

ILLINOIS POLLUTION CONTROL BOARD  
June 6, 2013

PEOPLE OF THE STATE OF ILLINOIS,	)	
	)	
Complainant,	)	
	)	
v.	)	PCB 13-64
	)	(Enforcement - Air)
SOUTHERN ILLINOIS REGIONAL	)	
LANDFILL, INC., an Illinois corporation,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by T.A. Holbrook):

On May 15, 2013, the Office of the Attorney General, on behalf of the People of the State of Illinois (People), filed a three-count complaint against Southern Illinois Regional Landfill, Inc. (SIRLI). The complaint concerns SIRLI's non-hazardous waste landfill located at 1540 Landfill Road, De Soto, Jackson County. Accompanying the complaint was a stipulation, proposal for settlement, and request for relief from the hearing requirement. The parties therefore seek to settle the complaint without a hearing. For the reasons below, the Board accepts the complaint and directs the Clerk to provide public notice of the stipulation, proposed settlement, and request for hearing relief.

Under the Environmental Protection Act (Act) (415 ILCS 5 (2010)), the Attorney General and the State's Attorneys may bring actions before the Board on behalf of the People to enforce Illinois' environmental requirements. *See* 415 ILCS 5/31 (2010); 35 Ill. Adm. Code 103. In this case, the People allege that SIRLI violated Sections 9(a), 21(d)(1), (d)(2), (e), (o)(7), (o)(11), and 22.01 of the Act (415 ILCS 5/9(a), 21(d)(1), (d)(2), (e), (o)(7), (o)(11) and 22.01 (2010)). The People further allege that SIRLI violated Sections 811.403, 811.404(a), and 809.501 (j) and (k) of the Board regulations (35 Ill. Adm. Code 811.403, 811.404(a) and 809.501(j) and (k)) and Condition XI, B, 3 of its non-hazardous waste Permit No. 1994-176-LF. The People allege that SIRLI violated these provisions by:

- Count I:       accepting wastewater with unknown chemical composition and unknown analytical characteristics for disposal, thereby causing, threatening, and allowing the discharge or emission of the odiferous contaminant or contaminants into the environment in Illinois so as to cause or tend to cause air pollution.
- Count II       accepting improperly manifested waste that was analyzed in accordance with the requirements of its permit and failing to comply with acceptance criteria in its approved analysis plan;

failing to obtain a completed Special Waste Preacceptance and preacceptance analysis for wastes;

treating waste that had not undergone a required hazardous waste determination;

accepting improperly manifested waste with manifests that did not include when and where the special waste was generated; and

accepting improperly manifested waste with manifests that did not include special waste profiles and lacked required information

Count III failing to include all waste generators from whom it had accepted waste in its Illinois Facility Nonhazardous Special Waste 2009 Annual Report;

failing to include specific quantities and dispositions for all wastes accepted in its Annual Report; and

failing to provide all required information for special waste streams accepted in its Annual Report.

On May 15, 2013, the People and SIRLI filed a stipulation and proposed settlement, accompanied by a request for relief from the hearing requirement of Section 31(c)(1) of the Act (415 ILCS 5/31(c)(1) (2010)). This filing is authorized by Section 31(c)(2) of the Act (415 ILCS 5/31(c)(2) (2010)), which requires that the public have an opportunity to request a hearing whenever the State and a respondent propose settling an enforcement action without a public hearing. *See* 35 Ill. Adm. Code 103.300(a). Under the proposed stipulation, SIRLI does not admit the alleged violations and agrees to pay a civil penalty of \$28,733.

Unless the Board determines that a hearing is needed, the Board must cause notice of the stipulation, proposed settlement, and request for relief from the hearing requirement. Any person may file a written demand for hearing within 21 days after receiving the notice. If anyone timely files a written demand for hearing, the Board will deny the parties' request for relief and hold a hearing. *See* 415 ILCS 5/31(c)(2) (2010); 35 Ill. Adm. Code 103.300(b), (c). The Board directs the Clerk to provide the required notice.

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 June 6, 2013, by a vote of 5-0.



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John T. Therriault, Assistant Clerk

Illinois Pollution Control Board