly
94:17
slips
19:22
sloped
47:1
small
52:17, 95:12, 107:17
smaller
33:1, 33:4, 41:13, 43:10, 174:23
smc
63:24
smith
4:20, 27:14, 190:17, 190:18, 191:3, 191:4, 193:22, 194:18, 201:4, 208:4, 209:2, 209:10
smoking
120:16, 120:20
smoldering
119:24
smothers
120:3
snout
62:19
snowmelt
60:17
snuff
119:2
societies
193:11
society
169:2, 169:4
socks
122:14
soils
37:9
solar
34:13, 44:10, 52:10, 52:12, 65:19, 84:11, 205:20
solely
94:5
solid
10:8, 10:18, 13:15, 17:6, 25:9, 27:17, 28:8, 29:1, 31:24, 32:14, 32:21, 33:12, 78:18, 90:4, 90:7, 90:19, 91:5, 95:1, 127:21, 168:19, 191:21, 191:24, 192:1, 192:9, 192:18, 195:15, 195:21, 196:19, 197:23, 198:3, 202:5, 202:11, 203:11, 203:15, 206:24, 208:9
solidifies
131:7

solution
141:10
solutions
96:7, 191:16
some
37:24, 38:11, 43:1, 44:8, 44:11, 46:19, 47:6, 49:5, 49:10, 51:11, 52:6, 52:10, 52:13, 55:9, 56:24, 57:6, 58:20, 59:9, 59:24, 60:22, 62:4, 72:19, 72:20, 75:4, 76:11, 79:9, 81:8, 81:19, 82:5, 83:5, 84:12, 84:18, 90:23, 93:16, 93:19, 95:14, 98:17, 107:13, 112:17, 112:24, 114:4, 127:5, 130:16, 130:24, 132:23, 133:8, 133:18, 142:3, 187:1, 192:10, 196:20, 197:15, 197:20, 199:13, 199:16, 202:24, 204:6, 205:19, 205:21, 205:23, 207:10
somebody
86:22, 136:3
someone
96:17, 135:21
someone's
182:13
something
60:1, 63:9, 73:14, 73:18, 73:20, 86:1, 98:8, 108:18, 119:22, 120:23, 122:20, 131:16, 135:9, 135:20, 137:22, 189:9, 189:10
somewhat
130:8, 133:7, 182:8
somewhere
77:24, 82:5, 141:9
soon
29:3
sooner
11:12
sorry
16:17, 21:12, 84:1, 85:1, 87:1, 143:8, 150:24, 156:3, 209:10
sort
167:13, 170:12
sound
83:16, 83:19, 133:6
sounding
101:20
sounds
136:23, 137:16
source
41:10, 58:14, 95:11, 95:15, 170:1
south
36:9, 36:12, 66:14, 92:20, 109:12, 138:16, 149:14, 149:24, 150:7, 150:22, 154:2, 173:10, 175:22, 177:12, 180:1, 181:16
southbound
162:10, 162:14, 162:16, 162:24
southeast
99:15, 104:14, 174:2
southern
89:14, 104:20, 187:5
southwest
79:14, 99:15
space
76:12, 110:7, 128:13, 173:19, 174:10, 174:20, 181:6, 190:1
spacing
126:13
speak
6:15, 6:16, 7:3, 68:12, 68:16, 70:3, 144:21
speaker
6:7, 6:22, 17:24, 18:2, 29:24, 30:3, 71:14, 80:7
speakers
19:9
speaking
96:18
speaks
33:15
special
175:22
specializes
144:17
specializing
31:3
species
39:4, 39:5, 39:11
specific
96:6, 97:23, 118:6, 123:14, 159:16, 178:4, 203:22
specifically
32:18, 42:1, 55:17, 55:23, 59:21, 117:19, 168:16
specified
10:12
speed
147:15, 149:23, 150:16, 151:10, 151:16, 163:19
spell
30:21, 88:15, 143:23, 166:14, 185:4, 191:1
spelled
30:24, 88:18, 144:2
spent
90:18, 90:21, 90:23, 91:2, 91:11
spill
117:17, 117:18, 121:11, 121:15, 121:17, 121:19, 121:21, 121:23, 122:11, 122:12, 122:13, 122:24, 123:11, 123:19, 126:20, 126:21
spills
9:21, 24:22, 117:7, 122:8, 123:7
spoke
93:12, 93:17, 94:21, 97:4, 99:22, 103:13, 106:21, 108:4, 108:21, 111:1, 113:13, 113:17, 115:1, 119:1, 119:8, 171:1, 176:13, 176:18
spoken
104:12, 122:20
spot
58:14
spots
76:23
sprinkler
48:9, 48:20, 119:1
sprinkling
48:8

