



**REGULAR MEETING
MAYOR & BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE
VILLAGE HALL – BOARD ROOM**

AGENDA

**Monday, September 27, 2021
7:00 P.M.**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PRESENTATIONS AND PUBLIC HEARINGS

- A. Recognition of Richard Scherer as the American Public Works Association Chicago Metro Chapter Backhoe Competition Champion
- B. Presentation of FirstNet Communication System

4. CONSENT AGENDA

All items listed with an asterisk (*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda, discussed by the Board, opened for public comment, and voted upon during this meeting.

5. MINUTES

- A. * Approval of Regular Board Meeting of September 13, 2021
- B. * Receive and File Plan Commission Meeting of September 20, 2021

6. ORDINANCES

7. RESOLUTIONS

- A. * Approval of a Resolution Granting an Extension of Subdivision Completion Deadline (7950 Drew Avenue – Cottages at Drew)
- B. * Approval of a Resolution Endorsing the Metropolitan Mayors Caucus' 2021 Climate Action Plan for the Chicago Region

Public Comment Procedures: Public comments will be accepted in written or statement form prior to or during the meeting. Written public comments shall identify whether the comment is intended to address a specific agenda item or is intended for general public comment under Section 9 – Public Comment. Public comments may also be made during the meeting when discussing specific items on the agenda. Any person seeking to address the Board on topics not on the agenda may do so during Section 9 – Public Comment.

- C. * Adoption of a Resolution of Support and Financial Commitment for the Safe Routes to School Grant for Flashing Pedestrian Beacons on Wolf Road

8. CONSIDERATIONS

- A. Consideration to Direct the Village Attorney to Proceed with the Filing of an Administrative Tort Claim Against the United States Environmental Protection Agency to Seek Recovery of Village Costs Under the Federal Tort Claim Act
- B. Consideration of Plan Commission Recommendation to Amend Section IV.W of the Zoning Ordinance to Revise Noise Performance Standards (Z-11-2021)
- C. Consideration to Direct the Plan Commission to Hold a Public Hearing to Consider a Development Moratorium in the Downtown Business District
- D. * Approval of Recommendation to Issue a Right-of-Way and Grading Permit at 9400 Garfield Avenue ("Rustic Acres") in Support of the Oak Creek Club Homeowners' Association Basin Improvement Project
- E. * Approval to Hire Replacement General Utility Worker I in the Public Works Department to Fill the Vacancy Created by the Promotion of Alex Mezatis to Assistant Water Operator
- F. * Approval to Hire a Replacement Part-Time General Utility Worker I in the Public Works Department to Fill the Vacancy Created by the Promotion of Christopher Breakey to Full-Time General Utility Worker I
- G. * Approval of Vendor List Dated September 27, 2021, in the Amount of \$841,542.58 for all Funds, plus \$203,705.80 for Payroll for the Period Ending September 4, 2021 for a Grand Total of \$1,045,248.38, Which Includes Special Expenditures of \$11,011.00 to Orbis Solutions for Wireless Repair South Water Tower

9. PUBLIC COMMENT

10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

11. ADJOURNMENT – NEXT MEETING OCTOBER 11, 2021 @ 7:00PM

September 27, 2021 Board Meeting – Staff Summary

3. PRESENTATIONS

A. Scherer – Backhoe Competition

An annual conference and exposition by the Chicago Metro Chapter of American Public Works Association included a competition for heavy-equipment operators. Richard Scherer, General Utility Worker II in the Public Works Department, represented the Village and won the backhoe competition, which included an intensive knowledge-based exam as well as a course that required skill and precision machine operation. For winning the regional competition, the Chicago Metro Chapter awarded Rich with a trip to the national conference and competition in St. Louis, where Rich also excelled. Director of Public Works David Preissig will present Rich with the Chicago Metro Chapter trophy that will be displayed at the Public Works Department.

B. FirstNet Communication System

The current cellular and data vendor for the Village is Verizon Communications; staff is in process of migrating the Village's first responder communications to FirstNet by AT&T. FirstNet is the only nationwide wireless broadband communications platform dedicated to America's first responders and public safety community. FirstNet was developed as the result of a public/private partnership between the First Responder Network Authority and AT&T. Based on recommendations from the 9/11 Commission Report, legislation was passed in 2012 to combine private sector resources, infrastructure, expertise and economies of scale with government resources—including Band 14, a highly desirable spectrum dedicated to public safety by the Federal government—to deploy and operate a first responder network. During an emergency, Band 14 can be cleared and locked solely for FirstNet subscribers, meaning only those on FirstNet will have access to Band 14 spectrum.

Switching to FirstNet will not only be a security upgrade to our first responders, but will also result in financial savings of \$6,800 annually, while FirstNet will also provide a one-time credit of \$14,240 to the Village for activation and device trade-in.

7. RESOLUTIONS

A. Subdivision Extension – Cottages at Drew

Attached is a Resolution extending the subdivision completion deadline for the Cottages at Drew subdivision to December 31, 2023. As the subdivision's final plat was originally approved in December 2019, this development's ability to begin construction was materially affected by the COVID-19 pandemic.

It is staff's recommendation: That the resolution be approved.

B. Metropolitan Mayor's Caucus' 2021 Climate Action Plan

Attached is a Resolution endorsing the Metropolitan Mayor's Caucus' 2021 Climate Action Plan. The resolution supports the goals of the Plan in its endeavor to mitigate greenhouse gas emissions, decarbonize energy sources, and generally promote sustainable practices wherever possible.

It is staff's recommendation: That the resolution be approved.

C. Safe Routes to School Grant

Attached is a Resolution supporting the Safe Routes to Schools Grant application for a project that would construct flashing pedestrian beacons on Wolf Road between Pleasantdale Middle School and Walker Park. The Safe Routes to Schools (SRTS) program, administered by the Illinois Department of Transportation (IDOT), includes \$12 million in available 2021 funding for infrastructure projects that improve conditions for walking and biking within two miles of an elementary or middle school. This is a high-priority project for Pleasantdale School District 107 with support from the school's parent-teacher organization and Pleasant Dale Park District.

SRTS funding will be offered for 80% reimbursement with a 20% local match required by the lead agency. Since the Village's engineering staff are familiar with IDOT policies and procedures, the Village would act as the lead agency for the project, serving as the fiscal agent to put forth the initial funds for the project. The 20% local match for the project is anticipated to be approximately \$33,000, which cost would also be reimbursed to the Village by the school and park district in accordance with a 2017 agreement among the three parties.

It is staff's recommendation: That the resolution be approved.

8. CONSIDERATIONS

A. Tort Claim – USEPA/Sterigenics

In April 2021, the Office of Inspector General of the United States Environmental Protection Agency (USEPA) released a report outlining the intentional conduct of certain USEPA officials. As a result of the admissions contained in the report, on May 24, the Board approved the expenditure of \$4,000 to work in conjunction with the Village of Willowbrook to hire the law firm of Schiff Hardin to examine the feasibility of pursuing legal action against the US Environmental Protection Agency related to its actions involving the Sterigenics matter.

It has been determined that the Village may pursue a claim through an administrative complaint filed first with the USEPA; the USEPA has six months to answer the complaint. The USEPA may attempt to settle and resolve the case during this initial 6-month period; however, if the USEPA does nothing in this 6-month period, it has the effect of a denial of the claim, and a "right to sue" letter will be issued to pursue the complaint in the Federal Claims Court. The costs/expenses the Village may seek must be directly related to the USEPA's failures to act, which

in the case of Burr Ridge, totaled \$85,000 between 2018 and 2019 for environmental expert services and consultations.

It is staff's recommendation: That the Village Attorney be directed to pursue an administrative complaint with the USEPA.

B. Noise Performance Standards

Please find attached a letter from the Plan Commission recommending that the Board amend Section IV.W of the Zoning Ordinance related to noise performance standards. The Plan Commission recommends that the Village move away from a technical standard of determining when noise is a nuisance, such as decibels and octave bands, and adopt a standard defined as “Excessively Audible”, wherein any noise which is transferred from one property to another which unreasonably impacts the receiving property’s ability to use their property would be considered an unpermitted nuisance, regardless of Zoning District. The Plan Commission felt that an “Excessively Audible” standard would allow for more responsive enforcement of nuisance noise and allow staff to make interpretive determination of issues at hand. As most of the noise complaints received by the Village are 1) isolated incidents as well as 2) solved by a simple courtesy request by responding staff (mostly Police officers), this standard allows for courtesy requests to hold greater weight of law.

Additionally, the Plan Commission recommended several exemptions to these standards, which generally included actions such as emergency vehicles, snow fighting activities, routine activities at places of worship and schools, and other commonplace public activities. The Plan Commission further recommended that residents and businesses have the ability to seek one-time exemptions to these standards no more than twice per year so as to continue to permit an occasional special event on their premises, such as a wedding, birthday party, etc. Such exemptions would require an application to the Village Administrator and a mailed notification to all property owners and residents within a certain radius of the property several weeks’ prior to the event being held.

The language recommended by the Plan Commission can be found in full in the attached staff report. It should be noted that the entirety of Section IV.W.1 and IV.W.2 would be deleted and replaced by the italicized text in the staff report under the Plan Commission’s recommendations.

It is staff's recommendation: That staff be directed to prepare an Ordinance approving the text amendments to Section IV.W of the Zoning Ordinance.

C. Development Moratorium – Downtown Business District

Staff requests direction from the Board regarding the enactment of a moratorium on any new development projects in the Downtown Business District. If such a moratorium is to be considered, the Board should direct the Plan Commission to hold a public hearing on the matter at a future meeting.

A moratorium places a temporary hold on certain types of development while a community studies a planning or land use issue. Illinois courts have recognized the use of moratoria as a viable land use tool, and the United States Supreme Court has acknowledged both the importance and appropriateness of moratoria in municipal planning efforts. Communities establishing a temporary moratorium should ensure the moratorium (1) advances a legitimate governmental interest, (2) relates to an issue the community is actively studying, (3) precisely defines what activities are subject to the moratorium, (4) only extends for limited duration of time, and (5) is clearly and completely communicated in the ordinance establishing the moratorium.

Given the Board's recent discussion of updating the Village's Comprehensive Plan as well as addressing zoning and economic development visions, goals, and outcomes in the Downtown Business District, a temporary pause in consideration of any new downtown development could allow for any desired adjustments to the Village's downtown regulations and future vision to be evaluated. The Plan Commission and subsequently the Board would review each of the above noted five standards to provide the public with an understanding of the goals of moratorium. The moratorium would then be lifted, while new developments would then need to comply with the updated Downtown plans and policies.

The moratorium on new Downtown development would likely last until the new Fiscal Year on May 1, 2022; extensions as needed would be permitted if approved by the Board. Under this scenario, interior remodeling projects, signage, outdoor dining, façade enhancement and minor site modifications would be permitted. Projects impacted by the moratorium would be new development projects such as an application for zoning relief (e.g. a Planned Development, setback/height variation requests, zoning amendments not led by the Village, etc.), redevelopment of a property, or major site modifications. It would not include any projects that have been previously approved. Staff is not aware of any projects which are imminently planned which would be injured by such a moratorium.

It is staff's recommendation: That the Plan Commission be directed to hold a public hearing to consider a development moratorium in the Downtown Business District.

D. Right-of-Way and Grading Permit at Rustic Acres

The Oak Creek Club subdivision includes three stormwater storage and retention basins in which sediment has accumulated and causing poor water quality, reduced stormwater storage, and algae growth. The sediment is uncontaminated, according to various tests completed by consultants retained by the HOA and reviewed by Village staff. In addition to sediment removal, the HOA seeks to improve the pond banks with native prairie and wetland plantings to enhance their stability and provide additional habitat for fish and amphibians.

To remove the sediment, the HOA explored the common practice of hydraulic dredging, which would involve vacuuming sediment into large dewatering bags. Four (4) bags would be needed, each bag being 90' x 150'; the bags would remain

for approximately 6-8 months while they dewater. This drying process is very gradual, so water is released slowly into the adjacent ground, and usually has very little to no odor. Dried sediment can be re-spread as fertile topsoil or hauled away.

Locations for these dewatering bags were explored by Oak Creek Club, including the HOA's tennis court, Burr Ridge Middle School, and the Village property at 9400 Garfield Avenue ("Rustic Acres"). The tennis court is too small to contain all four bags, while the school property is inaccessible for earthwork equipment. No other locations within the subdivision are practical for this short-term purpose; therefore, the remaining feasible location to contain and dewater the bags is Rustic Acres. The Oak Creek Club HOA has been coordinating with Village staff as they explored these options, which were presented to the Stormwater Committee at its meeting on November 10, 2020. The action before the Board is to permit use of a public property for these purposes.

The HOA has submitted a Non-Residential Engineering permit to the Village that per our Building Ordinance Section 250.5.7, the permit fee will be \$100, and per Section 275.1 will require a \$5,000 bond. As shown in the attached plans prepared by the HOA's engineering consultant, the bags will be contained by temporary construction fence and silt fence for safety and to facilitate dewatering. The HOA would like to begin its project in October 2021 with substantial completion by the end of November. The silt bags will dewater over the winter and its dried sediment re-spread over the northernmost portion of the Rustic Acres property in spring 2022. The new soil will be restored with a turf seed mix, which must be vibrantly growing before the HOA's bond monies will be refunded. All work would be completed by June 15, 2022. Aside from nominal staff time involved in review of the project, there is no cost to the Village to allow this work to occur.

It is our recommendation: That the Board direct staff to approve the grading permit at 9400 Garfield Avenue for the Oak Creek Club Homeowners' Association Basin Improvement Project.

E. Hire Replacement Full-Time GUI in Public Works

The Department of Public Works recently promoted General Utility Worker I Alex Mezatis to the Assistant Water Operator position, creating a vacancy in the General Utility Worker I classification. These front-line full-time positions in the Department are essential to current and on-going operations, including snow and ice control, water meter reading, and water main break repairs.

It is staff's recommendation: That the Board authorize the vacant full-time General Utility Worker I position to be filled.

F. Hire Replacement Part-Time GUI in Public Works

The promotion of Christopher Breakey earlier this year to a full-time General Utility Worker I position has created a vacancy in the budgeted part-time position in this

Department. This position provides departmental flexibility while seasonally supporting critical operations such as snow and ice control and tree removal.

It is staff's recommendation: That the Board authorize the vacant part-time General Utility Worker 1 position to be filled.

G. Vendor List of September 27, 2021

Attached is the vendor list dated September 27, 2021, in the amount of \$841,542.58 for all funds, plus \$203,705.80 for payroll for the period ending September 4, 2021, for a grand total of \$1,045,248.38, which includes special expenditures of \$11,011 to Orbis Solutions for Wireless Repair South Water Tower.

It is staff's recommendation: That the September 27, 2021, vendor list be approved.

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MAYOR AND BOARD OF TRUSTEES
VILLAGE OF BURR RIDGE

September 13, 2021

CALL TO ORDER The Regular Meeting of the Mayor and Board of Trustees of September 13, 2021, was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:00 p.m. by Mayor Gary Grasso.

PLEDGE OF ALLEGIANCE Mayor Grasso asked Assistant to the Public Works Director Andrez Beltran to lead the Pledge of Allegiance.

ROLL CALL was taken by the Village Clerk and the results denoted the following present: Trustees Franzese, Snyder, Schiappa, Paveza, Mital, Smith and Mayor Grasso. Also present were Interim Village Administrator Evan Walter, Village Attorney Mike Durkin, Finance Consultant Annmarie Mampe, Deputy Chief Marc Loftus, Public Works Director David Preissig, and Assistant to the Public Works Director Andrez Beltran.

PRESENTATIONS AND PUBLIC HEARINGS

PUBLIC HEARING REGARDING THE APPROVAL OF A BUSINESS PLAN FOR THE VILLAGE OF BURR RIDGE DOWNTOWN BUSINESS DISTRICT, AND THE IMPOSITION OF A BUSINESS DISTRICT RETAILERS' OCCUPATION TAX, A BUSINESS DISTRICT SERVICE OCCUPATION TAX, AND A BUSINESS DISTRICT HOTEL OPERATORS' OCCUPATION TAX

Interim Village Administrator Evan Walter gave an overview, stating that on August 23, the Board approved an Ordinance which established a public hearing to formally consider the establishment of a Business Development District ("District") in downtown Burr Ridge at this Board meeting. The District would establish a 1% sales, service, and hotel tax on all eligible transactions within the District, with said revenue being used to fund public and private projects within the District's designated geographic boundaries to support the Village's overall economic development goals for the area.

If approved, the ordinance would formally establish the Downtown Business Development District, adopt the District Plan created by SB Friedman, and implement the 1% sales, service, and hotel taxes on eligible transactions. Staff would also create a designated fund in the budget to account for revenues and expenditures related to the District as directed by the Board. The applicable taxes would be applied to purchases within the District beginning on January 1, 2022, with the Village receiving District revenue beginning on April 1, 2022.

Mayor Grasso asked the Board and public for comment.

Dave Palzet, Superintendent, Pleasantdale School District 107, supported the business plan, stating that the development of the Burr Ridge downtown would create additional revenue for the school,

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but would not increase financial burden. Mr. Palzet noted that the goals of the Village struck a development balance which would favor the school district.

Mayor Grasso clarified that this tax would be essentially for the Village Center, County Line Square, the Marriott, and the area which includes TCF Bank building. This was not a property tax.

Matt Russian, Executive Director of the Pleasantdale Park District, said that he spoke in favor of the plan at the Plan Commission meeting, noting his full support of proposal and the positive possibilities ahead.

Ramzi Hassan, owner of the Village Center, said that he supported this and that the funding will be a positive for the Center. He said that a significant amount of the revenue would probably be generated by residents outside of Burr Ridge. Mayor Grasso said that the Village Center had not been fully occupied and hoped that this might help bring in new tenants. Mr. Hassan stated that when purchased, they knew that securing new tenants would be a challenge, and that they would need to update for the modern shopper. He feels that the Center will benefit from this program, bringing upgrades to parking and signage elements. Many don't know that the Village Center exists, and there is development potential which might give Burr Ridge an edge without an impact to residents.

Trustee Franzese asked if the retail clients in the Village Center felt that the 1% increase would hurt sales. Mr. Hassan said that the management had not received any concern from current tenants about it affecting sales, saying that retailers want more to happen in the area, and that this might be a positive change.

Trustee Mital asked if the tax would apply only to restaurants, the one hotel (Marriott), and retail establishments. Mayor Grasso confirmed.

Alice Krampits, 7515 Drew, asked if DuPage County was involved in this tax increase. Mayor Grasso said no, as downtown Burr Ridge was defined as Cook County, the Village Center and TCF building property and surrounding acres. She asked if the tax might hurt the Marriott Hotel. Mayor Grasso said he did not believe so, as the Marriott had a different clientele from most of the other hotels in the area. He also said that he understood that the Marriott supported this as well.

Ms. Krampits also asked what role the Plan Commission had in this process, and would the usual protocol be followed. Mayor Grasso confirmed that there would be no changes to the typical process for the Plan Commission. She also wanted clarification on how this tax impacted school benefits. Interim Village Administrator Evan Walter said districts would be funded due to increased property value, which would bring more revenue to the area.

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John Garber, one of the owners of County Line Square, stated that they are in favor of this plan, and feel it will be a positive for Burr Ridge. He felt this would bring in future tenants and they want the property to thrive.

Mayor Grasso asked for any additional comments from the Trustees or the public, and if there were any e-mailed comments received. There were none.

Motion was made by Trustee Schiappa, seconded by Trustee Snyder, to close the Public Hearing.

On Roll Call, Vote Was:

AYES: 6 - Trustees Schiappa, Snyder, Mital, Smith, Franzese, Paveza

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

CONSENT AGENDA – OMNIBUS VOTE

After reading the Consent Agenda, Mayor Grasso asked if anyone wanted any item removed. Any item removed from the Consent Agenda, was discussed by the Board, opened for public comment, and voted upon during this meeting.

APPROVAL OF REGULAR BOARD MEETING MINUTES OF AUGUST 23, 2021 were noted as received and filed under the Consent Agenda by Omnibus Vote.

RECEIVE AND FILE ECONOMIC DEVELOPMENT MEETING OF SEPTEMBER 1, 2021 were noted as received and filed under the Consent Agenda by Omnibus Vote.

APPROVAL OF A RESOLUTION APPROVING AND RATIFYING THE EXECUTION OF AN EMPLOYMENT RETIREMENT AND RELEASE AGREEMENT the Board, under the Consent Agenda by Omnibus Vote, Approved the Resolution.

APPROVAL OF A RESOLUTION APPOINTING AUTHORIZED AGENT FOR ILLINOIS MUNICIPAL RETIREMENT FUND PURPOSES the Board, under the Consent Agenda by Omnibus Vote, Approved the Resolution.

APPROVAL OF RECOMMENDATION TO AWARD CONTRACTS FOR THE PUMP CENTER CONTROLS UPGRADE TO AUTOMATIC CONTROL SERVICES, INC. OF NAPERVILLE, ILLINOIS, IN THE AMOUNT OF \$438,863 AND TO DORNER COMPANY OF SUSSEX, WISCONSIN, IN THE AMOUNT NOT TO EXCEED \$31,460 the Board, under the Consent Agenda by Omnibus Vote, Approved the Recommendation.

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APPROVAL OF THE CREATION OF THE POSITION OF A PART-TIME BUILDING ASSISTANT IN THE ADMINISTRATION DEPARTMENT AND TO DIRECT THE VILLAGE ADMINISTRATOR TO FILL SAID POSITION the Board, under the Consent Agenda by Omnibus Vote, Approved the creation of the Position.

APPROVAL OF VENDOR LIST DATED SEPTEMBER 13, 2021, IN THE AMOUNT OF \$231,969.35 FOR ALL FUNDS, PLUS \$212,483.37 FOR PAYROLL FOR THE PAY PERIOD ENDING AUGUST 21, 2021, FOR A GRAND TOTAL OF \$444,452.72, WHICH INCLUDES A SPECIAL EXPENDITURE OF \$32,791.50 TO JOHN NERI CONSTRUCTION, INC. FOR THE CHASEMOOR LIFT STATION REHABILITATION the Board, under the Consent Agenda by Omnibus Vote, Approved the Vendor List for the Period ending September 13, 2021 plus Payroll for the Period Ending August 21, 2021.

Mayor Grasso asked if there were any Trustee or public comments on any items on the Consent Agenda, or if any comments had been received via e-mail. There were none.

Motion was made by Trustee Mital, seconded by Trustee Snyder, to approve the Consent Agenda – Omnibus Vote (attached as Exhibit A), and the recommendations indicated for each respective item be hereby approved.

