



DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

September 26, 2022

Mr. David Zenere
Chicago Rail and Port, LLC
700 E. Joe Orr Road
Chicago Heights, Illinois 60411

**Subject: City of Chicago Class V Recycling Facility Permit (ENVRE1025078)
3250 E. 106th Street
Effective Date: April 29, 2022, to April 28, 2025**

Dear Mr. Zenere,

A permit is hereby granted by the City of Chicago Department of Public Health (“CDPH”) to Chicago Rail and Port, LLC. (“the Permittee”) to operate a Class V Recycling Facility located within the corporate limits of the City of Chicago at 3250 E. 106th Street (“the Facility”). Incorporated into this permit by reference are the following: 1) the renewal application dated April 18, 2022 (“the Application”); 2) the Response to Deficiency Letter dated July 14, 2022; and 3) all other supplemental information submitted as part of the Application. In the event of a conflict between the above references and this permit, the terms and conditions of this permit shall prevail.

The Permittee shall fully comply with Article XX, Chapter 11-4 of the Municipal Code of Chicago (“the Ordinance”), the Recycling Facility Rules and Regulations (“the Regulations”), the Standard Conditions of this permit set forth in Attachment A, and the Special Conditions of this permit set forth in Attachment B.

The permit allows for the operation of the Facility from April 29, 2022, through April 28, 2025, upon which time the permit shall terminate by its own terms. On or before April 28, 2025, the Permittee may apply to the CDPH for a new operating permit for the following year. If a subsequent operating permit is applied for on or before April 28, 2025, this permit shall remain in effect until the CDPH acts on the subsequent permit application. If you have any questions concerning this permit, please contact me at (312) 745-3136.

Sincerely,

Renante Marante
Environmental Engineer III

ATTACHMENT A STANDARD CONDITIONS

The Permittee shall comply with all applicable local, State, and Federal regulations and standards regarding the construction, operation, maintenance, and closure of the subject Facility.

1. Construction, operation, maintenance and closure of the Facility shall be in accordance with the plans, drawings, and specifications referenced by this permit and included in these Standard Conditions and the Special Conditions.
2. Construction, operation, maintenance, and closure of the Facility shall be in accordance with the plans, drawings, and specifications referenced by this permit and included in these Standard Conditions and the Special Conditions.
3. Any changes, modifications, and additions to the Facility's permit or the approved plans and documentation shall be submitted to the CDPH for review and approval. Such a request shall be made in writing to the CDPH.
4. Issuance of this permit shall not transfer, assign or otherwise affect any liability to the City of Chicago, the CDPH, their employees, or agents as a result of the construction, operation, maintenance, and closure of this Facility.
5. Issuance of this permit does not relieve the Permittee of any liability with regards to the subject Facility.
6. The CDPH or its authorized representatives may inspect the Facility and the Facility records at any reasonable time to ensure compliance with this permit and all applicable rules, regulations, and standards, as well as all conditions necessary to protect the public health and safety.
7. The CDPH may revoke this permit on the basis of any of the grounds set forth in the City of Chicago, CDPH, Article XX Recycling Facility Permits Rules and Regulations.
8. The Permittee shall notify the CDPH of any notices of violations or administrative, civil or criminal citations received by the Facility or any of its operators relating to any alleged violation of any federal, state, or local laws, regulations, standards, or ordinances in the operation of any junk facility, recycling facility, or any other type of waste or recyclable materials handling facility or site.
9. The Permittee shall provide the CDPH, if so requested, with copies of all correspondence to or from the IEPA and USEPA pertaining to the Facility, including, but not limited to notices of violation, letters, permit applications, reports, groundwater monitoring reports, and annual reports.
10. The Permittee shall comply with all requirements and conditions set forth in this permit. Should any portion of this permit be declared illegal or non-binding, the conditions of the remainder of the permit shall remain in effect

ATTACHMENT B SPECIAL CONDITIONS

The following Special Conditions are attached to the operating permit for the Chicago Rail and Port, LLC Class V Recycling Facility located at 3250 E. 106th Street:

OPERATING HOURS

1. The Permittee may operate 7:00 a.m. until 7:30 p.m. Monday through Saturday. CDPH reserves the right to amend the Permittee's operating hours and days of operation if the facility operation causes a nuisance to neighborhood uses.

If the Permittee wishes to operate outside the standard hours between 7:00 a.m. and 9:00 p.m., the Permittee must obtain a written waiver from CDPH, pursuant to Rule 8.0 of [the Regulations](#). The Permittee may obtain this waiver by submitting a noise abatement plan to CDPH sufficiently demonstrating that the Facility operations outside the standard hours will not create a public nuisance or adversely impact the surrounding area or surrounding users.