square
45:4, 45:5
st
167:5, 187:8
stack
106:12
stacked
71:21, 72:16
stacking
71:19, 72:11, 110:15
staff
3:12, 13:6, 17:9, 21:16, 28:11, 28:17, 68:5, 69:23, 73:13, 117:20, 126:8, 129:3, 134:18, 136:24
stage
57:12, 84:17, 84:19, 99:20, 102:4, 136:3
staged
76:1, 76:2, 103:18
staging
75:23, 76:16, 140:2, 140:11
stakeholders
121:6, 121:8, 134:9
stamps
179:23
stand
176:5
standard
44:8, 125:12, 133:19, 134:8
standards
25:21, 36:16, 40:1, 89:24
standpoint
42:21, 44:1, 45:17, 47:19, 48:4, 49:17, 50:9, 51:15
star
196:23
start
16:22, 44:23, 128:2, 177:9, 178:4, 195:2
started
119:23, 175:9, 192:1
starting
153:10, 198:13
starts
44:8, 176:7
state
2:8, 18:23, 19:14, 23:19, 25:12, 30:21, 38:17, 38:22, 73:23, 83:6, 88:15, 122:3, 166:13, 166:22, 168:9, 169:14, 185:4, 187:12, 191:19, 213:19
state's
7:15, 7:18
stated
111:13, 138:15, 181:6
statement
22:1, 28:12, 29:2, 82:14, 210:16, 211:2, 211:11
statements
12:3, 210:7
states
32:16, 90:20, 133:13, 144:7
station
7:10, 27:15, 28:9, 32:22, 32:24, 33:13, 45:20, 58:11, 94:13, 102:2, 102:3, 104:11, 106:12, 126:14, 128:11, 131:13, 197:10, 197:21, 200:1, 200:3, 200:12, 200:21, 201:19, 203:13, 204:5, 204:7, 204:10, 204:17, 205:10, 205:11, 205:13, 206:6, 206:9, 206:10, 206:18, 207:18
stations
31:4, 32:14, 32:17, 32:20, 73:8, 89:5, 90:12, 90:22, 90:24, 91:6, 110:1, 141:15, 141:16, 142:4, 168:17, 192:5, 192:13, 197:18, 199:7, 200:19, 201:21, 203:17, 208:17
statute
9:1, 9:4
statutory
28:4
stay
14:14, 77:13, 77:19, 77:20
steel
52:6
step
22:16, 23:16, 63:23, 183:11
steps
19:17, 38:5
sternberg
53:4
steve
28:15
still
29:11, 112:3, 153:8
stint
91:10
stipulate
140:20
stipulation
76:21, 76:22, 206:20
stipulations
21:15
stockpile
180:9
stockpiled
177:10
stop
58:8, 79:19, 80:17, 81:13, 99:6, 100:7, 103:1, 104:4, 104:7, 128:10, 149:18, 154:20, 160:19, 163:22, 183:19
stopping
163:16, 163:17, 164:3
storage
51:13, 76:11, 122:18, 141:2
store
106:12, 106:17
stored
100:14, 100:20
storing
10:1, 76:16, 76:24
storm
122:1
stormwater
23:12, 23:13, 38:6, 42:2, 42:3, 42:13, 60:9, 60:15, 60:20, 60:21, 61:4, 61:8, 61:15, 61:17, 61:20, 62:14, 63:14, 63:15, 64:3, 64:21, 64:22, 65:14, 65:16, 71:22, 93:19, 176:22, 180:8, 205:5, 205:6
straps
102:9

strategic
150:12
stream
148:24, 162:4, 162:7, 162:9, 162:18
streams
162:14
street
3:5, 153:18, 154:20, 156:18, 156:19, 156:21, 157:1, 157:4, 157:8, 158:2, 158:8, 158:14, 158:20, 161:3, 161:9, 161:16, 164:21, 177:9
streets
138:3, 158:4, 160:19
streetscape
178:5
stress
65:4
strike
183:9
stringent
150:14
structural
144:19
structure
58:22, 62:18, 63:4, 84:2, 84:5
structures
47:10, 61:11, 61:12, 61:14
studied
159:13
studies
144:20, 145:16, 145:18, 155:10, 155:20, 159:16, 167:18, 186:3, 186:4, 187:7
study
145:4, 147:13, 147:24, 148:21, 148:23, 151:14, 152:5, 152:11, 152:17, 153:22, 154:7, 159:10, 159:18, 159:22, 160:8, 160:12, 160:16, 161:18, 161:19, 161:22, 161:23, 165:3, 171:17, 172:12, 190:2, 195:13
stuff
186:5
subdivision
167:12
subject
15:4, 79:24, 131:24, 168:4, 171:22, 172:23, 173:6, 173:7, 179:11, 182:24
submit
8:21, 12:8, 210:20, 211:19
submits
8:13
submitted
11:6, 12:21, 13:8, 13:17, 15:20, 86:2, 209:12
subsequent
91:2, 100:18, 176:9
substantial
117:15
suburban
145:22
successfully
163:4
sufficient
8:22, 55:4, 55:5, 162:6, 163:21, 164:3
sulfur
200:8
summary
194:3
sun
18:20, 19:12
sundays
206:15
superior
28:1
supervisor
139:20
supervisory
121:10
supplies
201:2
support
91:9, 173:21
supporting
28:2
suppose
210:2
supposed
79:14
suppress
119:2
sure
32:24, 36:19, 37:16, 38:7, 48:18, 49:5, 49:17, 60:11, 64:2, 64:24, 68:16, 68:24, 69:9, 70:15, 70:20, 73:9, 85:3, 90:6, 92:13, 98:2, 101:13, 103:3, 103:8, 111:8, 116:9, 116:13, 118:7, 123:8, 124:13, 127:4, 136:4, 156:5, 184:11
surface
122:22
surfaces
114:9, 114:12
surrounding
9:15, 9:16, 9:20, 24:14, 24:16, 24:21, 26:9, 26:22, 27:2, 27:6, 27:8, 27:10, 34:10, 36:2, 55:3, 116:10, 117:7, 151:22, 167:23, 168:5, 172:1, 172:17, 174:4, 175:4, 180:21, 181:1, 186:12, 186:17, 188:17, 188:21, 189:6, 189:8, 189:15, 189:24, 190:4, 190:5, 196:20
surrounds
177:17
survey
172:4
suspect
69:21
sustainability
81:20
sustainable
34:8, 34:13, 52:13, 53:17, 61:22, 65:17, 82:18, 84:9, 193:14, 205:17, 207:15
swalco
3:15, 13:16, 20:6, 21:15, 74:9, 76:10, 78:2, 139:5, 182:3, 197:5, 199:18, 199:23, 207:4, 207:6, 208:19
swear
166:2
sweep
114:17
sweeping
114:14, 114:19
switch
60:8

sworn
30:12, 88:8, 143:14, 166:7, 184:20, 190:19, 213:5
swppp
122:1, 122:6, 126:22
sync
206:13
system
23:8, 39:8, 39:9, 42:13, 47:15, 48:6, 48:8, 48:10, 48:12, 48:13, 48:20, 48:24, 49:6, 49:12, 50:4, 60:21, 65:16, 84:22, 85:3, 85:7, 100:22, 111:3, 111:6, 111:8, 113:9, 115:1, 119:1, 119:7, 119:11, 122:5, 155:22, 206:10
systems
47:14, 49:8, 49:10, 118:16