On Roll Call, Vote Was:

AYES: 6 - Trustees Mital, Snyder, Smith, Franzese, Schiappa, Paveza

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

CONSIDERATION OF AN ORDINANCE OF THE VILLAGE OF BURR RIDGE, COOK, AND DUPAGE COUNTIES, ILLINOIS, APPROVING A BUSINESS DISTRICT PLAN FOR THE VILLAGE OF BURR RIDGE DOWNTOWN BUSINESS DISTRICT

Motion was made by Trustee Paveza, seconded by Trustee Schiappa to approve the Ordinance.

On Roll Call, Vote, Was:

AYES: 6 - Trustees Paveza, Schiappa, Snyder, Mital, Smith, Franzese

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

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CONSIDERATION OF AN ORDINANCE OF THE VILLAGE OF BURR RIDGE, COOK, AND DUPAGE COUNTIS, ILLINOIS, DESIGNATING THE VILLAGE OF BURR RIDGE DOWNTOWN BUSINESS DISTRICT

Interim Village Administrator Evan Walter stated that on August 9, 2021, the Board held a preliminary discussion regarding the potential establishment of a Business Development District in downtown Burr Ridge which was continued to August 23, at which point staff was directed to prepare for a public hearing for this meeting. This Ordinance establishes the boundaries of the TFC Bank and surrounding property, the Village Center, Business District and the Marriott Hotel.

Trustee Franzese noted that whenever the TFC property or surrounding land might be developed, that should anything be built there, that the taxes applied would increase property values.

Mayor Grasso asked if there were any additional Trustee or public comments, or if any comments had been received via e-mail. There were none.

Motion was made by Trustee Snyder, seconded by Trustee Mital to approve the Ordinance.

On Roll Call, Vote Was:

AYES: 6 - Trustees Snyder, Mital, Smith, Franzese, Schiappa, Paveza

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

CONSIDERATION OF AN ORDINANCE OF THE VILLAGE OF BURR RIDGE, COOK, AND DUPAGE COUNTIES, ILLINOIS, IMPOSING A BUSINESS DISTRICT RETAILERS' OCCUPATION TAX AND A BUSINESS DISTRICT SERVICE OCCUPATION TAX WITHIN THE VILLAGE OF BURR RIDGE DOWNTOWN BUSINESS DISTRICT

Trustee Schiappa said that as a member of the Economic Development Committee, that he had received positive comments from area businesses and residents and felt that this would move the Village positively forward. Trustee Franzese said that his main concern was related to retail establishments and that this was addressed with earlier comments, so he also supported this. Trustee Mital continued, stating that this would bring more activity to the Village and with more activity, she felt it would neutralize the tax impact.

Alice Krampits, 7515 Drew, asked about the District's anticipated start date. Interim Village Administrator Walter said that there were two deadlines – one was for October 1 for filing, the second was January 1, 2022 for taxes to begin their collection.

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Mayor Grasso asked if there were any additional Trustee or public comments, or if any comments had been received via e-mail. There were none.

Motion was made by Trustee Schiappa, seconded by Trustee Paveza to approve the Ordinance.

On Roll Call, Vote Was:

AYES: 6 - Trustees Schiappa, Paveza, Franzese, Snyder, Mital, Smith

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

CONSIDERATION OF AN ORDINANCE OF THE VILLAGE OF BURR RIDGE, COOK, AND DUPAGE COUNTIES, ILLINOIS, IMPOSING A BUSINESS DISTRICT HOTEL OPERATORS' OCCUPATION TAX WITHIN THE VILLAGE OF BURR RIDGE DOWNTOWN BUSINESS DISTRICT

Mayor Grasso said that the Marriott Hotel was currently the only hotel which would currently be impacted. Mayor Grasso asked if there were any Trustee or public comments, or if any comments had been received via e-mail. There were none.

Motion was made by Trustee Smith, seconded by Trustee Snyder, to approve the Ordinance.

On Roll Call, Vote Was:

AYES: 6 - Trustees Smith, Snyder, Mital, Franzese, Schiappa, Paveza

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

CONSIDERATION OF STATUS OF SERIES 2017 DEBT CERTIFICATES

Interim Village Administrator Evan Walter stated that the Series 2017 Debt Certificates, which were issued in 2017 to refinance the original Police Station debt note, were subject to redemption prior to maturity, in whole or in part, beginning on December 15, 2021 or any date thereafter at par plus accrued interest to the date of redemption. This means that the Village can currently redeem the outstanding principal amount beginning September 16, 2021 or at any time after that date. Redemption can be in the form of a refinancing and/or payment of a portion of or the entire outstanding principal amount. The final principal due date is December 15, 2022, meaning that the entire principal balance must be paid on or before that date. The authorization and provision of the Series 2017 Debt Certificates was approved by the Village Board in Ordinance 1172 on May 22, 2017. This debt issue was structured with interest payments totaling \$238,800 annually with total

principal of \$5,970,000 due on December 15, 2022. There is a difference of \$1,336,074 between the Debt Service Fund balance and the remaining principal and interest payments owed on the Series 2017 Debt Certificates. Staff prepared three options for Board consideration at this meeting.

Option #1 – Refinance the Series 2017 Debt Certificates

The Village could pursue a similar strategy from 2012 and 2017 and fully refinance the Series 2017 Debt Certificates, pushing the principal payment date out until at least December 15, 2025 from December 15, 2022 and, under current estimated interest rates, reduce total interest payments by approximately \$69,000 over the life of the issue. Given the Village's strong Aa1 Moody's bond rating and historical low interest rates, this is a viable and cost-effective strategy which staff believes would likely have no impact on the Village's rating issued by Moody's. This option would require the Village to continue to make an annual appropriation in the budget to pay interest over the new term of the bonds, as well as provide an appropriation to retire the principal in the future. The cost of issuance (financial advisory fees, legal fees, printing costs, rating fees, trustee fees, etc.) of new Debt Certificates is estimated to be \$65,000 while the annual net costs of Option One would be \$10-30,000.

Option #2 – Finance the Unfunded Portion of the Series 2017 Debt Certificates

This option contemplates using the \$4,872,726 in the Debt Service Fund to pay down the majority of the Series 2017 Debt Certificates and refinancing the remaining balance. The Village's financial advisor, Speer, believes that this approach would be well received in the market through either a competitive sale, private placement, or possibly a competitive sale to a group of banks and be assigned a competitive interest rate. Given the expectation of rising interest rates through 2021, Speer believes the maturity of such an obligation would be in the 3-5 year range (possibly as long as 7 years), but may require inclusion of a mid-term rate reset to give investors an opportunity to adjust for rising interest rates, as well as include the intended plan for the Village to retire the debt. Any mid-term rate reset would be disclosed to the Village prior to the sale of bonds. The Village would incur approximately \$45,000-\$50,000 in issuance costs in the open market or \$25,000 in issuance costs through Fifth Third Bank, while the annual net costs of Option #2 would be \$75,000, as the Village would no longer have the existing Debt Service Fund balance generating interest income to service the principal's interest.

Option #3 – Retire Series 2017 Bonds

The third option would use the \$4,872,726 in the Debt Service Fund and draw the balance of the principal from the unrestricted fund balance in the General Fund to fully retire the debt. The Village has adopted a Fund Balance Policy stating that the unreserved fund balance in the General Fund should be no less than 20% of total current year General Fund expenditures. As of April 30, 2021,

the General Fund has a total projected fund balance of \$5,330,699, of which \$3,542,091 is unrestricted. The Village has adopted a General Fund Balance Policy stating that the unreserved fund balance in the General Fund should be no less than 20% of total current year General Fund expenditures, meaning that if the entire \$1,336,074 principal balance were paid off using General Fund balance, the Village would retain \$2.23 million in unrestricted General Fund balance (the fund balance above the minimum 20% policy) and \$3.99 million in total General Fund balance. Mr. Walter said that a decision to retire the Village's outstanding debt through Option #3 would cause the Moody's rating to cease to apply to the Village, as Moody's Aa1 rating is assigned to the Series 2017 Debt Certificates, not the Village's general financial condition. Should the Village desire to receive a rating when the Debt Certificates are retired, the Village could apply to receive an "Issuer Rating" from Moody's or other rating agency.

Mayor Grasso said that every municipality has police pension debt and that there were several options to consider due to the financial strength of the Village finances. Trustee Paveza said that rather than paying it off, in the past, when the Village had a problem like this, due to the high financial rating, that bonds were an option, and the Village was able to make money on those. But he said it was important to consider all options. Trustee Snyder said that in his opinion, with interest rates so low, that he felt it was best to refinance, as he did not think interest rates would be this low soon. Mayor Grasso asked Mr. Walter to provide clarification and more specifics on the options and interest on the debt for the next meeting.

Trustee Smith felt that it was best to pay off the debt in full, as the Village had the funds available and that there would be likely be funding coming from the government. He said that refinancing options are expensive, and it was more cost effective to pay this off rather than "kick the can" to the future.

Trustee Mital said that she supported Option 2, as Option 1 was why the Village had debt now. She recommended paying off the \$4.7 million, and then see if the Village could get a credit line and see what the interest rates were, then pay it off over the next 3-4 years. She was not in favor of Option 3. Trustee Paveza said that the Village is a lot bigger and stronger now and felt that Option 1 would save money and not interfere with credit rating.

Mayor Grasso said there was not enough financial detail to decide at this meeting and with more detailed numbers at the next meeting, a more informed decision could be made.

Trustee Smith said that there were other Village expenses coming up, and to keep that in mind – the assessments of public facility needs, and the Village Hall building update, etc. He said that the current debt should be considered when there are significant expenses coming up down the line.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
September 13, 2021

Trustee Schiappa said that there was about a 4-point margin, but the underlying debt had grown, and that the debt could be paid off. He also acknowledged that there were significant expenses coming up, like the aging water system, and he wanted to be sure that all options are investigated before deciding. Trustee Snyder agreed that more information and detail for the next meeting would be beneficial and said that it made sense to look at alternatives besides paying it off. Trustee Smith disagreed, stating that with funding coming in from the government and infrastructure plan funding, paying off the debt might be the best option. Mayor Grasso said that the infrastructure support might not be as much as anticipated, with many other communities requiring more financial support than Burr Ridge right now.

Mr. Walter said that he would provide more detail in a few weeks about the debt, the America Rescue funding, and priorities which will need funding soon. Trustee Franzese also asked for more detail on the \$1 million debt increase. He was also in favor of scheduling a workshop to determine a five-year plan. Mayor Grasso concurred.

Mayor Grasso asked if there were any public comments.

Alice Krampits, 7515 Drew Avenue, was concerned that the Village had not paid anything down on the pension will that reduce the borrowing power down the road. Mayor Grasso said it was indicative of the debt owed and did not impact the Village rating.

Eddie Downs, 8425 Walredon, asked what the General Fund amount was. Mr. Walter said that there was a \$5.5 million General Fund balance.

Mayor Grasso asked if there were any additional Trustee or public comments, or if any comments had been received via e-mail. There were none. He asked that this agenda item be tabled to the next Board Meeting so that more details and specific data could be provided before a decision is made.

Motion was made by Trustee Schiappa, seconded by Trustee Smith, to table this agenda item for 60 days, considering it again at the Board meeting on October 11, 2021.

On Roll Call, Vote Was:

AYES: 6 - Trustees Schiappa, Smith, Franzese, Paveza, Snyder, Mital

NAYS : 0 - None

ABSENT: 0 - None

There being six affirmative votes the motion carried.

PUBLIC COMMENT

Eddie Downs, 8425 Walredon, said that he felt that the Business District plan was a good one and that he learned a lot about it. He asked how might he be better notified about items like this as he learned about it through social media. Mayor Grasso said that information is posted on the Village website, all HOAs are notified, and he encouraged residents to monitor what is going on in the Village by reviewing the website. Mr. Walter said that there were also several newspaper ads run on this, website notices posted, and two open houses were also conducted. All Burr Ridge businesses in the downtown area received a letter. This information was also posted on social media. Mr. Walter said that the Village was working to streamline communication and encouraged residents to sign up for the new Oak Leaf e-mail newsletter where most information will be posted. He also encouraged feedback from residents and apologized that Mr. Downs did not see it.

Mr. Downs asked if there was any way to set targets for bringing in new businesses, as nothing works better than a goal. Mayor Grasso said that there were some goals put in place and discussions about which businesses which might be beneficial to the Village.

Mayor Grasso asked for any additional public comment. There were none.

REPORTS AND COMMUNICATIONS

Trustee Mital said that the Village concerts have been successful with a nice atmosphere. She reminded the residents that the Car Show was now on Oct. 9, and that Community Engagement Analyst, Hannah Weyant was looking for volunteers. Anyone interested could call the Village Hall. The Car Show would also be held in conjunction with the Taste of Burr Ridge on October 9.

Trustee Franzese reiterated that the Plan Commission would be involved in any future development proposed for the Village.

Mayor Grasso said that the concerts have been successful, with one being cancelled due to potential bad weather. The bad weather missed Burr Ridge, but he said safety is always first. He asked Mr. Walter to declare a moratorium on the TFC site by red flagging. TCF bank was sold in 2019 to Chemical Bank and this site seemed to be lower on their list to develop. He said a potential developer may be interested in potentially developing that property, and there was a statute that allowed the Village to red flag this to get the attention of Chemical Bank.

Mayor Grasso said that he has been working with Mr. Walter on staffing, to re-organize the Village staff to better meet the needs of the residents. He said that Financial Consultant Annmarie Mambe would be serving as Finance Director on a contract basis in order to streamline the Finance Department, with oversight from the Board of Trustees.

Mayor Grasso asked for a motion to adjourn the Board of Trustees meeting.

Regular Meeting
Mayor and Board of Trustees, Village of Burr Ridge
September 13, 2021

Motion was made by Trustee Schiappa and seconded by Trustee Smith Mital to adjourn the meeting. The Motion was approved by a unanimous voice vote of the Board of Trustees and the meeting was adjourned at 8:30 pm.

PLEASE NOTE: Where there is no summary or discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.

Susan Schaus
Village Clerk
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this _____ day of _____, 2021.

VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES FOR REGULAR MEETING OF SEPTEMBER 20, 2021

I. ROLL CALL

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 5 – Broline, Petrich, Parella, Farrell, and Trzupek
ABSENT: 2 – Stratis and Irwin

Interim Village Administrator Evan Walter was also present.

II. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Broline asked for further elaboration on his comments regarding parking regulations at County Line Square.

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Broline to approve the amended minutes of the September 20, 2021 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Farrell, Broline, Petrich, and Parella
NAYS: 0 – None
ABSTAIN: 1 – Trzupek

MOTION CARRIED by a vote of 4-0.

III. PUBLIC HEARINGS

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearings on the agenda for the meeting.

V-04-2021: 6100 Grant Street (Toland); Variation and Findings of Fact; continued from August 2, 2021

Interim Village Administrator Walter said that the petitioner requested a continuance of the petition to October 4, 2021 to allow for further time to finalize the plans for the prospective house.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to continue the public hearing for V-04-2021 to October 4, 2021.

ROLL CALL VOTE was as follows:

AYES: 5 – Farrell, Broline, Petrich, Parrella, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Z-11-2021: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendments and Findings of Fact; continued from August 2, 2021 and August 16, 2021

Mr. Walter said that the petition had been continued from August 2, 2021 and August 16, 2021. Mr. Walter said at the previous public hearings, a revised noise standard entitled “Excessively Audible” was discussed. Staff has revised the initial amendments to align with the feedback of the Plan Commission, including incorporating a property line mechanism for measurement purposes, several additional exceptions to the rule added, as well as a staff-monitored special event permit which could be obtained once every six months by property owners.

Chairman Trzupek asked for public comment. No public comment was given.

Chairman Trzupek asked what the determination of Excessively Audible would be. Mr. Walter stated that the most salient revision to the previous discussions was to consolidate the pertinent regulation related to noise standards to the following: “no person may cause or allow the emission of sound from any property in such a manner so as to cause Noise Pollution which is Excessively Audible with a determination taken from the property line on the property on which the noise is received.”

Commissioners Farrell, Broline, and Parrella supported the final revisions as presented.

Commissioner Petrich suggested striking the word “also” from the draft language related to the exceptions for landscaping in the Municipal Code but otherwise supported the revisions.

Chairman Trzupek supported the final revisions.

Mark Thoma, 7515 Drew, asked how appeals to Circuit Court would be handled, specifically as to whose rules would be applicable in such a case. Mr. Walter said that the local rule would still apply.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Farrell to close the public hearing for Z-11-2021.

ROLL CALL VOTE was as follows:

AYES: 5 – Petrich, Farrell, Broline, Parella, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Petrich to recommend that the Board approve a text amendment to Section IV.W of the Zoning Ordinance in its entirety subject to the language included in the staff report, except to strike the word “also” from Item C in the Exceptions standards.

ROLL CALL VOTE was as follows:

AYES: 5 – Broline, Petrich, Farrell, Parella, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

Z-08-2021: 50-124 and 200-324 Burr Ridge Parkway (Village of Burr Ridge); Planned Unit Development and Findings of Fact; continued from July 19, 2021

Mr. Walter said that the petition had been continued from July 19, 2021 and August 16, 2021. Mr. Walter said that several revisions had been made to the petition’s language, including the provision of a redlined copy of any changes made from standard B-1 Business District zoning. Mr. Walter said that the major revisions still outstanding were the revision of the parking standard from 1/250 square feet to 1/200 square feet, the removal of the fire lane being replaced by a standing/loading lane, the inclusion of a standard 7:00am-10:00pm hours of operation rule, as well as other minor clarifications. Mr. Walter noted that under a PUD, all previously-approved special uses would remain in effect, and that the PUD would be enforced for any future development or uses.

Chairman Trzupek asked how the parking chart would be used going forward if the PUD as shown were approved. Mr. Walter said that the chart would be void, as the Village would no longer track parking needs on an individual use basis.

Alice Krampits, 7515 Drew, expressed concerns about the removal of the fire lane. Mr. Walter said that the removal of the fire lane has already been approved by Pleasantview Fire Protection District. Ms. Krampits expressed concerns about valet cars stacking in standing and loading areas if the entire lane were available for standing and loading purposes.

Commissioner Parella asked if neon signs were permitted in the PUD. Mr. Walter said that visible neon was not permitted as proposed in the draft language.

Commissioner Petrich asked if the additional spaces on Lincolnshire Drive would be part of the PUD. Mr. Walter said that they would not be part of a PUD, but wanted to include the matter for discussion since there was an opportunity to create more parking proximate to the subject property. Commissioner Petrich supported adding said spaces as part of a Plan recommendation. Commissioner Petrich deferred to the determination of the Fire District regarding the fire lane. Commissioner Petrich asked what the differences in sign regulations between the PUD and Village Center were as proposed. Mr. Walter said that some of the regulations at Village Center did not appear to fit at County Line Square, such as the requirement that all tenants have a blade sign. Commissioner Petrich expressed some concerns about outdoor dining becoming a permitted use. Commissioner Petrich asked if outdoor dining space would be included in the parking calculations. Mr. Walter said that outdoor space was currently not included in the parking calculations.

Commissioner Farrell asked for clarification about the number of spaces. Mr. Walter said that there were closer to 500 parking spaces. Commissioner Farrell asked for better definition of parking/standing/loading areas while supporting the overall concept of fire lane amendments. Commissioner Farrell asked if the Village Center has permitted restaurants with alcohol. Mr. Walter said that such uses were permitted within the Entertainment District. Commissioner Farrell said that she would support outdoor dining being permitted if it were included in the overall size calculation of the restaurant.

Chairman Trzupek supported the concept of including outdoor dining in both the overall square footage count as well as the individual restaurant size count. Chairman Trzupek expressed some reservation about valet cars being stacked in the standing/loading area as well as the loss of control over parking, as the PUD would generally concede that parking no longer be an issue requiring direct analysis on a use-by-use basis.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Farrell to continue the public hearing for Z-08-2021 to October 4, 2021.

ROLL CALL VOTE was as follows:

AYES: 5 – Petrich, Farrell, Broline, and Parella, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

IV. CORRESPONDENCE

A brief discussion was held regarding the July Building Report.

V. OTHER PETITIONS

VI. PUBLIC COMMENT

No public comment was given.

VII. FUTURE MEETINGS

Mr. Walter said that there were four considerations scheduled for the September 20, 2021 meeting.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Parella to adjourn the meeting at 7:55 pm.

ROLL CALL VOTE was as follows:

Plan Commission/Zoning Board Minutes
September 20, 2021 Regular Meeting

AYES: 5 – Petrich, Parella, Broline, Farrell, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

Respectfully Submitted:

Evan Walter – Village Administrator

RESOLUTION NO. R-17-21

RESOLUTION GRANTING AN EXTENSION OF SUBDIVISION COMPLETION
DEADLINE (7950 DREW AVENUE - COTTAGES AT DREW)

WHEREAS, the Board of Trustees, on December 9, 2019, adopted Resolution R-37-19 approving the "Final Plat of Subdivision for the Cottages at Drew Subdivision; and

WHEREAS, the subdivision has received all necessary approvals from local jurisdictions, but the subdivision has not commenced development, primarily due to impacts brought on by the COVID-19 pandemic; and

WHEREAS, an extension of the improvement period is necessary to allow the developer to commence and complete the subdivision improvements; and

NOW THEREFORE, Be It Resolved by the Mayor and Board of Trustees of the Village of Burr Ridge, Cook and DuPage Counties, Illinois, as follows:

Section 1: That the deadline for completion of the subdivision improvement for the Cottages at Drew of Burr Ridge is hereby extended to December 31, 2023.

Section 3: That the letter of credit shall be extended to December 31, 2023.

Section 5: That all subdivision improvements shall be completed prior to the extended deadline of December 31, 2023 as per the approved engineering plans.

Section 5: That this Resolution shall be in full force and effect from and after its adoption and approval as required by law.

ADOPTED this 27th day of September, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this 27th day of September, 2021, by the Mayor of the Village of Burr Ridge.