TRAFFIC

2. The Facility shall not cause the back up of vehicles onto public roads or rights-of-way at any time. In addition, no vehicles used in the operations of the Facility shall be parked, idled, or wait along public streets or rights-of-way.

MATERIAL HANDLING AND STORAGE

3. The Facility is permitted to accept and handle Type D recyclable materials consisting of uncontaminated soil, and clean construction or demolition debris consisting of stone, rock, brick, concrete, and asphalt. For purposes of this permit, the term "uncontaminated soil" and "clean construction or demolition debris" shall have the meanings ascribed to them in [415 ILCS 5/3.160](#) of the Environmental Protection Act.
4. Prior to accepting materials from any source, the Permittee shall obtain from the generator the appropriate IEPA forms, either an LPC-662 or an LPC-663 (or similar forms), that ensure materials intended for the Facility is uncontaminated soil or clean construction and demolition debris.
5. Under no circumstances shall the Facility accept waste, special waste, hazardous waste, potentially infectious medical waste, lead-acid batteries, regulated asbestos-containing materials, and non-hazardous special waste. If such unauthorized waste is received at the Facility, the Permittee shall immediately isolate and containerize the waste and arrange for its immediate removal by a properly licensed waste hauler to a disposal facility which has obtained all necessary local, State, and Federal authorization to accept such waste. Further, the Permittee shall follow the procedures in Special Condition No. 8 and shall notify the CDPH of the situation immediately. Such notification shall be provided by email to EnvWastePermits@cityofchicago.org.
6. The Permittee shall inspect all vehicles entering the Facility for unauthorized wastes, and for loads containing greater than 25%, by volume, of non-recyclable construction or

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demolition debris. Vehicles containing unauthorized materials or have excessive amounts of nonrecyclable or unauthorized construction or demolition debris, shall not be allowed to unload at this Facility.

7. All inbound and outbound trucks carrying dirt, aggregate (including ores, minerals, sand, gravel, shale, coal, clay, limestone, or any other ore or mineral which may be mined), garbage, refuse, or other similar material susceptible to becoming windborne shall be sealed or tarped. All leaking containers and torn tarps shall be decommissioned and replaced or repaired.
8. The Permittee shall handle all unauthorized waste inadvertently accepted at the Facility as follows:
 - a. The Permittee shall remove lead-acid batteries the same day and transport these batteries either to a drop-off center handling such waste or to a lead-acid battery retailer in accordance with the Illinois Environmental Protection Act, Title V, Section 22.23.
 - b. The Permittee shall separately containerize special waste, including hazardous waste, non-hazardous special waste, PCB waste, and potentially infectious medical waste, and arrange for the immediate removal of such waste by a properly permitted waste hauler to a properly permitted facility which has obtained all necessary Federal, State and local authorization to accept such waste. The Facility shall develop and maintain an Emergency Action Plan for such occurrences as well as contracts with properly licensed and permitted haulers to ensure the immediate removal of the waste.
 - c. The Permittee shall remove and manage tires in accordance with the Illinois Environmental Protection Act, Title XIV, Section 55;
 - d. The Permittee shall remove and manage white goods and white goods components in accordance with the Illinois Environmental Protection Act, Title V, Section 22.28.
 - e. The Permittee shall remove and manage asbestos containing materials in accordance with the National Emission Standards for Hazardous Air Pollutants regulations.
 - f. The Permittee shall remove landscape waste found to be mixed with the incoming load and transport such waste to a facility that is operating in accordance with the Illinois Environmental Protection Act, Title V, Section 21 and Illinois Environmental Protection Act, Title X, Section 39.

After unauthorized waste has been removed from the Facility, the Permittee shall thoroughly clean the affected area in a manner consistent with the type of unauthorized waste managed. The Permittee shall maintain records of the acceptance of such material.