T

t-5
208:6
t2
204:18
table
12:18
tabulation
174:10
tag
125:12
take
14:11, 33:11, 36:1, 37:9, 38:7, 43:3, 44:16, 50:6, 52:1, 57:23, 60:3, 62:6, 70:10, 86:22, 87:2, 87:6, 87:13, 87:16, 88:1, 105:13, 114:5, 116:21, 120:1, 121:20, 128:19, 170:21, 175:10, 175:15, 175:16, 187:19, 193:23, 198:20, 198:21
taken
19:17, 21:22, 33:9, 46:10, 124:1, 177:11, 178:14, 178:20, 213:4
takes
39:20, 162:20
taking
198:8
talk
27:4, 33:19, 34:12, 40:20, 41:8, 42:15, 44:7, 44:21, 54:17, 56:1, 57:19, 71:4, 81:17, 81:18, 81:22, 118:8, 128:11, 131:2, 132:11, 135:19, 150:21, 167:19, 186:7, 204:6
talked
38:6, 51:9, 54:16, 65:11, 128:9, 135:9, 135:10, 183:1, 186:8, 205:5, 205:19, 206:11
talking
70:23, 81:1, 84:7, 178:6, 178:24, 179:3
tall
43:15, 43:22, 44:2, 180:11
tank
122:19
tare
100:8, 100:14, 100:20
target
101:15
tarp
45:22, 102:7, 102:9, 135:22, 136:8, 139:9, 139:12
tarped
57:2, 70:20, 71:2, 71:3, 107:18, 107:21, 107:24, 108:3, 135:11, 135:13
tarping
45:20, 47:6, 51:9, 70:9, 70:10, 70:15, 70:24, 102:1, 102:3, 102:11, 106:2, 107:15, 108:5, 135:10, 136:3
tarps
136:4, 137:2, 137:12, 137:15
tax
185:11
tear
135:14
tears
136:5, 137:2
technical
28:19
technically
207:19
technologies
203:19
technology
203:18
tell
35:21, 80:12, 91:22, 136:17, 143:22, 146:16, 147:8, 161:22, 167:6, 170:21, 171:16, 183:12, 187:20, 191:1, 193:24, 195:3, 202:12, 208:14
tells
86:22
temporarily
62:15, 106:18
temporary
82:7
ten
129:20
tend
107:21, 110:3, 110:23
tennessee
144:9
term
46:23, 119:15
termed
125:7
terminating
135:4
terms
23:11, 37:17, 56:11, 57:5, 59:17, 61:14, 74:24, 76:8, 83:17, 100:11, 108:8, 108:24, 109:3, 115:21, 117:24, 118:7, 120:6, 130:24, 171:21, 171:24, 172:7, 172:9, 173:3, 174:18, 175:9, 178:3, 189:4
test
6:20
testified
30:13, 68:7, 68:20, 70:9, 88:9, 137:17, 143:15, 164:21,

166:8, 184:21, 190:20, 206:2
testify
70:23
testimony
8:5, 12:10, 12:24, 15:8, 27:21, 29:20, 32:6, 89:10, 129:12, 148:6, 164:19, 182:22, 183:3, 188:15
testing
90:1
textiles
59:1, 95:13
th
19:11
thank
17:16, 18:4, 22:6, 28:9, 28:10, 28:23, 30:16, 67:23, 68:1, 74:3, 74:6, 79:4, 83:1, 83:14, 86:14, 86:20, 88:5, 88:11, 127:1, 128:24, 129:23, 139:1, 139:3, 143:5, 143:6, 143:16, 143:18, 165:9, 165:11, 165:19, 165:21, 165:24, 166:5, 166:9, 181:17, 181:19, 181:21, 184:5, 184:7, 184:12, 184:17, 184:22, 184:24, 190:6, 190:8, 190:14, 193:21, 209:2, 209:4, 212:4
themselves
16:22, 105:21, 115:5, 170:11
thereafter
213:7
thereby
97:24
thermal
48:14
thick
46:3
thing
33:14, 42:20, 44:14, 45:24, 46:15, 47:18, 49:16, 49:23, 53:3, 54:11, 58:16, 59:4, 73:8, 84:16, 100:12, 106:20, 106:22, 111:18, 120:15, 130:15, 171:22, 172:5, 195:10, 196:18
things
31:14, 34:14, 39:17, 41:11, 41:21, 46:18, 47:11, 48:5, 48:7, 58:9, 60:17, 61:20, 79:10, 80:12, 81:6, 81:18, 92:16, 104:13, 106:3, 141:8, 167:13, 170:12, 174:1, 195:5, 202:24, 205:20
think
17:24, 28:6, 43:14, 44:14, 52:21, 53:1, 60:5, 65:17, 71:18, 73:5, 77:3, 77:16, 80:4, 80:21, 108:21, 127:23, 128:2, 130:18, 131:4, 131:6, 131:13, 132:16, 132:22, 140:23, 210:9
third
24:9, 113:21, 140:16, 202:20
third-party
136:18, 137:14, 139:10
thought
172:7
thoughtful
83:14
thousand
36:23, 36:24, 75:3, 129:20, 129:21
threatened
39:3, 39:5
three
9:12, 76:13, 76:23, 86:10, 90:1, 141:3, 169:15, 169:16, 174:21, 198:1, 200:5, 202:16, 203:10, 207:23
through
34:6, 39:7, 39:9, 39:17, 42:14, 50:23, 52:22, 60:5, 61:17, 65:15, 73:12, 87:20, 89:18, 90:1, 90:15, 91:1, 92:15, 94:1, 96:23, 97:5, 98:17, 98:19, 99:4, 104:13, 117:22, 120:8, 125:5, 125:17, 132:13, 162:23, 172:3, 173:20, 183:11, 186:19, 208:6
throughout
14:5, 53:8, 65:1, 93:4, 94:10, 96:14, 110:10, 114:20, 118:19, 170:3
throughput
69:24, 129:18
thrown
120:22
thursday
211:14
ticket
100:9
ties
54:19
time
14:6, 14:13, 16:2, 19:4, 19:22, 29:3, 54:3, 54:5, 59:23, 72:13, 77:7, 82:8, 85:2, 87:14, 90:21, 99:24, 101:22, 106:6, 106:9, 110:12, 126:2, 128:14, 128:17, 133:11, 133:18, 136:1, 140:22, 149:2, 152:1, 152:3, 152:6, 152:10, 152:14, 155:15, 162:2, 163:7, 164:24, 170:9, 177:10, 196:1, 196:13, 202:19, 202:23, 203:2, 211:9
timeframe
148:12, 156:22, 157:16, 157:19, 158:3, 158:24, 159:3
timeframes
148:13
times
98:6, 101:20, 147:21, 152:7, 153:17
timing
126:13
timings
147:19, 153:16
tip
43:17, 43:19,

