

ILLINOIS POLLUTION CONTROL BOARD

April 4, 2013

PEOPLE OF THE STATE OF ILLINOIS,)
)
Complainant,)
)
v.) PCB 10-9
) (Enforcement – Land, Cost Recovery)
WASTE HAULING LANDFILL, INC.,)
JERRY CAMFIELD, A.E. STALEY)
MANUFACTURING CO., ARCHER)
DANIELS MIDLAND, INC., ARAMARK)
UNIFORM SERVICES, INC., BELL)
SPORTS, INC., BORDEN CHEMICAL CO.,)
BRIDGESTONE/FIRESTONE, INC.,)
CLIMATE CONTROL, INC.,)
CATERPILLAR, INC., COMBE)
LABORATORIES, INC., GENERAL)
ELECTRIC RAILCAR SERVICES)
CORPORATION, P & H)
MANUFACTURING, INC., TRIPLE S)
REFINING CORPORATION, TRINITY RAIL)
GROUP, INC., and BORGWARNER, INC.,)
)
Respondents.)

ORDER OF THE BOARD (by Deanna Glosser):

On March 28, 2013, the People of the State of Illinois (People), filed a motion to voluntarily dismiss the complaint against Waste Hauling Landfill, Inc., and Jerry Camfield (respondents). *See* 415 ILCS 5/31.1(c) (2008); 35 Ill. Adm. Code 101.300(b), 108.202(c). The pending complaint concerns Waste Hauling Landfill, Inc.’s former landfill facility located in the Northwest Quarter of Section 26, Township 16 North, Range 1 East (Blue Mound Township), Macon County (Landfill). For the reasons discussed below, the Board grants the motion and closes this docket.

On November 3, 2010, the People filed a second amended complaint, which the Board accepted for hearing by order of December 2, 2010. The case has not been to hearing. Under the Act (415 ILCS 5 (2010)), the Attorney General and the State’s Attorneys may bring actions before the Board to enforce Illinois’ environmental requirements on behalf of the People. *See* 415 ILCS 5/31 (2010); 35 Ill. Adm. Code 103. In the second amended complaint, the People allege that respondents are responsible parties under Section 22.2(f)(1), (f)(2), or (f)(3) of the Act (415 ILCS 4/22.2(f)(1), (f)(2), (f)(3) (2010)) and seek an award of past and future removal costs incurred by the Illinois Environmental Protection Agency (Agency) as a result of the releases and

threatened releases of hazardous substances at the Landfill. Section 22.2(i) of the Act states that “costs and damages provided for in this Section may be imposed by the Board in an action brought before the Board in accordance with Title VIII of this Act” 415 ILCS 5/22.2(i) (2010).

The Board already accepted stipulations and proposals for settlement involving:

- 1) Trinity Rail Group, LLC, *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Mar. 7, 2013),
- 2) Bridgestone Americas Tire Operations, LLC, formerly known as Bridgestone/Firestone, Inc., Momentive Specialty Chemicals Inc., formerly known as Borden, Inc., A.E. Staley Manufacturing Co., now known as Tate & Lyle Ingredients Americas LLC, *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Sept. 20, 2012),
- 3) Aramark Uniform & Career Apparel, LLC, Bell Sports, Inc., Caterpillar, Inc., General Electric Railcar Services Corporation, and P & H Manufacturing, Inc., *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Apr. 21, 2011),
- 4) Combe Laboratories, Inc., *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Nov. 3, 2011),
- 5) Borg Warner, Inc., *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Nov. 17, 2011), Borg Warner, Inc. was substituted for Zexel Illinois, Inc. *See* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Sept. 16, 2010),
- 6) Climate Control, Inc., *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Dec. 1, 2011).

The Board also granted the People’s motions to voluntarily dismiss Triple S Refining Corporation, *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Sept. 8, 2011), and Archer Daniels Midland, Inc., *see* People v. Waste Hauling Landfill, Inc. et al., PCB 10-9 (Sept. 16, 2010).

In the motion to dismiss, the People state that “complainant has been unable to effect service upon either respondent by registered mail; the claims against those respondents may be added to a pending enforcement case in Macon County Circuit Court; and the Pollution Control Board (Board) has approved Stipulations and Proposals for Settlement with each of the other respondents.” Motion at 1. The Board grants the motion, dismisses the case, and closes the docket.

IT IS SO ORDERED.

I, John T. Therriault, Assistant Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 4, 2013, by a vote of 5-0.

A handwritten signature in black ink that reads "John T. Therriault". The signature is written in a cursive style with a long horizontal flourish at the end.

John T. Therriault, Assistant Clerk
Illinois Pollution Control Board