



DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

July 21, 2022

Mr. Tommy Garbacz
Vulcan Materials Company
1000 E Warrenville Rd, Suite 100
Naperville, IL 60563

Re: Vulcan Materials Company
2021 - 2023 City of Chicago Reprocessable Construction/Demolition Material Facility Permit

Dear Mr. Garbacz,

A permit is hereby granted by the City of Chicago Department of Public Health (CDPH) to Vulcan Materials Company (the Permittee), to operate a reprocessable construction/demolition material facility, located within the corporate limits of the City of Chicago at 3910 S. Racine Ave. (the Facility). Incorporated into this permit by reference are the following: 1) the permit renewal application submitted by Vulcan Materials Company dated May 25, 2022; and 2) all other supplemental information submitted as part of this application including drawings, sheets, and specifications.

The Permittee shall fully comply with the Chicago Reprocessable Construction/Demolition Material Facility Ordinance, [Chapter 11-4, Article XIV](#) of the Municipal Code of the City of Chicago. The Permittee shall also fully comply with the Standard Conditions of this permit set forth in Attachment A and the Special Conditions of this permit set forth in Attachment B.

This permit allows for the operation of the Facility from June 1, 2021, through May 31, 2023, at which time the permit shall terminate by its own terms. On or before May 31, 2023, 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 May 31, 2023, this permit shall remain in effect until the CDPH acts on the pending permit application.

If you have any questions concerning this permit, please call me at (312) 745-3136.

Sincerely,

Renante Marante
Environmental Engineer III

ATTACHMENT A STANDARD CONDITIONS

1. 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, including but not limited to those regulations and standards concerning noise, vibrations, and particulate emissions.
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 upon finding: 1) the information contained in the permit application is intentionally misrepresentative or incomplete; 2) a violation of this permit has occurred; or 3) a violation of any applicable local, State, or Federal regulation has occurred.
8. The Permittee shall provide the CDPH 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. Such copies shall be provided electronically by email to EnvWastePermits@cityofchicago.org.
9. 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
(CONTINUED)**

The following Special Conditions are attached to the development and operating permit for the Vulcan Materials Company's Reprocessable Construction/ Demolition Material Facility located at 3910 S Racine Avenue:

Waste Handling:

1. The Facility is permitted to handle "reprocessible construction/demolition material" as defined in [Section 11-4-1910](#) of the Municipal Code of the City of Chicago. The Facility is also permitted to handle "uncontaminated soil" and "clean construction or demolition debris" (CCDD) as defined in [35 Illinois Administrative Code 1100](#). The terms "uncontaminated soil" and CCDD shall hereafter be collectively referred to in this permit as "clean construction fill".

Clean construction fill delivered to and from the Facility shall be certified and documented in accordance with [35 Illinois Administrative Code 1100.205](#).

The Facility is not authorized to handle materials which include but are not limited to hazardous waste, residential/household wastes, regulated asbestos containing materials, non-hazardous special waste, and construction or demolition waste such as, but not limited to, wood, wall coverings, plaster, drywall, plumbing fixtures, non-asbestos insulation, roofing shingles and other roof covering, glass, and plastics.

If the above unauthorized waste is received at the Facility, it shall be immediately isolated and containerized and removed immediately by a licensed waste hauler authorized to accept such wastes and shall be transported to a permitted disposal facility which has obtained all necessary Federal, State and local authorization to accept such waste.

The Permittee shall inspect all loads entering the Facility for unauthorized or unacceptable wastes. Loads containing waste other than reprocessible construction/demolition material or clean construction fill shall not be accepted at this Facility. Further, the Permittee shall follow the procedures in Special Condition No. 2, and shall notify the CDPH of such situations immediately via email to EnvWastePermits@cityofchicago.org.

2. The Permittee shall handle all unauthorized waste inadvertently accepted into the Facility as follows:
 - a. Special waste, including hazardous waste, non-hazardous special waste, PCB waste, and potentially infectious medical waste, shall be containerized

**ATTACHMENT B
SPECIAL CONDITIONS
(CONTINUED)**

separately and removed immediately by a licensed waste hauler authorized to accept such wastes and shall be transported to a permitted disposal 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 licensed waste haulers and permitted disposal facilities to ensure the immediate removal of the waste.