43:24, 106:24, 119:18
tipping
43:16, 43:18, 45:3, 45:6, 45:8, 45:11, 46:11, 46:24, 50:13, 51:18, 53:18, 54:2, 97:8, 97:23, 104:11, 104:19, 110:9, 110:10, 110:18, 110:20, 110:22
today
22:15, 32:2, 35:15, 77:8, 90:16, 98:18, 99:10, 107:5, 144:21, 167:19, 182:10, 183:3, 186:7
today's
182:22
together
28:1, 121:4, 124:12
tomorrow
11:4, 87:12, 116:19, 209:11, 212:3
ton
75:3, 141:24, 142:1, 148:12, 157:3, 161:12, 197:16
tonight
205:12, 212:2
tons
44:16, 44:18, 68:21, 69:2, 69:4, 69:5, 69:19, 70:1, 94:23, 129:13, 129:19, 129:20, 129:21, 131:7, 131:8, 131:12, 131:14, 131:17, 131:24, 141:3, 141:5, 148:11, 155:13, 155:15, 155:24, 156:1, 156:23, 160:2, 160:3, 160:8, 161:5, 196:3, 196:4, 196:10, 196:15, 197:6, 197:12, 197:13, 197:15
took
175:22, 176:10, 177:13
tool
174:6
top
45:22, 50:20, 64:16, 106:24, 107:2, 120:3, 136:9, 180:12
topics
125:9, 125:15
topography
178:18
tops
177:5
topsoil
180:13
torn
139:9, 139:11
tornadic
77:9
tornado
124:7
total
156:14, 157:10, 157:14, 157:23
totally
197:3
toter
142:14
toters
81:6, 142:8
toward
47:1
towards
176:11, 178:22
township
185:12, 185:23
townships
18:22, 19:13
tracks
141:20, 186:5
tractors
74:13
traders
106:18
traffic
9:22, 9:24, 24:24, 25:2, 26:12, 26:13, 26:14, 40:21, 41:9, 53:13, 54:18, 57:18, 59:6, 59:17, 60:6, 60:7, 64:24, 65:1, 65:3, 73:11, 103:14, 104:21, 115:18, 128:16, 144:20, 144:22, 144:24, 145:5, 145:7, 145:15, 145:18, 147:10, 147:11, 147:15, 147:18, 147:21, 148:3, 148:8, 148:9, 148:15, 148:18, 148:24, 149:8, 149:10, 150:4, 150:6, 150:15, 150:17, 151:3, 151:7, 151:21, 152:4, 152:8, 152:10, 152:14, 152:16, 155:1, 155:5, 155:9, 155:10, 155:11, 155:20, 156:21, 157:6, 157:17, 158:10, 158:14, 158:19, 158:20, 159:1, 159:5, 159:7, 159:12, 159:14, 159:16, 159:21, 159:24, 160:14, 161:3, 161:4, 161:5, 161:13, 162:4, 162:6, 162:7, 162:9, 162:14, 162:18, 164:8, 164:10, 164:11, 164:15, 164:17, 164:21, 165:1, 177:1, 200:16, 205:1, 205:3
trailer
44:5, 47:7, 50:18, 50:20, 51:1, 51:2, 51:3, 51:8, 51:17, 53:19, 54:12, 101:7, 101:17, 101:18, 101:23, 102:8, 102:9, 102:13, 110:6, 113:15, 135:23, 136:9, 136:21, 139:11, 156:14, 157:21
trailers
33:8, 41:18, 44:4, 45:10, 45:13, 45:15, 45:21, 46:11, 46:13, 50:17, 54:13, 56:6, 56:16, 56:20, 57:6, 57:8, 57:12, 57:13, 57:15, 57:17, 70:16, 70:20, 71:3, 72:5, 72:15, 72:24, 74:13, 74:22, 75:4, 75:15, 75:23, 76:12, 76:13, 76:17, 76:19, 76:20, 76:24, 93:7, 100:11, 100:15,