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9. The Facility may receive, stockpile, and process up to 2,000 tons per day of Type D recyclable materials as authorized in Special Condition No. 3. If additional permitted capacity is desired, the Permittee must submit a revised application to the CDPH for approval. A revised application must demonstrate that the Facility can adequately handle the desired volume. The revised application must also provide a revised cost estimate to properly dispose of the desired volume of materials upon closure of the Facility.
10. The Permittee is not authorized to operate any crushing devices at the Facility under this permit.
11. The Permittee shall sort all construction and demolition debris within 48 hours of receipt at the Facility in order to separate the recyclable construction and demolition debris from the nonrecyclable construction and demolition debris to be disposed of or discarded.
12. Within 24 hours of the separation required in Special Condition No. 11, the Permittee shall transport all non-recyclable construction and demolition debris offsite for disposal, in accordance with all applicable federal, State and local requirements.
13. The Permittee shall transport all putrescible recyclable construction and demolition debris or combustible recyclable construction and demolition debris to a properly permitted recycling or disposal facility within 45 days of its receipt at the Facility.
14. The Permittee shall transport all non-putrescible recyclable construction and demolition debris for recycling or disposal within 3 months of its receipt at the Facility.
15. Railcars and barges must be loaded in a manner that will control dust through the use of best management practices such as but not limited to, the use of solid covers, telescoping loading booms, dust chutes and the application of dust suppression agents and/or water.
16. The total volume of materials at the Facility shall be maintained at or below the volume capacity of the site, as specified in the Application. This volume is inclusive of all processed and unprocessed recyclable materials, residual waste, and aggregate products stored at the Facility. The Permittee shall maintain onsite a continuous tally of the volume of these materials actively being stored on the property.
17. All material stockpiles shall be completely contained on at least three sides with concrete blocks or jersey barriers. The Permittee shall maintain the integrity of the containment partition to keep stored materials within the confines of the storage containment footprint.
18. The Permittee shall clearly mark all storage containments with the type of recyclable material stored. Letters shall not be less than three inches high, outward facing and not hidden. The Permittee shall not deposit other materials than that specified on the storage containment unit.
19. The Permittee shall ensure that all material stockpiles at the Facility are maintained at or below the maximum allowable height of 20 feet.
20. The Permittee shall maintain 30 ft. height markers, with gradations marked at one-foot intervals, adjacent to all stockpile locations. The Permittee shall paint the 20-foot and 30-foot markers red.

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21. The Permittee shall provide secondary containment for all tanks, drums, or other vessels containing liquid materials including, but not limited to, fuels, motor oil, and petroleum products, in accordance with all local, State and federal requirements.

SITE REQUIREMENTS

22. The Facility shall be entirely surrounded by a solid fence eight feet in height that obscure all material stored or kept outdoors at the Facility.
23. The Permittee shall pave all material handling areas, driveways, and access/haul roads with concrete, hot-mix-asphalt, or gravel. Gravel pavements shall be constructed and maintained in accordance with Section Three of the Federal Highway Administration's Gravel Roads Maintenance and Design Manual (<http://1.usa.gov/1Woytmg>), and/or under equivalent plans and specifications prepared by a qualified pavement engineer or professional.
24. The Facility shall have a sign, clearly visible to the public, which states the name, address and telephone number of the Permittee, the type of recyclable materials accepted, the types of materials prohibited, and the Facility's operating hours.

HOUSEKEEPING, DUST CONTROL, AND MAINTENANCE

25. The Permittee shall operate five near-reference PM10 monitors and a weather station at the Facility in accordance with the Ambient Air Monitoring Action Plan, dated February 2022, and the Quality Assurance Plan dated February 2019. The Permittee shall submit any modifications or amendments to the above plans to CDPH for prior review and approval.
26. The Permittee shall notify CDPH by email at envwastepermits@cityofchicago.org, or other mode of communication approved by CDPH, within fifteen (15) minutes of any PM10 monitor recording PM10 levels above the RAL. The RAL is any PM10 concentration equal to or greater than 150 ug/m³, averaged over 15 minutes. The subject line of such email shall contain the words "RAL Alert Condition-" followed by the Facility's permit number.

The notification shall include the following information recorded at the time the RAL occurred:

- a. The date and time of the RAL exceedance;
 - b. The average wind speed and wind direction recorded over a 15-minute period;
 - c. The concentrations of PM10 recorded by all monitors over the same 15-minute period; and
 - d. The latitude and longitude coordinates in decimal degrees of all monitoring locations.
27. The Permittee shall conduct once-daily observations of Fugitive Dust around all sides of the Facility when there have been less than 0.1 inches of precipitation within the previous

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- 24-hours. A copy of the daily Fugitive Dust observation results must be attached to the Operating Record.
28. The Permittee shall conduct quarterly opacity testing by a professional trained and certified to read opacity in accordance with the measurement method specified in 35 IAC Part 212.109. The Opacity readings should be taken under representative weather and operating conditions. A copy of the quarterly opacity measurement results must be attached to the Operating Record.
 29. The Permittee shall ensure that all vehicles containing materials, entering, or exiting the Facility, are tarped to prevent windblown dust and materials. The Permittee shall post signs at the entrance and exit points of the Facility advising vehicles of this requirement.
 30. The Permittee shall make a water source available at all times for purposes of Facility cleaning, dust control and fire safety.
 31. The Permittee shall maintain site pavements to prevent standing water, dust, and track-out.
 32. The Facility shall have dedicated personnel for patrolling the site and adjacent properties for litter and track-out. The Permittee shall sweep site pavements and the adjacent streets impacted by Facility truck traffic as often as necessary to control litter and dust. The Permittee shall use a mechanical street sweeper equipped with a water spray and vacuum system that effectively picks up dust and litter. At a minimum, the street sweeping shall be sufficient so that not more than 4 hours elapses between each street sweeper cleaning or after every 100 truck material receipts or dispatches, but not less than one time daily when the Facility is in operation, unless the roads are free and clear of any material transported to or from the Facility.
 33. The Permittee shall control and or suppress dust and other air-borne materials created by Facility activities so that off-site migration of these materials does not occur. This control and/or suppression shall include, but not be limited to:
 - a. Employing watering methods and sweeping as often as needed;
 - b. Enforcing an internal speed limit of 10 miles per hour or slower; and
 - c. Temporarily suspending material sorting and processing activities during high wind conditions and PM-10 monitor alarms.
 34. The Permittee shall properly maintain and repair site screening so as to completely obscure all activities occurring within the Facility.
 35. The Permittee shall retain the services of a vector control specialist to inspect the Facility each week to employ vector control measures as often as necessary. Vector control measures shall include, but not be limited to, bait stations, traps and any other measures deemed necessary by the vector control specialist.