Mayor

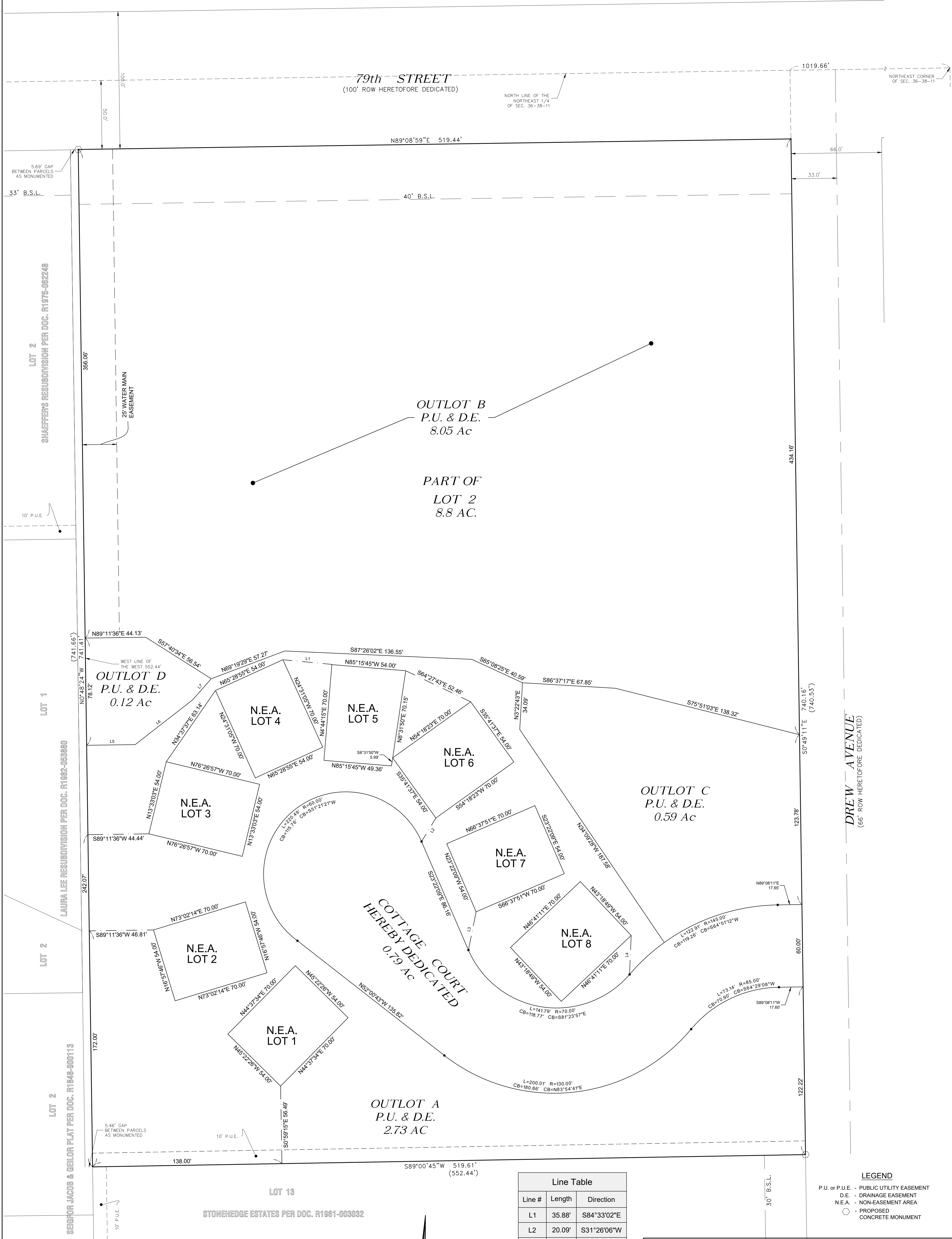
ATTEST:

Village Clerk

FINAL PLAT OF SUBDIVISION
FOR
THE COTTAGES OF DREW

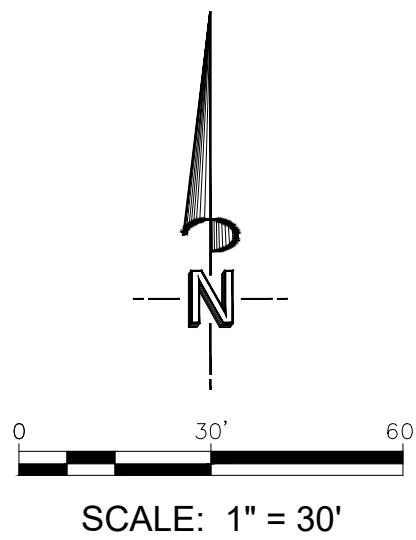
EXHIBIT A

BEING A RE-SUBDIVISION OF THE WEST 552.44 FEET OF THE NORTH 792 FEET OF LOT 2 OF THE SUBDIVISION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 22, 1848 IN BOOK 1 OF PLATS, PAGE 13, DU PAGE COUNTY, ILLINOIS.




NOTE: PUBLIC UTILITY AND DRAINAGE EASEMENT HEREBY GRANTED OVER ALL OF OUTLOT A, EXCEPT IN AREAS NOTED AS N.E.A. (NON-EASEMENT AREA). SEE PROVISIONS FOR DETAILS.

IN ADDITION, A PERPETUAL EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE HOMEOWNERS ASSOCIATION, AND OTHER PARTIES AS DETERMINED NECESSARY OVER THE ENTIRE EASEMENT FOR INGRESS, EGRESS, AND THE PERFORMANCE OF MAINTENANCE AND OPERATION OF THE STORM WATER AREAS, THOSE BEING LOCATED UPON PORTIONS OF OUTLOT A, B, C, & D.



Line Table		
Line #	Length	Direction
L1	35.88'	S84°33'02"E
L2	20.09'	S31°26'06"W
L3	28.45'	N11°21'33"E
L4	28.42'	N2°20'02"E
L5	35.40'	N89°11'36"E
L6	53.04'	N52°04'52"E
L7	20.53'	N41°21'49"E

LEGEND			
P.U. or P.U.E.	-	PUBLIC UTILITY EASEMENT	
D.E.	-	DRAINAGE EASEMENT	
N.E.A.	-	NON-EASEMENT AREA	
○	-	PROPOSED CONCRETE MONUMENT	

REVISIONS			 CIVIL ENGINEERING SURVEYING	
DATE	BY	DESCRIPTION		
3/15/19	RFS	ISSUED FOR REVIEW	M GINGERICH GEREUX & ASSOCIATES Professional Design Firm License # 184.005003 P. 815-478-9680 www.mg2a.com F. 815-478-9685 25620 S. GOUGAR RD MANHATTAN, IL. 60442	
3/19/19	RFS	PER VILLAGE REVIEW		
3/28/19	RFS	PER VILLAGE REVIEW		
4/2/19	BPH	GENERAL REVISIONS		
4/19/19	BPH	PER VILLAGE REVIEW		
9/05/19	BPH	PER VILLAGE REVIEW		
9/30/19	BPH	GENERAL (REM. 30x30 SS ESMT)		
ORDERED BY: JARPER PROPERTIES				
DATE ISSUED: 01-02-2019			DR. BY: NIB	FILE: RFS
SUB. NO.: 16-207			PG: 1 of 2	

RESOLUTION NO. R- -21**RESOLUTION ENDORSING THE METROPOLITAN MAYORS CAUCUS'
2021 CLIMATE ACTION PLAN FOR THE CHICAGO REGION**

WHEREAS, on July 13, 2021, the Metropolitan Mayors Caucus launched the 2021 Climate Action Plan for the Chicago Region in partnership with the National Oceanic and Atmospheric Administration (NOAA) and the Global Covenant of Mayors for Climate and Energy, and with support from the European Union, the Chicago Metropolitan Agency for Planning, and the Metropolitan Planning Council; and

WHEREAS, on August 9, 2021, the Intergovernmental Panel on Climate Change issued the Sixth Assessment Report authored by 234 scientists from 66 countries containing dire warnings about the state of the planet but showing that human actions have the potential to determine the future for climate; and

WHEREAS, more than 250 individuals from 175 stakeholder organizations including 53 municipalities throughout Northeastern Illinois invested two years of work through in-person and virtual collaboration and developed a comprehensive, municipally focused and regional impactful climate action plan that is anchored in equity with the well-being of people at its core; and

WHEREAS, the Climate Action Plan for the Chicago Region invites collaboration from all regional, state and federal agencies and the private sector; and

WHEREAS, the Climate Action Plan for the Chicago Region identifies the following science-based goals and objectives for the region and identifies strategies for municipalities to take measurable and meaningful action to both dramatically reduce greenhouse gas emissions and develop resiliency to climate-related hazards that threaten the community, economic health, and the natural environment:

CLIMATE MITIGATION GOAL: Net zero greenhouse gas emissions

MITIGATION TARGETS:

By 2030 Reduce GHG emissions 50% from 2005 levels

By 2040 Reduce GHG emissions 65% from 2005 levels

By 2050 Reduce GHG emissions at least 80% from 2005 levels

MITIGATION OBJECTIVES:

1. Demonstrate Leadership to Reduce Emissions.
2. Decarbonize Energy Sources.
3. Optimize Building Energy.
4. Implement Clean Energy Policies.
5. Decarbonize Transportation.
6. Reduce Vehicle Miles Traveled.
7. Manage Water and Waste Sustainably.
8. Sustain Ecosystems to Sequester Carbon.

CLIMATE ADAPTATION GOAL: Persistent, equitable climate adaptation

ADAPTATION TARGETS

By 2030 Climate-resilient governance

By 2040 Resilience across jurisdictions

By 2050 Cohesive, resilient communities

ADAPTATION OBJECTIVES

1. Engage and educate the community about climate resilience and adaptation.
2. Incorporate equity and inclusion into climate adaptation efforts.
3. Collaborate and build capacity for a more resilient community.
4. Enact plans and policies focused on adaptation and resilience.
5. Adapt operations and investments for future climate conditions; and

WHEREAS municipal governments have unique strengths in developing community resiliency and in taking long-term action to mitigate climate change that are amplified through regional collaboration.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Trustees of the Village of Burr Ridge, Illinois, hereby expresses its support for the the goals and objectives of the **2021 Climate Action Plan for the Chicago Region** proposed by the Metropolitan Mayors Caucus and pledges to take strategic action to achieve these goals for a more resilient, equitable and healthy future.

ADOPTED this 27th day of September, 2021, by roll call vote of the Board of Trustees of the Village of Burr Ridge as follows:

AYES:

NAYES:

ABSENT:

APPROVED this 27th day of September, 2021.

Mayor

ATTEST:

Village Clerk

RESOLUTION R- -21**A RESOLUTION OF SUPPORT AND FINANCIAL COMMITMENT
FOR THE SAFE ROUTES TO SCHOOL GRANT FOR FLASHING
PEDESTRIAN BEACONS ON WOLF ROAD**

WHEREAS, the Village of Burr Ridge continually strives to improve the safety and welfare of all its residents; and,

WHEREAS, the Pleasantdale Middle School on Wolf Road has many children walking to school every day and crossing Wolf Road for academic classes in school and physical education classes at Walker Park; and,

WHEREAS, the Village of Burr Ridge, Pleasantdale School District 107, Pleasantdale Middle School PTO, and Pleasant Dale Park District worked together to find a solution to increase the safety of the students; and,

WHEREAS, to increase the safety of the students, the Village of Burr Ridge, in conjunction with the Pleasantdale School District and Pleasant Dale Park District, determined that flashing pedestrian beacons could be installed on Wolf Road at its crossing between 74th Street and 75th Street;

WHEREAS, Wolf Road is a roadway under the jurisdiction of the Cook County Department of Transportation and Highways, which agency supports and will permit the installation of this flashing pedestrian beacon;

WHEREAS, the pedestrian beacons at the Wolf Road crossing are an eligible project under the Safe Routes to School Grant program administered by the Illinois Department of Transportation (IDOT) for infrastructure projects that improve conditions for walking and biking to an elementary or middle school;

WHEREAS, Federal Participation for the Safe Routes to School funding will be 80%, requiring a 20% local match;

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Burr Ridge, in Cook and DuPage Counties, Illinois, as follows:

Section 1: That the Village Administrator and his staff are directed to apply for the Safe Routes to School Grant, furnishing any information as deemed necessary to receive the grant.

Section 2: That if awarded the Safe Routes to School Grant, the Village of Burr Ridge will be the supporting agency and provide the initial funds for the project.

Section 3: That the Village of Burr Ridge, if awarded the Safe Routes to School Grant, will seek all eligible reimbursement from the Grant.

Section 4: That the Village Administrator and his staff are directed to furnish any information needed to execute and maintain compliance for the Safe Routes to School Grant.

Section 5: That this Resolution shall be in full force and effect from and after its adoption and approval as required by law.

ADOPTED this 27th day of September, 2021, by the Corporate Authorities of the Village of Burr Ridge on a roll call vote as follows:

AYES:

NAYS:

ABSENT:

APPROVED this 27th day of September, 2021, by the Mayor of the Village of Burr Ridge.

Mayor

ATTEST:

Village Clerk



VILLAGE OF
BURR RIDGE
A VERY SPECIAL PLACE

7660 County Line Rd. • Burr Ridge, IL 60527
(630) 654-8181 • Fax (630) 654-8269 • www.burr-ridge.gov

Mickey Straub
Mayor

Karen J. Thomas
Village Clerk

Steven S. Stricker
Village Administrator

May 11, 2017

Mr. John A. Glimco
Principal
Pleasantdale Middle School
7450 S. Wolf Road
Burr Ridge, IL 60527Mr.

Matt Russian, CPRP
Executive Director
Pleasant Dale Park District
7425 Wolf Road
Burr Ridge, IL 60527

**Subject: Wolf Road Pedestrian Crossing Improvements Project
Letter of Understanding**

Dear Mr. Glimco and Mr. Russian:

This letter will serve as the basis for our understanding and to more formally establish our scope and mutual responsibilities for this important project. The Village of Burr Ridge and its professional staff are always pleased to provide this community with responsive service and always committed to the safety, health and well-being of the Village, its children, and the community at-large.

As we discussed previously on November 11, 2016, the Village is taking the lead on permitting, plan preparation, and contract administration for the subject project. The Village initiated discussions with Cook County Department of Transportation and Highways since Wolf Road is under their jurisdiction. As discussed with the County, the improvements to be provided on Wolf Road include standard flashing pedestrian signals and signs, relocating the electric control pedestal as requested by the school, and other incidental work to complete the project. As project lead, the Village will coordinate further reviews of the detailed plans with the County. Also, the Village will develop bid documents and conduct a competitive bid process to obtain a qualified contractor for this work. The lowest responsive and responsible bidder obtained by this process would be evaluated by the School and Park District before awarding a contract and starting construction.

Following concurrence in the award of the contract, the Village will administer the contract and inspect the construction. As project lead, the Village will be invoiced by the contractor for work completed and accepted by the Village and County. The Village will collect the affidavits, waivers, invoices, and records of payments. All such documentation can be shared with the School and Park District upon request.

In our previous meetings, the School and Park District agreed to share equally in the cost of construction. The current cost for this work is estimated to be \$28,000. Actual cost will be obtained through the competitive bid process.

Maintenance and monitoring of the flashing pedestrian signals will be performed by the County, which additional cost will be the responsibility of the Village. This nominal cost is estimated to be \$200 per year.

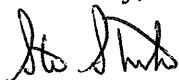
As the Village will be responsible for payments directly to the contractor, the Village would expect the School and Park District to reimburse the Village for such costs. Alternately, these parties separately or jointly, may deposit the full amount of the awarded construction contract with the Village to be used for payment of invoices as they become due.

The Village has applied for a grant that may cover a portion of this project cost through the "Powering Safe Communities" program provided by ComEd and administered through the Metropolitan Mayors Caucus. A successful grant would be in the amount of \$10,000, and the Village should receive its status of an award in mid-June 2017. If the grant is awarded, the amount of the award can be split among all the Village, School and Park District such that all three parties are contributing equally toward the full cost of design and construction of this important project.

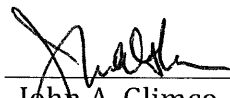
The Village Board of Trustees, at its regular meeting on April 24, 2017, retained an engineering consulting firm, Patrick Engineering Inc., of Lisle, Illinois, to work with the Village in preparing plans and County submittals for this improvement. The contract for engineering services is \$15,820.

Please advise me if you have any difference of understanding as to the agreed upon procedures for this project. Otherwise, please indicate your concurrence by signing the space noted below and returning two (2) originals to the Village.

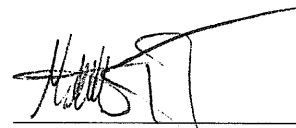
Sincerely,



Steve Stricker
Village Administrator



John A. Glimco
Principal
Pleasantdale Middle School



Matt Russian, CPRP
Executive Director
Pleasant Dale Park District

cc: Mayor and Board of Trustees
David Preissig, P.E. – Director of Public Works



U.S. ENVIRONMENTAL PROTECTION AGENCY

OFFICE OF INSPECTOR GENERAL

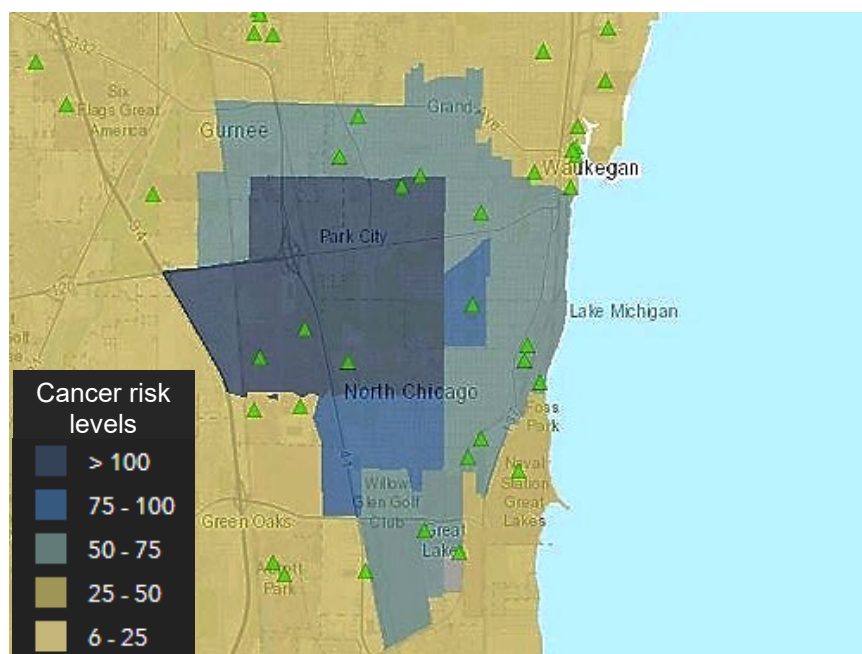
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***Congressionally Requested Report:
Improving air quality***

**EPA Delayed Risk Communication
and Issued Instructions Hindering
Region 5's Ability to Address
Ethylene Oxide Emissions**

Report No. 21-P-0123

April 15, 2021



Report Contributors:

Bao Chuong
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Julie Narimatsu

Abbreviations

ATSDR	Agency for Toxic Substances and Disease Registry
CMS	Clean Air Act Stationary Source Compliance Monitoring Strategy
EPA	U.S. Environmental Protection Agency
FCE	Full Compliance Evaluation
NATA	National Air Toxics Assessment
OAQPS	Office of Air Quality Planning and Standards
OAR	Office of Air and Radiation
OIG	Office of Inspector General

Cover Image: A 2014 National Air Toxics Assessment map of part of Lake County, Illinois, that includes Gurnee and Waukegan. The colors on the map represent the different levels of cancer risk. For example, the dark blue color indicates that the cancer risk is greater than 100 in one million. (EPA image)

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At a Glance

Why We Did This Audit

We received four congressional requests regarding actions by Regions 5 and 6 to address ethylene oxide emissions. In response, we conducted this audit to address:

- Whether the U.S. Environmental Protection Agency complied with all statutory, regulatory, and policy requirements and protocols in disclosing public health information about ethylene oxide emissions from three facilities in Illinois.
- Whether EPA senior political appointees instructed EPA inspectors to avoid conducting inspections at ethylene oxide-emitting facilities across Regions 5 and 6.
- Whether the EPA has conducted inspections at ethylene oxide-emitting facilities in Regions 5 and 6.

In December 2016, the EPA revised its characterization of ethylene oxide to “carcinogenic to humans.”

This audit addresses the following:

- *Improving air quality.*

This audit addresses a top EPA management challenge:

- *Communicating risks.*

Address inquiries to our public affairs office at (202) 566-2391 or OIG_WEBCOMMENTS@epa.gov.

List of [OIG reports](#).

EPA Delayed Risk Communication and Issued Instructions Hindering Region 5’s Ability to Address Ethylene Oxide Emissions

What We Found

The EPA delayed communicating health risks to community residents in Illinois, which is part of EPA Region 5, who lived near ethylene oxide-emitting facilities. Specifically, Office of Air and Radiation leadership delayed informing the Willowbrook, Illinois, community about the results of the EPA’s May 2018 short-term monitoring around the Sterigenics facility and did not conduct public meetings with residents either near the Medline facility in Waukegan, Illinois, or the Vantage facility in Gurnee, Illinois. Outside of the residual risk review process, the Office of Inspector General did not identify any statutory, regulatory, or specific policy requirements or protocols to disclose public health information about ethylene oxide emissions. The EPA’s mission statement and risk communication guidance state, however, that communities should have accurate information to participate in decision-making processes.

The EPA did not achieve its mission when senior leaders issued instructions to Region 5 that impacted the region’s ability to address ethylene oxide emissions and when the EPA delayed communicating health risks regarding ethylene oxide.

According to two Region 5 managers, a then-senior leader in the Office of Air and Radiation, who was a political appointee, instructed Region 5 to not conduct inspections at ethylene oxide-emitting facilities unless invited by the state to conduct a joint inspection. Region 6 managers and inspectors stated that they did not receive such policy instructions. Office of Air and Radiation senior leaders also issued additional instructions that hindered Region 5’s ability to effectively address ethylene oxide emissions, according to Region 5 personnel.

The EPA delegates authority to state, local, and tribal agencies to implement federal environmental programs. The states in Regions 5 and 6 generally inspected major and synthetic minor facilities that emit ethylene oxide from fiscal years 2018 through 2020, according to the frequencies outlined in the EPA’s 2016 *Clean Air Act Stationary Source Compliance Monitoring Strategy* or a state’s alternative Clean Air Act CMS plan.

Recommendations and Planned Agency Corrective Actions

We recommend that the assistant administrator for Air and Radiation develop standard operating procedures describing the roles and responsibilities of the Office of Air and Radiation and EPA regional offices in assessing and addressing air toxics emissions and how the Office of Air and Radiation will work with regional offices to communicate preliminary air toxics risk information to the public. The Agency’s response to the draft report stated that its air toxics strategy would address these recommendations. We reviewed the draft air toxics strategy, and it did not address our concerns. We consider the two recommendations unresolved.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

THE INSPECTOR GENERAL

April 15, 2021

MEMORANDUM

SUBJECT: EPA Delayed Risk Communication and Issued Instructions Hindering Region 5's Ability to Address Ethylene Oxide Emissions
Report No. 21-P-0123

FROM: Sean W. O'Donnell

A handwritten signature in blue ink, reading "Sean W O'Donnell", is placed over the printed name.

TO: Joseph Goffman, Acting Assistant Administrator
Office of Air and Radiation

This is our report on the subject audit conducted by the Office of Inspector General of the U.S. Environmental Protection Agency. The project number for this audit was [OA&E-FY19-0091](#). This report contains findings that describe the problems the OIG has identified and corrective actions the OIG recommends. Final determinations on matters in this report will be made by EPA managers in accordance with established audit resolution procedures.

The Office of Air and Radiation is responsible for the issues discussed in the report.