100:23, 105:21, 108:5, 110:4, 110:16, 135:11, 135:12, 135:13, 135:16, 135:17, 137:4, 139:8, 140:3, 140:8, 141:4, 148:7, 155:4, 156:15, 157:14
trained
97:13, 116:12, 126:19
training
118:2, 120:7, 120:9, 120:11, 123:6, 124:17, 125:4, 125:6, 125:8
trainings
125:16
trans
203:10
transaction
128:17
transcribed
1:24
transcriber
214:1
transcript
214:3, 214:5
transcriptionist
213:8
transferred
100:15, 106:7, 206:7
translucent
44:9, 47:22, 52:8, 205:21
transport
40:4, 71:2, 141:4, 198:19, 200:11
transportation
110:14, 144:5, 144:17, 146:4, 149:22, 151:2, 151:12, 168:22, 174:14, 191:18, 198:24, 202:1
transported
119:23
transporters
136:18
trash
105:19, 107:20, 142:6
travel
29:5, 126:2, 137:4, 162:24, 202:2
traveling
107:19, 149:7, 162:1, 162:15, 163:19, 200:18
trc
191:13, 191:14, 191:15, 192:16, 194:13
treat
123:4
treating
10:1
tree
179:23
trees
79:12, 80:17, 176:5, 176:13, 179:1, 179:15, 179:21, 180:2
treescape
167:15
trends
172:12
triangles
164:1
triangular
197:9
trip
100:16, 126:2, 199:10
triple
47:9
trips
100:18, 156:9, 156:14, 157:9, 157:23
truck
33:18, 40:18, 43:20, 49:19, 59:24, 60:2, 64:17, 96:20, 99:21, 101:19, 102:4, 102:5, 102:7, 105:6, 105:7, 105:8, 107:17, 107:18, 108:17, 135:23, 163:3
trucking
139:10, 199:2
trucks
33:1, 33:2, 33:4, 33:9, 40:18, 40:19, 40:23, 41:3, 41:12, 41:13, 43:10, 43:11, 43:16, 43:19, 43:24, 44:24, 45:2, 45:6, 46:14, 51:6, 53:23, 54:2, 54:5, 54:11, 54:20, 56:16, 57:8, 57:9, 57:10, 59:20, 59:23, 71:1, 71:2, 73:24, 83:16, 93:4, 99:23, 105:8, 105:10, 106:9, 111:18, 112:1, 140:1, 155:4, 155:6, 157:21, 157:22, 173:15
true
75:7, 76:17, 78:6, 79:6, 81:5, 82:10, 210:13, 213:10, 214:5
try
47:20, 86:6, 104:21, 111:8
trying
85:6, 197:21
tubes
115:3
turn
62:3, 63:17, 112:3, 162:10, 162:24, 164:1
turned
108:1, 135:16
turning
152:1, 153:15, 153:18, 162:16, 162:19
turns
153:14
twice
121:1
two
9:9, 10:19, 12:11, 18:8, 18:9, 18:23, 19:14, 40:17, 43:9, 44:5, 45:1, 45:14, 45:15, 51:9, 54:4, 55:9, 57:1, 77:9, 77:10, 77:22, 86:9, 92:5, 94:24, 99:14, 101:3, 101:5, 104:14, 104:15, 104:17, 105:14, 140:17, 175:18, 196:21
two-volume
18:6, 21:13
two-way
101:21
type
53:4, 58:16, 59:2, 84:16, 95:6, 95:9, 99:9, 124:22, 155:17, 163:2, 168:4, 186:2,

186:3, 195:18
types
26:10, 48:18, 49:7, 94:20, 94:24, 96:15, 103:7, 103:22, 123:24, 125:24, 126:9, 148:4, 148:17, 155:3, 155:8, 158:16, 158:17, 201:23, 203:22
typewriting
213:7
typical
50:15, 126:3, 167:15
typically
94:15, 99:24, 119:16, 141:11, 152:11, 153:5, 154:14, 158:2, 158:7, 161:1

U

ultimate
33:10, 63:3
ultimately
100:9
un-effective
135:22
unable
14:9, 87:10
unacceptable
95:19, 95:23, 97:14, 98:2, 98:6, 98:9, 103:8, 115:23
unclear
107:4
uncommon
153:13
under
63:17, 79:5, 125:11, 132:21, 148:12, 149:18, 149:21, 151:1, 151:10, 151:18, 153:23, 157:3, 159:21, 160:1, 160:2, 160:6, 160:7, 161:3, 161:11, 161:15, 163:10, 167:11, 167:13, 176:20, 204:22, 205:2, 205:8
understand
80:11, 89:22, 123:10, 124:18, 183:8, 183:18
understanding
75:6, 128:20
understands
60:11
understood
182:19
undertaken
109:5, 122:10
undulating
178:17
unduly
8:4
unidentified
6:7, 6:22, 17:24, 18:2, 29:24, 30:3, 71:14, 80:7
united
90:20
units
181:10
university
2:3, 2:4, 32:10, 89:15, 145:12, 166:23, 168:9, 187:4, 187:6, 187:8, 193:8
unless
8:12, 15:6, 86:22, 212:1
unlikely
122:23
unloading
103:24
unsafe
115:23
unsignalized
154:13, 154:20
until
87:4, 94:2, 94:5, 94:16, 100:14, 106:18, 110:15, 112:9, 112:10, 116:19, 140:9
unusual
169:18
update
25:9, 27:17, 195:15, 195:21, 202:6, 202:11, 202:15, 203:2, 203:24, 207:1, 208:10, 208:12, 208:16
updated
85:16, 86:2
updates
86:5
updating
85:22
upfront
118:9, 118:19
upper
43:9, 44:1
upward
172:23
urban
145:22, 166:18, 166:21, 168:13
urge
15:10, 15:11, 27:20
urs
192:15
use
24:10, 36:3, 36:7, 39:6, 68:16, 84:16, 86:6, 120:11, 125:10, 125:19, 126:3, 126:10, 141:21, 142:7, 149:16, 172:6, 172:22, 173:21, 176:24, 189:5, 198:5, 199:12, 201:24, 204:21, 205:17, 207:17
useful
96:7
uses
40:13, 145:20, 145:22, 171:24, 172:17, 173:17, 174:3, 174:21, 190:1
using
49:12, 53:14, 85:19, 104:24, 142:14, 172:20, 174:6, 196:5, 198:18
utilities
191:18
utilize
102:21, 104:5, 119:14
utilized
102:6
utilizes
111:6

