

State of Illinois
POLLUTION CONTROL BOARD
JAMES R. THOMPSON CENTER
100 W. RANDOLPH STREET, SUITE 11-500
CHICAGO, ILLINOIS 60601

FORMAL COMPLAINT

BEFORE THE
ILLINOIS POLLUTION CONTROL BOARD

WILLIAM SPENCER)	
)	
Complainant(s),)	
)	
v.)	PCB _____
)	(For Board use)
CLINTON LANDFILL, INC.)	
AND)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Respondent(s).)	

NOTICE TO RESPONDENT

INFORMATION FOR RESPONDENT RECEIVING FORMAL COMPLAINT

Please take notice that today I filed with the Clerk of the Illinois Pollution Control Board (Board) a formal complaint, a copy of which is served on you along with this notice. You may be required to attend a hearing on a date set by the Board.

Failure to file an answer to this complaint within 60 days may have severe consequences. Failure to answer will mean that all allegations in the complaint will be taken as if admitted for purposes of this proceeding. If you have any questions about this procedure, you should contact the hearing officer assigned to this proceeding, the Clerk's Office or an attorney. 35 Ill. Adm. Code 103.204(f).

Respectfully Submitted,

WILLIAM SPENCER

William Spencer Complainant

CERTIFICATION

I, WILLIAM SPENCER, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

William Spencer
(Complainant's signature)

Subscribed to and sworn before me
this 3rd day
of September, 2014

Shirley Brown
Notary Public



My commission expires: 09-13-2016

CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that on (month, day, year)
SEPTEMBER 3, 2014, I served the attached formal complaint and notice on the
respondent by: (check appropriate line)

 certified mail (attach copy of receipt if available, otherwise you must file
receipt later with Clerk)

 X registered mail (attach copy of receipt if available, otherwise
you must file receipt later with Clerk)

 messenger service (attach copy of receipt if available, otherwise you must
file receipt later with Clerk)

 personal service (attach affidavit if available, otherwise you
must file affidavit later with Clerk)

at the address below:

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 N. Grand Avenue East
P.O. Box 19276
Springfield Illinois 62794-9276

Clinton Landfill Counsel
Brian J. Meginnes
416 Main Street Suit 1400
Peoria IL 61602

William Spencer
Complainant's signature

2358 1150th St
Kenney IL 61749

Subscribed to and sworn before me
this 3rd day
of September, 2014

Sherrie Brown
Notary Public



My commission expires: 09-13-2016

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FORMAL COMPLAINT
THIRD PARTY PETITION TO PARTICIPATE
CASE # PCB 2015-060

Complaint: Non attorney William Spencer, representing myself as an individual, address 2358 1150th St Kenney IL 61749, phone 217 944-2259, makes request to respectfully file complaint regarding siting requirements under section 39.2 of the Illinois Environmental Protection Act in relation to Modification NO. 9 to Permit NO. 2005-070-LF that redesigned 22.5 acres of municipal landfill # 3 in Clinton Illinois and request 3rd party involvement in Illinois Pollution Control Board Case # PCB 2015-060 that is also in relation to siting requirements involving Modification NO. 46 and NO. 47 made by the Illinois Environmental Protection Agency as to Permit NO. 2005-070-LF for Clinton Landfill INC.

1. Clinton Landfill Failed to follow all of section 39.2 of the Illinois Environmental Protection Act when it failed to acquire a new siting for its modifications to Permit NO. 2005-070-LF, starting with modification NO. 9 that redesigned 22.5 acres of its municipal landfill #3 in Clinton Illinois, the purpose of this modification was to store Hazardous Waste.
2. Clinton Landfill in good faith negotiated modification to its original Host Agreement as required by section 39.2 of the Illinois Environmental Protection Act in relation to modification NO. 9 to Permit NO. 2005-070-LF that redesigned 22.5 acres of municipal Landfill #3 in Clinton Illinois to store hazardous waste with the Dewitt County Board, but failed to initiate a new siting after completing the negotiations concerning the new Host Agreement. The only siting it has ever received was dated September 12, 2002 for the original Permit NO. 2005-070-LF that did not include hazardous waste.
3. Clinton Landfill Failed to make public before negotiating its host agreement its plans to construct a Hazardous Waste Unit and what it planned to place in it, this would later lead to redesigning 22.5 acres of its municipal landfill #3.
4. Clinton Landfill attempted to create a new regulatory term "CHEMICIAL WASTE UNIT" that does not exist. Attempts to find any laws regarding "CHEMICIAL WASTE UNIT" have been to no avail. Clinton Landfill clearly lacks any legal authority to create LAW! Any application of the term "CHEMICIAL WASTE UNIT" is false and misleading, it only misdirects the true nature and intentions of Clinton landfill to create a Hazardous Waste Unit.