Action Required

This report contains unresolved recommendations. The resolution process, as described in the EPA's Audit Management Procedures, begins immediately with the issuance of this report. Furthermore, we request a written response to the final report within 60 days of this memorandum. Your response will be posted on the OIG's website, along with our memorandum commenting on your response. Your response should be provided as an Adobe PDF file that complies with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The final response should not contain data that you do not want to be released to the public; if your response contains such data, you should identify the data for redaction or removal along with corresponding justification.

We will post this report to our website at www.epa.gov/oig.

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Chapter 1

Introduction

Purpose

The Office of Inspector General for the U.S. Environmental Protection Agency received four congressional requests (Appendix A) between November 2018 and January 2019 regarding the actions of EPA Regions 5 and 6 to address ethylene oxide emissions. In response to the congressional requests, we conducted this audit to determine:

Top Management Challenge

This audit addresses the following top management challenge for the Agency, as identified in OIG Report No. [20-N-0231](#), *EPA's FYs 2020–2021 Top Management Challenges*, issued July 21, 2020:

- Communicating risks.

- Whether the EPA complied with all statutory, regulatory, and policy requirements and protocols in disclosing public health information about ethylene oxide emissions from the Sterigenics facility in Willowbrook, Illinois (DuPage County); the Medline Industries facility in Waukegan, Illinois (Lake County); and the Vantage Specialty Chemicals facility in Gurnee, Illinois (Lake County).
- Whether EPA senior political appointees instructed EPA inspectors to avoid conducting inspections at ethylene oxide-emitting facilities across Regions 5 and 6.
- Whether the EPA has conducted inspections at ethylene oxide-emitting facilities in Regions 5 and 6.

Background

Ethylene oxide is a flammable and colorless gas used to make chemicals that are needed to manufacture a variety of products, including antifreeze, textiles, plastics, detergents, and adhesives. It is also used to sterilize medical equipment and other items that cannot be sterilized by methods such as steam. A variety of sources emit ethylene oxide, including chemical manufacturing facilities and medical equipment sterilization facilities. The Sterigenics facility and the Medline facility are medical equipment sterilization facilities. The Vantage facility is a chemical manufacturing facility that uses ethylene oxide to produce

The EPA classifies ethylene oxide as carcinogenic to humans, meaning it can cause cancer. Studies show that breathing air containing elevated ethylene oxide levels over many years increases the risk of developing lymphoid cancers in males and females and breast cancer in females.

ingredients for personal care, food, and consumer products, as well as other uses. Ethylene oxide is one of 187 hazardous air pollutants regulated by the EPA.¹ Also known as air toxics, hazardous air pollutants are known or suspected to cause cancer or other serious health effects.

The EPA increased the cancer risk value for ethylene oxide in December 2016 based on studies from the National Institute for Occupational Safety and Health. The EPA estimated the chemical to be 30 times more carcinogenic to adults than previously thought, and the Agency revised ethylene oxide's carcinogenic description from "probably carcinogenic to humans" to "carcinogenic to humans." Studies show that breathing air containing elevated ethylene oxide levels over many years increases the risk of developing lymphoid cancers in males and females and breast cancer in females. For a single year of exposure to ethylene oxide, the risk of developing cancer is greater for children than for adults. This is because ethylene oxide can damage deoxyribonucleic acid, which is hereditary material in humans.

Residual Risk Reviews

The 1990 amendments to the Clean Air Act require the EPA to establish technology-based standards for sources of air toxics and to, within eight years thereafter, review the remaining health risks to the public and establish additional standards to reduce the public's health risk to acceptable levels, if necessary. This regulatory review is known as the residual risk review. Through the residual risk review, the EPA can communicate risks to the public through its regulatory public notice and comment process.

Ethylene Oxide Identified as Significant Health Risk

The EPA periodically conducts the National Air Toxics Assessment, known as NATA, to assess the public health risk from exposure to air toxics. NATA is not required by regulation and is not part of the EPA's regulatory program that addresses air toxics emissions. NATA is a screening tool that can assist the EPA and state, local, and tribal air agencies in identifying geographic areas, pollutants, or emission sources for further examination. Based on the updated cancer risk value for ethylene oxide, the EPA's 2014 NATA identified ethylene oxide as a new and significant driver of cancer risk. The 2014 NATA was released on August 22, 2018, but is based on emission inventories reported for calendar year 2014. The EPA began working on the 2014 NATA in 2016 and used the most recent emission inventories at the time, which were for the calendar year 2014.

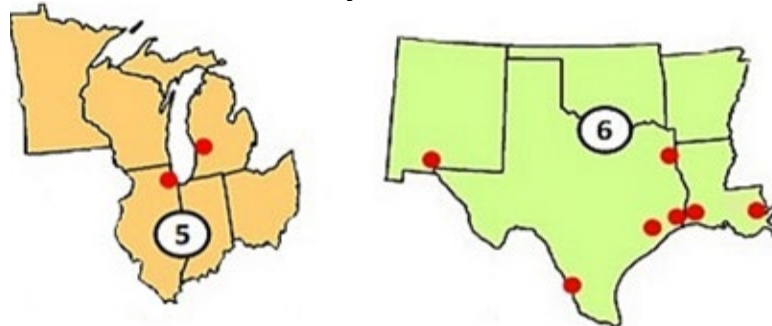
¹ On June 18, 2020, the EPA granted petitions to add 1-bromopropane to the list of air toxics contained in the Clean Air Act. The EPA stated in the petition grant that it will take a separate regulatory action to add 1-bromopropane to the list of air toxics under Clean Air Act Section 112(b)(1). Once this separate regulatory action is completed, the number of listed air toxics will be 188.

The EPA identified census tracts with elevated estimated cancer risks primarily driven by ethylene oxide emissions in 17 metropolitan areas. Census tracts are small, relatively permanent statistical subdivisions of a county with boundaries that normally follow visible features, such as roads and rivers. The U.S. Census Bureau designs census tracts with a goal that each tract contain about 4,000 people and 1,600 housing units.

NATA presents cancer risk estimates based on a cumulative 70-year lifetime exposure. For example, a cancer risk of one in one million implies that if one million people are exposed to the same concentration of a pollutant continuously for 70 years, one person would likely develop cancer from this exposure. This risk would be in addition to any baseline cancer risk of a person not exposed to these air toxics. The EPA generally considers a risk of 100 in one million, or one in 10,000, as not sufficiently protective of public health.

Of the 17 metropolitan areas containing census tracts with cancer risks equal to or greater than 100 in one million, two are in Region 5, while seven are in Region 6 (Figure 1).² The EPA identified three facilities that contributed to elevated estimated cancer risks in Illinois: Sterigenics, Medline, and Vantage.³

Figure 1: Metropolitan areas in Regions 5 and 6 where there is at least one census tract in which ethylene oxide is a main driver of cancer risk



Source: Developed by EPA OIG based on 2014 NATA and information from the EPA. (EPA OIG graphic)

Note: According to the EPA, a facility in New Mexico installed a control device that reduced ethylene oxide emissions prior to the 2014 NATA release.

Responsible Offices

The EPA's Office of Air Quality Planning and Standards, within the Office of Air and Radiation, conducts the NATA. OAQPS works with regional offices and states to ensure the accuracy of the emissions data used in conducting the NATA. EPA regional offices and delegated state and local agencies inspect ethylene oxide-emitting facilities.

² Region 5 states include Illinois, Indiana, Minnesota, Michigan, Ohio, and Wisconsin. Region 6 states include Arkansas, Louisiana, Oklahoma, New Mexico, and Texas.

³ The Vantage facility was not modeled as part of the 2014 NATA because of an error in the National Emissions Inventory.

Scope and Methodology

We conducted our work from March 2019 to February 2021. We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

To address congressional concerns related to risk communication and inspections of ethylene oxide-emitting facilities, we:

- Interviewed staff and managers in OAQPS; Regions 5 and 6, including Clean Air Act inspectors or their supervisors; and the Agency for Toxic Substances and Disease Registry, known as ATSDR.
- Interviewed staff in the Office of Enforcement and Compliance Assurance.
- Reviewed the EPA's *Clean Air Act Stationary Source Compliance Monitoring Strategy*, known as CMS, issued October 4, 2016.
- Reviewed the EPA's *FY2020 – FY2023 National Compliance Initiatives*, issued June 7, 2019.
- Searched the Toxics Release Inventory, Enforcement and Compliance History Online, and Integrated Compliance Information System databases to determine the universe of ethylene oxide-emitting facilities and confirmed the information with regional and state personnel.
- Obtained information from states in Regions 5 and 6 about the most recent full compliance evaluations, or FCEs, conducted at major and synthetic minor facilities when incomplete information was found in the Enforcement and Compliance History Online database.
- Reviewed the Clean Air Act, the EPA's mission statement, the Agency's guidance on risk communication, and regional communications plans.
- Reviewed news media reports related to public concerns about ethylene oxide emissions from the Sterigenics, Medline, and Vantage facilities in Illinois.
- Accessed and reviewed email accounts of key officials in OAR and Region 5 that were pertinent to our audit objectives. The email accounts that the OIG reviewed included content that was in the accounts at the

time the Office of Environmental Information, now the Office of Mission Support, received the OIG's email access request, including deleted and sent/received items from December 2017 to June 2019.

While interviewing staff and managers in Region 5, we learned that OAR senior leaders issued instructions that impacted the region's role in addressing ethylene oxide emissions. We reviewed documents provided to us by Region 5. We discussed these instructions with managers and staff in Region 6 and OAQPS to determine whether they also received these instructions.

Prior Report

EPA OIG Report No. [20-N-0128](#), *Management Alert: Prompt Action Needed to Inform Residents Living Near Ethylene Oxide-Emitting Facilities About Health Concerns and Actions to Address Those Concerns*, issued March 31, 2020, found that while the EPA or state personnel, or both, met with residents living near nine of the 25 high-priority ethylene oxide-emitting facilities, communities near 16 facilities have yet to be afforded public meetings or other direct outreach to learn about the health risks of ethylene oxide and actions being taken to address those risks.

We recommended that the EPA promptly provide all communities near the 25 high-priority ethylene oxide-emitting facilities with a forum for an interactive exchange of information with EPA or state personnel regarding health concerns related to exposure to ethylene oxide. The EPA provided an alternative recommendation and corrective actions that did not meet the intent of the OIG recommendation. Subsequently, the recommendation went into audit dispute resolution, and then-EPA Administrator Andrew Wheeler sided with OAR's proposed corrective action plan, which committed the EPA to, among other things, conduct additional, more refined risk assessments and outreach to affected communities by May 31, 2021.

Chapter 2

EPA Delayed Risk Communication Concerning Health Risks from Ethylene Oxide-Emitting Facilities in Illinois

The EPA delayed communicating preliminary findings of health risks from ethylene oxide-emitting facilities to community residents in Illinois. Moreover, we did not identify any statutory, regulatory, or specific policy requirements or protocols for disclosing public health information related to health risks posed by ethylene oxide-emitting facilities outside of the residual risk review process.

The EPA's mission statement asserts that the Agency works to ensure that "[a]ll parts of society—communities, individuals, businesses, and state, local and tribal governments—have access to accurate information sufficient to effectively participate in managing human health and environmental risks." The EPA's risk communication guidance also states that communities have the right to participate in decision-making processes that affect their lives and livelihoods.⁴

The EPA's actions have not been consistent with its mission or guidance on risk communication. Data from the short-term monitoring that the EPA conducted in May 2018 around the Sterigenics facility indicated elevated risks to people exposed to ethylene oxide for a lifetime, which is assumed to be 70 years, but the Agency chose to delay informing the community. In addition, the Agency did not conduct public meetings with residents near the Medline and the Vantage facilities.

Communities Should Have Access to Information to Help Manage Health Risks

Outside of the residual risk review process, we did not identify any statutory, regulatory, or specific policy requirements or protocols for disclosing public health information related to health risks posed by ethylene oxide-emitting facilities. The EPA has a regulatory process in place to conduct residual risk reviews to assess the health and environmental risks that remain after the implementation of technology-based standards limiting air toxics emissions. Employing this regulatory process, the EPA can communicate risks to the public through its regulatory public notice and comment process.

Commercial sterilizers, such as the Sterigenics and Medline facilities, are among the 119 types of industrial sources, referred to as source categories, that require residual risk reviews. The EPA finalized its residual risk review of commercial

⁴ EPA, *Risk Communication in Action—the Tools of Message Mapping*, EPA/625/R-06/012, August 2007.

sterilizers in April 2006. In 2016, the EPA’s Office of Research and Development found that ethylene oxide was more toxic than previously known and determined it was carcinogenic to humans. An EPA manager stated that while the Agency is required to conduct a review of technology-based standards every eight years, it is not required to conduct additional residual risk reviews. Therefore, the public may not have updated risk information in cases where residual risk reviews for a source category were conducted before the EPA discovered that the risk level of a pollutant increased.

The EPA’s mission is to protect human health and the environment. The EPA achieves its mission in part by ensuring that all parts of society, such as communities and individuals, have “access to accurate information sufficient to effectively participate in managing human health and environmental risks.”⁵ In our *EPA’s FYs 2020–2021 Top Management Challenges* report, we noted that one of the EPA’s management challenges is communicating risk to allow the public to make informed decisions about its health and environment. Then-Acting Administrator Wheeler identified risk communication as one of his top priorities in his July 2018 speech to EPA employees, stating:

Risk communication goes to the heart of EPA’s mission of protecting public health and the environment. ... We must be able to speak with one voice and clearly explain to the American people the relevant environmental and health risks that they face, that their families face and that their children face.

Further, the EPA’s risk communication guidance states that one of the seven “cardinal rules” of risk communication is to accept and involve the public as a legitimate partner.⁶ The guidance also states that communities have the right to participate in decision-making processes that affect their lives and livelihoods.

To adhere to its mission statement and risk communication principles, the EPA should assure that all impacted communities are provided an opportunity to engage in an interactive exchange of information with the EPA and state agencies to more fully understand the health concerns related to ethylene oxide exposure and the actions that the EPA is taking to address those concerns.

OAR Leadership Delayed Informing Willowbrook Community About Results from Short-Term Monitoring of Sterigenics

After learning about the elevated estimated cancer risks from ethylene oxide emissions from point sources, which are generally large stationary sources, in the draft 2014 NATA, Region 5 wanted to confirm the emissions data used in the

⁵ EPA [website](#), *Our Mission and What We Do*, last updated on February 7, 2018.

⁶ EPA, *Risk Communication in Action—the Risk Communication Workbook*, EPA/625/R-05/003, August 2007; EPA, *Risk Communication in Action—the Tools of Message Mapping*, EPA/625/R-06/012, August 2007.

draft 2014 NATA. Because OAQPS did not allow regions to disclose the draft 2014 NATA data to external stakeholders except states, Region 5 conducted its own internal modeling of Sterigenics and Elé, a chemical plant in McCook, Illinois, in November 2017. According to Region 5 staff, these two facilities were chosen, in part, because they represent two types of ethylene oxide-emitting sources—commercial sterilizers and chemical plants. The internal modeling confirmed that the two facilities had the potential to contribute to elevated cancer risks.

In December 2017, Region 5 sent letters to Sterigenics and Elé requesting their review of the modeling results and their suggestions for improvements for modeling accuracy. The Illinois Environmental Protection Agency received copies of the letters. From January to March 2018, Region 5 communicated with Sterigenics until Sterigenics stopped communicating with the region. Region 5 also communicated with Elé during this time period, and it took Elé until June 2018 to provide corrections to the modeling parameters.

Without information from Sterigenics to verify that the inputs for the Region 5 internal modeling were accurate, Region 5, with funding assistance from OAQPS, conducted monitoring for ethylene oxide near the Sterigenics facility May 16–18, 2018. Region 5 chose to monitor around the Sterigenics facility because:

- Region 5 has a warehouse next to the facility and would not have any issues with access rights to the property. This allowed the region to install monitors around the warehouse and the meteorological station on the warehouse's rooftop.
- It would allow the region to determine whether ethylene oxide could be detected using an EPA monitoring method and identify the levels of ethylene oxide, if any, present in the outdoor air.

After the monitoring data were received and reviewed, Region 5 provided the monitoring and modeling data to the ATSDR, which is another federal agency, and requested that it review the data.

Table 1 is a timeline of key events regarding the short-term monitoring around the Sterigenics facility.

Table 1: Timeline of key events preceding and following the May 16–18, 2018 short-term monitoring around the Sterigenics facility

Date	Event
November 2017	Region 5 conducted internal modeling of the Sterigenics and Elé facilities.
12/22/17	Region 5 sent letters to Sterigenics and Elé requesting information and copied the Illinois Environmental Protection Agency on the letters.
January–March 2018	Region 5 communicated with the Sterigenics facility until the facility stopped communicating with the region.
February–March 2018	Region 5 and OAQPS jointly designed a monitoring plan.
5/16/18–5/18/18	Region 5 conducted monitoring around the Sterigenics facility.
5/30/18	Region 5 received preliminary monitoring data.
6/15/18	Region 5 completed quality assurance and quality control of the monitoring data.
6/20/18	The then-Region 5 regional administrator was briefed on the monitoring data and directed staff to prepare a website to post the monitoring data and a press release.
6/22/18	The then-assistant administrator for Air and Radiation directed the then-Region 5 regional administrator to not release monitoring results to the public. The then-regional administrator complied with this direction. The then-Region 5 acting deputy regional administrator sent an email regarding the monitoring results to staff working at the Region 5 Willowbrook site.
7/26/18	The ATSDR submitted a Letter Health Consultation of the Sterigenics facility's ethylene oxide emissions to a Region 5 manager, indicating that the facility would present a public health hazard to people living and working in Willowbrook "if measured and modeled data represent typical [ethylene oxide] ambient concentrations in ambient air." ^a
8/21/18	The ATSDR posted a Letter Health Consultation of Sterigenics facility's ethylene oxide emissions on its website.
8/22/18	The EPA released the 2014 NATA, posting the data on its website. The Region 5's webpage on Sterigenics facility monitoring was online for about an hour before the then-deputy assistant administrator for Air and Radiation directed Region 5 to take the webpage down.
8/29/18	The EPA, the Illinois Environmental Protection Agency, the ATSDR, and Sterigenics met with the Willowbrook community.
10/2/18	A revised webpage with less information on the Sterigenics facility was posted.

Source: Developed by EPA OIG based on information from the EPA and OIG analysis of EPA information. (EPA OIG table)

^a An ATSDR Letter Health Consultation is a verbal or written response from ATSDR to a specific request for information about health risks related to a specific site, a chemical release, or the presence of hazardous material.

OAR Senior Leader Delayed Public Release of May 2018 Sterigenics Willowbrook Facility Monitoring Results

On June 20, 2018, the then-Region 5 regional administrator was briefed on the monitoring results. These monitoring results showed ambient ethylene oxide concentrations that would lead to increased cancer risk if people were exposed for a lifetime. According to a Region 5 manager who attended the briefing, the then-Region 5 regional administrator expressed concern about the monitoring results and wanted to immediately release them to the public to avoid another public health emergency like the Flint, Michigan drinking water crisis.

Region 5 staff were directed to prepare a public webpage to post the monitoring results and develop a press release. Region 5 planned to release the monitoring

results to the public on June 22, 2018. The then-assistant administrator for Air and Radiation delayed Region 5 from releasing the monitoring results because, according to Region 5 staff, the 2014 NATA had not been released, and the then-assistant administrator for Air and Radiation wanted to release both sets of data at the same time.

Despite not being allowed to release the monitoring results to the public, the then-acting deputy regional administrator for Region 5 informed staff working at its Willowbrook site of the monitoring results on June 22, 2018, stating that the measured ethylene oxide concentrations “do not pose an immediate health risk” and that the “EPA plans to conduct additional work to ensure that it understands the source and long-term exposure of [ethylene oxide] in the area, including any effects on indoor air quality.” According to the ATSDR, if the measured ethylene oxide concentrations persisted long-term, then the ethylene oxide emissions from the Sterigenics facility would present a public health hazard to people living and working in Willowbrook.

OAR Senior Leader Directed Region 5 to Take Down Its Sterigenics Webpage, and Key Information Was Removed Before Webpage Was Reposted

OAR senior leaders wanted to release the 2014 NATA and the ATSDR’s Sterigenics facility Letter Health Consultation around the same time because the Letter Health Consultation discussed the NATA data. The ATSDR released the Sterigenics facility Letter Health Consultation on August 21, 2018. The next day, the EPA released the 2014 NATA results to the public. At the same time, Region 5 posted the following information on its Sterigenics facility webpage:

- Background information on ethylene oxide, what the facility is, the facility’s history, and why the EPA is involved.
- The May 2018 monitoring results showing high ethylene oxide concentrations and the health impacts from exposure to ethylene oxide.
- Details on how the EPA was responding, including efforts with the State of Illinois on working with the Sterigenics facility to reduce ethylene oxide emissions.
- Documents related to the Sterigenics facility, including a link to the ATSDR’s Letter Health Consultation.

About an hour after the information was posted, the then-deputy assistant administrator for Air and Radiation directed Region 5 to take down the webpage because, according to an OAQPS manager, it was not similar to the Region 6 webpage on the Denka facility. The Denka facility is the only facility in the United States that produces a class of synthetic rubber called “neoprene,” which is

made from chloroprene, a likely human carcinogen. Region 6 developed a webpage on the Denka facility to communicate elevated cancer risks from the facility found in the 2011 NATA. According to Region 5 staff, the Sterigenics webpage was modeled after the Denka facility webpage. We reviewed the webpage that was taken down and determined that it was similar to the current Denka facility webpage.

According to Region 5 staff, after the webpage was taken down, all that remained on the Region 5 website concerning the Sterigenics facility were the May 2018 monitoring results and the link to the ATSDR Letter Health Consultation. Without the background information on the Sterigenics facility, the public did not have any context regarding monitoring results or the ATSDR Letter Health Consultation. In September 2018, OAQPS took over communicating with the Sterigenics facility from Region 5. Region 5 revised the Sterigenics facility webpage based on input from OAR and posted it on October 2, 2018. We determined that the webpage as of January 15, 2021, did not include all the details that were in the original webpage, including the statement that the EPA has determined ethylene oxide to be carcinogenic to humans.

State and Local Agencies Communicated Risks to Residents Near Medline and Vantage Facilities

On August 29, 2018, the EPA, the Illinois Environmental Protection Agency, the ATSDR, and Sterigenics attended a public meeting with residents living near the Sterigenics facility in Willowbrook. The EPA, however, did not hold similar meetings in Lake County, which is the location of the Medline and Vantage facilities. The EPA's then-assistant administrator for Air and Radiation explained in a May 29, 2019 public meeting in Burr Ridge, Illinois, that Medline had taken concrete steps to address its ethylene oxide emissions, including agreeing to install additional controls. Questions regarding the Vantage facility were deferred to the state.

