

ILLINOIS POLLUTION CONTROL BOARD

May 3, 1973

ENVIRONMENTAL PROTECTION AGENCY)
)
) #72-502
 v.)
)
 CITY OF PRINCETON)

PRESCOTT BLOOM, SPECIAL ASST. ATTORNEY GENERAL, APPEARED ON
BEHALF OF ENVIRONMENTAL PROTECTION AGENCY
GEORGE S. SKINNER, APPEARED ON BEHALF OF RESPONDENT

OPINION AND ORDER OF THE BOARD (BY SAMUEL T. LAWTON, JR.):

Complaint was filed against the City of Princeton alleging that since July 1, 1970, in the operation of its refuse disposal site and facility, Respondent violated Section 21(e) of the Environmental Protection Act requiring the obtaining of a permit; caused or allowed open dumping of refuse in violation of Section 21(b) of the Act on seven specified dates in 1971 and 1972; violated Section 9(c) of the Act and Rule 5.02(a) and (b) of Part V, Chapter 2, Air Pollution Regulations, on September 28, 1971 and September 29, 1971; caused or allowed open dumping of refuse in violation of Rule 3.04 of the Rules and Regulations for Refuse Disposal Sites and Facilities on seven specified dates in 1971 and 1972; violated Rule 5.03 of said Rules with respect to confining the dumping of refuse to the smallest practical area on the same dates; failed to provide fencing in violation of Rule 5.04 on four specified dates in 1971 and 1972; failed to spread and compact in violation of Rule 5.06 on seven specified dates in 1971 and 1972; failed to provide daily cover in violation of Rule 5.07 on the same dates; and deposited liquids and hazardous materials without Agency approval in violation of Rule 5.08 on the same dates.

The entry of a cease and desist order, the requirement for a permit from the Agency or the closing of the facility and penalties in the maximum statutory amount are sought.

Hearing was held on March 5, 1973, at which time a stipulation of fact was submitted pursuant to which the City acknowledges that it operated the facility without an Environmental Protection Agency permit until March 5, 1973, at which time a permit to modify and operate the site was issued by the Environmental Protection Agency. The stipulation states that open dumping of refuse has been discon-

tinued, that open burning of trees has been discontinued, that dumping is presently confined to the smallest practical area, that portable fencing has been installed and that daily cover has been applied since May 25, 1972. A full-time operator is at the site to properly spread and compact refuse as admitted. Disposition of liquid and hazardous materials were disposed of pursuant to permit issued by the Environmental Protection Agency on August 2, 1971, and lagoons required by the permit appear to have been established. Efforts are being made to minimize blowing paper and to emplace dirt cover over the entire dumping area. Proper final cover has not been applied to all portions of the site, but cover will be available and applied during the spring months. Concrete paving bricks and construction debris presently on the site are being moved and will be completely covered. Implicit in the stipulation is that violations of all of the allegations of the complaint except those relating to disposition of hazardous materials without a permit are conceded. It also is evident that the City is taking affirmative steps to bring its operation into compliance, for which we commend it.

We will direct the City to cease and desist all future violations of the relevant Regulations and statutory provisions and impose a penalty in the amount of \$500 for the violations aforesaid.

This opinion constitutes the findings of fact and conclusions of law of the Board.

IT IS THE ORDER of the Pollution Control Board:

1. City of Princeton shall, within 30 days from the date of this Order, apply for and obtain a permit from the Environmental Protection Agency for operation of its landfill site and shall cease and desist all violations of the relevant Regulations and statutory provisions with respect to the operation of refuse disposal sites and facilities.
2. Penalty in the amount of \$500 is assessed for violations of Sections 9(c) and 21(b) and (e) of the Environmental Protection Act and Rules 3.04, 5.03, 5.04, 5.06 and 5.07 of the Rules and Regulations relative to Refuse Disposal Sites and Facilities and Rules 5.02(a) and (b) of Chapter 2, Air Pollution, of the Rules and Regulations of the Illinois Pollution Control Board. Penalty payment by certified check or money order payable to the State of Illinois shall be made to: Fiscal Services Division, Illinois Environmental Protection Agency, 2200 Churchill Drive, Springfield, Illinois 62706.

I, Christan Moffett, Clerk of the Illinois Pollution Control Board, certify that the above Opinion and Order was adopted on the 3RD day of May, 1973, by a vote of 4 to 0.

-2-

Christan Moffett