ILLINOIS POLLUTION CONTROL BOARD April 24, 1975

ENVIRONMENTAL PROTECTIO	N AGENCY, Complainant,)	
V.))	PCB 74-465
VILLAGE OF MEREDOSIA,	Respondent.)))	

Mr. Howard Thomas, Assistant Attorney General, appeared for the Complainant;

Mr. Larry Kuster; Foreman, Rammelkamp, Brandey and Hall, appeared for the Respondent.

OPINION AND ORDER OF THE BOARD (by Mr. Dumelle):

This enforcement action was filed on December 21, 1974. The Village of Meredosia is charged with operating a solid waste management site without an operating permit from the Environmental Protection Agency, in violation of Rule 202(b) (1), Pollution Control Board Regulations, Chapter 7 (Solid Waste) and of Section 21(e) of the Environmental Protection Act. A hearing was held on February 6, 1975, wherein a stipulation and proposal for settlement was entered.

The Village of Meredosia owns and operates a solid waste management site that services a population of about 1,200 persons. The Agency has sent seven warning letters to the Village President and the Board of Trustees. These letters notified the Village of the July 27, 1974, deadline for operating permits for solid waste management sites. The first letter was dated November 21, 1973.

The Village admits that it has operated this site after July 27, 1974, without an operating permit, in violation of the Act and Regulations as alleged in the complaint. The stipulation indicates that on November 20, 1973, an engineering firm wrote a letter to the Agency on behalf of the Village requesting a geological investigation of the site. The Agency notified the firm on March 12, 1974 that it was not required to obtain a response from the survey prior to processing a permit application for the Village. The Village has still not submitted a formal application for a permit.

At hearing the Village of Meredosia indicated that it had closed the landfill site upon receipt of the complaint in this action. It further indicated that the site is nearly used up and that it does not intend to reopen it.

The parties agreed to a penalty of \$750 for this violation. The Village of Meredosia further agreed to cease and desist from operating the site without an appropriate permit. In the event that the Village of Meredosia intends to reopen the site it agreed to apply for a permit within 30 days, and to obtain such permit within 120 days of the date of this Order.

The facts as stipulated are sufficient to establish violations as alleged in the complaint. We find that the proposal for settlement represents a reasonable resolution of this case and we hereby accept it in full.

ORDER

- 1. The Village of Meredosia is ordered to cease and desist from operating its solid waste management site without an appropriate permit. In the event it intends to continue operating this site it is ordered to apply for such permit within 30 days and to obtain such permit within 120 days of the date of this order.
- 2. In the event the site is closed it shall be provided with final cover as set out in the Solid Waste Regulations.
- 3. The Village of Meredosia is ordered to pay a penalty of \$750 for the violations of Rule 202(b)(1) of the Solid Waste Regulations and Section 21(e) of the Environmental Protection Act found herein. 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 Road, Springfield, Illinois 62706.

IT IS SO ORDERED.

I, Christan L. Moffett, Clerk of the Illinois Pollution Control Board, hereby certify the above Opinion and Order were adopted on the 24^{Ha}day of April, 1975 by a vote of 4-0

Christan L. Moffett Clerk
Illinois Pollution Control Board