



DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

March 11, 2022

Jim Kallas
Environmental Manager
GII, LLC
11600 S. Burley Avenue
Chicago, Illinois 60617

Subject: GII, LLC, 1909 N. Clifton Avenue, Yard #1
City of Chicago Class IVB Recycling Facility Permit
Permit Renewal Denial

Dear Mr. Kallas,

The Chicago Department of Public Health ("CDPH") received GII, LLC's ("the Applicant's"), application to renew a Class IVB recycling facility permit for the operations at 1909 N. Clifton Avenue, Yard #1 ("the Site").

Pursuant to the Municipal Code of Chicago (the "Code"), Sections 11-4-040(a)(1) and 11-4-2530, CDPH hereby denies the applications for the following reasons:

- 1. Lapsed Special Use** – Pursuant to Section 11-4-2530(D), an application for a recycling facility permit must include "Approval of the zoning board of appeals, as required by the Chicago Zoning Ordinance."

According to CDPH observations and public records, the Applicant ceased operations at the Site and closed the facility on December 31, 2020.¹ Pursuant to 17-13-0909-C of the Code, a special use "will be considered abandoned and become null and void" if the use, a Class IVB recycling facility in this case, is discontinued for a period of six months or longer. Further, any subsequent reinstatement of the special use will require approval pursuant to the procedures of Chapter 17-13 of the Code. Thus, absent the required zoning approval, the application must be denied.

¹ See, for example, <https://www.epa.gov/il/general-iron>.

- 2. Incorrect Form of Application** – In June 2020, CDPH issued the [Rules for Large Recycling Facilities](#) (“LRF Rules”), which apply to all recyclers that meet the definition of “Large Recycling Facility,” as follows:

Large Recycling Facility means “a Facility that is authorized to accept 1,000 tons or more per day of Recyclable Materials, operates a metal Shredder that Processes vehicles that has a rated capacity of greater than 25 tons per hour, or utilizes Mechanical Sorting Equipment in the Processing of ASR.”

In this case, the Applicant is seeking to renew a permit that previously met all three criteria in the above definition: 1) it was permitted to accept well more than 1,000 tons per day; 2) it operated a metal shredder that processed vehicles with a rated capacity greater than 25 tons/hour; and 3) it used mechanical sorting equipment to process auto shredder residue (ASR). Notably, the submitted application states that the total material capacity at Yard #1 will be 999 tons per day. However, this figure is contrary to the previous capacity of the operation. In any event, regardless of the total capacity, the application indicates that motor vehicles and vehicle parts would be accepted, and that the Applicant would conduct “shredding” Monday through Sunday from 7:00 a.m. to 9:00 p.m. Accordingly, the Site would be a Large Recycling Facility, and the application must, therefore, comply with the LRF Rules.

The LRF Rules set forth detailed application requirements, including a Design Report and an Operating Plan stamped by a licensed professional engineer (P.E.). CDPH’s standard recycling facility application form may not be used for this purpose. Here, the Applicant did not submit an application following the requirements in the LRF Rules. Therefore, the application is denied.

Please be advised that if the Applicant wishes to reapply for a Class IVB recycling facility permit for the Site, it must first apply for and receive all necessary Zoning approvals, including a PD for any river use and compliance with the Chicago Air Quality Ordinance approved by City Council in March 2021. Upon procurement of all required Zoning approvals, the Applicant may apply to CDPH for a consequential large recycling facility permit. Such application must be prepared in accordance with the application requirements contained in the LRF Rules.

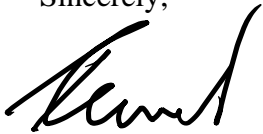
Finally, CDPH notes that, while the Site previously held three separate permits, for the areas known as “Yard #1,” “Yard #2,” and “Kingsbury,” the submitted applications indicate that they may all be essentially part of the same operation. As shown on the three applications, each area has the same facility owner and site manager and uses the same property address. Further, the site sketches included with the applications show that the areas are contiguous, in some cases

overlapping with one another. Therefore, if the Applicant submits new applications under the LRF Rules, please be advised that CDPH will take a close look at whether the operations should properly be considered one facility.

Pursuant to section 11-4-040(b) of the Municipal Code, the Applicant may request a hearing on this denial by submitting the attached form within 15 days of the service date of this letter.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Renante', with a stylized flourish at the end.

