

ILLINOIS POLLUTION CONTROL BOARD

January 9, 2025

VILLAGE OF GLENVIEW, an Illinois	)	
municipal corporation, and SOLID WASTE	)	
AGENCY OF NORTHERN COOK	)	
COUNTY, an Illinois statutory solid waste	)	
agency,	)	
	)	
Complainants,	)	
	)	
v.	)	PCB 23-49
	)	(Enforcement – Water, Land)
CATHOLIC BISHOP OF CHICAGO, a	)	
corporation sole,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by M. Gibson):

The Village of Glenview (Village) and the Solid Waste Agency of Northern Cook County (SWANCC) (collectively, Complainants) filed a two-count complaint against the Catholic Bishop of Chicago (Catholic Bishop) and the Illinois Environmental Protection Agency (IEPA or Agency) (collectively, Respondents) concerning Catholic Bishop’s landfill. The landfill, referred to by the parties as variations of the “Des Plaines Landfill” or the “Des Plaines Sexton Landfill,” is located in unincorporated Cook County, generally north of Central Road and east of the Des Plaines River.

In their complaint, the Village and SWANCC allege that Catholic Bishop caused or allowed leachate to leak from the closed landfill, contaminating groundwater and surface water. The complaint also alleges that IEPA violated the Environmental Protection Act (Act) (415 ILCS 5 (2022)) by issuing permits to Catholic Bishop authorizing the development and operation of a compost facility at the landfill.

Both Respondents filed motions to dismiss the complaint on various grounds. On May 2, 2024, the Board ruled on the motions to dismiss. First, the Board dismissed IEPA and struck, with prejudice, related provisions of the complaint. Second, the Board struck, without prejudice, the complaint’s allegations of permit violations and Count II, all for being insufficiently pled to state a cause of action and therefore frivolous. Third, the Board struck, with prejudice, Count I’s request for attorney fees and costs as being beyond the Board’s authority to grant and therefore frivolous. The Board accepted for hearing the complaint as amended by the order and directed Catholic Bishop to file its answer within 60 days. On July 1, 2024, Catholic Bishop filed its answer to the complaint.

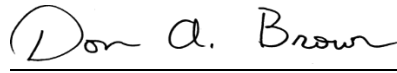
On December 3, 2024, Complainants filed a motion to voluntarily dismiss its complaint with prejudice (Mot.). Complainants state that the parties “have settled all matters between them

giving rise to this enforcement complaint.” Mot. at 2. Complainants report that Catholic Bishop agrees with this motion. *Id.*

The Board grants the unopposed motion for voluntary dismissal, dismisses the complaint with prejudice, and closes the docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on January 9, 2025, by a vote of 5-0.

A handwritten signature in cursive script that reads "Don A. Brown". The signature is written in dark ink and is positioned above a horizontal line.

Don A. Brown, Clerk
Illinois Pollution Control Board