- b. Asbestos containing materials shall be removed and managed in accordance with the [National Emission Standards for Hazardous Air Pollutants](#) regulations.
 - c. 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 for three years and shall make such records available for review by the CDPH.
3. Incidental debris, as defined in [Section 11-4-1910](#) of the Municipal Code of the City of Chicago, inadvertently mixed in loads of reprocessible construction/ demolition material shall not exceed 20% of the volume of material received or staged on site. The Permittee shall remove all incidental debris from the site within 7 days of its receipt.
 4. The Facility may receive and process no more than an average of 1,400 tons per day, not to exceed 436,800 tons per year of reprocessible construction/demolition debris. If the CDPH determines that the Permittee is violating the City of Chicago Municipal Code, then CDPH may, at its option, reduce the Facility handling capacity to 1000 tons per day. 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 is adequately handling the currently permitted volumes and is sufficiently sized and staffed to process the desired quantity of material.
 5. The Permittee shall remove clean construction fill offsite within 14 days of receipt at the Facility. The clean construction fill shall be taken to a CCDD fill operation or an uncontaminated soil fill operation, operating in accordance with [35 Illinois Administrative Code 1100](#), and all local, state and federal regulations.
 6. The Permittee shall maintain a log of rejected loads refused by the Facility. Such log shall include the date, weight of the load, hauling company name, truck number, and a brief description of why the load was rejected. The log shall be

**ATTACHMENT B
SPECIAL CONDITIONS
(CONTINUED)**

maintained at the Facility at all times and shall be made available for review by the CDPH upon request.

7. The Permittee shall provide secondary containment for all tanks, drums, or other vessels containing liquid materials including, but not limited to, solvents and petroleum products.

Operating Hours:

8. The Permittee may operate between the hours of 6:00 AM and 7:00 PM, Monday through Saturday.
9. The Permittee shall not receive, reprocess, remove, or transport any construction and demolition material or clean construction fill between the hours of 7:00 PM and 6:00 AM unless a written waiver is granted by the Commissioner. The Permittee shall submit a written request to the Commissioner when requesting a waiver.
 - a. A waiver shall only be granted if construction and demolition material and clean construction fill is accepted from publicly funded and contracted construction projects or the material removed will be delivered to and used in publicly funded and contracted construction projects.
 - b. A waiver will not allow the operation of reprocessing equipment beyond the Facility's standard operating hours.
10. The Permittee shall keep records which, at a minimum, include load tickets and other documentation on materials which are received by or delivered to publicly funded and contracted construction projects beyond standard operating hours.
11. The Permittee shall not operate on Sunday unless a waiver is obtained in accordance with Special Condition No. 9.

Housekeeping, Dust Control, Maintenance:

12. The Permittee shall make a water source available at all times for purposes of Facility cleaning, dust control and fire safety.
13. 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, watering as needed of all Facility surfaces, including the stockpiles containing reprocessable materials, reprocessed materials and incidental debris. The

**ATTACHMENT B
SPECIAL CONDITIONS
(CONTINUED)**

Permittee shall operate spray/watering equipment on all crushers, screeners and other related equipment as often as needed to suppress dust.

14. The Permittee shall remove dirt, dust, mud and other debris from the Facility entrance, exit, and haul/access roads as often as necessary each operating day, utilizing a mechanical street sweeper. The mechanical street sweeper shall have a water spray with a vacuum system in order to effectively maintain these areas clean.
15. During hot, dry weather, the Permittee shall use its water truck to adequately wet the Facility haul roads in order to prevent the generation of dust. If this truck becomes inoperable during this time, the Permittee shall be responsible for immediately securing a replacement water truck or alternate means to suppress Facility dust. Any alternate means of dust suppression must first be approved in writing by the CDPH.
16. The Facility shall employ dedicated personnel for patrolling the site and adjacent properties for litter. The Permittee shall promptly remove and dispose of any litter that is observed on-site as well as affected off-site areas. In addition, the Permittee shall sweep as often as necessary the adjacent streets impacted by Facility truck traffic to control litter and dust. The Permittee shall use a mechanical street sweeper as described in Special Condition No. 14 to clean the adjacent streets.
17. The Permittee shall inspect and clean all Facility catch basins in order to remove all dust and debris that could impede stormwater drainage. The Permittee shall not locate material stockpiles over any existing stormwater inlets unless the Permittee provides alternate means of drainage as necessary and ensure that stockpiled material will not fall in the inlet opening and cause sedimentation in the stormwater system.
18. The Permittee shall maintain a written schedule on-site of all regularly scheduled cleaning operations and shall make such schedule available for review by the CDPH.
19. The Permittee shall maintain site pavement to minimize dust and mud debris occurring both on and off-site. The Permittee shall repair site pavement as soon as it is damaged.
20. The Permittee shall undertake all necessary steps to ensure that the Facility is:
 - a. Secured from unauthorized entry;

**ATTACHMENT B
SPECIAL CONDITIONS
(CONTINUED)**

- b. Sufficiently screened from the surrounding areas; and
- c. Adequately lighted after dark.