Renante Marante
Environmental Engineer III
Permitting and Inspections Program

Enclosures
Hearing Request Form

HEARING REQUEST FORM

PERMIT DENIAL

UNDER SECTION 11-4-040 OF THE MUNICIPAL CODE OF CHICAGO



*Note: This form must be received by the Department of Public Health, Environmental Permitting and Inspections Unit, at 333 S. State St., Room 200, Chicago, IL, 60604, within **15 calendar days from the service date** of the Permit Denial Letter. Failure to submit this completed form within the specified time frame shall constitute a waiver of the opportunity for a hearing.*

Name: _____

Address: _____

Telephone: _____

I received a permit denial letter from the Department of Public Health on _____, pertaining to the property or facility located at 1325 E. 70th Street, Chicago, IL .

I hereby demand a hearing in accordance with the provisions of Sections 11-4-040 and 11-4-025(c) of the Municipal Code of Chicago, which require the Commissioner of the Department of Public Health to initiate a hearing with the Department of Administrative Hearings within 30 calendar days of receiving this demand.

I understand that the permit denial will be stayed pending the hearing and final determination.

Signature

Date

For office use only:

Date received: _____ Time _____

Received by: _____



DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

March 9, 2022

Jim Kallas
Environmental Manager
GII, LLC
11600 S. Burley Avenue
Chicago, Illinois 60617

Subject: GII, LLC, 1909 N. Clifton Avenue, Yard #2
City of Chicago Class IVB Recycling Facility Permit
Permit Renewal Denial

Dear Mr. Kallas,

The Chicago Department of Public Health ("CDPH") received GII, LLC's ("the Applicant's"), application to renew a Class IVB recycling facility permit for the operations at 1909 N. Clifton Avenue, Yard #2 ("the Site").

Pursuant to the Municipal Code of Chicago (the "Code"), Sections 11-4-040(a)(1) and 11-4-2530, CDPH hereby denies the applications for the following reasons:

- 1. Lapsed Special Use** – Pursuant to Section 11-4-2530(D), an application for a recycling facility permit must include "Approval of the zoning board of appeals, as required by the Chicago Zoning Ordinance."

According to CDPH observations and public records, the Applicant ceased operations at the Site and closed the facility on December 31, 2020.¹ Pursuant to 17-13-0909-C of the Code, a special use "will be considered abandoned and become null and void" if the use, a Class IVB recycling facility in this case, is discontinued for a period of six months or longer. Further, any subsequent reinstatement of the special use will require approval pursuant to the procedures of Chapter 17-13 of the Code. Thus, absent the required zoning approval, the application must be denied.

¹ See, for example, <https://www.epa.gov/il/general-iron>.

- 2. Incorrect Form of Application** – In June 2020, CDPH issued the [Rules for Large Recycling Facilities](#) (“LRF Rules”), which apply to all recyclers that meet the definition of “Large Recycling Facility,” as follows:

Large Recycling Facility means “a Facility that is authorized to accept 1,000 tons or more per day of Recyclable Materials, operates a metal Shredder that Processes vehicles that has a rated capacity of greater than 25 tons per hour, or utilizes Mechanical Sorting Equipment in the Processing of ASR.”

In this case, the Applicant is seeking to renew a permit that previously met the criteria for a Large Recycling Facility; specifically, it was permitted to accept well more than 1,000 tons per day, and it used mechanical sorting equipment to process auto shredder residue (ASR). Notably, the submitted application states that the total material capacity at Yard #2 will be 999 tons per day. However, this figure is contrary to the previous capacity of the operation. In any event, regardless of the total capacity, the application indicates that motor vehicles and vehicle parts would be accepted, and that the Applicant would conduct “shredding” Monday through Sunday from 7:00 a.m. to 9:00 p.m. Accordingly, the Site would be a Large Recycling Facility, and the application must, therefore, comply with the LRF Rules.

The LRF Rules set forth detailed application requirements, including a Design Report and an Operating Plan stamped by a licensed professional engineer (P.E.). CDPH’s standard recycling facility application form may not be used for this purpose. Here, the Applicant did not submit an application following the requirements in the LRF Rules. Therefore, the application is denied.

Please be advised that if the Applicant wishes to reapply for a Class IVB recycling facility permit for the Site, it must first apply for and receive all necessary Zoning approvals, including a PD for any river use and compliance with the Chicago Air Quality Ordinance approved by City Council in March 2021. Upon procurement of all required Zoning approvals, the Applicant may apply to CDPH for a consequential large recycling facility permit. Such application must be prepared in accordance with the application requirements contained in the LRF Rules.

