

ORDINANCE NO. 9596-60

**AN ORDINANCE APPROVING AN APPLICATION FOR SITE APPROVAL OF A REGIONAL POLLUTION CONTROL FACILITY (EXPANSION OF A TANK FARM FOR STORAGE OF LIQUID WASTES) TO BE OPERATED BY THE SAFETY-KLEEN CORPORATION**

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**WHEREAS**, the Safety-Kleen Corp. has filed an application for site approval for the expansion of its existing facility located at 500 West Anthony Drive, Urbana, Illinois, to allow up to six 20,000-gallon tanks to be used for the storage and recycling of liquid wastes; and

**WHEREAS**, the proposed expansion of the Safety-Kleen facility falls within the definition of a "regional pollution control facility" under the Illinois Environmental Protection Act and, as such, requires site approval by the municipality in which the proposed facility will be located pursuant to Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2); and

**WHEREAS**, a public hearing on Safety-Kleen's application was conducted on October 25, 1995, in accordance with the provisions of Section 39.2 of the Illinois Environmental Protection Act and Ordinance No. 9091-67 of the City of Urbana; and

**WHEREAS**, a record of the public hearing has been prepared, which record includes a transcript of the testimony presented at the public hearing and documents and other written materials; and

**WHEREAS**, the record of proceedings and the findings of fact and recommendation of the hearing officer have been provided to the Mayor and City Council for consideration prior to final action on this Ordinance; and

**WHEREAS**, the Mayor and City Council, after having reviewed the record of proceedings and the hearing officer's findings of fact and recommendation, have determined that Safety-Kleen has met its burden of proof to establish compliance with the nine criteria set forth in Section 39.2 of the Illinois Environmental Protection Act and that the application for site approval should be approved; and

**WHEREAS**, this Ordinance is intended to serve as the written decision of the Mayor and City Council on the application as required by Section 39.2 and Section 10-60 of Ordinance No. 9091-67 of the City of Urbana.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** Site approval is hereby granted for the expansion of the Safety-Kleen facility (a regional pollution control facility) to include the use of up to six 20,000 gallon tanks for the storage of liquid wastes on the following described real

property:

COMMENCING AT THE SOUTHWEST CORNER OF THE SAFETY-KLEEN TRACT AS SURVEYED AND SHOWN ON PLAT PREPARED BY ALTECH CONSULTANTS, INC., AND SIGNED BY DAVID P. PHILLIPPE, I.P.L.S. NO. 2591, DATED JANUARY 10, 1989, SAID TRACT ENCOMPASSING 3.46 ACRES, PROCEED ALONG THE WEST LINE OF SAID TRACT NORTH 0 27' 34" WEST, 298.00 FEET; THENCE PERPENDICULAR TO THE WEST LINE OF SAID TRACT, NORTH 89 32' 26" EAST, 91.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 32' 26" EAST, 90.00 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID TRACT NORTH 0 27' 34" WEST, 75.00 FEET; THENCE PERPENDICULAR WITH THE WEST LINE OF SAID TRACT SOUTH 89 32' 26" WEST, 90.00 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID TRACT SOUTH 0 27' 34" EAST, 75.00 FEET TO THE POINT OF BEGINNING, ENCOMPASSING 0.155 ACRES, MORE OR LESS, AND SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

**SECTION 2:** The Mayor and City Council make the following findings of fact with respect to the site approval application filed by Safety-Kleen Corp:

- (a) the facility is necessary to accommodate the waste needs of the area it is intended to serve;
- (b) the facility is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
- (c) the facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property;
- (d) the facility is located outside the boundary of the 100-year flood plain;
- (e) the plan of operations for the facility is designed to minimize the damper to the surrounding area for fire, spills, or other operational accidents;
- (f) the traffic patterns to or from the facility are so designed as to minimize the impact on existing traffic flows;
- (g) for treating, storing, or disposing of hazardous waste at the facility, an emergency response plan exists for the facility, which plan includes notification, containment, and evacuation procedures to be used in case of an accidental

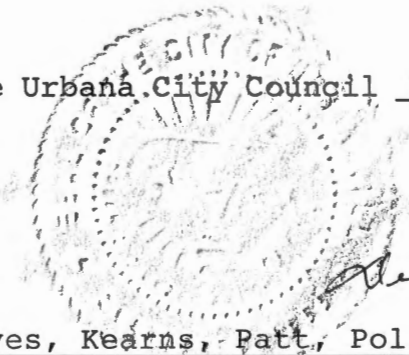
release;

- (h) the facility is consistent with the Champaign County solid waste management plan; and
- (i) the facility is not located within a regulated recharge area.

**SECTION 3:** The City Clerk is hereby authorized to transmit this Ordinance to the Illinois Environmental Protection Agency along with any other forms required by the Agency to certify approval of the site.

**SECTION 4:** This Ordinance shall be in effect from its passage and approval.

**PASSED** by the Urbana City Council 18th day of December, 1995.



Phyllis D. Clark by  
 Phyllis D. Clark  
 City Clerk  
*Deborah J. Roberts, Deputy Clerk*

VOTING YES: Hayes, Kearns, Patt, Pollock, Ryan, Taylor, Whelan

VOTING NO: \_\_\_\_\_

NOT VOTING: \_\_\_\_\_

**APPROVED** by the Mayor this 28<sup>th</sup> day of December, 1995.

Tod Satterthwaite  
 Tod Satterthwaite  
 Mayor