Although the EPA did not hold meetings with residents near the Medline or Vantage facilities, the following public meetings were held in Lake County:

- On May 23, 2019, the Illinois Environmental Protection Agency held a public meeting with residents living near the Medline facility. The meeting focused on the state's draft construction permit for Medline that required the facility to install controls and emissions monitors and limited total ethylene oxide emissions to 150 pounds annually.
- On October 2, 2019, Illinois State Senator Melinda Bush held a meeting with Lake County residents to discuss ethylene oxide emissions from the Vantage and Medline facilities. ATSDR staff also attended.

- On November 14, 2019, the Illinois Environmental Protection Agency held a public meeting with residents living near the Vantage facility. The meeting focused on the state's draft construction permit for Vantage that required enhanced leak detection and repair and limited total facility ethylene oxide emissions to 110 pounds annually.

Region 5 staff said that its Office of Regional Counsel and Office of External Communications staff attended these three meetings but did not participate or provide information. The 2019 fall meetings occurred more than a year after the NATA was released and the EPA first met with the residents near the Sterigenics facility. According to the news media, residents near the Medline and Vantage facilities were concerned that they first learned of their risks from ethylene oxide emissions six months after the August 29, 2018 public meeting for residents near the Sterigenics facility in Willowbrook. They were also concerned that they learned about the risks from news media and not from government officials.

Although the first public meetings with residents in Lake County did not occur until 2019, the EPA met with Lake County public officials on November 28, 2018. The EPA also met with the organization "Stop EtO in Lake County" on July 8, 2019, and April 2, 2020.

Conclusion

The EPA did not act consistently with its mission or guidance on risk communication because it delayed informing the Willowbrook community about the results from the May 2018 short-term monitoring around the Sterigenics facility. Further, the Agency did not actively conduct outreach with residents living near the Medline and Vantage facilities. Instead, state and local agencies communicated risks to these communities.

Recommendation

We recommend that the assistant administrator for Air and Radiation:

1. Develop standard operating procedures describing how the Office of Air and Radiation will work with EPA regional offices to communicate preliminary air toxics risk information, including elevated risks found in the National Air Toxics Assessment, to the public so that communities are promptly informed of potential health concerns.

Agency Response and OIG Assessment

The Agency provided corrective actions and a milestone for Recommendation 1. OAQPS is establishing an air toxics strategy that will discuss how it will address emerging air toxics issues and how those issues will be elevated and handled within OAQPS, EPA regions, and external stakeholders. The strategy will also

include a framework to improve internal and external communication, coordination, and collaboration on air toxics. After reviewing and being briefed on the draft strategy, we determined that it does not address our concerns about how OAR will work with EPA regional offices to communicate preliminary air toxics risk information to the public so that communities are promptly informed of potential health concerns. The recommendation is unresolved.

Appendix B contains OAR's response to the draft report. OAR and Region 5 also submitted technical comments on the draft report. We have considered those comments and updated the report as appropriate.

Chapter 3

OAR Senior Management Hindered Region 5's Ability to Address Ethylene Oxide Emissions and Achieve EPA's Mission

An OAQPS manager relayed policy instructions from an OAR senior political appointee to Region 5 to not conduct inspections at ethylene oxide facilities unless invited by the state, according to two Region 5 managers. These policy instructions were relayed after one Region 5 manager asked whether the region could inspect or send out Clean Air Act Section 114 letters to ethylene oxide facilities.⁷ According to one Region 5 manager, an OAR senior political appointee wanted the region to address ethylene oxide emissions through regulatory or voluntary control efforts and not enforcement tools, such as on-site inspections or Clean Air Act Section 114 letters.

While interviewing staff and managers in Region 5, we learned that OAR senior leaders issued other instructions that impacted Region 5's role in addressing ethylene oxide emissions. These oral instructions were for Region 5 to:

- Not send Clean Air Act Section 114 letters to facilities.
- Limit ambient air monitoring for ethylene oxide to the Sterigenics facility.
- Not seek the ATSDR's assistance for toxicological or health assessments and risk communication.
- Coordinate with OAQPS before starting any modeling of facility emissions.

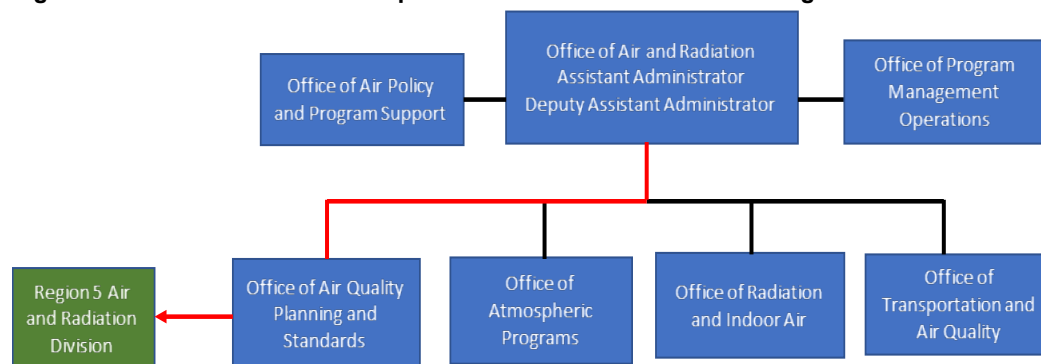
OAR Senior Political Leader Instructed Region 5 Not to Conduct Inspections Unless Invited by the State

After the then-assistant administrator for Air and Radiation delayed Region 5 from informing the Willowbrook community about the results of the May 2018 short-term monitoring around the Sterigenics facility and OAQPS took over communicating with the Sterigenics facility on ethylene oxide issues in September 2018, Region 5 staff started asking OAR headquarters for permission before conducting ethylene oxide-related activities. For example, in September 2018, a Region 5 manager asked an OAQPS manager whether the region could conduct inspections at ethylene oxide-emitting facilities. According to Region 5, the OAQPS manager asked the then-deputy assistant administrator for Air and Radiation and then orally relayed instructions to two Region 5 managers to not conduct any inspections at ethylene oxide-emitting facilities

⁷ To inform the development of National Emission Standards for Hazardous Air Pollutants and for other Clean Air Act purposes, Section 114 of the Clean Air Act authorizes the EPA to require regulated entities to develop and submit a broad range of information, as well as to install monitoring equipment and sample emissions.

unless invited by the state. Figure 2 shows the dissemination of the inspection instruction from OAR to Region 5.

Figure 2: Dissemination of the inspection instruction from OAR to Region 5



Source: Developed by OIG based on information from the EPA. (EPA OIG image)

Note: Red line shows how the inspection instruction went from OAR to Region 5.

The Region 5 manager orally relayed this information to other Region 5 managers, who were responsible for relaying the information to the inspectors. According to Region 5 personnel, OAQPS personnel had directed Region 5 to not conduct inspections at ethylene oxide facilities because the region did not follow EPA headquarters two-pronged approach, which includes reviewing regulations pertaining to facilities that emit ethylene oxide and collecting information from facilities.

Region 5 personnel orally communicated to one state agency and one local agency that OAR headquarters directed Region 5 to not inspect ethylene oxide facilities unless invited by a state. Within one day, these agencies emailed Region 5 requesting the region's presence and assistance with on-site inspections at ethylene oxide-emitting facilities because of the region's expertise.

EPA's Two-Pronged Approach to Address Ethylene Oxide Emissions

Regulatory review. The first prong of the EPA's approach is to review existing air emissions regulations pertaining to facilities that emit ethylene oxide.

Information gathering. The second prong of the EPA's approach is to work closely with state and local air agencies to gather additional information on facility emissions to determine whether more immediate emission reduction steps are needed.

By contrast, Region 6 managers and inspectors stated that they did not receive instructions to not inspect ethylene oxide facilities unless invited by a state. While Region 6 had its states take the lead in assessing ethylene oxide emissions from facilities, Region 5 had conducted modeling of the Sterigenics and Elé facilities, communicated with the two facilities to ensure modeling accuracy, and conducted ambient monitoring at the Sterigenics facility. OAQPS personnel were aware of Region 5's actions, and Region 5 personnel believed that it was up to OAQPS personnel to decide which issues OAR senior political appointees were briefed on.

The instructions from OAR leadership prevented Region 5 personnel from initiating inspections at ethylene oxide facilities to address potential noncompliance with emission standards unless the state invited them. For example, Region 5 informed the Michigan Department of Environmental Quality—now the Michigan Department of Environment, Great Lakes, and Energy—about the instructions and was invited by the department to participate in an inspection at a Michigan facility. Region 5 participated in the inspection on October 12, 2018.

OAR Issued Additional Instructions that Restricted Region 5's Ability to Fulfill EPA's Mission

While collecting information to address our objective, we learned that OAR senior political appointees orally issued other instructions that impacted Region 5's role in addressing ethylene oxide emissions, some of which impacted other regions as well. We deemed this information relevant to the scope of our work and have included it in this report. These instructions included:

- Not to send Clean Air Act Section 114 letters to facilities.
- Limit ambient air monitoring for ethylene oxide to the Sterigenics facility.
- Not to seek the ATSDR's assistance for toxicological or health assessments and risk communication.
- Coordinate with OAQPS before starting any modeling of facility emissions.

The EPA's mission is "to protect human health and the environment." The Agency achieves its mission by ensuring, among other things, that:

- "Americans have clean air, land and water."
- "All parts of society--communities, individuals, businesses, and state, local and tribal governments--have access to accurate information sufficient to effectively participate in managing human health and environmental risks."

These instructions hindered Region 5's ability to effectively address ethylene oxide emissions in a timely manner.

OAR Senior Leaders Prevented OAQPS and Region 5 from Sending Clean Air Act Section 114 Letters to Facilities

OAR senior political appointees did not allow OAQPS and Region 5 to obtain information from ethylene oxide-emitting facilities through Clean Air Act Section 114 letters. Instead, those senior political appointees instructed Region 5 to obtain information voluntarily from ethylene oxide-emitting facilities through phone calls, emails, and letters delivered through the postal service or another delivery service. The Sterigenics and Elé facilities were unresponsive to these informal information

OAR's denial of Region 5's request to send Clean Air Act Section 114 letters to ethylene oxide-emitting facilities led to delays in the EPA obtaining critical information to further evaluate the cancer risks attributed to ethylene oxide emissions from these facilities.

requests, so Region 5 asked OAR headquarters whether the region could send out Clean Air Act Section 114 letters requiring the information. OAR headquarters did not approve the request.

OAQPS staff told us that they asked the then-assistant administrator for Air and Radiation for permission to send Clean Air Act Section 114 letters to multiple miscellaneous organic chemical manufacturing facilities with ethylene oxide emissions to obtain information for the miscellaneous organic chemical manufacturing risk and technology review proposed rule, which was in development. According to OAQPS staff, the then-assistant administrator for Air and Radiation allowed OAQPS to send one Clean Air Act Section 114 letter in November 2018 to the Lanxess facility in South Carolina that had one of the highest source category risk driven by ethylene oxide emissions. This Clean Air Act Section 114 letter included requirements for stack testing to quantify ethylene oxide emissions from certain emission points but did not include an OAQPS-requested requirement to monitor for fugitive emissions.

Region 5 Instructed to Not Conduct Monitoring for Ethylene Oxide

With the exception of the Sterigenics facility, where Region 5 conducted monitoring from November 2018 to March 2019, OAR instructed Region 5 not to conduct any new air monitoring for ethylene oxide. According to notes from a March 13, 2019 meeting, OAQPS managers and staff told a Region 5 manager that the then-assistant administrator for Air and Radiation said that:

- Modeling is a better tool for assessing risk.
- Monitoring would slow down the regulatory process.

According to Agency personnel, modeling is preferred over monitoring because of the detection limits associated with ethylene oxide monitoring. The detection limit of the EPA's contract laboratory performing this method, during the time of the Sterigenics monitoring, would have equated to a cancer risk well in excess of 100 in one million. According to an OAQPS manager, the EPA is working to improve the method detection limit because a non-detect does not mean that the risk is equal to or lower than 100 in one million. In the meantime, modeling would provide a more complete spatial and temporal assessment compared to monitoring, according to Agency personnel.

According to Region 5 staff, in August 2018, the EPA committed to conducting ambient monitoring around the Sterigenics facility. The EPA conducted monitoring from November 2018 through March 2019 despite the detection limitations. The monitoring results demonstrated that the facility's emissions were above the detection limit and higher than expected based on the September 2018 stack test data.

The Illinois Environmental Protection Agency found that the measured ambient ethylene oxide levels at the Sterigenics facility were an imminent and substantial endangerment to public health or welfare and issued a “seal order” in February 2019, which “sealed” the facility’s ethylene oxide storage containers, restricting access to them. This access restriction prevented facility personnel from introducing ethylene oxide into the sterilization process.

The monitoring results suggested that fugitive emissions were likely the source of the high ambient concentrations given that the September 2018 stack test had shown that chamber back vent emissions had been controlled after being routed to existing control equipment. According to the EPA, the likely source of the majority of fugitive emissions at the Sterigenics facility was the off-gassing of sterilized products in uncontrolled areas of the facility. Fugitive emissions are generally not captured by emission control equipment or detected through normal equipment monitoring processes. Leaks are one source of fugitive emissions and are most often associated with equipment used for the movement of fluids and gases, such as pumps, valves, and connectors.

OAR Instructed Region 5 to Not Seek ATSDR’s Assistance

Region 5 commonly sought the ATSDR’s assistance for various risk assessment needs. Among a number of statutory mandates, the ATSDR also has responsibilities in the areas of public health assessments, the establishment and maintenance of toxicologic databases, and information dissemination. According to Region 5 personnel, an OAR senior leader instructed Region 5’s Air and Radiation Division to no longer consult with the ATSDR and said that OAQPS would handle risk communication because the office is fully staffed with toxicologists. An OAQPS manager was not aware of who gave those instructions and stated that federal agencies should not be “providing different voices to the public.”

Region 5 Was Instructed to Coordinate with OAQPS Before Starting Any Modeling of Facility Emissions

According to Region 5 personnel, an OAQPS manager told Region 5 to coordinate with OAQPS before conducting any modeling of ethylene oxide emissions.

Impact of OAR’s Instructions on Region 5 and Public Health

The instructions from OAR ultimately hindered Region 5’s ability to protect human health from ethylene oxide emissions in a timely manner. Region 5 could not assess potential noncompliance of emission standards with inspections. Furthermore, Region 5’s inability to send Clean Air Act Section 114 letters to facilities allowed Sterigenics and Elé to delay providing critical information to the EPA that was needed to assess their ethylene oxide emissions and determine the

current cancer risk attributed to these emissions. While the Sterigenics facility is no longer in operation as of November 2020, the EPA was still assessing Elé's emissions nearly three years after Region 5 first communicated with Elé about the internal modeling results. According to Region 5, Region 5 and the Illinois Environmental Protection Agency will continue to investigate Elé, and additional follow-up is planned for 2021.

According to a Region 5 manager, the OAR instructions impacted Region 5's relationship with the Illinois Environmental Protection Agency, companies, and the ATSDR. For example, Region 5 personnel did not know that Illinois planned to issue a seal order to the Sterigenics facility until the order was reported by the news. The relationship with companies was likely impacted because companies understood that the EPA would not require them to provide additional information about their emissions since OAR would not allow Region 5 to issue Clean Air Act Section 114 letters. Further engagement, however, with companies and the state was necessary to fully address risks. Without effective relationships with companies or the state, the EPA lacked timely, accurate information about these facilities.

Conclusion

OAR senior leaders issued instructions that hindered Region 5's efforts to address ethylene oxide in a timely manner. OAR senior leaders' intervention to prevent Region 5 from gathering information and communicating with ethylene oxide-emitting facilities delayed the public from receiving timely, accurate information about health risks from ethylene oxide emissions.

Recommendation

We recommend that the assistant administrator for Air and Radiation:

2. Develop standard operating procedures describing the roles and responsibilities of the Office of Air and Radiation and regional offices in assessing and addressing air toxics emissions contributing to health risks, as found in the National Air Toxics Assessment or other studies.

Agency Response and OIG Assessment

The Agency provided corrective actions and a milestone to address Recommendation 2. As part of its air toxics strategy, OAQPS has already established three teams and an Air Toxics Council to improve its methods of communication, coordination, and collaboration around air toxics issues, both within OAQPS and with regional offices. One team under the strategy includes regional representatives, but the others only include cross-divisional OAQPS staff. After reviewing and being briefed on the draft strategy, we determined that the draft strategy does not provide specific information about roles and responsibilities, and the recommendation remains unresolved.

The Agency's response to our draft report is in Appendix B. The Agency also provided specific technical suggestions for our consideration, and we revised the report as appropriate.

Chapter 4

States in Regions 5 and 6 Have Generally Conducted Inspections of Ethylene Oxide-Emitting Facilities as Specified in Their CMS

The states in Regions 5 and 6 generally inspected major and synthetic minor facilities that emit ethylene oxide from fiscal years 2018 through 2020, according to the frequencies outlined in the EPA's CMS or a state's alternative Clean Air Act CMS plan. The states in Regions 5 and 6 conducted FCEs at 75 ethylene oxide-emitting facilities from fiscal years 2018 through 2020. The EPA conducted 12 on-site partial compliance evaluations of ethylene oxide-emitting facilities in Region 5 and 6 states during the same time period. Partial compliance evaluations are more targeted evaluations and generally less time-consuming and resource-intensive than FCEs.

An FCE is a comprehensive evaluation that assesses facility compliance as a whole, resulting in a compliance determination. An FCE addresses all regulated pollutants at all regulated emission units.

Title V of the Clean Air Act requires all major sources and a limited number of minor sources to have approved operating permits that outline what facilities must do to control air pollution. States delegated with implementing and enforcing the Title V operating permit program, which include all Region 5 and 6 states, are responsible for issuing permits and enforcing their requirements.

FCE Frequencies for Stationary Sources Are Outlined in CMS

The EPA's CMS focuses on federally enforceable requirements for Title V major sources and synthetic minor sources that emit or have the potential to emit at or above 80 percent of the Title V major source threshold. Major source thresholds for air toxics are emissions of ten tons per year for a single hazardous air pollutant or 25 tons per year of any combination of hazardous air pollutants.

According to the EPA's CMS guidance, states and local agencies should conduct an FCE, at a minimum:

- Once every two fiscal years at all Title V major sources, except those classified as mega-sites.
- Once every three fiscal years for mega-sites.
- Once every five fiscal years at synthetic minor sources, which are sources that emit or have the potential to emit at or above 80 percent of the Title V major source threshold.

These recommended FCE frequencies apply to EPA regions that directly implement the Clean Air Act in Indian Country or U.S. territories. The CMS only recommends FCE frequencies for major and synthetic minor facilities and not for minor facilities. Some ethylene oxide-emitting facilities are minor facilities, including Sterigenics, Vantage, Medline, and Elé.

According to the EPA's CMS guidance, each state submits a plan, known as a CMS plan, every two years at a minimum to implement its CMS. States may request and receive approval from their respective EPA region for alternative time frames to conduct FCEs for their major and synthetic minor facilities, which are incorporated into a state's CMS plan.

States in Regions 5 and 6 Have Generally Conducted FCEs for Major and Synthetic Minor Ethylene Oxide-Emitting Facilities

The states in Regions 5 and 6 generally conducted FCEs of ethylene oxide-emitting facilities according to the frequencies outlined in the EPA's CMS or alternative monitoring strategies approved by the regions from fiscal years 2018 to 2020. These states conducted FCEs at 75 ethylene oxide-emitting facilities from fiscal years 2018 to 2020. The EPA conducted 12 on-site partial compliance evaluations at ethylene-oxide emitting facilities during that same time period.

Conclusion

States in Regions 5 and 6 conducted FCEs of major and synthetic minor ethylene oxide-emitting facilities according to the frequencies outlined in the EPA's CMS or states' alternative Clean Air Act CMS from fiscal years 2018 through 2020.

Status of Recommendations and Potential Monetary Benefits

RECOMMENDATIONS							Potential Monetary Benefits (in \$000s)
Rec. No.	Page No.	Subject	Status ¹	Action Official	Planned Completion Date		
1	12	Develop standard operating procedures describing how the Office of Air and Radiation will work with EPA regional offices to communicate preliminary air toxics risk information, including elevated risks found in the National Air Toxics Assessment, to the public so that communities are promptly informed of potential health concerns.	U	Assistant Administrator for Air and Radiation			
2	19	Develop standard operating procedures describing the roles and responsibilities of the Office of Air and Radiation and regional offices in assessing and addressing air toxics emissions contributing to health risks, as found in the National Air Toxics Assessment, other studies, or public complaints.	U	Assistant Administrator for Air and Radiation			

¹ C = Corrective action completed.

R = Recommendation resolved with corrective action pending.

U = Recommendation unresolved with resolution efforts in progress.

Congressional Requests to the OIG

November 1, 2018 Request from Senators Durbin and Duckworth and Congressman Foster

Congress of the United States

Washington, DC 20510

November 1, 2018

The Honorable Charles Sheehan
Acting Inspector General
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Acting Inspector General Sheehan,

We officially request the Office of the Inspector General of the U.S. Environmental Protection Agency (EPA) investigate if EPA complied with all statutory, regulatory, and policy requirements and protocols when it intentionally withheld critical health information from the public about carcinogenic air pollution from the Sterigenics facility in DuPage County, Illinois. We are concerned that the agency failed to take swift action to protect the health of a community that suffers from some of the highest cancer risks in the nation.

The 2016 Integrated Risk Information System report found ethylene oxide (EtO) to be much more carcinogenic at lower concentrations than previously thought. As a result, the 2014 National Air Toxics Assessment showed that DuPage County residents have an increased cancer risk from EtO exposure. In December 2017, EPA sent a letter to Sterigenics linking high cancer risks in the area to EtO emissions from the facility. However, EPA decided to withhold this vital information from the public for eight months.

An investigation is necessary to determine whether proper measures were taken to protect the lives of those affected by EtO emissions from the facility, to hold officials accountable, and to assure that proper protocol is followed in the future if any similar situation arises.

The EPA is responsible for protecting human health with safeguards to assure our nation has clean and safe air, water, and environment for all Americans. Making certain that proper action is taken when it is discovered that a community is facing a public health risk, is essential for the public to have confidence that the EPA is doing its job.

We look forward to your prompt response to this urgent request for a comprehensive investigation.

Sincerely,


RICHARD J. DURBIN
United States Senator


TAMMY DUCKWORTH
United States Senator


BILL FOSTER
United States Representative

November 7, 2018 Request from Senator Durbin

RICHARD J. DURBIN

ILLINOIS

DEMOCRATIC WHIP

COMMITTEE ON APPROPRIATIONS

COMMITTEE ON THE JUDICIARY

COMMITTEE ON RULES
AND ADMINISTRATION

United States Senate
Washington, DC 20510-1304

November 7, 2018

The Honorable Charles Sheehan
Acting Inspector General
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Acting Inspector General Sheehan,

I write to follow up on a request from November 1 and ask the Office of the Inspector General of the U.S. Environmental Protection Agency (EPA) to investigate if statutory authority and proper protocols were followed when critical health information about carcinogenic ethylene oxide pollution from two additional facilities—Medline Industries, Inc. in Waukegan and Vantage Specialty Chemicals, Inc. in Gurnee—was intentionally withheld from residents in Lake County, Illinois.