Finally, CDPH notes that, while the Site previously held three separate permits, for the areas known as “Yard #1,” “Yard #2,” and “Kingsbury,” the submitted applications indicate that they may all be essentially part of the same operation. As shown on the three applications, each area has the same facility owner and site manager and uses the same property address. Further, the site sketches included with the applications show that the areas are contiguous, in some cases overlapping with one another. Therefore, if the Applicant submits new applications under the

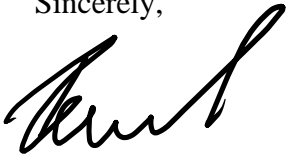
GII, Yard #2
March 9, 2022
Page 3 of 3

LRF Rules, please be advised that CDPH will take a close look at whether the operations should properly be considered one facility.

Pursuant to section 11-4-040(b) of the Municipal Code, the Applicant may request a hearing on this denial by submitting the attached form within 15 days of the service date of this letter.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Renante Marante', with a stylized, cursive script.

Renante Marante
Environmental Engineer III
Permitting and Inspections Program

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UNDER SECTION 11-4-040 OF THE MUNICIPAL CODE OF CHICAGO



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DEPARTMENT OF PUBLIC HEALTH
CITY OF CHICAGO

March 11, 2022

Jim Kallas
Environmental Manager
GII, LLC
11600 S. Burley Avenue
Chicago, Illinois 60617

Subject: GII, LLC, 1800 N. Kingsbury
City of Chicago Class II Recycling Facility Permit
Permit Renewal Denial

Dear Mr. Kallas,

The Chicago Department of Public Health ("CDPH") received GII, LLC's ("the Applicant's"), application to renew a Class II recycling facility permit for the operations at 1800 N. Kingsbury Avenue ("the Site").

Pursuant to the Municipal Code of Chicago (the "Code"), Sections 11-4-040(a)(1) and 11-4-2530, CDPH hereby denies the applications for the following reasons:

- 1. Wrong Permit Type/Lack of Zoning Approval** – Pursuant to Section 11-4-2530(D), an application for a recycling facility permit must include "Approval of the zoning board of appeals, as required by the Chicago Zoning Ordinance."

While the application indicates renewal of a Class II permit, it states that the facility would accept vehicle parts, a Type C recyclable material. Acceptance of Type C materials requires a Class IV permit—which, in turn, requires a special use determination from the Department of Zoning. The Applicant has not submitted an application for the appropriate permit class, and has not obtained the required zoning approval; therefore, the application is denied.

- 2. Incorrect Form of Application** – In June 2020, CDPH issued the [Rules for Large Recycling Facilities](#) (“LRF Rules”), which apply to all recyclers that meet the definition of “Large Recycling Facility,” as follows:

Large Recycling Facility means “a Facility that is authorized to accept 1,000 tons or more per day of Recyclable Materials, operates a metal Shredder that Processes vehicles that has a rated capacity of greater than 25 tons per hour, or utilizes Mechanical Sorting Equipment in the Processing of ASR.”

In this case, the Applicant is seeking to renew a permit that previously met the criteria for a Large Recycling Facility; specifically, it was permitted to accept 1,000 tons per day, and it used mechanical sorting equipment to process auto shredder residue (ASR). Notably, the submitted application states that the total material capacity at the Site will be 999 tons per day. However, this figure is contrary to the previous capacity of the operation. In any event, regardless of the total capacity, the application indicates that motor vehicles and vehicle parts would be accepted, and that the Applicant would conduct “shredding” Monday through Sunday from 7:00 a.m. to 9:00 p.m. Accordingly, the Site would be a Large Recycling Facility, and the application must, therefore, comply with the LRF Rules.

The LRF Rules set forth detailed application requirements, including a Design Report and an Operating Plan stamped by a licensed professional engineer (P.E.). CDPH’s standard recycling facility application form may not be used for this purpose. Here, the Applicant did not submit an application following the requirements in the LRF Rules. Therefore, the application is denied.

Please be advised that if the Applicant wishes to reapply for a Class IVB recycling facility permit for the Site, it must first apply for and receive all necessary Zoning approvals, including a PD for any river use and compliance with the Chicago Air Quality Ordinance approved by City Council in March 2021. Upon procurement of all required Zoning approvals, the Applicant may apply to CDPH for a consequential large recycling facility permit. Such application must be prepared in accordance with the application requirements contained in the LRF Rules.

Finally, CDPH notes that, while the Site previously held three separate permits, for the areas known as “Yard #1,” “Yard #2,” and “Kingsbury,” the submitted applications indicate that they may all be essentially part of the same operation. As shown on the three applications, each area has the same facility owner and site manager and uses the same property address. Further, the site sketches included with the applications show that the areas are contiguous, in some cases overlapping with one another. Therefore, if the Applicant submits new applications under the

LRF Rules, please be advised that CDPH will take a close look at whether the operations should properly be considered one facility.

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