V

valley
67:13
valparaiso
169:17, 169:20
value
9:16, 24:15, 27:2, 27:10, 186:12, 189:6, 189:10, 189:15, 190:4, 190:5
values
186:22, 189:8
valve
63:7, 122:23, 123:2
variety
31:19, 95:10

various
26:10, 95:8, 96:10, 103:22, 111:7, 120:8, 124:19, 125:8, 125:13, 125:15, 125:24, 158:15, 158:17, 175:3
vary
196:12
vector
112:17, 112:18, 116:9
vectors
112:20, 113:3, 113:5, 113:7, 113:11
vegetation
37:10, 173:19, 174:11, 176:14, 176:20, 176:24, 177:6, 177:7, 177:17, 178:17, 180:3, 181:14, 181:16
vehicle
54:24, 71:9, 96:20, 99:3, 99:7, 100:2, 100:17, 100:18, 100:21, 101:10, 105:2, 107:15, 107:23, 108:2, 112:5, 148:4, 148:17, 155:3, 155:17, 158:15, 158:17, 162:1, 162:10, 162:12, 162:15, 162:19, 162:22, 163:2, 199:4
vehicles
25:1, 43:1, 55:2, 55:5, 55:9, 55:11, 55:12, 55:14, 55:16, 55:17, 55:24, 56:2, 56:8, 56:9, 56:11, 56:13, 71:20, 71:21, 72:12, 72:16, 72:21, 72:22, 73:1, 93:4, 93:7, 98:21, 98:22, 101:4, 102:19, 104:17, 104:18, 104:21, 107:16, 107:19, 108:6, 128:22, 141:24, 148:6, 148:7, 149:2, 149:3, 149:7, 153:18, 155:8, 156:6, 156:7, 156:11, 156:13, 157:11, 157:12, 157:24, 158:1, 162:2, 163:9, 163:19, 163:24, 165:8, 199:12, 200:17, 207:18
vendor
137:14
vendors
155:6
veolia
90:18
version
84:8
versus
51:2, 147:16
via
50:7
vicinity
37:17
view
28:1, 36:2, 44:23, 51:8, 51:17, 52:3, 64:7, 104:10, 175:19, 176:2, 177:14
views
175:2, 175:12, 176:16, 177:1, 178:18
village
20:15, 20:16, 20:17, 78:3, 78:5, 80:1, 199:18
violations
10:17
visibility
126:5
visit
171:24
visual
93:21, 96:22
visually
137:1
volume
103:4, 141:23, 159:1, 159:12
volumes
18:8, 18:9, 159:15

W

wait
116:19
wall
46:8, 106:14, 106:15, 106:16
wallace
1:23, 2:8, 213:2, 213:18
walls
46:3, 46:4, 48:22, 110:22, 113:19
walter
3:23, 29:5, 127:18, 127:21
want
14:16, 29:23, 46:20, 48:18, 49:5, 49:17, 50:1, 50:2, 56:4, 56:21, 60:10, 63:10, 63:20, 64:24, 74:11, 76:3, 82:15, 87:10, 87:16, 103:3, 103:5, 106:20, 106:22, 112:22, 113:11, 140:20, 156:4, 165:14, 175:1, 177:16, 178:4, 210:7, 210:16
wanted
69:8, 69:17, 73:13, 93:14, 98:18, 104:13, 106:3, 107:4, 130:11, 134:18
warehouse
173:13, 174:12, 190:1
washing
110:21, 113:18
washington
169:5
wastewater
65:10
watch
48:23
water
42:4, 42:9, 50:5, 50:7, 60:15, 60:18, 61:11, 61:13, 64:21, 67:13, 115:4, 122:1, 122:22, 123:3
watershed
42:5, 61:2, 63:22
watssick
4:7, 16:7, 16:14, 16:16, 83:8, 83:13
watssick-county
3:22
wattsick
83:8
waukegan
3:6, 18:20, 19:12

way
13:22, 35:11, 41:16, 48:24, 50:10, 58:5, 59:16, 101:15, 104:4, 120:1, 123:6, 162:5, 201:3
ways
109:11, 195:18
we'll
33:18, 87:12, 136:20
we're
6:19, 43:7, 44:21, 48:11, 49:11, 49:12, 52:4, 72:3, 87:3, 87:7, 90:15, 135:19, 136:16, 176:21
we've
20:8, 34:8, 34:11, 35:1, 36:12, 45:15, 48:1, 51:11, 52:14, 53:16, 56:5, 56:6, 56:7, 57:6, 57:11, 57:16, 58:14, 59:9, 60:20, 61:7, 61:14, 63:5, 73:9, 77:8, 80:7, 85:10, 126:21, 127:17, 131:13, 169:12, 170:20, 179:11, 187:17
weather
29:4, 77:8, 123:21, 133:4, 133:14, 140:13
webpage
96:6
website
86:4
wednesday
11:4
week
94:13, 97:19, 132:14
weekday
147:20, 148:10, 151:24, 152:2, 152:3, 152:6, 152:9, 152:12, 154:8, 154:9, 154:15, 155:12, 155:14, 155:24, 156:1, 156:18, 156:24, 157:1, 157:4, 157:5, 157:16, 158:2, 158:7, 158:8, 159:2, 161:1, 161:2, 164:22, 164:23
weekly
98:13, 114:18, 125:8
weigh
40:18, 40:19, 59:13, 59:14, 100:7
weighed
41:3, 41:16, 55:14, 55:23, 56:19, 56:22, 57:3, 99:6
weighing
93:7
weight
99:7, 100:17, 100:21, 101:10, 101:13, 102:17, 103:4, 155:7
weights
100:14, 105:23
welcome
81:17
welfare
9:12, 64:10, 64:12, 115:11
went
29:9, 37:14, 41:23, 98:17, 186:19
west
39:18, 76:15, 101:1, 150:9, 150:19, 173:8, 178:16
westbound
162:16, 162:18, 162:22
western
106:16
wetland
37:7, 37:8, 170:11, 176:22
wetlands
37:5, 37:6, 37:11, 37:18, 37:21, 38:4, 38:8, 180:8
whatever
63:11, 114:18, 135:23
wheeling
198:2
whenever
11:5
whereas
153:1
whereby
112:22, 141:12
whereupon
18:11, 20:1, 29:21, 35:3, 91:18, 146:13, 170:22, 187:21, 194:1
whether
11:4, 24:7, 24:11, 24:17, 24:23, 25:3, 25:7, 25:10, 25:20, 25:23, 26:13, 26:19, 26:24, 27:15, 39:10, 64:9, 72:14, 74:19, 85:19, 86:1, 107:16, 115:9, 117:5, 133:12, 144:22, 164:9, 167:20, 180:18, 186:10, 189:4, 201:6, 202:4, 205:14, 211:7
white
44:11, 52:12, 65:19, 205:21
whole
79:19, 173:20
wider
72:20
willing
86:21
willis
29:5, 127:18, 127:20, 127:21
willis-swalco
3:23
win
169:12
winchester
173:9
wind
108:18, 141:9, 141:12, 142:4
window
52:17
windows
52:17, 52:18, 205:21
winds
77:9, 140:17
windy
77:23, 140:14
wisconsin
31:7, 32:11
wish
131:23
wishing
12:7
within
10:10, 11:7, 14:19, 18:22, 19:13, 24:18, 25:11, 25:13, 25:24, 26:2,