After the findings of the 2016 Integrated Risk Information System report that indicated ethylene oxide (EtO) is much more carcinogenic at lower concentrations than previously thought, EPA acknowledged the increased risks but did not inform residents in DuPage and Lake counties of facilities near them that use and emit EtO and how those emissions could cause long-term health concerns. This news is especially concerning as Vantage Specialty Chemicals has not reported its most recent EtO emissions, as it is required to do, and previous reports show that Vantage released more EtO than both Sterigenics and Medline.

Withholding this vital public health information from the communities with potentially high EtO exposure is unacceptable. The residents need reassurance that the EPA has their best interests in mind and is taking the proper steps to ensure the air they breathe is clean.

For this reason, I ask you expand the scope of my previously requested investigation to include the facilities in Lake County. I look forward to your prompt response.

Sincerely,



RICHARD J. DURBIN
United States Senator

January 17, 2019 Request from Senators Duckworth, Carper, and Durbin

United States Senate

WASHINGTON, DC 20510

January 17, 2019

VIA ELECTRONIC DELIVERY

Mr. Charles J. Sheehan
Acting Inspector General
Office of the Inspector General
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Acting Inspector General Sheehan:

We write to request that the U.S. Environmental Protection Agency (EPA) Office of Inspector General (OIG) immediately initiate an independent investigation into a serious allegation of misconduct involving failure to protect public health. Senator Duckworth's staff recently received information alleging that EPA senior political appointees instructed career civil servants to avoid conducting inspections in Region 5 of facilities that emit Ethylene Oxide (EtO), a known carcinogen.

A review of public source reporting from EPA's official website appears to confirm EPA has failed to conduct inspections of EtO emitting facilities over the past six months across Region 5 and the Country, despite recent incidents involving dangerous exposure to this carcinogenic chemical. This fact pattern is concerning in and of itself. However, if the lax inspection and enforcement activity is a result of politically-motivated interference overriding recommendations of career staff, that would elevate our concerns from simple poor performance to potential outright misconduct by political appointees.

Accordingly, we urge the EPA OIG to swiftly begin a thorough independent investigation into allegations that senior EPA political appointees instructed or impeded investigations of facilities that emit EtO. Americans rely on EPA to protect them from public threats posed by contaminated air and water. The allegation that EPA may be preventing its personnel from carrying out this critical mission is disturbing and must be investigated to determine the truth, and if necessary, identify corrective actions.

Sincerely,



Tammy Duckworth
Ranking Member
U.S. Senate Subcommittee on
Fisheries, Water and Wildlife

Tom Carper
Ranking Member
U.S. Senate Committee on
Environment and Public Works



Richard J. Durbin
Democratic Whip
United States Senate

January 31, 2019 Request from Congressman Richmond

CEDRIC L. RICHMOND
2ND DISTRICT, LOUISIANA

508 CANNON HOUSE OFFICE BUILDING
(202) 225-6636

Congress of the United States
House of Representatives
Washington, DC 20515-1802

January 31, 2019

Mr. Charles J. Sheehan
Acting Inspector General
Office of the Inspector General
U.S. Environmental Protection Agency
1200 Pennsylvania Ave NW
Washington, D.C. 20460

Dear Acting Inspector General Sheehan:

It has come to my attention that Senators Duckworth, Carper, and Durbin recently sent you a letter requesting an investigation into whether senior political appointees at the Environmental Protection Agency (EPA) instructed career civil servants to avoid inspecting facilities that emit Ethylene Oxide (EtO). While their letter concerned inspections in Region 5, these reports are disturbing to all of us who represent areas with facilities that emit EtO. I am requesting that you extend any investigation related to this issue to actions in Region 6, as well.

Acting EPA Secretary Andrew Wheeler was questioned by Senator Duckworth on the lack of inspection of EtO at his confirmation hearing where he stated, "We are monitoring a number of facilities that release ethylene oxide," but failed to mention any specifics surrounding that issue, such as where, how often, and the type of inspections being conducted.

In light of recent reports on this issue, my office examined information on the EPA's website and found no inspections of EtO facilities in Region 6 within the last six months. This has prompted me to write to you today. I ask that you conduct a thorough investigation to determine the truth. Have inspections by the EPA been conducted on these facilities in Region 6? If not, why? Have political appointees inappropriately interfered with the work of career civil servants on this matter?

I hope that you take action quickly to investigate this matter. The people of Louisiana's 2nd Congressional District and the nation deserve the truth and assurance that the EPA is transparently and effectively conducting its critical missions.

Sincerely,



Cedric L. Richmond

Agency Response to Draft Report



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

March 5, 2021

OFFICE OF
AIR AND RADIATION

MEMORANDUM

SUBJECT: EPA Response to OIG Draft Reports titled: “EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide-Emitting Source Categories to Protect Human Health” - Project No. OA&E-FY19-0091, January 14, 2021; and “EPA Delayed Risk Communication and Issued Instructions Hindering Region 5’s Ability to Address Ethylene Oxide Emissions” - Project No. OA&E-FY19-0091, February 4, 2021

FROM: Joseph Goffman
Acting Assistant Administrator
Office of Air and Radiation

TO: Renee McGhee-Lenart
Acting Air Director
Office of the Inspector General

A handwritten signature in black ink, likely belonging to Joseph Goffman, is positioned to the right of the 'FROM' field.

The Office of Air and Radiation (OAR) welcomes the opportunity to provide comment on the following two draft reports and their recommendations: *EPA Should Conduct New Residual Risk and Technology Reviews for Chloroprene- and Ethylene Oxide-Emitting Source Categories to Protect Human Health* and *EPA Delayed Risk Communication and Issued Instructions Hindering Region 5’s Ability to Address Ethylene Oxide Emissions*. We have provided our comments in the attachments to this memorandum and provide our initial thoughts on the recommendations in each of the two reports below, along with other information requested in the reports.

OIG Comment: For the purpose of this appendix, we only included the Agency’s response to this report. We will include the section removed herein in the relevant report.

Section 2: EPA Response to Draft Report “EPA Delayed Risk Communication and Issued Instructions Hindering Region 5’s Ability to Address Ethylene Oxide Emissions”

OIG Recommendation 1: Develop standard operating procedures describing how the Office of Air and Radiation will work with EPA regional offices to communicate preliminary air toxics risk information, including elevated risks found in the National Air Toxics Assessment, to the public so that communities are promptly informed of potential health concerns.

Response 1: We recognize the public as key users of the air toxics analyses done by OAQPS. As noted above, OAQPS is establishing a strategy to improve internal and external communication, coordination, and collaboration around air toxics. The Air Toxics Strategy establishes a standard operating procedure that realigns OAQPS to address air toxic issues more effectively and proactively. The strategy positions OAQPS to apply a systematic approach to air toxics management and mitigation, data and analytics, and new and emerging issues. Further, an outreach and implementation component embedded throughout the strategy ensures the office is focused not only on how to address air toxics issues, but how to more effectively understand the concerns of coregulators and the public, and to improve the ways in which findings are shared. Consistent with the Agency’s mission statement, it is fundamental that we provide *accurate* information in communicating risks. As such, any preliminary air toxics risk information needs to be verified and quality assured prior to communicating with the public to avoid confusion and to build trust. Finally, we have collected a lot of information regarding regional needs and uses for NATA over time and look forward to continued engagement as new products/tools are developed.

Planned Completion Date: Quarter 4, FY 2021

OIG Recommendation 2: Develop standard operating procedures describing the roles and responsibilities of the Office of Air and Radiation and regional offices in assessing and addressing air toxics emissions contributing to potential health risks as found in the National Air Toxics Assessment, other studies, or public complaints.

Response 2: As part of the Air Toxics Strategy, OAQPS has established three teams and an Air Toxics Council to improve our methods of communication, coordination, and collaboration around air toxics issues – both within our office and with our Regional offices. The Air Toxics Evaluation and Screening Team, specifically, comprises a diverse group of OAQPS staff and includes regional participants. This group screens new and emerging air toxics issues that come to OAQPS through our interactions with a diverse set of internal and external stakeholders. Once preliminary assessments are conducted this team engages a newly formed Air Toxics Council, which includes OAQPS senior managers, to determine if further evaluation is needed, whether project teams need to be established for more substantive work, whether or not issues are national in scope, or whether issues are for OAQPS awareness and should be transferred to another office or EPA region for further action. The Management and Mitigation Team primarily includes OAQPS first-line managers; the team will recommend priorities and steer efforts to address management and mitigation of air toxics through collaborative regulatory and non-regulatory efforts and streamlined approaches. The Data and Analytics Team will recommend priorities and steer efforts to ensure that the range of air toxics data collection, infrastructure, and analysis efforts across OAQPS support short-term and long-term air toxics program priorities. The Management and Mitigation

and Data and Analytics Teams also brief the Air Toxics Council to engage in a substantive discourse about their short- and long-term assessments and recommendations. Outreach and implementation are key components of the strategy. As such, each team under the strategy includes OAQPS staff that specialize in outreach to states, locals, communities, and tribes.

Planned Completion Date: Quarter 4, FY 2021

If you have any questions regarding this response, please contact JoLynn Collins, OAQPS/OAR Audit Liaison, at (919) 541-0528.

cc: James Hatfield
Betsy Shaw
Peter Tsirigotis
Mike Koerber
Marc Vincent
Penny Lassiter
Brian Shrager
Erika Sasser
Kelly Rimer
Chet Wayland
Ned Shappley
JoLynn Collins

Distribution

The Administrator
Assistant Deputy Administrator
Associate Deputy Administrator
Chief of Staff
Deputy Chief of Staff
Agency Follow-Up Official (the CFO)
Agency Follow-Up Coordinator
General Counsel
Associate Administrator for Congressional and Intergovernmental Relations
Associate Administrator for Public Affairs
Director, Office of Continuous Improvement, Office of the Chief Financial Officer
Regional Administrator for Region 5
Regional Administrator for Region 6
Regional Deputy Administrator for Region 5
Regional Deputy Administrator for Region 6
Assistant Administrator for Air and Radiation
Principal Deputy Assistant Administrator for Air and Radiation
Deputy Assistant Administrators for Air and Radiation
Director, Office of Air Quality Planning and Standards, Office of Air and Radiation
Audit Follow-Up Coordinator, Office of the Administrator
Audit Follow-Up Coordinator, Office of Air and Radiation
Audit Follow-Up Coordinator, Office of Air Quality Planning and Standards, Office of
Air and Radiation
Audit Follow-Up Coordinator, Region 5
Audit Follow-Up Coordinator, Region 6



Mayor Gary Grasso and Board of Trustees
7660 County Line Road
Burr Ridge, Illinois 60527

Re: Z-11-2021: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendments and Findings of Fact

Dear Mayor and Board of Trustees:

The Plan Commission transmits its recommendation to approve a request by the Village of Burr Ridge to for text amendments to Section IV.W of the Zoning Ordinance related to noise standards.

After due notice as required by law, the Plan Commission held public hearings on August 2, August 16, and September 20, 2021. The Board directed the Plan Commission to hold this public hearing. In summary, the Plan Commission recommends that the Village move away from a technical standard of determining when noise is excessively loud and adopt a standard that is defined as “Excessively Audible”, wherein any noise which is transferred to another property which unreasonably impacts a person’s ability to use their property would be considered unpermitted, regardless of Zoning District. The Plan Commission felt that this standard would allow for more responsive enforcement and better ability for staff to make interpretive determination of issues at hand. The Plan Commission also discussed several exemptions to this standard as well as the ability for residents and businesses to apply for exemptions two times per year, such as if a resident were holding a special event on their property.

Based on the above considerations and the submitted findings of fact, the Plan Commission, by a vote of 6 to 0, ***recommends that the Board of Trustees approve*** this petition.

Sincerely,

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



Z-11-2021: Requests text amendments to Section IV.W of the Zoning Ordinance related to noise standards.

Prepared for: Village of Burr Ridge Plan Commission/Zoning Board of Appeals
Greg Trzupek, Chairman

Prepared by: Evan Walter – Village Administrator

Date of Hearing: September 20, 2021; continued from August 16, 2021 and August 2, 2021

This petition was continued from August 16 and August 2, 2021. The petitioner is the Village of Burr Ridge. The petitioner seeks to amend Section IV.W of the Zoning Ordinance related to noise standards. The Village is seeking to review and potentially revise its performance standards related to the emission of noise from one property to another.

Proposed Zoning Amendments

At the previous public hearings, a revised noise standard entitled “Excessively Audible” was discussed. Staff has revised the initial amendments to align with the feedback of the Plan Commission as follows:

Definitions

Amplification Device. Any speaker, loudspeaker, amplifier, stereo, radio, television, or other device or system of any kind that can emit, increase, or magnify sound.

Day Hours. 7:00am-10:00pm

Excessively Audible. Any sound that can be detected by a person by ear, unaided by any device such as hearing aid, which unreasonably affects the enjoyment of an adjacent property owner’s use of their property and/or impacts one or several adjacent property owners’ ability to perform normal tasks without interruption. A sound is considered excessively audible regardless of whether particular words or phrases are not determinable and regardless of whether the instrument or device can be determined. The detection of reverberation or similar types of sound is sufficient to constitute an Excessively Audible sound.

Night Hours. 10:00pm-7:00am

Noise Pollution. The emission of sound that unreasonably interferes with the enjoyment of life use of property or with any lawful business activity.

Sound. An oscillation in pressure in air.

Noise Pollution Prohibited

No person may cause or allow Noise Pollution to become Excessively Audible within the corporate limits of the Village.

Noise Standards for Public Property

- A. Authority to Abate Violations. The Village Administrator or their designee is authorized to determine violations of this Section and, in the event of Noise Pollution or other violation, take reasonable actions necessary to abate the violation.*
- B. Performances on Public Property, Ways Prohibited. No person may perform, with or without musical instruments, on any street, sidewalk, public right of way, or publicly owned property while seeking or in expectation of a monetary gift or payment.*
- C. Advertisements. No person, business, or other entity may use a sound amplification device for the purpose of advertising or announcing goods or services, or to invite or encourage the patronage of any person or any business in such a way as to be Excessively Audible on any street, sidewalk, public right of way, or publicly owned property.*
- D. Attention-Getting Devices. No person or other entity may operate or cause to be operated, on any street, sidewalk, public right of way, or publicly owned property any attention-getting device such as, but not limited to, sound amplification, mechanically-operated, inflatable, noise-generating, or other device for the purpose or effect of attracting attention.*

Noise Standards for Private Property

No person may cause or allow the emission of sound from any property in such a manner so as to cause Noise Pollution which is Excessively Audible with a determination taken from the property line on the property on which the noise is received.

Exceptions

The standards and limitations set forth in this Chapter do not apply to the following:

- A. Trains on rails or safety mechanisms associated with railways.*
- B. Emergency related sounds, such as any type of sound rendered on an intermittent, emergency basis, including but not limited to sounds associated with police/fire/emergency medical vehicles, snow removal, flood water removal, and/or storm debris removal, emergency generators that are used during electrical storms, as well as alarms and other emergency warning sounds.*
- C. Landscaping equipment during Day Hours as also permitted by the Municipal Code.*
- D. Noises associated with religious activities or places of worship, such as bells and chimes.*
- E. Events occurring in public spaces or rights-of-way, such as concerts, that are approved by either the Village Administrator or Board of Trustees.*
- F. Noise emitting from generators in Residential Districts are specifically governed by Section IV.1.21 of the Zoning Ordinance.*
- G. Construction activity during Day Hours as also permitted by the Municipal Code.*
- H. Garbage and recycling trucks.*
- I. Government, utility, and other such vehicles or equipment in operation.*

J. Educational institutions, public or private, operating during Day Hours, including but not limited to recess, outdoor learning activities, or the like, in any District.

Permit for Private Event

Those owners of real property in the Village wishing to hold a special event on one's property which may violate the standards set forth in this section may apply for one-time exemptions to these standards. Examples of these exemptions may include weddings or wedding receptions, graduation parties, charity events, and the like. A property owner wishing to obtain an exemption to these standards must comply with the following regulations:

- A. Not less than 21 calendar days prior to the event, an application must be placed on file with the Village Administrator describing the nature of the request. The request must include the following information:
 - a. The address of the property owner in which the event will occur.*
 - b. The name of the property owner where the event will occur.*
 - c. The contact information of the property owner where the event will occur, including an active phone number and email address.*
 - d. The times of day in which the noise is expected to be generated.*
 - e. The number of people expected to be present at the gathering.**
- B. The Village shall notify all property owners within 500 feet of the subject property at which the event will occur with a written notice of the event's occurrence at least five business days prior to the event's occurrence.*
- C. The application shall include a \$50 fee.*
- D. At no point shall the exemption extend beyond midnight or prior to 6:00am in any District.*
- E. Property owners shall be entitled to one exemption per six calendar months; that is, if an exempted event were held on January 1, the property owner shall not be permitted to apply for or receive an exemption to these standards until July 1 or thereafter.*
- F. No exceptions will be given if the activities listed in which the noise will be generated are found to be in violation of any local, state, or federal law.*

Penalty

Any person, firm, or corporation who violates, disobeys, omits, neglects, refuses to comply with, or who resists enforcement of any of the provisions of this Section shall, upon conviction, be fined not less than \$100.00 nor more than \$750.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

Summary

The Excessively Audible approach rescinds any decibel rating system and replaces the standards with that of a reasonable person interpreting noise to determine if the noises are Excessively Audible. The Village already practices an Excessively Audible approach to remedying noise through a courtesy request by a Police officer. In many cases, a violating party complies with an officer's request, and the matter is resolved without further enforcement. However, these amendments would now empower the officer or other agent of the Village to determine that an Excessively Audible noise is occurring and assign a citation if the noise 1) was deemed to be Excessively Audible and 2) the violating party did not comply with a courtesy request. In local adjudication, the written report of a Police officer or agent of the Village is admissible evidence.

Findings of Fact and Recommendation

The findings of fact for a text amendment are limited to assessing whether the amendment is compatible with other standards of the Zoning Ordinance and if the amendments fulfill the purpose and intent of the Zoning Ordinance.

Appendix

Exhibit A – Petitioner’s Materials



1. Community and Status Burr Ridge <input type="checkbox"/> Non <input checked="" type="checkbox"/> Partial <input type="checkbox"/> Complete	2. Date of Application	3. Stormwater Application No.	4. Community Tracking No.												
5. Applicant: Name: <u>Andrew Kustus</u> Company Name: <u>Engineering Resource Associates</u> Address: <u>3s701 West Ave</u> City, ST, Zip: <u>Warrenville, IL, 60555</u> Phone: <u>630-393-3060</u> Email: <u>akustus@eraconsultants.com</u>		6. Owner: Name: _____ Company Name: _____ Address: _____ City, ST, Zip: _____ Phone: _____ Email: _____													
7. Description of Proposed Development: The proposed project is a pond dredging and stabilization project that includes dredging of approximately 3'-6' of sediment build up from 3 ponds and establishment of a native prairie buffer and native shoreline plugs. Removal or repair of existing outcroppings and retaining walls is proposed. Stabilization of select areas of pond 2 will be completed with vegetated rock toe and sediment forebay berms.															
8. Location of Development: (if not address use nearest major intersection) Address: <u>91st & Oak Creek Drive</u> <u>Burr Ridge, IL, 60521</u> Municipality: <u>Burr Ridge</u> Watershed Planning Area & Trib: <u>Des Plaines Tribs.</u>		9. Legal Description (attach additional sheets if needed) <table style="width:100%; text-align: center;"> <tr> <td><u>1</u></td> <td><u>37N</u></td> <td><u>11E</u></td> </tr> <tr> <td>¼ Section</td> <td>Township</td> <td>Range</td> </tr> <tr> <td>PIN <u>10</u></td> <td>- <u>01</u></td> <td>- <u>308</u></td> </tr> <tr> <td>PIN _____</td> <td>- _____</td> <td>- _____</td> </tr> </table>		<u>1</u>	<u>37N</u>	<u>11E</u>	¼ Section	Township	Range	PIN <u>10</u>	- <u>01</u>	- <u>308</u>	PIN _____	- _____	- _____
<u>1</u>	<u>37N</u>	<u>11E</u>													
¼ Section	Township	Range													
PIN <u>10</u>	- <u>01</u>	- <u>308</u>													
PIN _____	- _____	- _____													
10. Check all of the conditions which apply: <table style="width:100%;"> <tr> <td><input type="checkbox"/> Flood Plain</td> <td><input checked="" type="checkbox"/> Stormwater Detention</td> <td><input type="checkbox"/> Best Management Practices</td> <td><input checked="" type="checkbox"/> Soil Erosion & Sediment Control</td> </tr> <tr> <td><input type="checkbox"/> Wetland</td> <td><input type="checkbox"/> Wetland Buffer</td> <td><input type="checkbox"/> Riparian Buffer</td> <td></td> </tr> </table>				<input type="checkbox"/> Flood Plain	<input checked="" type="checkbox"/> Stormwater Detention	<input type="checkbox"/> Best Management Practices	<input checked="" type="checkbox"/> Soil Erosion & Sediment Control	<input type="checkbox"/> Wetland	<input type="checkbox"/> Wetland Buffer	<input type="checkbox"/> Riparian Buffer					
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<input type="checkbox"/> Wetland	<input type="checkbox"/> Wetland Buffer	<input type="checkbox"/> Riparian Buffer													
11. Acknowledgement of On-Site Infiltration PCBMPs I acknowledge that I have used my best effort to identify zones for which on-site infiltration are prohibited for Post Construction Best Management Practices (PCBMPs) in accordance with the Ordinance (15-63.B) <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <u>Andrew R Kustus</u> Signature of Applicant </div> <div style="width: 40%;"> <u>Andrew R Kustus</u> Print Name </div> <div style="width: 20%;"> <u>9-3-2021</u> Date </div> </div>															
12. Freedom of Information Act (FOIA) I acknowledge that all architects' drawings, engineers' technical submissions and other construction-related technical documents containing stormwater management information submitted with this application may be made available for inspection or copying by the County, notwithstanding 5 ILCS 140/7(1)(k), upon the written request for such materials. Such productions will be restricted to the following parties: i) the Applicant ii) any subsequent owner of the subject property; or iii) any governmental unit having planning or drainage jurisdiction within 1 and ½ mile of the subject property. <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <u>Andrew R Kustus</u> Signature of Applicant </div> <div style="width: 40%;"> <u>Andrew R Kustus</u> Print Name </div> <div style="width: 20%;"> <u>9-3-2021</u> Date </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 40%;"> _____ Signature of Owner </div> <div style="width: 40%;"> _____ Print Name </div> <div style="width: 20%;"> _____ Date </div> </div>															
13. Statement of opinion for Minimum Criteria for Stormwater Management I am a Professional Engineer under the employment of the Applicant. It is my professional opinion that the development meets the minimum criteria for stormwater management in accordance with the Ordinance (15-36) <div style="display: flex; justify-content: space-between;"> <div style="width: 40%;"> <u>Andrew R Kustus</u> Signature of Professional Engineer </div> <div style="width: 40%;"> <u>Andrew R Kustus</u> Print Name </div> <div style="width: 20%;"> <u>9-3-2021</u> Date </div> </div>															



DUPAGE COUNTY STORMWATER MANAGEMENT CERTIFICATION APPLICATION (2/2)

Stormwater Application No:		Community Tracking No:	
-----------------------------------	--	-------------------------------	--

14. Statement of Opinion for Presence of Flood Plain, Wetlands, and Buffers (15-47-A.5)

<div><input type="checkbox"/> I acknowledge the presence of flood plain. <input checked="" type="checkbox"/> I deny the presence of flood plain.</div> <div><u>Andrew R Kustusch</u> <u>9-3-21</u> Signature of Qualified Professional Date Andrew R Kustusch Printed Name</div>	<div><input type="checkbox"/> I acknowledge the presence of wetlands. <input checked="" type="checkbox"/> I deny the presence of wetlands.</div> <div><u>Andrew R Kustusch</u> <u>9-3-21</u> Signature of Qualified Professional Date Andrew R Kustusch Printed Name</div>	<div><input type="checkbox"/> I acknowledge the presence of buffers. <input checked="" type="checkbox"/> I deny the presence of buffers.</div> <div><u>Andrew R Kustusch</u> <u>9-3-21</u> Signature of Qualified Professional Date Andrew R Kustusch Printed Name</div>
--	--	--

15. Soil Erosion & Sediment Control Submittal Requirements (15-50.B)
(For developments with less than 1 acre of land disturbance that are not part of a larger common plan)

I certify that the development meets the soil erosion and sediment control design criteria found in Article VII have been met.