Stockpiles:

- 21. The Permittee shall ensure that all material stockpiles at the Facility are maintained at or below the maximum allowable height of 30 feet in accordance with [Section 11-4-2000\(D\)](#) of the City of Chicago Municipal Code. At no point within the Facility shall the height of the reprocessible construction/ demolition materials, reprocessed materials, or any incidental debris materials ever exceed 30 feet. The CDPH reserves the right to further limit the height of Facility stockpiles if the conditions of the Permit are not met or if the Permittee violates the City of Chicago Municipal Code.
- 22. The Permittee shall maintain 30 ft. height markers, with gradations marked at one foot intervals, at stockpile locations to indicate the current height of material stockpiles. The Permittee shall paint the top two feet of these markers red.
- 23. The Permittee shall ensure that all material stockpiles and work areas are maintained to have a minimum setback of 25 feet from the property line along the Frontage Road to the North, Racine Avenue to the East, and the railroad line to the South of the Facility.
- 24. The Permittee shall maintain the integrity of the concrete block barriers surrounding the reprocessible construction/demolition material and clean construction fill stockpiles so that these materials do not migrate outside the stockpile storage areas.
- 25. The Permittee shall not exceed the storage capacity of each stockpile location so as to prevent the migration of materials outside the stockpile storage areas.

Site Safety:

- 26. The Permittee shall provide training to all Facility employees on fire prevention, emergency procedures and hazardous material identification and handling procedures.
- 27. 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, and protective gloves.

**ATTACHMENT B
SPECIAL CONDITIONS
(CONTINUED)**

28. The Permittee shall install and maintain fire suppressant equipment in accordance with the Municipal Code of the City of Chicago.
29. The Permittee shall maintain a written record of emergencies occurring at the Facility, including date(s), time(s), and a detailed description of each incident. These records shall be kept on site for inspection by the Commissioner or his designee. The Permittee shall notify the CDPH, via email at EnvWastePermits@cityofchicago.org, each day that the Facility is affected by the emergency.

Vehicles:

30. 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.
31. The Permittee shall adhere to the dust control plan, dated July 28, 2006, that provides Facility procedures for enforcing the tarping requirement detailed in Special Condition No. 30.
32. The Permittee shall maintain an onsite record of all vehicles entering and leaving the Facility and shall make such records available for inspection upon request by the CDPH or Chicago Police Department. This record shall indicate the date, gross vehicle weight, vehicle type, vehicle number and hauling company name. Further, the Permittee shall maintain all load ticket receipts on site and shall make such records available for inspection upon request by the CDPH.

Permits:

33. The Permittee shall maintain an active Certificate of Operation from the CDPH for all processing equipment used at the Facility. The Permittee shall file the necessary forms and the renewal fee for such equipment with the CDPH on an annual basis.
34. The Permittee shall acquire all necessary permits and approvals for the Facility including but not limited to those required from the CDPH, 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 CDPH.

**ATTACHMENT B
SPECIAL CONDITIONS
(CONTINUED)**

35. 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 CDPH.
36. The Permittee shall comply with the terms and conditions specified in the Zoning Board of Appeals Special Use Variance, the Facility's Metropolitan Water Reclamation District of Greater Chicago discharge authorization permit, and the Facility's Illinois Environmental Protection Agency's Operating Permit for a Smaller Source.

Miscellaneous:

37. As a host benefit to the City of Chicago, the Permittee shall agree to provide 43,600 tons of free tipping for "fly-dumped" reprocessible construction/ demolition material collected by the City of Chicago. Such tonnage shall not be included in the calculation of the tonnage limitation specified above in Special Condition No. 4.
38. On or before the last day of each calendar month, the owner or operator must file the remittance return and remit the fee attributable to the construction/demolition debris that is received and managed during the preceding calendar month. Any fee collected by the owner or operator is collected in trust for the City and constitutes a debt owed by the collector to the CDPH. [Section 3-4-260](#) of the City of Chicago Municipal Code provides for an interest charge of 1.0% per month for payment that is overdue.
39. The Permittee shall pay the surcharge on receipt of construction and demolition debris within 30 days of the month in which the debris was received. Any changes to this payment schedule must first be approved in writing by the CDPH.
40. The Permittee shall maintain with the CDPH proof of financial responsibility as required by [Section 11-4-370](#) of the Municipal Code of the City of Chicago.
41. The Permittee shall comply with all applicable landscape provisions as specified in [Chapter 10-32](#) of the Municipal Code of the City of Chicago as well as [Chapter 17-11](#) of the Chicago Zoning Ordinance.