5. Illinois Environmental Protection Agency as part of the requirements for modification NO. 9 and it being a major modification required proof of and by way of (LPC-PA8) certification that the requested changes to Clinton Landfill's Permit NO. 2005-070-LF meets the requirements of 39.2 in the original siting or by way of new siting. Clinton Landfill did supply (LPC-PA8) to the Illinois Environmental Protection Agency certifying a siting had been done for the redesigned 22.5 acres of municipal landfill #3 and the new hazardous waste stream.
6. Clinton Landfill failed to be truthful and honest by knowingly giving false and misleading information to the Illinois Environmental Protection Agency by saying that they had a siting for the storage of hazardous waste and the creation of a hazardous waste unit.
7. Illinois Environmental Protection Agency removed two new hazardous waste streams PCBs and MGP from the permit by way of its modifications NO. 46 and NO. 47 to permit 1005-070-LF due to lack of local siting under section 39.2
8. Clinton Landfill Gained permit to dispose of hazardous waste without following any local, state and federal laws. No independent review as required under section 39.2 was ever done. No public participation was allowed as required by 39.2. No public notification was given.
9. I was not allowed to participate in any of the siting process allowed by law as none occurred. Local siting gives me a voice and responsibility in the protection of my environment. Actions taken by Clinton Landfill negated my rights to a safe and healthy environment.

10. Waste disposal siting is a local decision; still unknown is the actual intentions for the development and use of this Hazardous Waste Unit.
11. Question of siting in Case # PCB 2015-060 was original presented to the Agency by me and clearly the major issue of action in this case, communications between me and the Agency are a KEY part of the case. I wish to maintain my position and wish defend my question concerning the need for a new siting and other requirements of 39.2.

WHEREFORE:

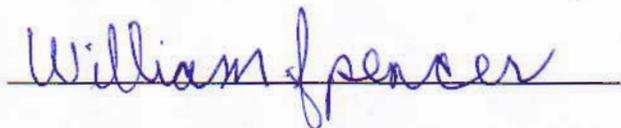
I request to be allowed as a third party in case #PCB 2015-060 as the original complainant.

I request that the Illinois Environmental Protection Agency decision to remove two listed waste PCBs and MGP streams from permit NO. 2005-070-LF due to false and misleading information supplied to the Agency by Clinton Landfill in application of modification NO. 9 that redesigned 22.5 acres of the municipal landfill #3 in Clinton Illinois be made permanent.

I also request that all changes made to permit due to modification NO. 9 be removed permanently from permit NO. 2005-070-LF and that all waste be removed from the redesigned 22.5 acres of municipal landfill #3.

Respectfully Submitted,

WILLIAM SPENCER

A handwritten signature in blue ink that reads "William Spencer". The signature is written in a cursive style and is positioned above a horizontal line.

Complainant

CERTIFICATION

I, WILLIAM SPENCER, on oath or affirmation, state that I have read the foregoing and that it is accurate to the best of my knowledge.

William Spencer
(Complainant's signature)

Subscribed to and sworn before me
this 3rd day
of September, 2014.

Sherrie Brown
Notary Public



My commission expires: 09-13-2016

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Brian J. Meginnes
416 Main Street Suit 1400
Peoria IL 61602

William Spencer
Complainant's signature

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Kenney IL 61749

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		2358 1150TH ST
		KENNEY FL 61749
	TO	ILLINOIS EPA
		1021 N. GRAND AV. EAST
		P.O. BOX 19276 SPRINGFIELD IL 62794

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		2358 1150TH ST
		KENNEY IL 61749
	TO	BRIAN MEGINNES
		416 MAIN ST. SUITE 1400
		PEORIA IL 61602

PS Form 3806, **Receipt for Registered Mail** Copy 1 - Customer
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