Andrew R Kustusch
Signature of Qualified Designer

Andrew R Kustusch 9-3-21
Print Name Date

16. Soil Erosion & Sediment Control Requirements (15-59.W) (For developments with land disturbing activities greater than 1 acre)

I acknowledge that the site complies with the IEPA NPDES ILR10 Permit.

Signature of Applicant

Print Name

Date

17. Acknowledgement of Required As-Built Plans (15-47.B)

I acknowledge that a record drawing signed by either a Professional Engineer or a Professional Land Surveyor depicting the as-constructed size, rim, and invert elevations of pipes, stormwater structures and culverts, and contours and flood storage volumes of all required basins of the major stormwater systems and minor stormwater systems shall be submitted for review and approval upon completion of the stormwater facilities.

Signature of Owner

Print Name

Date

18. Intentional Misrepresentation Under Penalty of Perjury

I declare that I have examined and/or made this application and rider, and it is true and correct to the best of my knowledge and belief. I realize that the information that I have affirmed hereon forms a basis for the issuance of the stormwater management certification(s) herein applied for and approval of plans in connection therewith shall not be construed to permit any construction upon said premises or use thereof in violation of any provision of any applicable ordinance or to excuse the owner or his successors in title from complying therewith. The Owner and Applicant each understand and agree to construct said improvement in compliance with all provisions of the applicable ordinances.

Andrew R Kustusch
Signature of Applicant

Andrew R Kustusch 9-3-21
Print Name Date

Signature of Owner

Print Name

Date

DO NOT WRITE BELOW THIS LINE

<div>19. Security (15-54)</div> <div>Stormwater Facilities \$ _____ Wetlands/Natural Area \$ _____ SE/SC \$ _____ Total \$ _____</div>	<div>20. Stormwater Fees</div> <div>Community Review \$ _____ DCSM Review \$ _____ Fee-in-Lieu \$ _____ Wetland \$ _____ BMP</div>	<div>Seal/Stamp Certifications expire December 31st of the third year of Certification or Authorization, whichever is earlier.</div>
<div><div>21. Final Approvals (See Certification letter for special conditions and general conditions.)</div><div>Community Certification _____ Date Approved by/title</div><div>County Authorization _____ Date Approved by/title</div></div>		

____ Community Copy ____ DuPage County SM Copy ____ Applicant Copy

Rev 10/19 Page 2 of 2



Illinois Environmental Protection Agency

1021 North Grand Avenue East • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Uncontaminated Soil Certification by Licensed Professional Engineer or Licensed Professional Geologist for Use of Uncontaminated Soil as Fill in a CCDD or Uncontaminated Soil Fill Operation LPC-663

Revised in accordance with 35 Ill. Adm. Code 1100, as
amended by PCB R2012-009 (eff. Aug. 27, 2012)

This certification form is to be used by professional engineers and professional geologists to certify, pursuant to 35 Ill. Adm. Code 1100.205(a)(1)(B), that soil (i) is uncontaminated soil and (ii) is within a pH range of 6.26 to 9.0. If you have questions about this form, please telephone the Bureau of Land Permit Section at 217/524-3300.

This form may be completed online, saved locally, printed and signed, and submitted to prospective clean construction or demolition debris (CCDD) fill operations or uncontaminated soil fill operations.

I. Source Location Information

(Describe the location of the source of the uncontaminated soil)

Project Name: Oak Creek Club HOA Sediment Testing Office Phone Number, if available: N/A

Physical Site Location (address, including number and street):

SWC 91st and Garfield

City: Burr Ridge State: IL Zip Code: 60527

County: Cook Township: _____

Lat/Long of approximate center of site in decimal degrees (DD.ddddd) to five decimal places (e.g., 40.67890, -90.12345):

Latitude: 41.72177 Longitude: - 87.92496

(Decimal Degrees) (-Decimal Degrees)

Identify how the lat/long data were determined:

☐ GPS ☒ Map Interpolation ☐ Photo Interpolation ☐ Survey ☐ Other

IEPA Site Number(s), if assigned: BOL: _____ BOW: _____ BOA: _____

Approximate Start Date (mm/dd/yyyy): Aug 1, 2021 Approximate End Date (mm/dd/yyyy): 12/31/2021

Estimated Volume of debris (cu. Yd.): 5,000

II. Owner/Operator Information for Source Site

Site Owner

Name: Oak Creek Club HOA % ERA, Inc.

Street Address: 3s701 West Avenue

PO Box: _____

City: Warrenville State: IL

Zip Code: 60555 Phone: (630) 393-3060

Contact: Erin Pande

Email, if available: epande@eraconsultants.com

Site Operator

Name: _____

Street Address: _____

PO Box: _____

City: _____ State: _____

Zip Code: _____ Phone: _____ (

Contact: _____

Email, if available: _____

This Agency is authorized to require this information under Section 4 and Title X of the Environmental Protection Act (415 ILCS 5/4, 5/39). Failure to disclose this information may result in: a civil penalty of not to exceed \$50,000 for the violation and an additional civil penalty of not to exceed \$10,000 for each day during which the violation continues (415 ILCS 5/42). This form has been approved by the Forms Management Center.

III. Basis for Certification and Attachments

For each item listed below, reference the attachments to this form that provide the required information.

- a. A Description of the soil sample points and how they were determined to be sufficient in number and appropriately located 35 Ill. Adm. Code 1100.610(a):

Samples were obtained from each pond. Samples were screened with a PID and one discrete sample was selected for analytical testing from each pond.

- b. Analytical soil testing results to show that soil chemical constituents comply with the maximum allowable concentrations established pursuant to 35 Ill. Adm. Code Part 1100, Subpart F and that the soil pH is within the range of 6.25 to 9.0, including the documentation of chain of custody control, a copy of the lab analysis; the accreditation status of the laboratory performing the analysis; and certification by an authorized agent of the laboratory that the analysis has been performed in accordance with the Agency's rules for the accreditation of environmental and the scope of the accreditation [35 Ill. Adm. Code 1100.201 (g), 1100.205(a), 1100.610]:

See First Environmental Laboratories, Inc. reports dated 7/16/21.

IV. Certification Statement, Signature and Seal of Licensed Professional Engineer or Licensed Professional Geologist

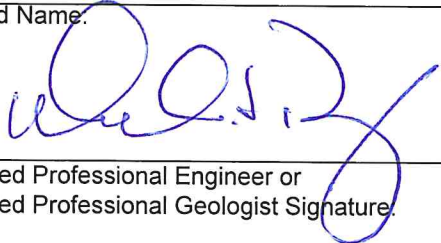
I, William D. Prigge (name of licensed professional engineer or geologist)
certify under penalty of law that the information submitted, including but not limited to, all attachments and other information, is to the best of my knowledge and belief, true, accurate and complete. In accordance with the Environmental Protection Act [415 ILCS 5/22.51 or 22.51a] and 35 Ill. Adm. Code 1100.205(a), I certify that the soil from this site is uncontaminated soil. I also certify that the soil pH is within the range of 6.25 to 9.0. In addition, I certify that the soil has not been removed from the site as part of a cleanup or removal of contaminants. All necessary documentation is attached.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony. (415 ILCS 5/44(h))

Company Name: Midland Standard Engineering & Testing, Inc.
Street Address: 410 Nolen Drive
City: South Elgin State: IL Zip Code: 60177
Phone: 847-844-1895

William D. Prigge

Printed Name:



Licensed Professional Engineer or
Licensed Professional Geologist Signature:

8/31/2021

Date:



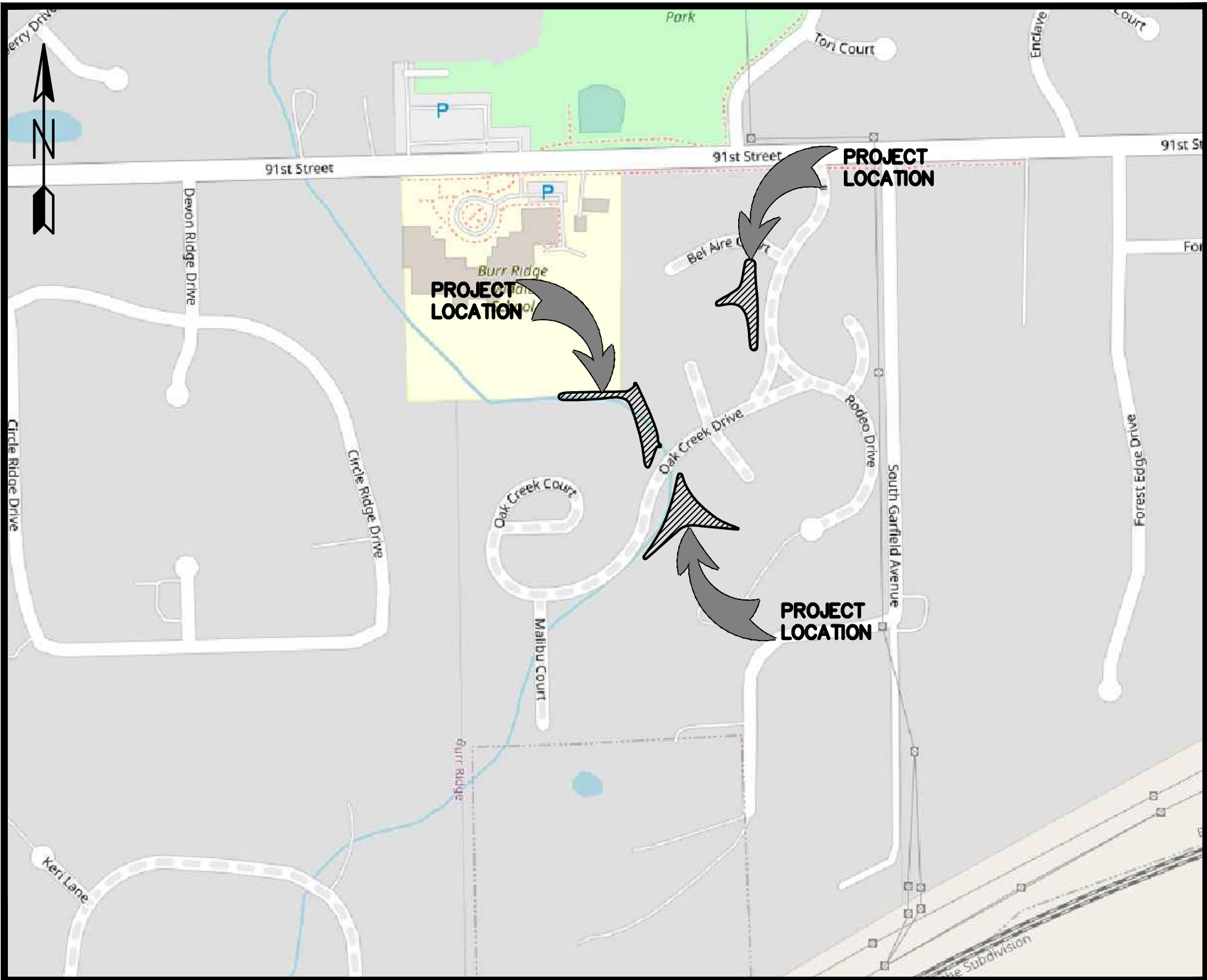
OAK CREEK CLUB HOA BASIN IMPROVEMENT PROJECT INCORPORATED BURR RIDGE DUPAGE COUNTY, ILLINOIS

INDEX TO DRAWINGS

- 1. COVER
- 2. GENERAL NOTES AND QUANTITIES
- 3. OVERALL PLAN
- 4. POND 1 EXISTING AND PROPOSED CONDITIONS PLAN
- 5. POND 2 EXISTING AND PROPOSED CONDITIONS PLAN
- 6. POND 3 EXISTING AND PROPOSED CONDITIONS PLAN
- 7. SEDIMENT DISPOSAL AREA
- 8. DETAILS

PREPARED FOR:

OAK CREEK CLUB HOA
48 OAK CREEK DRIVE
BURR RIDGE, ILLINOIS 60527



LOCATION MAP

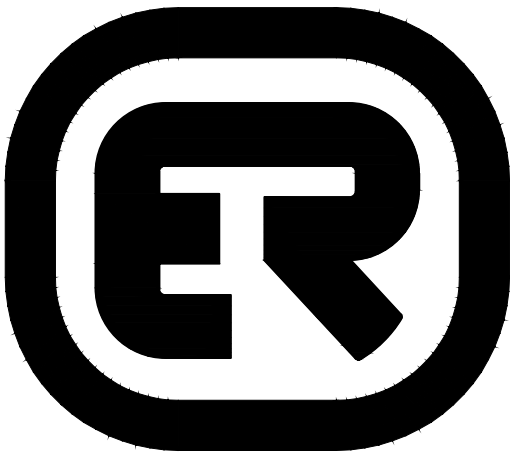
SITE BENCHMARKS:
MULLER BOLT, TOP FLANGE, FIRE HYDRANT LOCATED ON THE WEST SIDE OF OAK CREEK DRIVE NEAR THE SOUTH END OF POND 1.
ELEVATION: 658.58 (NAVD 88)
MULLER BOLT, TOP FLANGE, FIRE HYDRANT LOCATED ON THE EAST SIDE OF OAK CREEK DRIVE ADJACENT TO POND 3.
ELEVATION: 645.23 (NAVD 88)

It's smart

It's free

It's the law

Call before you dig
800.892.0123



ENGINEERING
RESOURCE ASSOCIATES

2416 GALEN DRIVE
CHAMPAIGN, ILLINOIS 61821
PHONE (217) 351-6268
FAX (217) 355-1902

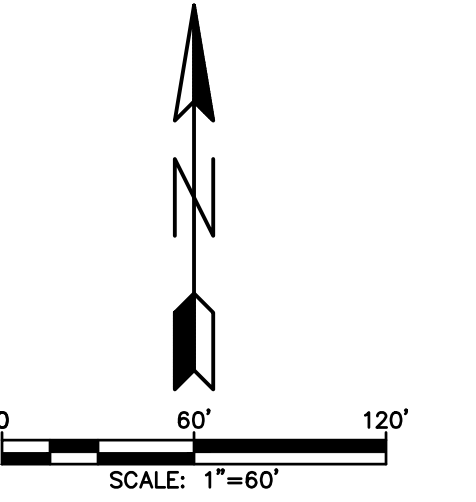
3S701 WEST AVENUE, SUITE 150
WARRENVILLE, ILLINOIS 60555
PHONE (630) 393-3060
FAX (630) 393-2152

10 S. RIVERSIDE PLAZA , SUITE 875
CHICAGO, ILLINOIS 60606
PHONE (312) 474-7841
FAX (312) 474-6099

Andrew R. Kustusch, P.E.
IL. P.E. NO. 062-067858
Expires November 30, 2021

ORIGINAL SUBMITTAL: AUGUST, 2021

ERA JOB NO.: W21101



REVISIONS:					
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

DRAWN BY: A.J.
CHECKED BY: E.P.
APPROVED BY: E.P.



35701 WEST AVENUE, SUITE 150
WARRENVILLE, ILLINOIS 60555
PHONE (630) 393-3060
FAX (630) 393-2152

10 S. RIVERSIDE PLAZA , SUITE 875
CHICAGO, ILLINOIS 60606
PHONE (312) 474-7841
FAX (312) 474-6099

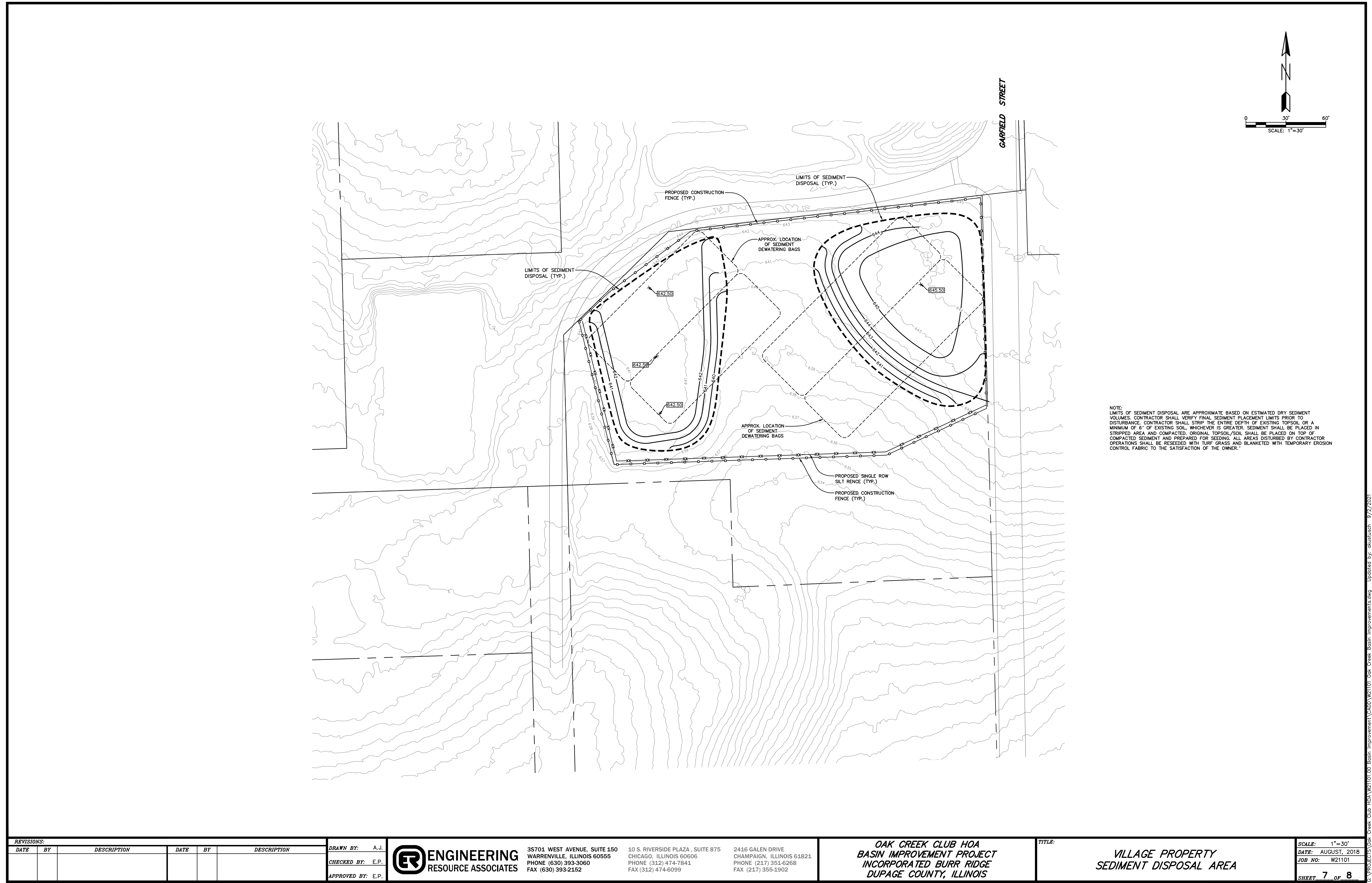
2416 GALEN DRIVE
CHAMPAIGN, ILLINOIS 61821
PHONE (217) 351-6268
FAX (217) 355-1902

OAK CREEK CLUB HOA
BASIN IMPROVEMENT PROJECT
INCORPORATED BURR RIDGE
DUPAGE COUNTY, ILLINOIS

TITLE:

OVERALL PLAN

SCALE: 1"=60'
DATE: AUGUST, 2018
JOB NO: W21101
SHEET 3 OF 8



VILLAGE OF BURR RIDGE

8G

ACCOUNTS PAYABLE APPROVAL REPORT

BOARD DATE: 9/27/2021

PAYMENT DATE: 9/28/2021

FISCAL 21-22

FUND	FUND NAME	PAYABLE	TOTAL AMOUNT
10	General Fund	\$ 78,999.39	\$ 78,999.39
23	Hotel/Motel Tax Fund	13,098.38	13,098.38
31	Capital Improvements Fund	75,967.81	75,967.81
33	Equipment Replacement Fund	45,084.32	45,084.32
51	Water Fund	598,609.49	598,609.49
52	Sewer Fund	4,378.79	4,378.79
61	Information Technology	25,404.40	25,404.40
	TOTAL ALL FUNDS	<u>\$ 841,542.58</u>	<u>\$ 841,542.58</u>

PAYROLL

PAY PERIOD ENDING September 4, 2021

	TOTAL
	PAYROLL
Administration	\$ 15,142.80
Finance	24,452.99
Police	104,009.01
Public Works	20,474.58
Water	30,128.07
Sewer	9,498.35
TOTAL	<u>\$ 203,705.80</u>
GRAND TOTAL	<u><u>\$ 1,045,248.38</u></u>