37:16, 37:21, 37:24, 38:13, 39:15, 40:15, 42:17, 47:5, 47:6, 57:24, 60:12, 60:22, 61:1, 61:10, 61:13, 65:10, 66:1, 66:20, 66:21, 70:11, 85:16, 86:9, 93:3, 94:12, 96:20, 96:24, 98:3, 98:8, 101:5, 101:8, 102:2, 103:16, 105:7, 108:6, 108:9, 109:11, 110:24, 111:4, 111:7, 111:9, 111:14, 114:20, 114:21, 114:24, 116:2, 116:5, 119:3, 119:9, 120:18, 121:15, 122:16, 126:13, 135:2, 135:8, 137:18, 138:3, 138:4, 138:9, 147:13, 148:21, 148:24, 151:13, 153:22, 159:10, 160:12, 160:16, 163:22, 165:3, 171:21, 173:6, 173:14, 174:22, 181:10, 206:7, 206:19
without
73:1, 116:14, 158:22, 159:21, 160:13
witness
12:11, 12:13, 12:24, 13:18, 25:17, 26:3, 26:4, 26:11, 26:23, 27:13, 29:14, 29:20, 30:6, 30:9, 30:12, 34:23, 68:2, 68:14, 69:9, 74:5, 80:4, 80:8, 81:3, 82:24, 83:3, 83:5, 86:16, 86:18, 87:2, 88:8, 91:14, 127:24, 130:19, 143:10, 143:12, 143:14, 146:8, 165:12, 165:23, 166:3, 166:7, 170:17, 184:10, 184:16, 184:17, 184:20, 187:15, 190:15, 190:16, 190:19, 193:19, 209:18
witness(es
213:4
witnesses
4:2, 12:4, 12:9, 12:13, 12:22, 13:9, 13:18, 25:15, 27:5, 27:18, 69:18, 209:23
wm
96:7
women's
193:13, 193:14
won
169:10
wonderful
131:1, 211:16, 211:17
wondering
210:15
wood
95:6
wooded
178:24
words
106:8, 141:21
work
6:11, 54:5, 96:3, 126:6, 147:9, 170:4, 171:20, 201:3
worked
32:15, 32:16, 32:18, 192:2, 192:6, 192:9, 192:14
workers
49:19, 200:24
working
31:23, 33:17, 33:22, 48:19, 64:17, 89:22, 91:8, 136:17
workload
91:8
works
26:5, 42:11, 62:9
worried
183:21
wouldn't
69:20, 73:24, 82:1, 135:12
written
10:20, 11:6, 12:6, 14:18, 15:9, 15:20, 35:13, 92:3, 147:1, 147:5, 171:9, 188:6, 194:18
wrote
120:13

Y

yards
109:20
yeah
6:10, 18:2, 18:3, 28:24, 30:2, 35:23, 42:12, 51:21, 51:23, 68:17, 71:4, 71:14, 72:2, 72:4, 73:7, 73:12, 74:17, 74:23, 75:9, 75:13, 75:24, 76:3, 76:7, 76:20, 77:21, 81:9, 82:2, 87:24, 116:24, 129:1, 133:2, 134:12, 135:18, 136:8, 136:16, 140:23, 141:6, 211:17
year
9:18, 24:18, 38:10, 38:13, 66:1, 66:3, 66:10, 66:17, 66:20, 85:20, 86:9, 91:10, 94:10, 170:2, 192:7, 195:13, 196:9, 196:16, 197:6
years
32:1, 85:16, 86:10, 90:1, 90:6, 90:8, 90:9, 90:17, 90:23, 91:2, 91:4, 91:11, 145:17, 169:7, 191:9, 192:3, 192:8, 200:3, 200:4
yellow
172:24, 173:5, 174:13
yourquestions
27:24
yourself
16:6, 126:1

Z

zero
83:23, 84:4, 84:6, 84:13
zion
77:12, 77:18, 140:21, 196:22,

196:24, 198:21, 199:8, 203:12
zoned
37:1, 37:3, 181:10
zoning
167:17, 172:6
zooms
40:6
zwick
3:13, 4:5, 4:11, 13:3, 13:8, 17:8, 21:19, 28:13, 28:18, 28:23, 68:2, 68:3, 68:6, 68:10, 68:18, 68:19, 69:16, 71:12, 71:16, 74:2, 129:4, 130:10, 131:6, 131:18, 131:21, 132:5, 138:24, 165:17, 181:23, 181:24, 190:10, 190:11, 209:17, 209:19

$

$150,000
21:11
$2.26
199:5
$272
199:11

.