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RECORD KEEPING

36. By the 14th day of each month, the Permittee shall submit all PM10, and weather station readings collected during the preceding month. Such data shall be submitted by email to envwastepermits@cityofchicago.org, in a format specified by the CDPH.
37. All logs, receipts, and other documentation required under this permit shall be kept at the Facility a minimum of three years and shall be made available to the CDPH upon request.
38. The Permittee shall maintain a written record of all vector inspections and vector control installations including date, time and a detailed description of each inspection and any installations or applications to control vectors.
39. The Permittee shall maintain a log of all vehicles entering and leaving the Facility. This log shall indicate the date, vehicle type, hauling company name, and the material type and quantity being transported. The Permittee shall maintain copies of all load ticket receipts.
40. The Permittee shall maintain a written log documenting all cleaning and maintenance activities performed at the Facility under the Housekeeping, Dust Control, and Maintenance section of this permit. Such log shall include a description of the sweeping or cleaning operation, or maintenance activity performed, the signature of the employee that performed it, and the date and time the employee started and completed the activity.
41. The Permittee shall maintain a written record of all emergencies occurring at the Facility, including the date and time of each incident, along with a detailed description of the emergency. The Permittee shall notify the CDPH each day that the Facility is affected by the emergency. Such notification shall be sent by email to EnvWastePermits@cityofchicago.org.
42. The Permittee shall timely comply with the requirements contained in [Chapter 11-5, Reduction and Recycling Program](#) of the Chicago Municipal Code. The Permittee shall submit annual reports to the Department of Streets and Sanitation ("DSS") Recycling Coordinator, on forms provided by the DSS.
43. Within 45 days following each quarter, the Permittee shall submit a quarterly report for the preceding quarter, containing all the information required under 4.17 of the Rules for Large Recycling Facilities. Such data shall be submitted by email to envwastepermits@cityofchicago.org, in a format specified by the CDPH.

SITE SAFETY

44. The Permittee shall undertake all necessary steps to ensure that the Facility is:
 - a. Secured from unauthorized entry;
 - b. Sufficiently screened from the surrounding area; and
 - c. Adequately lighted after dark.
45. The Permittee shall provide training to all Facility employees on fire prevention, emergency procedures and hazardous material identification and handling procedures.

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46. All employees working at the Facility shall wear appropriate personal protection equipment in compliance with OSHA regulations. Such equipment shall include, but not be limited to, hard hats, safety glasses, safety shoes, and protective gloves.
47. The Permittee shall install and maintain fire suppressant equipment in accordance with the Municipal Code of the City of Chicago.

PERMITS

48. The Permittee shall maintain an active Certificate of Operation from the CDPH, pursuant to Section [11-4-660](#) of the Code, for all existing regulated equipment or areas requiring an Air Pollution Control (APC) permit. The Permittee shall obtain an APC Permit from CDPH, pursuant to Section [11-4-620](#) of the Code, for any new regulated equipment or area installed at the Facility.
49. The Permittee shall acquire all necessary permits and approvals for the Facility including but not limited to those required from the Department of Public Health, Department of Revenue, Zoning Board of Appeals, Metropolitan Water Reclamation District of Greater Chicago and the Illinois Environmental Protection Agency. The Permittee shall provide copies of all such permits and approvals to the Department of Public Health upon request.
50. The Permittee shall maintain copies of all Facility permits on-site at all times and shall make these available for inspection upon request by the Department of Public Health.

CLOSURE

51. If the Permittee decides to close the facility, the Permittee must submit a written closure notification to the Department within 30 days of closure. If the permit is not renewed for any reason/s or the Permittee ceases operations at the site, the Permittee must clean up, remove and properly dispose of all material and waste on the site within 30 days of permit expiration or closure by the Permittee. The Permittee must submit disposal receipts as proof of proper disposal.

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