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Fund 10 General Fund					
Dept 0000 Assets, Liabilities, Fund Bal					
10-0000-22-2240	State Street Maple	Spring Grove Nursery, Inc.	09/09/21	181517	1,110.00
10-0000-22-2240	Crescendo Sugar Maple	Spring Grove Nursery, Inc.	09/09/21	181517	1,110.00
10-0000-22-2240	American Hornbeam	Spring Grove Nursery, Inc.	09/09/21	181517	1,110.00
10-0000-22-2240	Northern Catalpa	Spring Grove Nursery, Inc.	09/09/21	181517	600.00
10-0000-22-2240	Royal Raindrops Crabapple	Spring Grove Nursery, Inc.	09/09/21	181517	945.00
10-0000-22-2240	Red Jewel Crabapple	Spring Grove Nursery, Inc.	09/09/21	181517	945.00
10-0000-22-2240	Black Hills Spruce	Spring Grove Nursery, Inc.	09/09/21	181517	775.00
10-0000-22-2240	Chinkapin Oak	Spring Grove Nursery, Inc.	09/09/21	181517	1,270.00
10-0000-22-2240	Accolade Elm	Spring Grove Nursery, Inc.	09/09/21	181517	422.00
10-0000-22-2240	Freight	Spring Grove Nursery, Inc.	09/09/21	181517	600.00
Total For Dept 0000 Assets, Liabilities, Fund Ba.					8,887.00
Dept 1010 Boards & Commissions					
10-1010-40-4040	FY21 Caucus Dues	Metropolitan Mayors Caucus	04/09/21	2021-082	475.16
10-1010-40-4040	FY22 Association Membership	West Central Municipal Cor	08/30/21	0009966	5,500.00
10-1010-50-5010	Labor General	Clark Baird Smith LLP	08/31/21	14467	85.00
10-1010-50-5010	Adjudication Legal Services thro	Denise K. Filan	09/14/21	31675	1,968.75
10-1010-80-8010	Arrangement for Tejkowski Family	Vince's Flowers & Landscap	09/13/21	11561-1	69.95
Total For Dept 1010 Boards & Commissions					8,098.86
Dept 2010 Administration					
10-2010-50-5020	Elevator Inspections Aug21	Elevator Inspection Servic	09/02/21	103181	256.00
10-2010-50-5075	Plan Review Permit 20-332	B&F Construction Code Ser	08/20/21	57070	895.50
10-2010-50-5075	Plan Review Permit 21-061	B&F Construction Code Ser	08/27/21	57136	300.00
10-2010-50-5075	Plan Review Permit 21-291	B&F Construction Code Ser	08/27/21	57140	300.00
10-2010-50-5075	Plan Review Permit 21-255	B&F Construction Code Ser	08/27/21	57141	899.60
10-2010-50-5075	Plan Review Permit 21-300	B&F Construction Code Ser	09/08/21	57247	150.00
10-2010-50-5075	Plan Review Permit 21-316	B&F Construction Code Ser	09/14/21	57289	450.00
10-2010-50-5075	Plan Review Permit 21-318	B&F Construction Code Ser	09/16/21	57303	1,145.50
10-2010-50-5075	Building Examinations Aug21	Don Morris Architects P.C.	08/31/21	08/31/21	5,910.00
10-2010-50-5075	Inspections Aug21	Don Morris Architects P.C.	08/31/21	08/31/21	4,160.00
10-2010-60-6000	ZEB87012 Zebra Pen Refill Black	Runco Office Supply	09/14/21	839774-0	1.89
10-2010-60-6000	SAN80556 Dry Erase Markers Asst.	Runco Office Supply	09/14/21	839774-0	9.99
10-2010-60-6000	SAN81505 White Board Eraser	Runco Office Supply	09/14/21	839774-0	2.99
10-2010-60-6010	UNV44636 Dry Erase Board 48x36	Runco Office Supply	09/14/21	839774-0	49.99
10-2010-60-6010	QUA89606 Ungummed Legal filing e	Runco Office Supply	09/14/21	839774-0	159.98
10-2010-60-6010	PFXM13U13 File Folders, 2 Fasten	Runco Office Supply	09/14/21	839774-0	167.56
10-2010-60-6020	Gasoline Admin	DuPage County Public Works	08/20/21	2021-15F	353.84
Total For Dept 2010 Administration					15,212.84
Dept 4010 Finance					
10-4010-50-5020	Consulting Services WE 08/29 & 0 Gov	Temps USA, LLC	09/09/21	3805759	9,254.70
10-4010-60-6000	SAN25053 Highlighters Asst Color	Runco Office Supply	09/14/21	839774-0	5.99
10-4010-60-6000	MMM653AU 1.5x2 Post It Notes Ass	Runco Office Supply	09/14/21	839774-0	7.99
10-4010-60-6000	MMM65412SSMIA 3x3 Post It Notes	Runco Office Supply	09/14/21	839774-0	14.99
10-4010-60-6000	PFX615215 Letter size hanging fo	Runco Office Supply	09/14/21	839774-0	21.29
Total For Dept 4010 Finance					9,304.96
Dept 4020 Central Services					
10-4020-50-5081	FSA Monthly Fee Aug21	Wex Health, Inc.	08/31/21	0001390125	50.00
10-4020-60-6000	QUA41665 Brown Kraft Envelopes 1	Runco Office Supply	09/14/21	839774-0	42.99
10-4020-60-6000	UNV41105 Brown Kraft Envelopes 9	Runco Office Supply	09/14/21	839774-0	26.99
10-4020-60-6000	UNV08851 Yellow Highlighter Doze	Runco Office Supply	09/14/21	839774-0	3.69

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Fund 10 General Fund					
Dept 4020 Central Services					
10-4020-60-6000	UNV08865 Pink Highlighter Dozen	Runco Office Supply	09/14/21	839774-0	5.29
10-4020-60-6000	RED33008 Spiral Notebooks 10x8	Runco Office Supply	09/14/21	839774-0	15.96
10-4020-60-6010	First Aid Supplies VH	AUCA Western First Aid & S	08/12/21	5-005806	62.69
10-4020-60-6010	Kitchen Coffee Supplies VH	Commercial Coffee Service,	09/03/21	161362	58.35
Total For Dept 4020 Central Services					265.96
Dept 5010 Police					
10-5010-40-4032	Uniform Allowance Joseph Mondala	JG Uniforms, Inc.	09/09/21	88915	766.00
10-5010-40-4032	From PO 2020-7117 Jarolimek for	JG Uniforms, Inc.	04/07/21	83490	683.15
10-5010-40-4032	Uniform Allowance Joseph Mondala	JG Uniforms, Inc.	07/13/21	86713	614.45
10-5010-40-4032	Quartermaster	JG Uniforms, Inc.	06/03/21	85432	149.50
10-5010-40-4032	From PO 2020-7118 Watson for FY	JG Uniforms, Inc.	04/09/21	83579	697.99
10-5010-40-4042	IL Law Enforcement Bosses Day Lu	Illinois LEAP	09/14/21	09/14/21	78.00
10-5010-40-4042	John Reid Interviews	North East Multi-Regional	08/17/21	289094	400.00
10-5010-50-5020	Comprehensive Searches	LexisNexis Risk Solutions	08/31/21	1267894-20210831	221.50
10-5010-50-5030	Police Phone Line	First Communications, LLC	09/06/21	122272513	379.65
10-5010-50-5051	255/60R18 108W	Bauer Built Inc.	09/16/21	200152112	1,455.92
10-5010-50-5051	235/55R17 99W	Bauer Built Inc.	09/16/21	200152112	424.36
10-5010-50-5051	Illinois Tire Fee	Bauer Built Inc.	09/16/21	200152112	30.00
10-5010-50-5051	Police patch decals for new vehi	Car Reflections	08/23/21	21-182	400.00
10-5010-50-5095	Random Testing PD	Premier Occupational Healt	09/02/21	104607	45.00
10-5010-60-6020	Gasoline PD	DuPage County Public Works	08/20/21	2021-15F	14,116.09
Total For Dept 5010 Police					20,461.61
Dept 6010 Public Works					
10-6010-40-4032	Uniform rentals/cleaning	Breens Inc.	09/07/21	5919	61.18
10-6010-40-4040	Member Dues 2021-2022	West Central Municipal Cor	08/18/21	0007127	575.00
10-6010-40-4042	Reimburse for APWA PWX Expenses	David T. Preissig	09/01/21	09/01/27	59.09
10-6010-50-5050	Portable Hoists (4) Inspection &	P.R. Streich and Sons, Inc	08/25/21	51633	320.00
10-6010-50-5051	Vehicle Maintenance Units 63,73,	Foster's Truck Repair	08/18/21	38627	122.00
10-6010-50-5052	Quarterly monitoring - alarm and	Alarm Detection Systems, I	09/05/21	107215-1082	430.80
10-6010-50-5052	Quarterly monitoring - RA	Alarm Detection Systems, I	09/05/21	600807-1064	149.76
10-6010-50-5052	REKEY LOCK	Goldy Locks, Inc.	08/20/21	697755 2	125.00
10-6010-50-5052	SINGLE CUT DUPLICATE KEY	Goldy Locks, Inc.	08/20/21	697755 2	75.00
10-6010-50-5052	ONSITE REKEY LABOR	Goldy Locks, Inc.	08/20/21	697755 2	150.00
10-6010-50-5052	RECOMBO LOCKS	Goldy Locks, Inc.	08/20/21	697755 2	200.00
10-6010-50-5052	Annual BAS Service Agreement	Trane U.S. Inc.	08/31/21	311995658	3,983.00
10-6010-50-5053	Wasp Treatment under Pedestrian	Grizz Pest Management, Inc	09/02/21	20851	150.00
10-6010-50-5054	45W LED Lamp	Rag's Electric, Inc.	08/31/21	23011	167.25
10-6010-50-5054	Button Photo Cell	Rag's Electric, Inc.	08/31/21	23011	60.00
10-6010-50-5054	Labor	Rag's Electric, Inc.	08/31/21	23011	384.00
10-6010-50-5054	Bucket Truck	Rag's Electric, Inc.	08/31/21	23011	160.00
10-6010-50-5058	Mat rentals - VH & PW	Breens Inc.	09/07/21	5920	26.50
10-6010-50-5058	Janitorial Serv. Extra at PD; Tr	City Wide of Illinois	09/08/21	42034002370	200.00
10-6010-50-5080	Public Works	NICOR Gas	09/09/21	22944400005 Sept21	138.76
10-6010-50-5080	Police Station	NICOR Gas	09/15/21	66468914693 Sept21	210.48
10-6010-50-5080	VH Garage	NICOR Gas	09/15/21	57961400009 Sept21	41.56
10-6010-50-5080	Rustic Acres	NICOR Gas	09/15/21	81110732419 Sept21	41.56
10-6010-50-5080	Village Hall	NICOR Gas	09/15/21	47025700007 Sept21	136.82
10-6010-50-5085	Shop Towel Rentals	Breens Inc.	09/07/21	5919	4.50
10-6010-50-5095	VH Facility Space Needs Assessme	Legat Architects, Inc.	09/07/21	55318	800.00
10-6010-50-5095	Random Testing PW	Premier Occupational Healt	09/02/21	104607	60.00
10-6010-60-6020	Gasoline PW	DuPage County Public Works	08/20/21	2021-15F	7,997.92

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Fund 10 General Fund					
Dept 6010 Public Works					
10-6010-60-6042	Storm Sewer pipe , clamps and 1-	Core & Main LP	08/26/21	P446351	142.00
10-6010-60-6042	Return of CPLG Strongback	Core & Main LP	08/25/21	P494823	(258.00)
10-6010-60-6042	Herbicide	Russo's Power Equipment	09/14/21	SP110844730	53.98
Total For Dept 6010 Public Works					16,768.16
Total For Fund 10 General Fund					78,999.39
Fund 23 Hotel/Motel Tax Fund					
Dept 7030 Special Revenue Hotel/Motel					
23-7030-50-5075	Entryway Sign	COMED	09/03/21	2257153023 Sept21	28.38
23-7030-80-8010	Annual Marketing & Communication	Kaleidoscope Management Gr	07/31/21	1739	2,500.00
23-7030-80-8010	Annual Marketing & Communication	Kaleidoscope Management Gr	08/31/21	1760	4,000.00
23-7030-80-8012	Concert on the Greens 10/07/21	LFC Entertainment	05/21/21	05/21/21	2,500.00
23-7030-80-8012	Concert on the Greens 09/30/21	The Moods	05/21/21	05/21/21	1,500.00
23-7030-80-8012	Concert on the Greens 10/09/21	UAP Enterprises LLC	07/15/21	7/15/21	2,000.00
23-7030-80-8050	Armed Forces Day	Bannerville USA Inc.	05/13/21	30301	450.00
23-7030-80-8050	Update banner patches for	Gradu Bannerville USA Inc.	06/09/21	30453	120.00
Total For Dept 7030 Special Revenue Hotel/Motel					13,098.38
Total For Fund 23 Hotel/Motel Tax Fund					13,098.38
Fund 31 Capital Improvements Fund					
Dept 8010 Capital Improvement					
31-8010-70-7081	Road Program Scheduled Projects	Brothers Asphalt Paving, I	08/20/21	34931	75,967.81
Total For Dept 8010 Capital Improvement					75,967.81
Total For Fund 31 Capital Improvements Fund					75,967.81
Fund 33 Equipment Replacement Fund					
Dept 8030 Equipment Replacement					
33-8030-50-5071	Lease Maintenance PD	Enterprise FM Trust	08/01/21	FBN4251179 Jul21	33.77
33-8030-50-5071	Lease Maintenance PW	Enterprise FM Trust	08/01/21	FBN4272336 Aug21	83.01
33-8030-50-5071	Lease Maintenance PD	Enterprise FM Trust	08/01/21	FBN4272334 Aug21	33.77
33-8030-50-5071	Lease Maintenance PD	Enterprise FM Trust	09/01/21	FBN4285238 Sept21	33.77
33-8030-50-5071	Lease Maintenance PW	Enterprise FM Trust	09/01/21	FBN4293864 Sept21	83.01
33-8030-50-5071	Lease Maintenance PW	Enterprise FM Trust	07/01/21	FBN4244127 Jul21	83.01
33-8030-70-7000	Equipment PD	Enterprise FM Trust	09/01/21	FBN4285238 Sept21	2,087.80
33-8030-80-8065	Lease Principal PD	Enterprise FM Trust	08/01/21	FBN4251179 Jul21	362.55
33-8030-80-8065	Lease Principal PW	Enterprise FM Trust	08/01/21	FBN4272336 Aug21	1,383.98
33-8030-80-8065	Lease Principal PD	Enterprise FM Trust	08/01/21	FBN4272334 Aug21	362.55
33-8030-80-8065	Lease Principal PD	Enterprise FM Trust	09/01/21	FBN4285238 Sept21	35,750.30
33-8030-80-8065	Lease Principal PW	Enterprise FM Trust	09/01/21	FBN4293864 Sept21	1,379.85
33-8030-80-8065	Lease Principal PW	Enterprise FM Trust	07/01/21	FBN4244127 Jul21	1,383.98
33-8030-80-8075	Lease Interest PD	Enterprise FM Trust	08/01/21	FBN4251179 Jul21	83.80
33-8030-80-8075	Lease Interest PW	Enterprise FM Trust	08/01/21	FBN4272336 Aug21	278.98
33-8030-80-8075	Lease Interest PD	Enterprise FM Trust	08/01/21	FBN4272334 Aug21	83.80
33-8030-80-8075	Lease Interest PD	Enterprise FM Trust	09/01/21	FBN4285238 Sept21	1,019.21
33-8030-80-8075	Lease Interest PW	Enterprise FM Trust	09/01/21	FBN4293864 Sept21	278.20
33-8030-80-8075	Lease Interest PW	Enterprise FM Trust	07/01/21	FBN4244127 Jul21	278.98
Total For Dept 8030 Equipment Replacement					45,084.32
Total For Fund 33 Equipment Replacement Fund					45,084.32

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Fund 51 Water Fund					
Dept 0000 Assets, Liabilities, Fund Bal					
51-0000-22-2200	Hydrant Meter Refund	Crunch, Inc.	09/14/21	09/14/21	199.05
Total For Dept 0000 Assets, Liabilities, Fund Ba.					199.05
Dept 6030 Water Operations					
51-6030-40-4032	Uniform rentals/cleaning	Breens Inc.	09/07/21	5919	72.14
51-6030-50-5020	(13) Coliform Samples	Envirotest Perry Laborato	09/03/21	21-135364	130.00
51-6030-50-5050	Water Rate Study	Crawford, Murphy & Tilly,	08/18/21	0216455	1,002.50
51-6030-50-5052	Quarterly monitoring - PC	Alarm Detection Systems,	109/05/21	50347-1096	349.44
51-6030-50-5067	Water Main Break Pavement Restor	Brothers Asphalt Paving,	108/20/21	34931	5,700.00
51-6030-50-5070	Project Structural Engineer I -	Crawford, Murphy & Tilly,	08/10/21	0216261	285.00
51-6030-50-5070	Senior Engineer I - 2MG Tank	Crawford, Murphy & Tilly,	08/10/21	0216261	1,725.00
51-6030-50-5070	Project Structural Engineer I -	Crawford, Murphy & Tilly,	08/10/21	0216261	1,520.00
51-6030-50-5071	Lease Maintenance Water	Enterprise FM Trust	08/01/21	FBN4272336 Aug21	63.61
51-6030-50-5071	Lease Maintenance Water	Enterprise FM Trust	09/01/21	FBN4293864 Sept21	63.61
51-6030-50-5071	Lease Maintenance Water	Enterprise FM Trust	07/01/21	FBN4244127 Jul21	87.57
51-6030-50-5080	Well #4	COMED	09/15/21	0029127044 Sept21	309.01
51-6030-50-5080	Bedford Park Sump Pump	COMED	09/07/21	9179647001 Sept21	41.14
51-6030-50-5080	Well #1	COMED	09/03/21	0793668005 Sept21	26.80
51-6030-50-5095	Utility Billing Rendering 09/14/	Third Millennium Assoc. Ir	09/15/21	26749	1,121.34
51-6030-60-6020	Gasoline Water	DuPage County Public Works	08/20/21	2021-15F	4,796.04
51-6030-60-6040	12X25 REP CLP	Core & Main LP	07/26/21	P310592	514.66
51-6030-60-6040	6 HYMAX 2 FLrP	Core & Main LP	07/26/21	P310592	643.66
51-6030-60-6070	Water Purchases Aug21	Village of Bedford Park	09/03/21	0020060000 Aug21	568,520.10
51-6030-80-8065	Lease Principal Water	Enterprise FM Trust	08/01/21	FBN4272336 Aug21	1,157.54
51-6030-80-8065	Lease Principal Water	Enterprise FM Trust	09/01/21	FBN4293864 Sept21	1,156.15
51-6030-80-8065	Lease Principal Water	Enterprise FM Trust	07/01/21	FBN4244127 Jul21	8,372.35
51-6030-80-8075	Lease Interest Water	Enterprise FM Trust	08/01/21	FBN4272336 Aug21	222.01
51-6030-80-8075	Lease Interest Water	Enterprise FM Trust	09/01/21	FBN4293864 Sept21	221.75
51-6030-80-8075	Lease Interest Water	Enterprise FM Trust	07/01/21	FBN4244127 Jul21	309.02
Total For Dept 6030 Water Operations					598,410.44
Total For Fund 51 Water Fund					598,609.49
Fund 52 Sewer Fund					
Dept 6040 Sewer Operations					
52-6040-40-4032	Uniform rentals/cleaning	Breens Inc.	09/07/21	5919	24.63
52-6040-50-5080	Highland Field Lift Station	COMED	09/03/21	0099002061 Sept21	44.23
52-6040-50-5080	Arrowhead Lift Station	COMED	09/07/21	7076690006 Sept21	155.53
52-6040-60-6010	12 PVC Sewer Pipe	Core & Main LP	08/26/21	P445124	361.24
52-6040-70-7010	Engineering Services; Chasemoor	RJN Group, Inc.	09/02/21	34970105	3,793.16
Total For Dept 6040 Sewer Operations					4,378.79
Total For Fund 52 Sewer Fund					4,378.79
Fund 61 Information Technology Fund					
Dept 4040 Information Technology					
61-4040-50-5020	Video Post Production Services	Electric Brain Media, LLC	07/31/21	07/31/21	230.00
61-4040-50-5020	IT Support FY22	Orbis Solutions	09/01/21	5571942	450.00
61-4040-50-5020	IT Support FY22	Orbis Solutions	09/09/21	5571965	2,325.00
61-4040-50-5020	IT Support FY22	Orbis Solutions	09/09/21	5571969	105.00
61-4040-50-5020	IT Support FY22	Orbis Solutions	08/26/21	5571899	2,600.00
61-4040-50-5050	Keyboard PD Conference Room	Orbis Solutions	08/26/21	5571902	135.00
61-4040-50-5050	Dell Laptop 10 Pro Upgrade Davis	Orbis Solutions	08/26/21	5571903	1,400.00

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Fund 61 Information Technology Fund					
Dept 4040 Information Technology					
61-4040-50-5050	Wireless Repair South Water Towe	Orbis Solutions	08/02/21	5571834	11,011.00
61-4040-50-5061	Monthly GIS Services Sept21	Cloudpoint Geospatial	08/31/21	2927	1,950.00
61-4040-50-5061	Pump Center	Comcast	08/25/21	8771201140533898 Aug	318.30
61-4040-50-5061	Annual Adjudication Monthly Fee	Municipal Systems, Inc.	08/31/21	2021-08-12	1,250.00
61-4040-50-5061	Cylance Antivirus Cyber Security	Orbis Solutions	09/01/21	5571947	825.00
61-4040-60-6010	Printer Toner Cartridges	Next Day Toner Supplies,	109/15/21	5215422	407.00
61-4040-60-6010	W2110X Black	Next Day Toner Supplies,	108/26/21	5213747	257.10
61-4040-60-6010	W2111X Cyan	Next Day Toner Supplies,	108/26/21	5213747	181.00
61-4040-60-6010	W2112X Yellow	Next Day Toner Supplies,	108/26/21	5213747	181.00
61-4040-60-6010	W2113X Magenta	Next Day Toner Supplies,	108/26/21	5213747	181.00
61-4040-60-6040	Zebra Printers for Squad Cars	DuPage County Clerk	08/24/21	BR052421	1,598.00
Total For Dept 4040 Information Technology					25,404.40
Total For Fund 61 Information Technology Fund					25,404.40

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Fund Totals:					
Fund 10 General Fund					78,999.39
Fund 23 Hotel/Motel Tax Fund					13,098.38
Fund 31 Capital Improvements Fund					75,967.81
Fund 33 Equipment Replacement Fund					45,084.32
Fund 51 Water Fund					598,609.49
Fund 52 Sewer Fund					4,378.79
Fund 61 Information Technology Fund					25,404.40
Total For All Funds:					<hr/> 841,542.58