.146
5:9
.15
42:7, 61:5
.170
5:10
.18
5:4
.187
5:11
.193
5:12
.20
5:5
.2026
1:4
.29
5:6
.3
205:8
.35
5:7
.91
5:8

0

0
158:5
00
75:5, 75:16, 87:5, 87:6, 87:22, 94:5, 112:10, 112:11, 127:8, 132:15, 132:19, 132:20, 140:1, 140:2, 141:7, 156:18, 156:19, 156:20, 156:22, 157:6, 158:3, 158:5, 210:9
01
1:10
05.18
1:4

1

1
141:7, 157:6
1,017,000
196:4
1.1
38:3
1.53
196:6
10
11:22, 12:19, 13:2, 13:7, 13:10, 13:14, 13:19, 87:16, 88:1, 169:7, 184:9
10,000
129:18
10,900
39:21
10.9
36:5, 37:13, 40:9
100
9:18, 24:18, 38:10, 38:13, 66:1, 66:3, 66:10, 66:17, 66:20, 85:20
1000
37:3, 44:18, 68:21, 69:2, 69:5, 69:19, 70:1, 129:13, 131:7, 131:8, 131:12, 131:17, 131:24, 138:4, 138:9, 142:1, 148:12, 155:14, 157:3, 160:8, 161:12, 181:10
11
71:10, 90:17, 91:2, 91:4, 91:10, 158:5, 174:13, 192:13, 212:5
12
94:5, 94:17, 158:3, 158:5
120
11:13, 32:17, 173:8
1200
2:4
128
4:10
13
7:7, 18:7, 21:12, 192:8, 207:9
137
150:2, 150:4, 150:22, 151:7, 151:9
139
4:12
14
56:8, 90:8, 127:16
143
4:14
15
127:7, 127:11, 128:19, 152:15, 180:11
150
157:24, 170:2, 170:3
1500
109:11, 137:18, 138:12, 138:15
161
214:13
166
4:16
17
198:11, 206:14
18
1:9, 3:5, 20:18, 46:3, 174:12, 198:19, 211:14
180
16:1
182
4:17
185
4:19
19
45:11
190
4:21
1977
185:16
1986
185:17

2

2
1:10, 132:15,

132:19, 132:20, 137:23, 141:7, 156:22, 157:6, 158:3
20
32:18, 128:19, 152:15, 168:21, 180:11, 195:13, 200:3
200
141:2, 141:5
2004
144:12
2019
203:3
2023
203:3
2024
25:10, 27:16, 195:14, 199:4, 202:5, 202:10, 202:14, 202:19, 208:9, 208:11
2025
199:3, 207:8
2026
1:9, 7:7, 18:7, 18:17, 18:18, 20:19, 21:12, 207:9, 214:14
2028
158:24, 159:1, 159:3, 159:5, 159:21, 160:2, 160:7, 160:13, 161:3, 161:11, 196:1, 196:3, 196:17, 197:9, 204:4
2029
202:20
2047
196:1, 196:4, 196:9, 196:10
2050
159:12
21
156:15, 156:16, 184:13
214
1:22
22
71:8, 214:14
2250
3:7
24
48:24, 49:1, 140:6, 140:8, 192:12, 206:7
25
32:15, 55:11, 128:19, 128:21, 137:23, 145:17, 151:16
25,000
45:4, 45:6
250
196:15
283
173:9
285
156:6, 156:7

3

3
75:5, 75:14, 75:16, 88:3, 88:4, 94:2, 112:9, 132:12, 140:1, 156:22
3.12
81:22
3.14
82:14
3.4
37:19
30
4:4, 11:1, 11:7, 14:19, 18:18, 19:11, 75:14, 77:4, 87:4, 87:23, 94:1, 94:2, 94:16, 112:9, 116:17, 127:4, 132:12, 132:15, 200:4, 210:9, 211:10, 211:13, 212:4
300
157:23
300,000
196:15, 197:6
3000
138:19
31,000
45:5
35
152:11, 184:14
377
3:7
38
32:1, 198:11, 198:21
39
56:9
39.2
8:16, 8:17, 20:22

4

4
75:5, 75:16, 87:4, 87:5, 87:22, 87:23, 116:17, 127:3, 127:4, 127:15, 140:2, 156:20
4.14
137:23
4.3
78:15
4.6
79:5
40
37:15, 37:18, 37:21, 51:19, 51:22, 90:6, 107:1, 150:1, 152:11
401
157:11
42
156:15, 157:14, 157:15
43
176:4
44
127:15
45
88:3, 127:3, 149:24, 150:15, 151:9, 173:8
48
135:2, 135:8

5

50
149:23
50.43
20:11
50.49
18:15
500
44:16, 69:4, 94:23, 109:17, 131:14, 138:3, 138:6, 138:18, 141:24, 148:11, 155:13, 155:24, 156:1, 156:23, 160:2, 160:3, 161:5
5000
39:15, 39:22
570
156:2, 156:5, 156:9
58
88:4, 174:11, 174:19

6

6
87:6, 94:1, 94:16, 112:9, 112:10, 112:11, 127:7, 127:8, 127:11, 127:16, 132:12, 132:15, 156:20
6(b
131:21

60
44:2, 51:6, 51:19, 51:22, 107:3, 168:19
60030
2:5
60085
3:6
629,000
196:9
634086
1:21
684,000
196:10

7

7
156:18, 184:13, 184:14, 210:9
74
4:6
75
174:21, 181:7, 190:2
750
131:15, 197:12, 197:15
76
199:11

8

8
94:5, 212:5
80,000
101:15
802
157:10
83
4:7, 36:6, 36:9, 40:10, 40:12, 47:15, 55:6, 55:12, 55:13, 55:18, 57:4, 63:17, 92:22, 92:24, 98:23, 99:5, 100:10, 100:12, 102:23, 109:9, 109:11, 149:7, 149:15, 149:19, 149:20, 150:9, 150:13, 150:17, 150:23, 152:18, 153:23, 154:2, 161:20, 162:17, 163:20, 165:5, 173:1, 175:21, 176:14, 176:19, 177:7, 177:15, 181:15
84
157:14
847
3:7
88
4:9

9

9
32:4, 156:19, 211:10, 212:4
90
11:12
900
197:13, 197:16
92
204:8
934,000
196:3
9th
3:5