

ILLINOIS POLLUTION CONTROL BOARD
November 16, 1978

ENVIRONMENTAL PROTECTION AGENCY,)
))
 Complainant,)
))
 v.) PCB 75-327
))
MAL LANDFILL CORPORATION,)
))
 Respondent.)

MS. JUDITH S. GOODIE, ASSISTANT ATTORNEY GENERAL, appeared on behalf of Complainant.
MR. FRED PRILLAMAN; MOHAN, ALEWELT & PRILLAMAN, appeared on behalf of Respondent.

OPINION OF THE BOARD (by Mr. Dumelle):

An Amended Complaint was filed in this case on February 21, 1978. The Complaint alleged that Respondent had accepted certain wastes at a solid waste disposal site without prior Agency authorization, failed to apply adequate cover, threatened and caused water pollution, and allowed open burning. A hearing was held on August 22, 1978 at the St. Clair County Courthouse in Belleville, Illinois. No members of the public were present.

At the hearing a Stipulation and Proposal for Settlement was offered in lieu of any evidence. The Stipulation was executed by the Agency and SCA Services of Illinois, Inc., Respondent's successor. The terms of the Stipulation were incorporated in a Board Order dated November 2, 1978.

The Stipulation states that Respondent operates the largest landfill in downstate Illinois on a 265 acre site north of East St. Louis in St. Clair County. Disposal operations were moved across Old Cahokia Creek to a more suitable area after this case was filed. A series of dates are listed on which Respondent violated Rule 5.08 of the Department of Public Health Rules and Rules 310(b) and 311, 305(a) and 305(c) of the Board's Solid Waste Regulations. No water pollution violations were admitted.

As a settlement Respondent proposes to conform its operations with certain plan sheets on file with the Agency. The old site shall be closed by November 15, 1978 with a compacted layer of one foot of suitable material. From May 1, 1979-September 1, 1979 an additional foot of cover shall be applied. Timely compliance with each date shall be insured with two performance bonds.

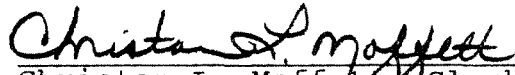
A specific mode of operation is prescribed for the new site.

Finally, the Stipulation calls for the revocation and re-issuance of certain operating permits and payment of a \$10,000 penalty.

The Board finds that the Stipulation and Proposal for Settlement represents an adequate resolution of this case.

This Opinion constitutes the Board's findings of fact and conclusions of law in this matter.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion was adopted on the 16th day of November, 1978 by a vote of 3-0.



Christan L. Moffett, Clerk
Illinois Pollution Control Board